

Notice of Decision



C Balfry
Newport Norse
1st Floor,
Caradog House
Newport
NP10 8UG

TOWN AND COUNTRY PLANNING ACT 1990 [as amended]

Application No: **25/0976**

Application Type: **Full**

Proposal: **DEMOLITION OF OLD, UNSECURE FENCE FOR THE INSTALLATION OF NEW 2.4M SECURITY FENCE. REPLACEMENT OF EXISTING GATES TO UPGRADED SECURITY DESIGNED GATES. PLANTING OF HOLLY AND/OR HAWTHORN ON THE NORTH BOUNDARY TO CREATE A SECURE NATURAL BOUNDARY TO ENSURE PROTECTION OF SURROUNDING PROTECTED TREE SPECIES**

Site/Location: **Malpas Park Primary School , Wavell Drive, Newport, NP20 6LE**

Decision Date: **4th 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 24th November 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: Double Leaf Swing Gate, Proposed Front Gate 1 and Proposed Plan Boundary Fence.
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. All works on site shall be undertaken in accordance with the approved Arboricultural Impact Assessment and Method Statement by Tree Check (Tree Removal/Retention and Protection Plan dated 10.11.25
Reason: To protect valuable tree features on site. Policy GP5 of the LDP.
3. No operations of any description (this includes all forms of development, tree felling, tree pruning, temporary access construction, soil moving, temporary access construction 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 relation Arboricultural Impact Assessment and Method

4. 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. Erect all weather notices on Heras fencing, 1 per 5 panels, stating 'CONSTRUCTION EXCLUSION ZONE NO ACCESS' The fencing shall be retained for the full duration of the phase of 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.
5. No development, to include demolition, shall commence until an Arboriculturalist has been appointed, as first agreed in writing by the Local Planning Authority, to oversee the project (to perform a Watching Brief) for the duration of the development and who shall be responsible for -
 - (a) Pre construction site meeting
 - (b) Signing off the tree root protection barrier

(B) Ensuring compliance with the method statement and process stages in relation to Trees
Arboricultural Impact Assessment and Method Statement by Tree Check (Tree Removal/Retention and Protection Plan dated 10.11.25
c)Oversee working within any Root Protection Area including landscaping ;
d)Reporting to the Local Planning Authority;
e)The Arboricultural Consultant will provide site progress reports to the Council's Tree Officer at intervals to be agreed by the Councils Tree Officer.
Reason: To protect important landscape features within the site.
6. The development shall be undertaken in accordance with detailed soft landscaping proposals of the proposed new hedgerow planting to the northern boundary that have first been submitted to and approved in writing by the Local Planning Authority. Thereafter the hedge shall be planted in the first planting season following the installation of the fence and shall thereafter be maintained for a period of 5 years from the date of planting. Any plants which die or are damaged shall be replaced and maintained until satisfactorily established. For the purpose of this condition, a full planting season shall mean the period from October to April.
Reason: To secure the satisfactory implementation of the proposal in the interests of visual amenity, green infrastructure and biodiversity in accordance with Policies GP5 and GP6 of the NLDP and Planning Policy Wales.

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: Site Location Plan, Tree Removal/Retention and Protection Plan, Combined Arboricultural Impact Assessment/Method Statement, Pro-Sure 358 Specification, Double Leaf Swing Gate, Proposed Front Gate 1, Proposed Plan d Boundary Fence, Green Infrastructure Statement and Response to Residents' Concerns.
2. The development plan for Newport is the Newport Local Development Plan 2011 - 2026 (Adopted January 2015). Policies GP2, GP4 GP5 and GP6 were relevant to the determination of this application.
3. As of 1st October 2012 any connection to the public sewerage network (foul or surface water sewerage) for the first time will require an adoption agreement with Dwr Cymru Welsh Water. For further advice contact Dwr Cymru Welsh Water on 01443 331155.
4. 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.
5. Bats often roost in trees, and work on these trees may disturb a bat roost. All bats and their roosts are protected against disturbance under UK and European legislation. If works are planned on a tree in which bats are known to be roosting, Natural Resources Wales (NRW) must be contacted for advice.

If work has already commenced and bats are found, or if any evidence that bats are using the site as a roost is found, work should cease and NRW should be contacted immediately.

Where there is a likelihood that bats are present, or where bats are found to be present, a suitably qualified and experienced ecological consultant should be contracted to provide an assessment of the impact of the proposed works, and undertake bat surveys if necessary.

Where bats or their roosts are found to be present, no works of tree felling or removal of major limbs should take place unless a licence to disturb these species and/or their roosts has been granted in accordance with the relevant legislation. Otherwise, a prosecution may result.

NRW can be contacted at:-

Natural Resources Wales, Ty Cambria, 29 Newport Road, Cardiff CF24 0TP, 0300 065 3000

Bat Conservation Trust can be contacted at:-

5th Floor, Quadrant House, 250 Kennington Lane, London, SE11 5DR, 0845 1300228

Signed on behalf of the Council



Newport City Council
Regeneration and Economic Development
Civic Centre
Newport
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NP20 4UR

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Cyngor Dinas Casnewydd / Newport City 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).