

Notice of Decision



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TOWN AND COUNTRY PLANNING ACT 1990 [as amended]

Application No: **25/0325**

Application Type: **Full**

Proposal: **CHANGE OF USE INCLUDING EXTENSION OF BUILDING FROM DAY CENTRE (D1) INTO 4NO ASSISTED LIVING FLATS (C2) THAT WILL FORM PART OF THE EXISTING CARE HOME ON SITE TO BE USED AS SOLE OR MAIN RESIDENCES FOR PERSONS RECEIVING CARE**

Site/Location: **Poole Cottage , Magor Road, Newport, NP26 3DA**

Decision Date: **30th April 2026**

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 27th May 2025. 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 implemented in accordance with the following plans and documents:
 - o Proposed South and West Elevations SL P24035 DWG 0 PR31 P02
 - o Proposed North and East Elevations SL P24035 DWG 0 PR30 P02
 - o Proposed First Floor Plan SL P24035 DWG 0 PR11 P02
 - o Proposed Ground Floor Plan SL P24035 DWG 0 PR10 P02
 - o Proposed Roof Block Plan SL P24035 DWG 0 PR05 P02
 - o Proposed Site Block Plan SL P24035 DWG 0 PR01 P02
 - o Arboricultural Impact Assessment and Tree Protection Plan 4.4.25
 - o Ecological Assessment July 2025
 - o Façade Assessment Revision P01
 - o Flood Consequence Assessment Project Ref.22950-FCA-03
 - o Design and Access Statement SL/P24035/REP01

Reason: In the interests of clarity and to ensure the development complies with the submitted plans and documents on which this decision was based.
2. Before the development, other than demolition, is commenced, written approval of the Local Planning Authority is required to a scheme of landscaping and tree planting for the site (indicating the number, species, heights on planting and positions of all trees

and shrubs). The approved scheme 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 maintained for a period of 5 years from the date of planting in accordance with a management schedule which shall be submitted with the scheme of landscaping. Any trees or shrubs which die or are damaged shall be replaced and maintained until satisfactorily established. For the purposes of this condition, a full planting season shall mean the period from October to April inclusive.
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. Policy GP5.

3. Prior to the commencement of development, a scheme of Biodiversity Enhancement Measure(s) and an Implementation Timetable for those measures shall be submitted to and approved in writing by the Local Planning Authority. The Biodiversity Enhancement Measure(s) shall thereafter be undertaken in accordance with the approved scheme and Implementation Timetable and retained for the lifetime of the development.
Reason: In the interests of biodiversity and to provide a net benefit to biodiversity in accordance with policy GP5 and policy 9 of Future Wales.
4. No flat hereby approved shall be occupied until the extension has been undertaken and is available for use in accordance with the approved drawings.
Reason: In the interests of residential amenity of future occupiers. GP2 of the LDP.
5. Prior to the first use of the building as approved, details of refuse storage provision shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be provided in full prior to the first beneficial occupation of the approved flats and shall be retained thereafter.
Reason: In the interests of providing sufficient waste storage provision in accordance with Policy W3 of the NLDP 2011-2026 (adopted January 2015).
6. No operations of any description (this includes all forms of development, tree felling, tree pruning, temporary construction access, soil moving and operations involving the use of motorised vehicles or construction machinery), shall commence on site in connection with the development until the Root Protection Barrier fencing has been installed in accordance with the approved Tree Protection Plan (Arboricultural Impact Assessment). 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. Policies SP9 and GP5.
7. The proposed development shall be implemented in accordance with the mitigation measures identified within the Flood Consequence Assessment Project Ref.22950-FCA-03.
Reason: In the interest of flooding. In accordance with TAN 15 and policy SP3 of the NLDP 2011-2026 (adopted January 2015).
8. Prior to first occupation of the development hereby approved, noise mitigation shall have been undertaken in accordance with a scheme first submitted to and approved in writing by the Local Planning Authority. The scheme shall have regard to the approved document 'Façade Assessment Revision P01'. The approved mitigation works shall be retained for lifetime of development.
Reason: To ensure that the amenities of future occupiers are protected. Policy GP2 of the LDP.
9. The units hereby approved shall be occupied by adults in need of care in association with the operation of the neighbouring care home known as Poole Cottage. Occupiers of the approved flats shall have access to the outdoor space and facilities provided in the land edged blue on this application.
Reason: the flats have no outdoor communal amenity space or outdoor private amenity space within the site area and consequently must rely on the wider blue edged land that forms part of this application in the interests of future occupier amenity. GP2 of the LDP.
10. At no time shall the building use and parking provision be severed/subdivided from the Poole Cottage care home edged in blue on this application and a separate planning unit(s) formed.
Reason: To ensure adequate access, support, servicing, parking and communal outdoor space is shared by the existing care home and proposed flats for C2 use. Policy SP1, SP5, GP2, H10 of the LDP.
11. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 (or an Order revoking or re-enacting that Order) (as amended), Schedule 2, Part 2, Class A, no fences, walls or other means of enclosure shall be erected around or within the site with the purpose of delineating the flattened development from the existing care home.
Reason: In the interest of visual and residential amenities and to prevent a visual and physical subdivision of the site. SP5, GP2, SP1, H10 of the LDP.

NOTE TO APPLICANT

The development shall 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.

This decision notice is issued in respect of Planning Permission only and does not convey any approval which may be required under any other legislation or provisions, such as, but not limited to, Highways and 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. For advice on obtaining relevant permissions from the Highway Authority, please contact highway.planning@newport.gov.uk

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.

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.

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.

1. This decision relates to plan Nos:
 - o Arboricultural Impact Assessment and Tree Protection Plan 4.4.25
 - o Preliminary Ecological Appraisal March 2025
 - o Design and Access Statement
 - o Ecological Assessment July 2025
 - o Proposed South and West Elevations SL P24035 DWG 0 PR31 P02
 - o Proposed North and East Elevations SL P24035 DWG 0 PR30 P02
 - o Proposed First Floor Plan SL P24035 DWG 0 PR11 P02
 - o Proposed Ground Floor Plan SL P24035 DWG 0 PR10 P02
 - o Proposed Roof Block Plan SL P24035 DWG 0 PR05 P02
 - o Proposed Site Block Plan SL P24035 DWG 0 PR01 P02
 - o Existing South and West Elevations SL P24035 DWG 0 EX31 P02
 - o Existing North and East Elevations SL P24035 DWG 0 EX30 P02
 - o Existing First Floor Plan SL P24035 DWG 0 EX11 P02
 - o Existing Ground Floor Plan SL P24035 DWG 0 EX10 P02
 - o Existing Roof Block Plan SL P24035 DWG 0 EX05 P02
 - o Existing Site Block Plan SL P24035 DWG 0 EX01 P02
 - o Existing Site Location Plan SL P24035 DWG 0 EX00 P03
 - o Demolition First Floor Plan SL P24035 DWG 0 DM11 P02
 - o Demolition Ground Floor Plan SL P24035 DWG 0 DM10 P02
2. The development plan for Newport is the Newport Local Development Plan 2011 - 2026 (Adopted January 2015). Policies GP2, GP4, GP5, GP6, SP5, H10 and M1 were relevant to the determination of this application.
3. 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.
4. The applicant may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water Industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of www.dwrcymru.com
5. The applicant is also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.
6. In accordance with Planning Policy Wales (Edition 12) and Technical Advice Note 12 (Design), the applicant is advised to take a sustainable approach in considering water supply in new development proposals, including utilising approaches that improve water efficiency and reduce water consumption. We would recommend that the applicant liaises with the relevant Local Authority Building Control department to discuss their water efficiency requirements.

Signed on behalf of the Council



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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).