

Delegated Decision Report

|                 |         |                           |                |
|-----------------|---------|---------------------------|----------------|
| Application No: | 25/0395 | Statutory Period Expires: | 18th July 2025 |
|-----------------|---------|---------------------------|----------------|

|            |                                                                                                                                                                                            |       |          |
|------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|----------|
| Site:      | Graig Wood House Malthouse Lane Caerleon Newport South Wales                                                                                                                               |       |          |
| Proposal:  | PARTIAL DISCHARGE OF CONDITION 4 (SCHEME OF LANDSCAPING ONLY) OF 24/0475 CHANGE OF USE OF OPEN PASTURE LAND TO A SECURE DOG WALKING FIELD WITH ASSOCIATED FENCING, ACCESS AND PARKING AREA |       |          |
| Applicant: | N Allen                                                                                                                                                                                    |       |          |
| Type:      | Discharge Conditions                                                                                                                                                                       | Ward: | Caerleon |
| Decision:  | APPROVED                                                                                                                                                                                   |       |          |

Commented [JD1]: PLEASE UPDATE DESCRIPTION IN UNIFORM TO SUIT

1. BACKGROUND

1.1 Planning permission was granted with conditions under planning application 24/0475 for the change of use to secure dog walking field with associated fencing, access and parking area.

2. SITE LOCATION AND CONTEXT

- 2.1 The application site is located in the countryside comprising a small flat land parcel comprising open pasture grassland which is advised as being previously used for the grazing of horses.
- 2.2 The site is 0.6ha in size with the southern and western boundaries of the parcel defined by timber post and rail fence. The southern fence line separates the field from the access road leading to Graig Wood House to the west, with the western fence line separating the field from the parking area for Graig Wood House itself. The field's eastern boundary is defined by a post and wire mesh fence which runs alongside another access road leading to Ty-Isaf Farm to the north. The northern boundary runs alongside the Dowlais Brook which is bound by overgrown vegetation and a line of trees along its banks. Ty-Isaf Farm lies to the north of this brook.
- 2.3 The site is accessed via a track that runs from Malthouse Lane, a rural highway linking Newport and Torfaen.
- 2.4 Other than Graig Wood House, the nearest residential property is Ty-Isaf Farmhouse, approximately 130m from the site and set behind agricultural buildings. Approximately 30m north west of the site is the edge of the Llantarnam Abbey Registered Park and Garden.

3. DESCRIPTION OF DEVELOPMENT

3.1 This application is seeking the partial discharge of Condition 04 (Landscaping) of planning permission 24/0475.

4. RELEVANT SITE HISTORY

| App Number | Proposal                                                                                                          | Decision                | Decision Date |
|------------|-------------------------------------------------------------------------------------------------------------------|-------------------------|---------------|
| 24/0475    | CHANGE OF USE OF OPEN PASTURE LAND TO A SECURE DOG WALKING FIELD WITH ASSOCIATED FENCING, ACCESS AND PARKING AREA | GRANTED WITH CONDITIONS | 31.10.2024    |

5. PLANNING POLICY

5.1 NONE.

6. CONSULTATION RESPONSES

- 6.1 Landscape Officer: I have no objection to the discharge of the condition but would advise that the incorporation of a high percentage (25%) of blackthorn may not be ideal for dog walking as this has very large thorns and readily suckers.

## **7. PUBLIC REPRESENTATIONS**

None.

## **8. ASSESSMENT**

- 8.1 Condition 04 (Landscaping) states;

*Prior to the use of the dog walking field hereby approved a scheme of soft landscaping and planting (including hedgerow and trees) shall be submitted to and approved in writing by the Local Planning Authority. 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 years 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, preserving the character and appearance of the countryside and biodiversity enhancement having regard to policies SP5, GP2 and GP5 of the adopted Newport Local Development Plan 2011-2026 (adopted January 2015).*

- 8.2 A soft landscape scheme including maintenance and management specification has been submitted for consideration. The Council's Landscape Officer has offered no objection to the proposed details, however has noted that a 25% mix of blackthorn within the hedge might not be ideal for dog walking as this has very large thorns and readily suckers.
- 8.3 These comments have been put to the agent. They have confirmed that the proposed native hedge planting lays beyond the secure perimeter of the site, so will not be located within the dog walking field and have not revised the submission.
- 8.4 The submitted details are considered acceptable and the condition can be partially discharged.

## **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 submitted details submitted are considered acceptable and Condition 04 (Landscaping) of 24/0475 is partially discharged.

- 10.3 The application is approved.

## 11. DECISION

### APPROVED

#### NOTE TO APPLICANT

01 This decision relates to plan Nos: GH-LPS-2025-001 – Landscape Planting Scheme; 0003-08-D02 - Site Location Plan.

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 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.