

Notice of Decision



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

Application No: **25/0927**
Application Type: **Renewals and Variation of Conditions**
Proposal: **S73 APPLICATION TO VARY CONDITION 1 (APPROVED PLANS) OF APPLICATION 19/1003 - AMENDMENT TO THE DESIGN OF PLOT 5**
Site/Location: **Plot 5, Site Of 21, St Mellons Road, Marshfield, Cardiff, South Wales,**
Decision Date: **31st March 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 23rd February 2026. The application has been:-

Granted with Conditions

ADDITIONAL CONDITIONS IMPOSED BY THE COUNCIL

1. The development shall be implemented in accordance with the following plans and documents:

Documents applicable to all site unless otherwise specified:

01 - Site Plan and Site Location Plan
Site Plan House 5 JMDEV.07/PL09.20/02.E
GM MARSHFIELD PLANNING H.5-5 house scheme FLOOR PLANS- JMDEV.07/PL20/03
SUNLIGHT / PROXIMITY ANALYSIS - JMDEV.07/PL20/05
JMDEV.07/PL20/04.B- Elevation Drawings
SK08_28.7.21 (2). Vehicle Swept paths for large car
SMW GM MARSHFIELD Tree planting scheme-St Mellon Rd Planting scheme
MARSHFIELD PLANNING H.5 1 ACCESS TPP Oct 20-21 St Mellons Rd TPP 5th House Oct 20 (2)
10129_500_r13 Drainage Layout
10129_501_r02 Drainage Sections
10129_701_r04 Cross sections
Outline construction Management Plan Rev C
Ecological Design Strategy, report number SH0319, prepared by Sophie Higgins, dated June 2021;
Flood Risk Assessment
Schedule and sample picture of materials
Development tree report by SMW Tree Consultancy Ltd (superseded plans at back and replaced by SMW GM MARSHFIELD Tree planting scheme-St Mellon Rd Planting scheme MARSHFIELD PLANNING H.5 1 ACCESS TPP Oct 20-21 St Mellons Rd TPP 5th House Oct 20)

Documents applicable to plot 5 pursuant to permission 25/0927:

P816 L 210 - Proposed Elevations 1 of 2
P816 L 211 - Proposed Elevations 2 of 2
P816 L 201 - Proposed First Floor Plan
P816 L 200 - Proposed Ground Floor Plan
P816_L_003_Site Plan as Proposed_Rev A

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. The construction period shall be carried out in accordance with the approved Construction Environmental Management Plan as detailed in the documents and plans reference; Outline CEMP St Mellons Road Rev C, Site and Delivery Layout and CEMP Further Information 05/03/2020.
Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected, in the interests of general amenities and highway/pedestrian safety.
3. No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.
Reason: To prevent hydraulic overloading of the public sewerage system, to protect health and safety of existing residents and ensure no pollution of, or detriment to, the environment.
4. Plot 5 shall not be occupied until the access, visibility splays, turning areas and parking spaces have been completed in accordance with drawing number Site Plan House 5 JMDEV.07/PL09.20/02.E and SK08_28.7.21 (2). Vehicle Swept paths. The spaces shall be retained for parking purposes for the lifetime of the development and the visibility sight lines shall thereafter be kept free of all obstructions to visibility over a height of 0.8 metres.
Reason: In the interests of highway safety, visual amenity and residential amenity, GP2, GP6 and GP7, T4 of the Adopted LDP
5. Within 3 months of the date of this consent, a scheme to detail how the original access point will be closed off, including the replacement means of enclosure and finish shall be submitted to and approved by the Local Planning Authority. The scheme to close off the access shall be carried out in accordance with the approved details and use of the access for vehicular traffic shall permanently cease.
Reason: In the interests of highway safety, visual amenity and residential amenity, GP2, GP6 and GP7, T4 of the Adopted LDP
6. Prior to the occupation of plot 5, the refuse scheme shall be carried out in accordance with the approved details as detailed within 22/0856 and retained at all times thereafter.
Reason: In accordance with policy W3 of the Newport Local Development Plan.
7. The following windows shall be fitted with fixed pane obscure glazing to a minimum of level 5 on the Pilkington index of obscurity:

Plot 4: bathroom and ensuite windows facing south-west
Plot 5: bathroom and ensuite windows facing south-west

The obscure windows shall be fitted prior to the beneficial occupation of that unit and shall then be retained for the lifetime of the development.
Reason: In the interests of privacy.
8. Except where otherwise agreed in writing by the Local Planning Authority, no existing trees shall be felled, topped or lopped, and no existing hedges shall be removed.
Reason: To protect existing landscape features on the site.
9. The replacement TPO trees and Landscaping scheme shown on the submitted landscaping drawing SMW 21 St Mellons Road TPOs /003) shall be planted no later than the end of the next planting season. The replacement trees will automatically be protected by Tree Preservation Order 77 Monmouthshire. Thereafter, the trees and shrubs shall be maintained for a period of 5 years from the date of planting in accordance with an agreed management schedule. 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.
Reason: To protect important landscape features within the site.
10. Notwithstanding the details as submitted shown on the submitted landscaping drawing SMW 21 St Mellons Road TPOs /003), prior to the occupation of plot 5, written approval of the Local Planning Authority is required to a scheme of landscaping (indicating the number, species, heights on planting and positions of all 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, shrubs shall be maintained for a period of 5 years from the date of planting in accordance with an agreed management schedule. 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.
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.

11. Applicable to plot 5 pursuant to permission 25/0927:

Prior to the first beneficial occupation of dwelling 5 hereby approved, two swift boxes shall be installed as indicated on the North East side elevation (Drawing No. P816 L_210) and retained as such thereafter 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

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.

1. The development plan for Newport is the Newport Local Development Plan 2011 - 2026 (Adopted January 2015). Policies SP1, SP3, SP13, SP18, GP1, GP2, GP4, GP5, GP6, GP7, CE6, H2, H4, H6 and T4. were relevant to the determination of this application.
2. 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.
3. In the event of any archaeological features being discovered during the development of the site, the applicant/developer is advised to cease work and contact Glamorgan Gwent Archaeological Trust (GGAT) on 01792 655 208.
4. The applicant/developer is advised that there may be a need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water industry Act 1991.
5. Any surface water run-off from the site should not discharge onto the adopted highway

Signed on behalf of the Council



Newport City Council
Regeneration and Economic Development
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Cyngor Dinas Casnewydd / Newport City Council

Application Number: 25/0927

Decision Date: 31st March 2026

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).