

Delegated Decision Report

Application No:	25/0135	Statutory Period Expires:	18th April 2025
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Site:	Drake House Langstone Business Village Priory Drive Langstone Newport		
Proposal:	PARTIAL DISCHARGE OF CONDITION 5(A)(SCHEME OF HEDGE PLANTING) OF PLANNING PERMISSION 24/0179 FOR CHANGE OF USE OF THE PLANNING UNIT FROM OFFICE USE (B1 USE CLASS) TO ANIMAL RE HOMING CENTRE AND OFFICES (SUI GENERIS) WITH EXTERNAL AREA AND ASSOCIATED WORKS		
Applicant:	M Williams		
Type:	Discharge Conditions	Ward:	Bishton And Langstone
Decision:	APPROVED		

1. BACKGROUND

- 1.1 Planning permission has been granted with conditions under application 24/0179 for the change of use of the site to Animal Rehoming Centre and Offices with external area and associated works.
- 1.2 Planning application 24/0766 was subsequently submitted and approved the details of a scheme of soft landscaping/hedge planting.

2. SITE LOCATION AND CONTEXT

- 2.1 Drake House (The Site) is located in Langstone Business Village in the Bishton and Langstone ward.
- 2.2 The application site is a two-storey detached commercial building with a pleasant and open landscaped frontage containing two trees, located to the south of Priory Drive and to the east of the entrance to a cul-de-sac containing other commercial buildings.

3. DESCRIPTION OF DEVELOPMENT

- 3.1 This application is now seeking to discharge Part A of Condition 05 of permission 24/0179 as referenced below;

05 Details of the proposed hedge to be planted (including location, species, height and spacing) shall be submitted to and approved in writing prior to the installation of the 1.80m fence enclosure hereby approved. The approved scheme of planting shall then be carried out in its entirety by a date not later than the end of the full planting season following substantial completion of the fence. Thereafter the hedge shall be maintained for a period of 5 years from the date of planting and any which die or are damaged shall be replaced and maintained until satisfactorily established. The monitoring and remediation of the landscape mitigation planting during the 5 years establishment phase is to be confirmed by:

- a) ***A short report with photo evidence by the landscape consultant to be submitted to and approved in writing by Newport City Council immediately following the completion of the landscape scheme and showing the site before and after planting, seeding, fencing has been undertaken, and to confirm this is all in line with the approved documents e.g. plant species, plant size, planting operations etc; and***
- b) *A report with photo evidence by the landscape consultant to be submitted to Newport City Council by 31st July for year 2 and 5 of the five-year establishment period (and thereafter approved in writing by the Local Planning Authority) summarising any issues with planting or seeding, any replacement planting required and the timetable for replacements.*

For the purpose of this condition, the planting season shall mean the period of October to March.

Reason: To secure the satisfactory implementation and maintenance of the soft landscape scheme in the interests of visual amenity having regard to policies GP2 and GP5 of the adopted Newport Local Development Plan 2011-2026 (adopted January 2015).

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
23/0937	CHANGE OF USE OF THE PLANNING UNIT FROM OFFICE USE (B1 USE CLASS) TO ANIMAL REHOMING CENTRE AND OFFICES (SUI GENERIS) WITH PROPOSED EXTERNAL AREA AND ASSOCIATED WORKS	REFUSED	04.01.2024
23/0938	ADVERTISEMENT CONSENT FOR 1NO. NON ILLUMINATED FASCIA SIGN	GRANTED WITH CONDITIONS	11.01.2024
24/0179	CHANGE OF USE OF THE PLANNING UNIT FROM OFFICE USE (B1 USE CLASS) TO ANIMAL REHOMING CENTRE AND OFFICES (SUI GENERIS) WITH EXTERNAL AREA AND ASSOCIATED WORKS	GRANTED WITH CONDITIONS	30.05.2024
24.0767	PARTIAL DISCHARGE OF CONDITIONS 06 (SCHEME OF NOISE MANAGEMENT) AND 08 (DETAILS OF REFUSE/WASTE PROVISION) OF PLANNING PERMISSION 24/0179 FOR CHANGE OF USE OF THE PLANNING UNIT FROM OFFICE USE (B1 USE CLASS) TO ANIMAL REHOMING CENTRE AND OFFICES (SUI GENERIS) WITH EXTERNAL AREA AND ASSOCIATED WORKS	APPROVED	31.10.2024
24.0766	PARTIAL DISCHARGE OF CONDITIONS 04 (ARBORICULTURALIST) AND 05 (SCHEME OF HEDGE PLANTING) OF PLANNING PERMISSION 24/0179 FOR CHANGE OF USE OF THE PLANNING UNIT FROM OFFICE USE (B1 USE CLASS) TO ANIMAL REHOMING CENTRE AND OFFICES (SUI GENERIS) WITH EXTERNAL AREA AND ASSOCIATED WORKS	APPROVED	31.10.2024

5. PLANNING POLICY

None.

6. CONSULTATION RESPONSES

6.1 Landscape Officer: No response.

7. PUBLIC REPRESENTATIONS

None.

8. ASSESSMENT

8.1 Condition 05 (Scheme of Hedge Planting) states;

Details of the proposed hedge to be planted (including location, species, height and spacing) shall be submitted to and approved in writing prior to the installation of the 1.80m fence enclosure hereby approved. The approved scheme of planting shall then be carried out in its entirety by a date not later than the end of the full planting season following substantial completion of the fence. Thereafter the hedge shall be maintained for a period of 5 years from the date of planting and any which die or are damaged shall be replaced and maintained until satisfactorily established. The monitoring and remediation of the landscape mitigation planting during the 5 years establishment phase is to be confirmed by:

- b) A short report with photo evidence by the landscape consultant to be submitted to and approved in writing by Newport City Council immediately following the completion of the landscape scheme and showing the site before and after planting, seeding, fencing has been undertaken, and to confirm this is all in line with the approved documents e.g. plant species, plant size, planting operations etc; and*
- b) A report with photo evidence by the landscape consultant to be submitted to Newport City Council by 31st July for year 2 and 5 of the five-year establishment period (and thereafter approved in writing by the Local Planning Authority) summarising any issues with planting or seeding, any replacement planting required and the timetable for replacements.*

For the purpose of this condition, the planting season shall mean the period of October to March.

Reason: To secure the satisfactory implementation and maintenance of the soft landscape scheme in the interests of visual amenity having regard to policies GP2 and GP5 of the adopted Newport Local Development Plan 2011-2026 (adopted January 2015).

- 8.1.1 Condition 05 Part A requires confirmation that the approved landscape scheme has been implemented in accordance with the approved details. The Landscape Architect has completed a report confirming works undertaken and a site visit has been undertaken by the officer to view the planting on site. Both confirm compliance with the approved scheme and as such, this partial discharge can be approved.

9. OTHER CONSIDERATIONS

9.1 **Crime and Disorder Act 1998**

Section 17(1) of the Crime and Disorder Act 1998 imposes a duty on the Local Authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. This duty has been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable increase in crime and disorder as a result of the proposed decision.

9.2 **Equality Act 2010**

The Equality Act 2010 identifies a number of 'protected characteristics', namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; marriage and civil partnership.

9.3 Having due regard to advancing equality involves:

- removing or minimising disadvantages suffered by people due to their protected characteristics;
- taking steps to meet the needs of people from protected groups where these differ from the need of other people; and

- encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

9.4 The above duty has been given due consideration in the determination of this application. It is considered that there would be no significant or unacceptable impact upon persons who share a protected characteristic, over and above any other person, as a result of the proposed decision.

9.5 ***Planning (Wales) Act 2015 (Welsh language)***

Section 31 of the Act clarifies that impacts on the Welsh language may be a consideration when taking decisions on applications for planning permission so far as it is material to the application. This duty has been given due consideration in the determination of this application. It is considered that there would be no material effect upon the use of the Welsh language in Newport as a result of the proposed decision.

9.6 ***Newport's Well-Being Plan 2018-23***

The Wellbeing of Future Generations (Wales) Act 2015 imposes a duty on public bodies to carry out sustainable development in accordance with the sustainable development principle to act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs. This duty has been considered during the preparation of Newport's Well-Being Plan 2018-23, which was signed off on 1 May 2018. The duty imposed by the Act together with the goals and objectives of Newport's Well-Being Plan 2018-23 have been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the proposed decision.

10. CONCLUSION

10.1 The information submitted is acceptable and Condition 05 Part A of 24/0179 can be partially discharged.

10.2 The application is approved.

11. DECISION

APPROVED

NOTE TO APPLICANT

01 This decision relates to plan Nos: 1228.Landscape Architect Site Report (14/02/2025)(DP Landscape Architecture).

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). No policies were relevant to the determination of this application.

03 As consideration of this request did not raise significant additional environmental matters over and above those previously considered as part of the original application, it is considered that the proposals did not need to be screened under the Environmental Impact Assessment Regulations.