

Delegated Decision Report

Application No:	26/0088	Statutory Period Expires:	20th July 2026
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Site:	<i>19 The Uplands Rogerstone Newport South Wales NP10 9FA</i>		
Proposal:	<i>PARTIAL DISCHARGE OF CONDITION 2 (MATERIALS), CONDITION 3 (DRAINAGE), CONDITION 4 (BOUNDARY TREATMENTS), AND CONDITION 5 (BIODIVERSITY ENHANCEMENT) OF 24/0090 S73 APPLICATION TO VARY THE TIME FOR IMPLEMENTATION OF PLANNING PERMISSION 18/0534 FOR 1NO. DWELLING TO REAR OF 19 THE UPLANDS</i>		
Applicant:	<i>R Wilfrid</i>		
Type:	Discharge Conditions	Ward:	Rogerstone West
Decision:	APPROVED		

1. BACKGROUND

- 1.1 18/0534 was the original permission granted at the site for 1NO. DWELLING TO REAR OF 19 THE UPLANDS
- 1.2 24/0090 was the subsequent S73 APPLICATION TO VARY THE TIME FOR IMPLEMENTATION OF PLANNING PERMISSION 18/0534 FOR 1NO. DWELLING TO REAR OF 19 THE UPLANDS and granted.

2. SITE LOCATION AND CONTEXT

- 2.1 The application site is a corner property on Cefn Road and The Uplands Road. The application site is situated within a residential area with houses typically being semi-detached, with a large rear garden and off-road parking.

3. DESCRIPTION OF DEVELOPMENT

- 3.1 The application seeks the partial discharge of conditions 2 (materials), condition 3 (drainage), condition 4 (boundary treatments), condition 5 (biodiversity enhancement) and condition 6 (access) of 24/0090 S73 APPLICATION TO VARY THE TIME FOR IMPLEMENTATION OF PLANNING PERMISSION 18/0534 FOR 1NO. DWELLING TO REAR OF 19 THE UPLANDS.

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
24/0090	S73 APPLICATION TO VARY THE TIME FOR IMPLEMENTATION OF PLANNING PERMISSION 18/0534 1NO. DWELLING TO REAR OF 19 THE UPLANDS	A	06.06.2024
18/0534	1NO. DWELLING TO REAR OF 19 THE UPLANDS	GC	11.02.2019

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.

6. CONSULTATION RESPONSES

6.1 Ecology: No comments received.

6.2 Local Highways Authority:

CONDITION 2 (MATERIALS):

No detail has been found for surfacing of the access or parking area. The plan is annotated with a depth of permeable material. The description does not eliminate loose stone, which would not be supported. It appears that the intention is pavements, but we would ask for confirmation to avoid any doubt. Subject to confirmation we would support partial discharge.

CONDITION 3 (DRAINAGE):

Sufficient detail has now been provided to be able to recommend partial discharge in so far as the scheme is approved but remains to be provided.

CONDITION 6 (ACCESS):

The submitted plans now indicate suitable detail. We would therefore recommend partial discharge in so far the scheme is approved, but remains to be provided.

6.3 Drainage Manager: No comments received.

6.4 SAB: Having reviewed the submitted information, a SAB application may not be required but if there are any external works exceeding 100square metres then contact SAB.

6.5 Welsh Water: Having reviewed the surface water drainage plan reference CIV-02, it seems the proposal is to use a soakaway system to manage surface water flows. Dwr Cymru Welsh Water therefore has no objection to the discharge of condition 3 of planning permission 24/0090.

7. PUBLIC REPRESENTATIONS

None.

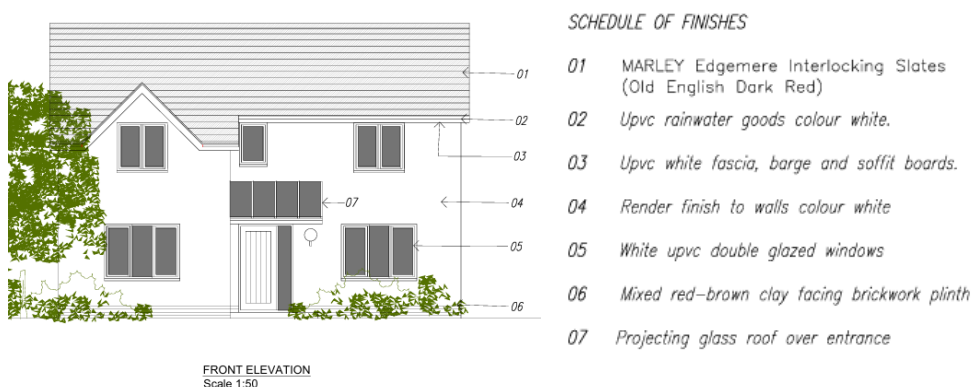
8. ASSESSMENT

8.1 Condition 02- Materials

- 8.1.1 *02 No work shall be commenced on the construction of the approved scheme until details/samples of materials and finishes to be used on the external surfaces have been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out using the approved materials.*

Reason: To ensure that the development is completed in a manner compatible with its surroundings.

- 8.1.2 Firstly, when assessing the details submitted, it is noted that the applicant has provided a list of materials for the dwellinghouse. This is considered acceptable in this location.



- 8.1.3 When assessing the external materials of the driveway, the highways officer has commented and states that no detail has been found for surfacing of the access or parking area. The plan is annotated with a depth of permeable material. The description does not eliminate loose stone, which would not be supported. It appears that the intention is paviours, but we would ask for confirmation to avoid any doubt. The applicant has now provided a key on the plan showing the use of paving and tarmac. This eliminates the concerns for loose material. It is therefore considered that this is deemed acceptable and these concerns have been overcome. Condition 02 can therefore be partially discharged.

8.2 Condition 03- Drainage

- 8.2.1 When assessing condition 03, the condition states:

- 8.2.2 *03 No development shall commence until details of the surface drainage system has been submitted to and approved in writing by the Local Planning Authority. The details shall be implemented fully in accordance with the approved scheme prior to the occupation of any dwelling.*

Reason: To ensure adequate drainage is provided.

- 8.2.3 A driveway plan detailing permeable and impermeable surfacing has been provided. The highways officer comments sufficient detail has been provided to be able to recommend partial discharge in so far as the scheme is approved but remains to be provided. The levels on site and drainage plan have been provided and Welsh Water were also consulted on the scheme and state that the proposal is to use a soakaway system to manage surface water flows. Dwr Cymru Welsh Water therefore has no objection. There is satisfactory information to partially discharge condition 03.

8.3 Condition 04- Boundary Treatments

- 8.3.1 The applicant is seeking to discharge condition 04, boundary treatments. The applicant has submitted a boundary treatment plan, showing PROPOSED LOW LEVEL PLANTING, 800mm MAX HEIGHT and 2m timber fencing on the Southern boundary, the hedging to be removed on the eastern boundary and replaced with a 2m fence, on the Northern boundary, a 1m high facing brick wall is proposed with piers and low level planting behind the wall to a max of 800mm. On the Western boundary, a 2m fence is also proposed. The plan provided is satisfactory to discharge the condition as low level planting with max heights have been detailed, and an elevation of the front boundary walls detailing the piers have also been provided. Condition 04 can be partially discharged:

- 8.3.2 *04 No development shall commence until full details of the proposed boundary treatments, including a scheme for hedge and tree planting along the southern boundary, have been submitted to and approved in writing by the Local Planning Authority. The boundary treatments shall be constructed in accordance with the approved details prior to the first occupation of the dwelling and the scheme of hedge and tree planting 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 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: In the interests of visual amenity.*

8.4 Condition 05- Biodiversity enhancement

- 8.4.1 When assessing the submitted details for the biodiversity enhancement scheme, the applicant has provided a bird and a bat box on the elevations of the dwelling house. Given the scale of development, this is deemed acceptable insofar that they are provided. Therefore, condition 05 can be partially discharged:
- 8.4.2 *05 Prior to the commencement of development, a biodiversity enhancement scheme shall be submitted to and approved in writing by the Local Planning Authority. The biodiversity enhancement scheme shall be implemented in accordance with the approved plans prior to the first beneficial use of the development hereby approved. The location and details of these must be shown on relevant plans.
Reason: In the interest of protected species, in accordance with Policy GP5 of the Newport Local Development Plan 2011-2026 (adopted January 2015).*

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 Overall, sufficient information has been provided to discharge condition 02, 03, 04, 05 of 24/0090.

11. DECISION

APPROVED

NOTE TO APPLICANT

01 This decision relates to plan Nos: CIV REV c (CONDITION 3) PERMEABLE PAVING PLAN; Boundary treatment plan REV C; EXISTING PLANTING PLAN GA-05; HIGHWAYS/JUNCTION PLAN AND DETAILS GA-01 REV E; BIODIVERSITY ENHANCEMENT PLAN- CIV-01 REV B; GA-03 - Elevations and Finishes; Biodiversity Enhancement Report (Condition 5).

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

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.