

APPLICATION DETAILS

No: 20/0060 **Ward:** ST JULIANS

Type: DISCHARGE CONDITIONS

Expiry Date: 28-MAY-2020

Applicant: ENGIE

Site: LAND TO SOUTH OF GLAN USK PRIMARY SCHOOL, HERBERT ROAD, NEWPORT

Proposal: PARTIAL DISCHARGE OF CONDITION 38 (ELECTRIC VEHICLE CHARGING POINTS) OF PLANNING PERMISSION 18/0293 FOR THE DEVELOPMENT OF 195NO. RESIDENTIAL UNITS, INTERNAL ROAD NETWORKS, PARKING, LANDSCAPING AND ASSOCIATED WORKS AFFECTING PUBLIC RIGHT OF WAY 407/1

DECISION APPROVED

1. CONSULTATIONS

1.1 None.

2. INTERNAL COUNCIL ADVICE

2.1 HEAD OF REGENERATION AND REGULATORY SERVICES (PUBLIC PROTECTION):
No comments received.

3. REPRESENTATIONS

3.1 None.

4. RELEVANT SITE HISTORY

18/0293	DEVELOPMENT OF 195NO. RESIDENTIAL UNITS, INTERNAL ROAD NETWORKS, PARKING, LANDSCAPING AND ASSOCIATED WORKS AFFECTING PUBLIC RIGHT OF WAY 407/1	GRANTED WITH CONDITIONS
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5. ASSESSMENT

5.1 This application seeks to partially discharge condition 38 (Electric Vehicle Charging Points) of planning permission 18/0293 for the development of 195no. residential units, internal road networks, parking, landscaping and associated works affecting public right of way 407/1.

5.2 Condition 38 of planning permission 18/0293 states;

'A scheme allowing for the provision of a charging point for electric vehicles for each dwelling hereby approved shall be submitted in writing to the Council. Following the Council's written agreement the scheme shall be implemented as agreed prior to the occupation of the dwelling to which the charging point relates. Where parking and the dwelling are divorced from one another the scheme shall make provision at the relevant parking point. In the event the provision of charging points is not technically feasible the scheme shall demonstrate this.

Reason: in the interest of general sustainability and to reduce the impact of the proposal on the Caerleon Road Air Quality Management Area which will be directly affected by this proposal.'

5.3 A site layout plan has been provided with properties identified with either yellow or red dots. The applicant has advised that capacity will be provided for the whole site, however, only properties marked with yellow dots will be provided with an electrical charging point in its entirety. Properties marked with a red dot identify DQR compliant units. These properties will be managed by a housing association. Whilst all plots will have the capacity for

providing electrical charging points in the future, the developer will not be providing charging points in their entirety at all properties due to issues over the management and maintenance of the points and current need. Therefore, whilst not all dwellings will be provided with an electrical charging point in its entirety, it is considered that as all plots will allow for the provision of a charging point by having the necessary infrastructure and capacity to do so, the requirements of the condition are met. This is adequate to partially discharge the condition.

6. OTHER CONSIDERATIONS

6.1 *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.

6.2 *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.

6.3 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.

6.4 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.

6.5 *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.

6.6 *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.

7. CONCLUSION

7.1 It is considered that the information submitted is adequate to partially discharge condition 38 of planning permission 18/0293.

8. DECISION

APPROVED

NOTE TO APPLICANT

01 This decision relates to plan Nos: Site Location Drawing No. (04)001, Site Layout Drawing No. (04)100 Rev O and Email Received 30/04/2020.

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.
