

Delegated Decision Report

Application No:	25/0885	Statutory Period Expires:	10th December 2025
Site:	<i>Newport Export Packing Queens Hill Newport NP20 5HJ</i>		
Proposal:	<i>PARTIAL DISCHARGE OF CONDITION 7 (RETAINING WORKS AND BOUNDARY TREATMENTS) OF 23/0163 FOR THE RESIDENTIAL DEVELOPMENT OF 43 UNITS</i>		
Applicant:	<i>T Evans</i>		
Type:	Discharge Conditions	Ward:	Allt-yr-Yn
Decision:	APPROVED		

1. BACKGROUND

- 1.1 The extant consent 23/0163 permitted the erection of 43no. residential units on previously developed land in a mixed use area.

2. SITE LOCATION AND CONTEXT

- 2.1 Urban setting adjacent Factory Road which features terraced properties and neighbouring industrial uses.

3. DESCRIPTION OF DEVELOPMENT

- 3.1 Discharge of details secured by Condition 07 of 23/0163 relating to boundary treatments and retaining works.

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
23/0163	RESIDENTIAL DEVELOPMENT OF 43 UNITS	Granted with conditions	05.09.2024

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

- 5.3 NEWPORT LOCAL DEVELOPMENT PLAN (2011-2026)

- GP6 – Quality of Design

6. CONSULTATION RESPONSES

- 6.1 Landscape Architect: Treatment to the frontage on the Production Site Layout rev A by Hammond below left now shows three trees with a tarmac rather than planted surround - this does not match approved planting plan under 25/0460. If this is pursued, rooting volume crates will likely be needed for the trees, the applicants landscape architect will be able to advise but the change in site layout is not as approved for the key public facing elevation.



On the use of a knee rail to define public/private space, I would say a quality knee rail is a good idea at the back of a public footpath, but that is up to the applicant.

6.2 Structures: No response.

6.3 Highways Officer: No objection to partial discharge.
The proposals do not detail structural elements adjacent to highway or that may pose risk to highway. We therefore have no objections to discharge.

7. PUBLIC REPRESENTATIONS

7.1 The application was not advertised.

8. ASSESSMENT

8.1 Condition 07 – Retaining Works and Boundary Treatments

8.1.1 Details have been provided of the retaining works and boundary treatments in the form of a proposed block plan indicating the location of retaining works adjacent the existing common boundary stone wall with residential properties on Lucas Street, and the finishes of the boundary treatments.

8.1.2 The submitted details have received no comments from the Structures Team, and no objection from the Highways Officer in terms of the safe use of the highway network.

8.1.3 The Landscape Architect has queried the removal of an area of planting which is now replaced with hard surfacing. Additional commentary from the agent has confirmed that this is due to the position of dry rise inlets in association with the overall fire safety of the building.

8.1.4 The resultant impact of the loss of soft landscaping for hard landscaping is considered to not have a significant impact on the wider setting of the area when balanced against the safety requirements for the building.

8.1.5 The Landscape Architect has also commented on the potential introduction of a knee high railing to differentiate between public and private space on Factory Road. This element did not form part of the original submission, and it is considered that as there are multiple paths to the building's façade the areas of knee high railing would be piecemeal resulting in a odd appearance in the wider open setting. As such, the submitted proposals are considered acceptable.

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 submitted details are considered acceptable.

11. DECISION APPROVED

01 In so far as the application relates to CONDITION 07, the application is discharged.

NOTE TO APPLICANT

01 This decision relates to plan Nos:

- Production Site Layout (Drawing ref: PSL-01 Rev A)

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policy GP6 was 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.