

Notice of Decision



S Lyons
Brooks Healthcare (Newport) Ltd
23 Chiswick Lane
Chiswick
London
W4 2LR

SECTION 73 OF THE TOWN AND COUNTRY PLANNING ACT 1990 [as amended]

Application No: **25/0170**
Application Type: **Renewals and Variation of Conditions**
Proposal: **S73 APPLICATION TO VARY THE STANDARD TIME CONDITION IN RESPECT OF 19/1226 CONSTRUCTION OF THREE STOREY AND SINGLE STOREY EXTENSIONS TO EXISTING RESIDENTIAL CARE HOME**
Site/Location: **The Oak Residential Home, Great Oaks Park, Rogerstone, Newport, South Wales,**
Decision Date: **14th August 2025**

In pursuance of its powers under the above Act the Council of the City of Newport notifies you of its decision in respect of your application, registered by them on 19th March 2025. The application has been:-

Granted with Conditions

STANDARD CONDITIONS

- (a) The development to which this permission relates must be begun not later than the expiration of **FIVE YEARS** from the date of this permission.
Reason: To conform to the requirements of Sections 91 and 92 of the Town and Country Planning Act 1990.

ADDITIONAL CONDITIONS IMPOSED BY THE COUNCIL

- 01 The development shall be implemented in accordance with the following plans and documents: 21418 01, 03, 04D, 05D, 06D, 09D.10, Ecological Appraisal Aug 2024; Tree Survey Oct 2023, Application Form
Reason: In the interests of clarity and to ensure the development complies with the submitted plans and documents on which this Decision was based

Pre-commencement

- 02 No works are to commence on site until a tree protection plan (in accordance with BS 5837:2005) has been submitted to and approved in writing by the Local Planning Authority. The tree protection plan shall contain full details of the following:-
(a) trees and hedges to be retained/felled clearly identified and marked on a plan;
(b) trees and hedges requiring surgery;
(c) the root protection areas to be identified on a plan for retained trees and hedges;
(d) the type and detail of the barrier fencing to be used to safeguard the root protection areas;
(e) the precise location of the barrier fencing, to be shown on a plan.
The development shall be carried out in accordance with the approved tree protection plan.
Reason: To protect important landscape features within the site and is in compliance with Policy GP5.
- 03 No operations shall commence in connection with the development including demolition work, soil moving, temporary access construction, or any operations involving the use of motorised vehicles or construction machinery until the root protection barrier

fencing has been installed in accordance with the approved tree protection plan. No excavation for services, storage of materials or machinery, parking of vehicles, deposits or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within the root protection area. The fencing shall be retained for the full duration of the development, and shall not be removed or repositioned without the prior written approval of the Local Planning Authority.

Reason: To protect important landscape features within the site and is in compliance with Policy GP5.

- 04 Prior to the commencement of development, an arboriculturalist shall be appointed to oversee the project (to perform a watching brief) for the duration of the construction and who shall be responsible for:
 - (a) supervision and monitoring of the approved tree protection plan;
 - (b) supervision and monitoring of the approved tree felling and pruning works;
 - (c) supervision of the alteration or temporary removal of any barrier fencing;
 - (d) oversee working within any root protection area;
 - (e) reporting to the Local Planning Authority;
 - (f) the arboriculture consultant will provide site progress reports to the Council's tree officer at intervals to be agreed by the council's tree officer.Reason: To protect important landscape features within the site and is in compliance with Policy GP5.
- 05 Prior to the commencement of development, full details of wheel wash and dust suppression measures shall be submitted to and approved in writing by the Local Planning Authority. The measures shall be installed and utilised throughout the duration of construction, in accordance with the approved details.
Reason: In the interests of highway safety and residential amenity and is in compliance with Policy GP2, GP3 and GP4
- 06 Before the development is commenced, a scheme of landscaping and tree planting for the site (indicating inter alia the number, species, heights on planting and positions of all trees and shrubs) shall be submitted to and approved in writing by the Local Planning Authority. Such scheme as approved shall be carried out in its entirety by a date not later than the end of the full planting season immediately following the completion of that development. Thereafter, the trees and shrubs shall be adequately 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 landscaping details submitted shall also include measures for the long-term management of all of the un-adopted landscaped areas, which shall then be managed in accordance with the approved details. For the purposes of this condition, a full planting season shall mean the period from October to April.
Reason: To safeguard the rights of control of the Local Planning Authority in these respects and to ensure that the site is landscaped in a satisfactory manner and is in compliance with Policy GP5.
- 07 No work shall be commenced on the construction of the approved scheme until details/samples of materials and finishes to be used on the external surfaces (including the proposed building and hard surfaces) have been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out using the agreed materials.
Reason: To ensure that the development is completed in a manner compatible with its surroundings and is in compliance with Policy CE38 and GP6.
- 08 No development shall commence until a lighting design strategy and method statement to ensure that there will be no light spill onto the trees surrounding the development site both during and after construction, has been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved lighting strategy.
Reason: To protect bats and other protected species and is in compliance with Policy GP5 and GP9.
- 09 Prior to commencement of development of the proposed extension details (including specification of noise emissions) of any proposed external plant associated with that building and any external vents/outlets associated with internal plant shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.
Reason: To control noise levels and to ensure that the appearance of the building will be satisfactory and is in compliance with Policy and is in compliance with Policy GP2 and GP7.
- 10 Details and plans showing the finished slab level of the extension hereby approved, together with cross sections through the site, shall be submitted to and approved by the Local Planning Authority in writing prior to the commencement of any work on site, and the development shall be undertaken in accordance with the approved details.
Reason: In the interests of visual amenities and is in compliance with Policy GP2.
- 11 No development shall commence until full details of the proposed boundary treatments have been submitted to and approved in writing by the Local Planning Authority. The boundary treatments shall be constructed in accordance with the approved details prior to the first occupation of the associated dwelling and then maintained thereafter.
Reason: To ensure the development is completed in a satisfactory manner.
- 12 Prior to work commencing on site details of the surfacing improvement to the access to the site shall be submitted to and to and agreed in writing with the Local Planning Authority. The improvements as approved shall be carried out prior to the first beneficial occupation of the extension.
Reason: In the interest of highway safety and is in compliance with Policy GP4.
- 13 Pre- beneficial occupation prior to the first beneficial occupation of the extension hereby approved, a foul and surface water drainage system shall be installed in accordance with full details which shall have first been submitted to and agreed in writing with the Local Planning Authority.
Reason: To ensure an orderly form of development and is in compliance with Policy GP3.
- 14 No use shall be made of the extension hereby approved until the parking, loading and access areas have been provided and surfaced as indicated on the plan(s) hereby approved and individual parking spaces marked on the surface. Thereafter, these areas shall be kept available for those purposes at all times.
Reason: To ensure that adequate off-street parking provision is made in the interests of highway safety and is in compliance with Policy GP4.
- 15 If at any time the use of the premises is to involve the preparation and cooking of hot food the extraction of all fumes from the food preparation areas shall be mechanically extracted to a point to be agreed in writing by the Local Planning Authority, and the extraction system shall be provided with de-greasing and deodorising filters. Details of the above equipment (including scaled

schematics, location plans, odour attenuation measures and future maintenance) shall be submitted to and approved in writing by the Local Planning Authority prior to its installation and the equipment shall be installed in accordance with the approved details prior to the commencement of use for the cooking of food. The equipment shall thereafter be maintained in accordance with the approved details.

Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected and in the interests of visual amenities and is in compliance with Policy GP2 and GP7

- 16 Deliveries shall only take place within the site between the hours of 8.00 hours 20.00 hours.
Reason: In the interest of residential amenity and is in compliance with Policy GP2.
- 17 No additional window or door openings (other than those shown on the approved plan) shall be formed in the Northeast elevation of the extension hereby approved without the prior written permission of the Local Planning Authority.
Reason: To protect the privacy of adjoining occupiers and is in compliance with Policy GP2 and GP6.
- 18 Prior to the commencement of development, a biodiversity enhancement scheme shall be submitted to and approved in writing by the Local Planning Authority. The biodiversity enhancement scheme shall be implemented in accordance with the approved plans prior to the first beneficial use of the development hereby approved and retained as such for the lifetime of the development. Reason: In the interest of protected species, in accordance with Policy 9 of Future Wales and Policy GP5 of the Newport Local Development Plan 2011-2026 (adopted January 2015).

NOTE TO APPLICANT

- 01 This decision relates to plan Nos: 21418 01, 03, 04D, 05D, 06D, 09D.10. and 11 Tree Information Report 12.2014, Design and Access Statement, Ecological Appraisal Aug 2024; Tree Survey Oct 2023.
- 02 The development plan for Newport is the Newport Local Development Plan 2011-26 (adopted January 2015). Policies CE13, CE15, CE20, CE31, CE41, CE38. GP2, GP3, GP4, GP5, GP6, GP7, CE7 and SP9 were relevant to the determination of this application. The House Extension and Domestic Outbuilding SPG was also relevant to the determination of this planning application.
- 03 Due to the minor nature of the proposed development (including any demolition) and the location of the proposed development, it is considered that the proposals did not need to be screened under the Environmental Impact Assessment Regulations.
- 04 As of 1st October 2012 any connection to the public sewerage network (foul or surface water sewerage) for the first time will require an adoption agreement with Dwr Cymru Welsh Water. For further advice contact Dwr Cymru Welsh Water on 01443 331155.
- 05 Foul water and surface water discharges shall be drained separately from the site. No surface water shall be allowed to connect, either directly or indirectly, to the public sewerage system unless otherwise approved in writing by the Local Planning Authority.
- 06 Land drainage run-off shall not be permitted to discharge, either directly or indirectly, into the public sewerage system.
- 07 The proposed development site is crossed by a public sewer with the approximate position being marked on the attached Statutory Public Sewer Record. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times. No part of the building will be permitted within 3 metres either side of the centreline of the public sewer.
- 08 No construction work (including land raising if required) shall be carried out other than between the hours of 08.00 and 18.00 Monday to Friday and between the hours of 08.00 and 13.00 on Saturdays unless otherwise first agreed in writing by the Local Planning Authority.

Signed on behalf of the Council



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Application Number: 25/0170

Decision Date: 14th August 2025

IMPORTANT! PLEASE READ THE NOTES ON THE REVERSE OF THIS FORM

Notes for Applicants

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

Appeals to the Welsh Government

- If you are aggrieved by the decision of your Local Planning Authority to refuse permission or grant it subject to conditions, then you can appeal to the Welsh Government under Section 78 of the Town and Country Planning Act (as amended).
- Appeals must be made within a prescribed time period that is dependent on the application type. These time periods along with further information on the appeals process are available here and should be checked immediately: [Planning appeals | Sub-topic | GOV.WALES](#)
- Appeals in respect of:
 - Householder and 'minor commercial' development must be received within 12 weeks from the date of the decision notice;
 - Advertisement consent applications must be received within 8 weeks from the date of the decision notice; and,
 - Other types of planning application must be received within 6 months from the date of the decision notice.

Appeal forms can be downloaded at Planning Casework (gov.wales) or are obtainable from Planning and Environment Decisions Wales, Crown Buildings, Cathays Park, Cardiff, CF10 3NQ, email PEDW.Casework@gov.wales

- The Welsh Ministers can allow a longer period for giving notice of an appeal, but are not normally prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Welsh Ministers do not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by them.

Purchase Notices

- If either the Local Planning Authority or the Welsh Government refuses permission to develop land or grants it subject to conditions, the owner may claim that he/she can neither put the land to a reasonable beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a Purchase Notice on the Council. This notice will require the Council to purchase his/her interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990 (as amended).