

REVISION 16 – 03.10.2024

Notice of Decision



E. Harding,
Asbri Planning Ltd.
Unit 9, Oak Tree Court, Cardiff Gate Business Park
Cardiff
CF23 8RS

**TOWN AND COUNTRY PLANNING ACT 1990 [as amended]
TOWN AND COUNTRY PLANNING [ENVIRONMENTAL IMPACT ASSESSMENT](WALES) REGULATIONS 2017**

Application No: **18/0293**
Application Type: **Full+Env Statement**
Proposal: **DEVELOPMENT OF 195NO. RESIDENTIAL UNITS, INTERNAL ROAD NETWORKS, PARKING, LANDSCAPING AND ASSOCIATED WORKS AFFECTING PUBLIC RIGHT OF WAY 407/1**
Site/Location: **Land To South Of Glan Usk Primary School, Herbert Road, Newport**
Decision Date: **03-Oct-2018**

In pursuance of its powers under the above legislation the Council of the City of Newport notifies you of its decision in respect of your application, registered by them on 03-Apr-2018. The application has been:-

Granted with Conditions

STANDARD CONDITIONS

The development must begin not later than the expiration of **FIVE YEARS** from the date of this permission.

Reason: To conform with the requirements of Section 91 of the Town and Country Planning Act 1990.

ADDITIONAL CONDITIONS

1. The development shall be carried out in accordance with the following plans & documents:
 - Drawing A102732 P LA1 F – Landscape Layout
 - Drawing A102732 P LA2 F – Planting Details (1 of 7)
 - Drawing A102732 P LA3 F – Planting Details (2 of 7)
 - Drawing A102732 P LA4 F – Planting Details (3 of 7)
 - Drawing A102732 P LA5 F – Planting Details (4 of 7)
 - Drawing A102732 P LA6 F – Planting Details (5 of 7)
 - Drawing A102732 P LA7 F – Planting Details (6 of 7)
 - Drawing A102732 P LA8 F – Planting Details (7 of 7)
 - Drawing 1795 103 D – Engineering Layout
 - Drawing 3073(04)100 O – Site Layout
 - Drawing 3073(04)201 A – House Type A Ground Floor Plan
 - Drawing 3073(04)202 – House Type A First Floor Plan
 - Drawing 3073(04)211 – House Type B Ground Floor Plan
 - Drawing 3073(04)212 – House Type B First Floor Plans
 - Drawing 3073(04)221 – House Type C Floor Plan, Ground Floor Plan
 - Drawing 3073(04)222 – House Type C First Floor Plan
 - Drawing 3073(04)231 – House Type C&D Ground Floor Plan
 - Drawing 3073(04)232 B – House Type C&D First Floor Plan
 - Drawing 3073(04)241 – House Type E Floor Plans, Ground Floor Plan
 - Drawing 3073(04)242 – House Type E Floor Plans, First Floor Plan
 - Drawing 3073(04)261 – House Type G, Floor Plans, Ground Floor Plan
 - Drawing 3073(04)262 – House Type G Floor Plans, First Floor Plan
 - Drawing 3073(04)271 A – House Type H Floor Plans, Ground Floor Plan
 - Drawing 3073(04)272 A – House Type H Floor Plans, First Floor Plan
 - Drawing 3073(04)281 A – House Type I & J Floor Plans, Ground Floor Plan
 - Drawing 3073(04)282 – House Type I & J Floor Plans, First Floor Plan
 - Drawing 3073(04)291 – House Type K Floor Plans, Ground Floor Plan

- Drawing 3073(04)292 – House Type K Floor Plans, First Floor Plan
- Drawing 3073(04)293 – House Type K Floor Plans, Second Floor Plan
- Drawing 3073(04)301 B – House Type A Elevations (Type 1)
- Drawing 3073(04)302 B – House Type A Elevations (Type 2)
- Drawing 3073(04)311 B – House Type B Elevations
- Drawing 3073(04)322 C – House Type B Elevations (Type 2)
- Drawing 3073(04)323 B – House Type C Elevations (Type 3)
- Drawing 3073(04)331 B – House Type C&D Elevations (Type 1)
- Drawing 3073(04)332 B – House Type C&D Elevations (Type 2)
- Drawing 3073(04)333 B – House Type C&D Elevations (Type 3)
- Drawing 3073(04)341 A – House Type E, Elevations
- Drawing 3073(04)342 A – House Type E, Elevations (Type 2)
- Drawing 3073(04)343B - House Type E Elevations (Type 3)
- Drawing 3073(04)344 B – House Type E Elevations (Type 4)
- Drawing 3073(04)361 A – House Type G, Elevations
- Drawing 3073(04)371 C – House Type H, Elevations
- Drawing 3073(04)381 C – House Type I & J Floor Plans, Elevations
- Drawing 3073(04)391 A – House Type K Elevations (Type 1)
- Drawing 3073(04)392 A – House Type K Elevations (Type 2)
- Drawing 3073(04)2200 – House Type L1 (Plots 1-36), Floor Plans, Ground and 1st Floor Plan
- Drawing 3073(04)2211 – House Type L1 Floor Plans, Ground Floor Plan
- Drawing 3073(04)2212 – House Type L1 Floor Plans, First Floor Plan
- Drawing 3073(04)2213 – House Type L1 Floor Plans, Second Floor Plan
- Drawing 3073(04)2201 – House Type L1 (Plots 1-36), Floor Plans, Second Floor Plan
- Drawing 3073(04)2311 A – House Type L1 Elevations (Type 1)
- Drawing 3073(04)2312 A – House Type L1 Elevations (Type 2)
- Drawing 3073(04)2321 A – House Type L1 (Plots 1-36), Elevations (Type 1)
- Drawing 3073(04)2322 A – House Type L1 (Plots 1-36), Elevations (Type 2)
- Drawing 3154 (90)204 A – Proposed Site Plan (5 of 6)
- Drawing 3154(90)205 A – Proposed Site Plan (6 of 6)
- Drawing 1155090 300 A – Reinforced Earth Details (60 Degrees)
- Drawing 1155090 301 A – Reinforced Earth Details (70 Degrees)
- Drawing 1155090 302 B – Gabion Basket Retained Boundary
- Drawing 1155090 303 C – Gabion Basket Retaining Sections
- Drawing 1155090 304 C – Gabion Basket Retaining Sections
- Drawing 1155090 305 – Gabion Basket & Reinforced Earth Bank Extents Plan
- Drawing 1155090 551 – Reen Setting Out
- Unnumbered Drawing – Retaining Walls Revision A (07.03.2017)
- Unnumbered Drawing – Construction Site Layout (14/03/2018)
- Wildlife Protection Plan (WPP) & Environment Management Plan (EMP)

Reason: to comply with Welsh Government Circular 016/2014, Paragraph 5.30.

19/0331 – Plans non-materially amended, 17/07/2019
19/0808 – Plans non-materially amended 19/09/2019
23/0797 – Plans non-materially amended 23/11/2023
24/0229 – Plans non-materially amended 21/08/2024

2. Pre-commencement Conditions

Imported Materials to raise the site

Prior to import to site, soil material or aggregate used as clean fill or capping material, shall be chemically tested to demonstrate that it meets the relevant screening requirements for the proposed end use. This information shall be submitted to and approved in writing by the Local Authority before that material is imported to the site. No other fill material shall be imported onto the site.

Reason: To ensure that any potential risks to human health or the wider environment including controlled waters which may arise as a result of potential land contamination are satisfactorily addressed.

21/0196 – Partial Discharge approved on 17/06/2021 By Newport City Council
21/0570 - Partial Discharge approved on 08/09/2021 By Newport City Council
24/0640 – Further Partial Discharge 03/10/2024 (Phase 3 only)

3. Pre-construction conditions

Surface Water Drainage

Prior to the construction of Plots 1-36 details of the surface water drainage for those Plots and any associated roadways and car parking shall be provided in writing to the Council. Following the Council's written agreement the surface water arrangements shall be provided as agreed when the relevant part of the development is constructed.

Reason: to ensure this part of the site is appropriately drained, to reduce the risk of surface water flooding offsite and to protect the conservation objectives of the River Usk SAC.

19/0001 – Partial Discharge approved on 21/02/2019 by Newport City Council.

4. Details of bin stores

Prior to the construction of any bin store or cycle store as shown in Drawing 3073 (04) 100 N full details of those stores shall be submitted to the local planning authority. Following the Local Planning Authority's written agreement the store shall be provided fully as agreed prior to the occupation of any unit served by that store.

Reason: in the interests of residential amenity & sustainability and to ensure the bin stores have sufficient capacity.

19/0423 – Partial Discharge approved on 07/08/2019 by Newport City Council.

5. Treatment of run-off for hydro-carbons

Surface water drainage from roads, parking areas and any other surfaced areas where motor vehicles park or transit shall be passed through a mechanism to remove hydrocarbons prior to being discharged to any surface waters. The design and capacity of the means to remove hydrocarbons shall be submitted to the Council in writing. Following the Council's written agreement the agreed mechanism shall be fully installed at the time the area it serves is constructed and it shall be retained thereafter.

Reason: to protect surface waters and the River Usk SAC from hydrocarbon pollution.

19/0196 – Partial Discharge approved on 14/08/2019 by Newport City Council.

6. Piling & Risks to Ground Waters
Piling or any other foundation designs using penetrative methods below 1m in depth shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater.
Reason: There is an increased potential for pollution of ground waters from inappropriate methods of piling.
19/0002 – Partial Discharge approved on 14/02/2019 by Newport City Council.
20/1242 - Partial Discharge approved on 08/09/2021 By Newport City Council.
7. Window reveals
No window shall be installed in any block of flats approved under this consent until details of a window reveal have been provided in writing to the Council. Following the Council's written agreement the windows shall be installed as agreed.
Reason: to break up facades in the interests of good design and visual amenity.
19/0196 – Partial Discharge approved on 14/08/2019 by Newport City Council.
8. Parking Courts
Notwithstanding submitted details, no parking court accessed via an underpass shall be completed until details of finishing materials, landscaping, boundary treatments and lighting have been submitted to and agreed in writing by the Council. The courts shall be completed as agreed prior to their first use.
Reason: to ensure that these are high quality spaces that provide a safe and attractive environment to users.
22/0643 – Partially Discharged 27.07.2023.
9. Alternative Boundary Treatment
Notwithstanding the submitted details, details of an alternative rear boundary treatment for Plots 144-149 & Plots 161-166 shall be provided in writing to the Council. Following the Council's written agreement the boundary shall be installed fully as agreed prior to the first occupation of those Plots.
Reason: to ensure the provision of a high quality boundary in a prominent and publically accessible location.
19/0423 – Partial Discharge approved on 07/08/2019 by Newport City Council.
10. Lighting
Full details of lighting shall be provided for adopted roads & footways / cycleways, unadopted roads & footways / cycleways and other areas of public access including car parks, parking courts and areas of public open space to the Council in writing. Following the Council's written agreement the lighting shall be provided as agreed prior to the first beneficial use of the areas to be lit. Any lighting scheme submitted shall have regard to maintaining dark corridors along the river bank. No lighting other than as agreed shall be installed in these areas.
Reason: to protect residential amenity, public safety and ecological interests including the conservation objectives of the River Usk SAC.
19/0196 – Partial Discharge approved on 14/08/2019 by Newport City Council.
11. Pre-occupation Conditions

Acoustic fencing
Prior to the occupation of any dwelling backing onto the railway or the adjacent industrial land; full details of an acoustic fence including its location, height, density, means of construction, materials and finish (colour & texture) shall be provided in writing to the Council. Following the Council's written agreement the fence shall be provided as agreed before the occupation of any of the Plots described above.
Reason: to protect the outdoor and indoor amenity of the occupiers of those Plots and to accord with the assumptions of the submitted Environmental Statement in relation to noise mitigation.
19/0423 – Partial Discharge approved on 07/08/2019 by Newport City Council.
12. Details of glazing & ventilation
Prior to the occupation of any dwelling backing onto the railway or the adjacent industrial land; full details of the glazing specification and trickle vents for the windows of those dwellings shall be provided in writing to the Council. The details shall show that internal noise can be mitigated to the Target Criteria specified in Table 0-12 'Indicative Façade Sound Insulation Performance for Glazing Elements' of Chapter 13 of the submitted Environmental Statement. Where that level of mitigation cannot be achieved with open windows details of an alternative means to ventilate affected rooms shall be provided. Following the Council's written agreement the glazing, trickle vents and alternative means of ventilation (as required) shall be installed as approved prior to the occupation of those plots.
Reason: to protect the amenity of future occupiers.
20/0875 – Partial Discharge approved on 01/02/2021 by Newport City Council.
21/0196 – Partial Discharge approved on 17/06/2021 By Newport City Council
24/0640 – Further Partial Discharge on 03/10/2024 (Phase 3 only)
13. Provision of Drainage
No dwelling shall be occupied until the means to drain foul and surface water from that dwelling have been provided.
14. Roads Completion
The approved roads / cycleways / footways shall be built in accordance with construction details, including drainage details that have been submitted to and approved in writing by the local planning authority. The roads / cycleways / footways shall be provided minimally to base course level prior to the occupation of the dwelling they serve and shall be fully completed within 3 months of the completion of the last dwelling within the relevant phase.
Reason: in the interests of highway and pedestrian safety and wider residential amenity.
15. Parking
Arrangements for vehicle parking shall be provided as approved prior to the occupation of any part of the scheme to which those parking arrangements relate and they shall be retained thereafter.
Reason: to ensure there is sufficient parking in the interests of residential amenity and highway safety.
16. Remediation Verification
Prior to occupation of any part of the approved development, a verification report demonstrating completion of the works set out in the remediation strategy submitted under discharge of condition approval 17/0082 (or any other strategy that may be subsequently agreed) and the effectiveness of the remediation for that part of the site shall be submitted to and approved, in writing, by the Local Planning

Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the Local Planning Authority.

Reason: In order to demonstrate that the remediation criteria relating to controlled waters and human health have been met. In order to (if necessary) secure longer-term monitoring of groundwater quality. This will ensure that there are no longer remaining unacceptable risks to controlled waters or human health following remediation of the site.

20/0875 – Partial Discharge approved (in relation to Plots 39-46 and 56-75) on 01/02/2021 by Newport City Council.

21/0048 – Partially Discharged – 06.05.2021 in relation to variation of remediation strategy in relation to depth of clean cover.

21/0196 – Partial Discharge approved on 17/06/2021 By Newport City Council

21/0570 - Partial Discharge approved on 08/09/2021 By Newport City Council

17. Details of Brick Boundary Walls

Details of the proposed brick wall boundary treatments shall be provided in writing to the Council. Following the Council's written agreement the walls shall be provided as agreed prior to the occupation of any relevant plot.

Reason: in the interests of visual & residential amenity and safety & security.

19/0423 – Partial Discharge approved on 07/08/2019 by Newport City Council.

18. Open Space Management

No building shall be occupied in the approved scheme in relation to each phase as defined by Condition 30 until a management strategy for the maintenance of all areas of formal and informal open space for that phase, not subject to adoption by the local authority, has been submitted to and approved in writing by the local planning authority. The strategy shall include details of any management company proposed and its terms of reference. The management strategy for each phase shall be implemented in accordance with the approved details for that phase for a period of 5 years following the completion of the last dwelling on that phase.

Reason: to ensure that areas of open space are maintained until fully established in the interests of residential and visual amenity.

19/0937 – Partial discharge approved on 05/12/2019.

19. Other conditions requiring the submission of information

Unforeseen Contamination

If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out in the contaminated area(s) until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

Reason: Given the size/complexity of the site it is considered possible that there may be unidentified areas of contamination at the site that could pose a risk to controlled waters if they are not remediated.

20. Surface Water Infiltration

Notwithstanding the details shown in Drawing 1795 103 B (Engineering Layout) no infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with any details that may be submitted.

Reason: The water environment is at risk and there is an increased potential for pollution from inappropriately located infiltration systems such as soakaways, unsealed porous pavement systems or infiltration basins.

21. Shad & Lamprey Migration

No works within the River (below the top of the river bank) or associated with piling anywhere on the site shall be undertaken during the period from 1 March to 30 June unless the applicant has provided a method statement showing these activities will not cause unacceptable levels of noise or vibration and that Method Statement has been agreed in writing by the Council. Thereafter the works shall be carried out fully in accordance with the Method Statement.

Reason: To avoid disturbance during the main Shad and Lamprey spawning and migration period in the interests of protecting the integrity of the River Usk SAC and its conservation objectives.

22. Privacy screening

The two central balconies in the Flat L1 'terraced blocks' comprising Plots 01-36 shall not be used until details of a means to provide privacy screening between those balconies has been provided to the Council in writing. Following the Council's written agreement the privacy screening shall be installed as agreed prior to the use of those central balconies.

Reason: to protect the privacy of adjoining occupiers.

19/0937 – Partial discharge approved on 05/12/2019.

23. Requirement to remediate the site

Prior to occupation the site shall be decontaminated / remediated in accordance with the details submitted under discharge of condition approval 17/0082 or in accordance with any other scheme that satisfies the requirements of condition 03 of permission 13/1279 as may be submitted to and agreed in writing by the Council.

Reason: to ensure the site is appropriately remediated in the interests of protecting controlled waters, human health and the conservation objectives of the River Usk SAC.

24. Directive Conditions

Migratory Fish

No works in-river (below the top of the river bank) shall be undertaken other than January – February and July-August inclusive without the prior written approval of the LPA.

Reason: to avoid adverse impacts on migrating fish species including the Atlantic salmon and to protect the wider interests of the River Usk SAC and its conservation objectives.

25. Hydrocarbon Storage

Any facilities for the storage of oils, fuels and chemicals shall be sited on impervious bases and surrounded by impervious bund walls.

The volume of the banded compound shall be at least equivalent to the capacity of the tank plus 10%. If there are multiple tanks the compound shall be at least equivalent to the capacity of the largest tank or the combined capacity of inter-connected tanks plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework shall be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets shall be detailed to discharge downwards into the bund.

Reason: to prevent pollution of the water environment.

26. Otter migration
No work of excavation, land raising or construction shall take place within 10 metres of the top of the riverbank between one hour prior to sunset and one hour after sunrise.
Reason: To ensure no disturbance is caused to otters migrating up or down the river.
27. External Materials - Dwellings
The dwellings hereby approved shall be completed using the materials as specified or other materials closely similar in size, colour and texture.
Reason: to ensure the dwellings are built from appropriate materials in the interest of visual amenity.
28. Delivery Route
Notwithstanding the submitted information relating to deliveries only large indivisible loads that cannot pass below the Turner Street railway bridge shall be delivered via East Usk Road. All other loads shall be delivered via Turner Street unless that route is unavailable due to closure. No deliveries shall take place outside of the hours of 08:00 to 18:00.
Reason: in the interests of wider residential amenity.
- 21/0048 – Partially Discharged
29. Hard Surfacing
Hard surfaces shall be provided as per drawing 3073 (04) 100 N – Site Layout other than as amended by information provided to discharge other conditions of this permission.
Reason: to ensure the development is completed using appropriate materials.
30. Phasing Plan
The development shall proceed in accordance with the phasing shown in unnumbered drawing 'Construction Site Layout' (Revision 14.03.2018).
Reason: so the development proceeds in an orderly way.
31. Landscaping
The Planting shown in:
Drawing A102732 P LA1 F – Landscape Layout and
Drawing A102732 P LA2 F – Planting Details 1 of 7
Drawing A102732 P LA3 F – Planting Details 2 of 7
Drawing A102732 P LA4 F – Planting Details 3 of 7
Drawing A102732 P LA5 F – Planting Details 4 of 7
Drawing A102732 P LA6 F – Planting Details 5 of 7
Drawing A102732 P LA7 F – Planting Details 6 of 7
Drawing A102732 P LA8 F – Planting Details 7 of 7
Shall be provided within the next full planting season (September to March inclusive) after the completion of the last dwelling on the phase to which it relates. Thereafter the planting shall be maintained for a period of 5 years from its implementation and any dead or dying plants shall be replaced with new plants of the same type and size during that time period.
Reason: to ensure the site is appropriately planted.
32. Land raising
The site north of Lottery's Reen shall be raised to 10.4m AOD and buildings in that area shall have a finished floor level of 10.4m AOD. The site to the south of Lottery's Reen shall be raised to 9.95m AOD and buildings in that area shall have a finished floor level of 9.95m AOD.
Reason: to mitigate the risk of flooding and to comply with the advice of Paragraph 4.26 of the submitted Flood Consequences Assessment.
33. Travel Plan
The requirements of the submitted Travel Plan (March 2018) shall be implemented as described from the first occupation of the site and maintained so far as relevant for a period of 3 years following the occupation of the last dwelling to be completed on the site.
Reason: to encourage the use of sustainable forms of transport in the interests of overall sustainability and reducing air pollution in the Caerleon Road AQMA.
34. Ecological Mitigation
The ecological avoidance, mitigation & compensation and the habitat management described in the Wildlife Protection Plan and the Environmental Management Plan (EMP) shall be carried out as described as the relevant phases of the scheme are completed. The EMP shall be carried out as described and the proposed management shall be carried out until 10 years after the last dwelling is completed. Where measures in the Wildlife Protection Plan are contradicted by other conditions applied to this permission the other conditions shall take precedence.
Reason: to protect the conservation objectives of the River Usk SAC during the construction phase, to provide compensatory and mitigatory habitats for those that have been lost and to ensure the new habitats are maintained until established.
35. Provision of boundaries prior to occupation
Boundary treatments shall be provided as approved (or in accordance with any relevant conditional discharge) prior to the occupation of the dwellings which they serve or within 3 months of the completion of the phase where they are located if they do not serve a dwelling.
Reason: in the interests of visual and residential amenity.
36. Surface Water Drainage
The Surface water drainage mechanism shown in Drawing 1795 /103B – Engineering Layout shall be installed as shown. The drainage shall be provided at the time the associated roads are constructed.
Reason: to ensure surface water drainage on the site is provided and to reduce the risk of exacerbating surface water flooding off the site.
37. Standard condition:
Prior to the commencement of the development hereby approved a notice shall be given to the local planning authority.
- (a) stating the date on which the development is to begin;
 - (b) giving details of the planning permission and of such other matters as is required by Schedule 5A to the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 as amended ("the Order").

Reason: To comply with the requirements of Section 71ZB of the Town and Country Planning Act 1990 as amended by Section 34 of the Planning (Wales) Act 2015.

19/0001 – Discharge approved on 21/02/2019 by Newport City Council.

38. Electric Vehicle Charging Points

A scheme allowing for the provision of a charging point for electric vehicles for each dwelling hereby approved shall be submitted in writing to the Council. Following the Council's written agreement the scheme shall be implemented as agreed prior to the occupation of the dwelling to which the charging point relates. Where parking and the dwelling are divorced from one another the scheme shall make provision at the relevant parking point. In the event the provision of charging points is not technically feasible the scheme shall demonstrate this.

Reason: in the interest of general sustainability and to reduce the impact of the proposal on the Caerleon Road Air Quality Management Area which will be directly affected by this proposal.

20/0060 – Partial Discharge Approved on 28/05/2020 by Newport City Council

39. CEMP

All works shall be carried out in accordance with submitted Construction Environmental Management Plan, Herbert Road, Newport (March 2018) unless directly contradicted by other conditions attached to this permission in which case the other conditions shall take precedence.

Reason: to protect neighbouring amenity and the interests of the River Usk SAC.

NOTE TO APPLICANT

1. The development should be carried out fully in accordance with the proposals shown in the application and in the plans and particulars accompanying such application as varied and amended by this permission.
2. This decision notice is issued in respect of Planning Permission only and does not convey any decision which may be required under any other legislation or provisions, such as the Building Regulations. For advice on the requirements of the Building Regulations and allied legislation, and/or whether there is a need for a Building Regulations submission, please contact the Council's Building Control Section on 01633 656656 or email building.control@newport.gov.uk.
3. This decision relates to the following documents in relation to those contained in Condition 01:
 - Drawing 1795 002-1 – Refuse Vehicle Tracking (1 of 2)
 - Drawing 1795 002-2 – Refuse Vehicle Tracking (2 of 2)
 - Proposed Piling Strategy for Residential Development, Herbert road, Newport (19 March 2018)
 - Drawing 3154(90)208 – Proposed Site Sections
 - Drawing 3073(04)001 B – Site Location
 - Design & Access Statement (August 2018)
 - Environmental Statement, Volumes 1-3 & Appendices
 - Addendum to Environmental statement (July 2018)
 - Surface Water Calculations; Reen Sizing (1155090 – Reen, Rev. A)
 - Acoustic Fencing (PCD 12)
 - Construction Environment Management Plan (March 2018)
 - Delivery Plan (March 2018)
 - Travel Plan (March 2018)
 - Proposed Materials Schedule (MaterialsV1/HR)
 - Otter Mitigation Strategy (March 2017)
 - PAC Report & Appendices (March 2018)
 - Proposed Piling Strategy March 2018 (1155090-SM-01 Rev 01)
 - Planning Statement (March 2018)
 - Photograph of Stone Sample (Gabion Basket Fill)
 - Swept-Path analysis of several construction Vehicles, Travelling from Caerleon Rd (B4596) to the site access, Herbert Road, Newport (March 2018)
 - Transport Statement (March 2018)
 - Supplementary Piling Note (01 August 2018)
4. The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (adopted January 2015). Policies SP1, SP2, SP3, SP4, SP8, SP9, SP10, SP13, SP15, SP18, GP1, GP2, GP3, GP4, GP5, GP6, GP7, CE3, CE9, H1, CF2 & CF4 were relevant to the determination of this application.
5. Adopted Supplementary Planning Guidance for Planning Obligations, Affordable Housing, Wildlife and Development, New Dwellings and Parking Standards were relevant to the determination of this application.
6. This permission is subject to a legal agreement under section 106 of the Town and Country Planning Act 1990.
7. The application was accompanied by an Environmental Statement.
8. Network Rail need to be consulted on any alterations to ground levels. No excavations should be carried out near to railway embankments, retaining walls or bridges.
9. A programme of Knotweed eradication should be carried out on in order to ensure a nuisance plant is controlled. The plans have been assessed on the basis of the scale or dimensions stipulated and any statement of 'do not scale' (or similar) has been disregarded.
10. The plans have been assessed on the basis of the scale or dimensions stipulated and any statement of 'do not scale' (or similar) has been disregarded.
11. Where there are conditions which require details to be approved prior to the commencement of development, failure to submit these details prior to commencement of development may result in the permission being invalidated.
12. The Local Planning Authority has a target to determine Discharge of Condition applications within 8 weeks of receipt of the details, and so you are advised to programme any work accordingly.

13. Any person carrying out the development to which this planning permission relates must display at or near the place where the development is being carried out, at all times when it is being carried out, a copy of any notice of the decision to grant it, in accordance with Schedule 5B to the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 as amended and Section 71ZB of the Town and Country Planning Act 1990 as amended by Section 34 of the Planning (Wales) Act 2015.

Signed on behalf of the Council

Newport City Council
Regeneration, Investment and Housing
Civic Centre
NEWPORT
South Wales
NP20 4UR



Keir Duffin
Head of Regeneration, Investment and Housing / Pennaeth Adfywio Buddsoddi a Thai
Cyngor Dinas Casnewydd / Newport City Council

Application Number: 18/0293

Decision Date: 03-Oct-2018

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



Notes for Applicants

TOWN AND COUNTRY PLANNING ACT 1990

Appeals to the Welsh Government

If you are aggrieved by the decision of your Local Planning Authority to refuse an application or to grant it subject to conditions, you can appeal to the Welsh Government under Section 78 of the Town and Country Planning Act 1990 (as amended).

If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice. However, if you are appealing against a decision relating to a householder or minor commercial development the time limit for lodging the appeal is 12 weeks.

Appeals must be made using a form which you can get from the Welsh Government, Planning Inspectorate at Crown Buildings, Cathays Park, Cardiff CF10 3NQ, or online at www.planningportal.gov.uk/pcs

The Welsh Government can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Welsh Government will not consider an appeal if it seems that the Local Planning Authority could not have granted permission for the proposed development or could not have granted it without the condition 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 Government does not refuse to consider appeals solely because the Local Planning Authority based its decision on a direction given by them.

The Choice of Appeal Procedure

The appeal procedures available are:

- a) by written representations which you and the Local Planning Authority make, normally followed by an unaccompanied site inspection
- b) by Hearing, when both parties make oral representations to an Inspector appointed by the Welsh Government. A Hearing is conducted on a less formal basis than a Public Inquiry.
- c) by Public Inquiry which takes the form of a formal hearing by an Inspector appointed by the Welsh Government.

Purchase Notices

If either the Local Planning Authority or the Welsh Government refused planning permission or listed building consent or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial 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 local planning authority in whose area the land is situated.

This Notice will require the Council to purchase the owner's interest in the land in accordance with Part VI of the Town and Country Planning Act 1990. (The Local Planning Authority may accept the notice and proceed to acquire the land; or reject the notice in which case they must refer the notice to the Welsh Government.)

