

Delegated Decision Report

Application No:	26/0162	Statutory Period Expires:	3rd July 2026
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Site:	Melrose West Nash Road Nash Newport NP18 2BZ		
Proposal:	PARTIAL DISCHARGE OF CONDITION 02 (CEMP) OF 24/0911 S73 APPLICATION TO VARY CONDITION 1 (APPROVED PLANS) OF 20/0860 PROPOSED SIDE/ROOF EXTENSION TO EXISTING GARAGE AND CONVERSION TO ANNEX. AMENDMENTS INCLUDE VARIATION TO THE DESIGN OF THE SIDE EXTENSION		
Applicant:	C Britton		
Type:	Discharge Conditions	Ward:	Llanwern
Decision:	APPROVED		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 The property is located within the rural area of Nash in the Llanwern Ward and is accessed from West Nash Road. The site is within countryside as identified by Policy SP5 of the Newport Local Development Plan 2011 – 2026 and as shown on the associated proposals map. The site is also within the Caldicot Levels which is a Special Landscape Area and an archaeologically sensitive area as identified by policies CE5 and SP8 of the Newport Local Development Plan 2011 – 2026.

3. DESCRIPTION OF DEVELOPMENT

3.1 This application is seeking to partially discharge Condition 02 (Construction Environment Management Plan) of S73 application to vary Condition 01 (Approved Plans) of application ref.20/0860 for the proposed side/roof extension to the existing garage and conversion to the annexe.

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
24/0911	S73 APPLICATION TO VARY CONDITION 1 (APPROVED PLANS) OF 20/0860 PROPOSED SIDE/ROOF EXTENSION TO EXISTING GARAGE AND CONVERSION TO ANNEX. AMENDMENTS INCLUDE VARIATION TO THE DESIGN OF THE SIDE EXTENSION	GRANTED WITH CONDITIONS	07.01.2025
20/0860	PROPOSED SIDE/ROOF EXTENSION TO EXISTING GARAGE AND CONVERSION TO ANNEX	GRANTED WITH CONDITIONS	19.02.2021

5. PLANNING POLICY

5.1 THE NATIONAL DEVELOPMENT FRAMEWORK: FUTURE WALES - THE NATIONAL PLAN 2040

Future Wales sets out the Welsh Government's land use priorities and provides a national land use framework for SDPs and LDPs. Future Wales concentrates on development and land use issues of national significance, indicating areas of major opportunities and change, highlighting areas that need protecting and enhancing and helping to co-ordinate the delivery of Welsh Government policies to maximise positive outcomes.

Policy 1 - Where Wales Will Grow
Policy 2 - Shaping Urban Growth and Regeneration - Strategic Placemaking
Policy 9 - Resilient Ecological Networks and Green Infrastructure

5.2 PLANNING POLICY WALES (EDITION 12) 2024

3.3 - Good design is fundamental to creating sustainable places where people want to live, work and socialise.

3.4 - Meeting the objectives of good design should be the aim of all those involved in the development process and should be applied to all development proposals at all scales.

5.3 NEWPORT LOCAL DEVELOPMENT PLAN (2011-2026)

- GP2 (GENERAL AMENITY)
- GP5 (NATURAL ENVIRONMENT)

6. CONSULTATION RESPONSES

6.1 HIGHWAYS OFFICER

No response received to date.

6.2 LANDSCAPE OFFICER

No objection.

6.3 ENVIRONMENTAL HEALTH OFFICER

No response received to date.

6.4 ECOLOGY OFFICER

No response received to date.

6.4 DRAINAGE MANAGER

No response received to date.

6.5 SENIOR SCIENTIFIC OFFICER

No response received to date.

7. PUBLIC REPRESENTATIONS

N/A

8. ASSESSMENT

8.1 Condition 02 (CEMP) of the S73 application to vary Condition 01 (Approved Plans) of application ref.20/0860 for the proposed side/roof extension to the existing garage and conversion to the annexe reads:

"No development shall commence until a site wide Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. This shall include;

- General Site Management: details of the construction programme including timetable, details of site clearance; details of site construction drainage, containments areas, appropriately sized buffer zones between storage areas (of spoil, oils, fuels, concrete mixing and washing areas) and any watercourse or surface drain.*

- Pollution Prevention: demonstrate how relevant Guidelines for Pollution Prevention and best practice will be implemented, including details of emergency spill procedures and incident response plan.*

- Details of the persons and bodies responsible for activities associated with the CEMP and emergency contact details.*

Reason: In the interests of the natural environment, in accordance with policy GP5"

8.2 The application is accompanied by a Construction Environmental Management Plan which provides details of the following:

- SITE ACCESS
- TRAFFIC MANAGEMENT PLAN
- PROTECTION OF THE PUBLIC
- ENCLOSURE OF WORKING AREAS
- CONTRACTOR PARKING
- DELIVERIES
- STORAGE
- WASTE MANAGEMENT
- DUST SUPPRESSION MEASURES.
- AIR QUALITY
- WHEEL WASHING
- NOISE MITIGATION MEASURES
- POLLUTION PREVENTION
- MAIN CONTRACTOR
- RESPONSIBILITIES
- EMERGENCY CONTACTS.

- 8.3 In terms of general site management, sufficient details have been provided in relation to details of the construction programme including timetable, details of site clearance; details of site construction drainage, containments areas, appropriately sized buffer zones between storage areas (of spoil, oils, fuels, concrete mixing and washing areas) and any watercourse or surface drain have been provided.
- 8.4 In terms of pollution prevention, it has been sufficiently demonstrated how the relevant guidelines for pollution prevention will be implemented, including details of emergency spill procedures and incident response plan.
- 8.5 In terms of details of the persons and bodies responsible for activities associated with the CEMP and emergency contact details have been provided.
- 8.6 The details provided are sufficient to meet the requirements of Condition 02 (CEMP) insofar as they relate to the submission of a CEMP although the details provided remain to be adhered to.

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 details provided are sufficient to meet the requirements of Condition 02 (CEMP) insofar as they relate to the submission of a CEMP although the details provided remain to be adhered to.

11. **DECISION**

APPROVED

NOTE TO APPLICANT

01 This decision relates to plan Nos: 1929 PL01 - Site Location Plan, 1929 PL02 - Existing Site/Floor/Roof Plans and Elevations, Construction Environmental Management Plan - Jan 2026.

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies GP2 and GP5 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.