

Delegated Decision Report

Application No:	26/0106	Statutory Period Expires:	7th April 2026
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Site:	Gwent Car Sales Crawford Street Newport NP19 7AY		
Proposal:	PARTIAL DISCHARGE OF CONDITION 09 (MEANS OF ENCLOSURE) OF PLANNING PERMISSION 22/1033 FOR DEMOLITION OF EXISTING BUILDINGS AND THE CONSTRUCTION OF 30NO. APARTMENTS ALONG WITH ASSOCIATED PARKING AND EXTERNAL AREAS		
Applicant:	J Moore		
Type:	Discharge Conditions	Ward:	St Julians
Decision:	APPROVED		

1. BACKGROUND

- 1.1 Planning permission was granted in 2024 for the demolition of buildings and construction of 30no apartments and associated works. This application seeks to partially discharge condition 9 relating to means of enclosure. The condition has previously been discharged but the applicant wishes to amend the details insofar as vehicle gates are now proposed.

2. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
22/1033	DEMOLITION OF EXISTING BUILDINGS AND THE CONSTRUCTION OF 30NO. APARTMENTS ALONG WITH ASSOCIATED PARKING AND EXTERNAL AREAS (AMENDED PLANS RECEIVED)	GRANTED WITH CONDITIONS	3.07.2025
24/1043	PARTIAL DISCHARGE OF CONDITIONS 2 (FINISHED SLAB LEVELS), 4 (FOUNDATION DESIGN), 8 (RETAINING WALLS, PARAPET AND RAMP DETAILS), 9 (MEANS OF ENCLOSURE), 10 (GREEN ROOF DETAIL), 11 (ULEV SCHEME), 12 (MATERIALS), 13 (ECOLOGICAL ENHANCEMENT) AND 14 (DRAINAGE SCHEME) OF 22/1033 DEMOLITION OF EXISTING BUILDINGS AND THE CONSTRUCTION OF 30NO. APARTMENTS ALONG WITH ASSOCIATED PARKING AND EXTERNAL AREAS (AMENDED PLANS RECEIVED)	APPROVED	10.04.2025

3. CONSULTATION RESPONSES

- 3.1 Landscape officer: I advised at full planning that along Herbert Road to the rear of the site, the parapet character was not clear on the section by KJB and that if this was solid (which is now confirmed) the wall height to the street would be an oppressive 2.4m. As an alternative, the use of a more visually attractive railing would enable planting to be visible. Whilst I appreciate the rear is not a highly used public realm area, given the proposal is for a 1.1m solid fence, in retrospect the approved planting should have contained taller species along with the use of trailing plants/climbers to help soften the height from the street scene to the rear.
- 3.2 Local Highways Authority: The boundary treatments do not impact highway or visibility

splays and there are therefore no objections raised.

4. **ASSESSMENT**

Condition 9 states:

Prior to the commencement of construction on site full details of all means of enclosure shall be submitted to and approved in writing by the local planning authority. The development shall be completed in accordance with the approved details prior to the first occupation of any unit as hereby approved and shall thereafter be retained for the lifetime of development.

Reason: In the interests of visual and neighbouring amenity in accordance with Policies GP2 and GP6 of the NLDP.

- 4.1 Information was previously submitted and approved under discharge of condition application 24/1043. These details are unchanged. However, following the previous discharge of condition application the applicant advises that the Designing Out Crime Officer has advised that a vehicle gate is needed to achieve Secured by Design Gold status. This is a requirement of Welsh Government funding and needs to be provided. The gates would be 1.8m in height and set back from the highway by over 5m. They would be electronically operated with a keypad entry and are of an open design that will allow views through. The siting of the gates will be on the initial flatter section of the ramped access according to approved sections so will not require vehicles to idle and rev whilst waiting for gates to open to enter site. When exiting vehicles will be on a downward slope. The gates will have separate key pad entry points on both sides with vehicles able to wait off highway for gates to open.
- 4.2 The Council's Highways officer offers no objections to the details. Whilst the comments of the Landscape officer with regard to boundary treatments at the rear of the site are duly noted, this aspect of the proposals is unchanged from the previous discharge of condition application and is considered to be acceptable given that it is not highly visible.

4. **OTHER CONSIDERATIONS**

4.3 ***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.

4.4 ***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.

4.5 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.

4.6 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.

4.7 ***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.

4.8 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.

5. CONCLUSION

5.1 The information provided is acceptable and meets the requirements of the condition. The application is approved.

6. DECISION

APPROVED

NOTE TO APPLICANT

01 This decision relates to plan Nos: 1528-PL2-13, 1528-PL-12 Revision A, 1528-PL2-06 Revision F, 1528-PL2-05 Revision F, 1528-PL2-01, D6000.

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.