

Our Ref: 23.104

Date: 9th September 2026

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

Unit 9 Oak Tree Court
Mulberry Drive
Cardiff Gate Business Park
Cardiff
CF23 8RS

Tel: 02920 732 652
www.asbriplanning.co.uk

Dear Sir/Madam,

Town & Country Planning Act 1990 (as amended)

Non-Material Amendment application to amend Condition 1 (Approved Plans) of Reserved Matters planning permission 22/0224

Land at Llanwern Works, Queensway, Llanwern, Newport, South Wales, NP19 4QZ

Planning Portal Reference: PP-15170160

Asbri Planning is acting as agent on behalf of Bellway Homes in respect of a Non-Material Amendment (NMA) application to amend Condition 1 (Approved Plans) of planning permission 22/0224 at land at Llanwern Works, Newport.

Background

The site benefits from an extant reserved matters consent (Ref: 22/0224) for the following development:

"Reserved Matters Application for a Residential Development (Phase 4H) consisting of 212no. dwellings and associated works and Partial Discharge of Conditions 06 (Recreation Areas), 07 (Soft Landscaping), 08 (Materials), 09 (Hard Landscaping), 10 (Boundary Treatments), 11 (Open Space Management Strategy), 12 (Parking), 16 (Roads, Cycleways and Footways), 19 (Noise Assessment), 24 (Flood Consequences Assessment), 33 (Surface Water Drainage), 34 (Foul and Surface Water Drainage), 39 (Carbon Reduction Strategy) and 43 (Fire-Fighting Access) pursuant to outline permission 06/0471 for redevelopment of site to create a mixed-use urban extension"

There have been two previous NMA applications relating to Reserved Matters Application 22/0224. The first NMA application (ref: 23/0702) relates to the variation of the wording of the description of development for the reserved matters application 22/0224, adding in a reference to Condition 18 (Construction and drainage of estate roads) of the outline planning permission 06/0471.

The second NMA (ref. 26/0461) relates to the variation of Condition 1 (Approved Plans) of Reserved Matters Application 22/0224. It proposed to replace 14 of the approved plans to show the removal of the garages on the 17 properties, and to replace them with extended garden space. It also proposed to change the house type on plot 188 from a Mason to a Chandler. The latter element of the NMA was approved on the 30th July 2026 but the replacement of garages with additional garden space element was refused as it was considered by the LPA that the change would lead to more on-street parking in a part of the site with limited on-street parking capacity, leading to the detriment of the amenity of occupiers and to the free flow of traffic and general highway safety.

The following plans were therefore approved in relation to the house type change from Mason to Chandler for plot 188 but not in respect of the loss of the garages.

- Drawing 21059 (05) 100 X1 - Site Development Layout
- Drawing 21059 (05) 101.1 - Site Location Plan
- Drawing 21059 (05) 102 C1 - External Materials Layout

- Drawing 21059 (05) 103 C1 – Enclosures Layout
- Drawing 21059 (05) 104 C1 – Refuse Management Layout
- Drawing 21059 (05) 105 B1 – Proposed Street Elevations
- Drawing 21059 (05) 106 C1 – Affordable Tenure Layout
- Drawing 21059 (05) 107 C1 – Parking Plan
- Drawing 21059 (05) 212 – Chandler, Plans
- Drawing 21059 (05) 213 B – Chandler, Elevations (Brick)
- Drawing 21360.1003 - Site Landscape Proposals, 3/3
- Drawing 3904-S38-2 B* - Section 38 Layout, 2/2
- Drawing 3904 110 2 M* - Engineering Layout, 2/2

The approved reserved matters consent relates to the residential development of 212 no. dwellings and associated works. Bellway Homes intend to progress with the construction of the dwellings, but now wish to remove garages from 17 of these 212 dwellings and replace this with hardstanding car parking spaces (rather than garden space so the amount of parking available for each property is as originally approved). This is sought to be regularised through this NMA.

The Proposal

Based on the reasons for the part-refusal of the NMA application 26/0461, this NMA application proposes to replace 14 plans within the approved plans condition of the permission to show the removed garages on the 17 properties, which will be replaced by hardstanding car parking spaces.

Based on the recently approved NMA (26/0461), Condition 1 currently reads as follows:

"01 Plans: The development shall be implemented in accordance with the following plans and documents unless non-materially varied by any conditional discharge:

- *Drawing 21059 (05) 100 X1 - Site Development Layout.*
- *Drawing 21059 (05) 101.1 - Site Location Plan*
- *Drawing 21059 (05) 102 C1 - External Materials Layout*
- *Drawing 21059 (05) 103 C1 - Enclosures Layout*
- *Drawing 21059 (05) 104 C1 - Refuse Management Layout*
- *Drawing 21059 (05) 105 B1- Proposed Street Elevations*
- *Drawing 21059 (05) 106 C1 - Affordable Tenure Layout*
- *Drawing 21059 (05) 107 C1 - Parking Plan*
- *Drawing 21059 (05) 200 - Joiner Plans*
- *Drawing 21059 (05) 201 B - Joiner, Elevations*
- *Drawing 21059 (05) 202 - Potter Plans*
- *Drawing 21059 (05) 203 - Potter Elevations*
- *Drawing 21059 (05) 205 - Saddler Plans*
- *Drawing 21059 (05) 206 B - Saddler, Elevations*
- *Drawing 21059 (05) 207 - Tailor Plans*
- *Drawing 21059 (05) 208 A - Tailor, Elevations*
- *Drawing 21059 (05) 209 - Turner Plans*
- *Drawing 21059 (05) 210 A - Turner, Elevations*
- *Drawing 21059 (05) 212 - Chandler Plans*
- *Drawing 21059 (05) 213 B - Chandler, Elevations (Brick)*
- *Drawing 21059 (05) 214 - Tanner Plans*
- *Drawing 21059 (05) 215 A - Tanner, Elevations*
- *Drawing 21059 (05) 216 - Tanner, Elevations (Weatherboard)*
- *Drawing 21059 (05) 217 - Mason Plans*
- *Drawing 21059 (05) 218 - Mason Elevations*
- *Drawing 21059 (05) 219 - Scrivener Plans*
- *Drawing 21059 (05) 220 B - Scrivener, Elevations*
- *Drawing 21059 (05) 221 - Scrivener, Elevations (Weatherboard)*
- *Drawing 21059 (05) 222 - Wheelwright Plans*

- *Drawing 21059 (05) 223 A - Wheelwright, Elevations*
- *Drawing 21059 (05) 224 - Wheelwright, Elevations (Weatherboard)*
- *Drawing 21059 (05) 225 - Bowyer Plans*
- *Drawing 21059 (05) 226 A - Bowyer, Elevations*
- *Drawing 21059 (05) 227 - Bowyer, Elevations (Weatherboard)*
- *Drawing 21059 (05) 228 - Cutler Plans*
- *Drawing 21059 (05) 229 A - The Cutler, Elevations*
- *Drawing 21059 (05) 230 - Goldsmith Plans*
- *Drawing 21059 (05) 231 A - The Goldsmith, Elevations*
- *Drawing 21059 (05) 232 - Goldsmith, Elevations – Weatherboard*
- *Drawing 21059 (05) 233 - Philosopher Plans*
- *Drawing 21059 (05) 234 - Philosopher Elevations*
- *Drawing 21059 (05) 235 A, Apartment A (Plots 08-13) - Plans, Ground Floor.*
- *Drawing 21059 (05) 236 A, Apartment A (Plots 08-13) - Plans, First Floor.*
- *Drawing 21059 (05) 237 B, Apartment A (Plots 08-13) - Plans, Second Floor.*
- *Drawing 21059 (05) 238 A, Apartment A (Plots 08-13) - Elevations (1 of 2)*
- *Drawing 21059 (05) 239 A - Apartment (Plots 08-13) - Elevations (2 of 2)*
- *Drawing 21059 (05) 240 - Apartment Block B Ground Floor Plan*
- *Drawing 21059 (05) 241 - Apartment Block B First Floor Plan*
- *Drawing 21059 (05) 242 - Apartment Block B Second Floor Plan*
- *Drawing 21059 (05) 243 - Apartment Block B Elevations Sheet 1*
- *Drawing 21059 (05) 244 - Apartment Block B Elevations Sheet 2*
- *Drawing 21059 (05) 245 - 4.2.1 Plans & Elevations*
- *Drawing 21059 (05) 246 - 5.3.1 Plans & Elevations*
- *Drawing 21059 (05) 247 - 6.4.1 Plans & Elevations*
- *Drawing 21059 (05) 248 - Garage Plans & Elevations (Single)*
- *Drawing 21059 (05) 249 - Garage Plans & Elevations (Plots 188 & 189)*
- *Drawing 21059 (05) 250 - Garage Plans & Elevations (Twin)*
- *Drawing 21059 (05) 251 - Garage Plans & Elevations (Triple)*
- *Drawing 21059 (05) 252 - Enclosure Detail A*
- *Drawing 21059 (05) 253 - Enclosure Detail B*
- *Drawing 21059 (05) 254 A - Apartment A, Bin & Bike Stores - Plans & Elevations*
- *Drawing 21059 (05) 255 A - Apartment B, Bin & Bike Store - Plans & Elevations*
- *Drawing 21059 (05) 256 - Chandler, Elevations (Weatherboarding)*
- *Drawing 21059 (05) 257 - Bowyer Bay, Plans*
- *Drawing 21059 (05) 258 - Bowyer Bay, Elevations (Brick).*
- *Drawing 21059 (05) 259 - Bowyer Bay, Elevations (Weatherboard)*
- *Drawing 21059 (05) 260 Car Port / Store A, Plans & Elevations*
- *Drawing 21059 (05) 261 - Car Port / Store B, Plans & Elevations*
- *Drawing 21059 (05) 262 - Goldsmith, Plans (Bay)*
- *Drawing 21059 (05) 263 - Goldsmith (Bay), Elevations (Weatherboard).*
- *Drawing 21059 (05) 264 - Enclosures Detail C, Estate Railing*
- *Drawing 21360.101 D - Soft Landscape Proposals (1 of 3)*
- *Drawing 21360.102 D - Soft Landscape Proposals (2 of 3)*
- *Drawing 21360.103 - Site Landscape Proposals (3 of 3)*
- *Drawing 21360.111 C - Greenway Landscape Proposals 4H*
- *Drawing 21360.131 D - Greenway Leap Proposals*
- *Drawing 21360.132 C - Residential LAP Proposals, Western Proposals*
- *Drawing 21360.133 A - Residential LAP Proposals, Eastern Proposals*
- *Drawing 3904-110-1 L - Engineering Layout (1 of 2)*
- *Drawing 3904-110-2 M* - Engineering Layout (2 of 2)*
- *Drawing 3904-111-1 E - Longitudinal Sections (1 of 2)*
- *Drawing 3904-111-2 K - Longitudinal Sections (2 of 2)*
- *Drawing 3904-112 C - Highway Construction Details*
- *Drawing 3904-115 E - Manhole Schedule*
- *Drawing 3904-S38-1 B - Section 38 Layout (1 of 2)*
- *Drawing 3904-S38-2 B* - Section 38 Layout (2 of 2)*
- *Drawing 3904-120 - Typical Noise Bund Detail*
- *5 Year Landscape Maintenance & Management Plan*

Reason: *In the interests of clarity and to ensure the development complies with the submitted plans and documents on which this decision was based."*

The new condition will therefore read as (text struck through represents plans to be deleted and additions are in **bold**):

"01 Plans: The development shall be implemented in accordance with the following plans and documents unless non-materially varied by any conditional discharge:

- ~~Drawing 21059 (05) 100 X1 – Site Development Layout~~
- **Drawing 20159 (05) 100 X2 – Site Development Layout**
- Drawing 21059 (05) 101.1 - Site Location Plan
- ~~Drawing 21059 (05) 102 C1 – External Materials Layout~~
- **Drawing 21059 (05) 102 C2 - External Materials Layout**
- ~~Drawing 21059 (05) 103 C1 – Enclosures Layout~~
- **Drawing 21059 (05) 103 C2 – Enclosures Layout**
- ~~Drawing 21059 (05) 104 C1 – Refuse Management Layout~~
- **Drawing 21059 (05) 104 C2- Refuse Management Layout**
- Drawing 21059 (05) 105 B1 - Proposed Street Elevations
- ~~Drawing 21059 (05) 106 C1 – Affordable Tenure Layout~~
- **Drawing 21059 (05) 106 C2 - Affordable Tenure Layout**
- ~~Drawing 21059 (05) 107 C1 – Parking Plan~~
- **Drawing 21059 (05) 107 C2 - Parking Plan**
- Drawing 21059 (05) 200 - Joiner Plans
- Drawing 21059 (05) 201 B - Joiner, Elevations
- Drawing 21059 (05) 202 - Potter Plans
- Drawing 21059 (05) 203 - Potter Elevations
- Drawing 21059 (05) 205 - Saddler Plans
- Drawing 21059 (05) 206 B - Saddler, Elevations
- Drawing 21059 (05) 207 - Tailor Plans
- Drawing 21059 (05) 208 A - Tailor, Elevations
- Drawing 21059 (05) 209 - Turner Plans
- Drawing 21059 (05) 210 A - Turner, Elevations
- Drawing 21059 (05) 212 - Chandler Plans
- Drawing 21059 (05) 213 B - Chandler, Elevations (Brick)
- Drawing 21059 (05) 214 - Tanner Plans
- Drawing 21059 (05) 215 A - Tanner, Elevations
- Drawing 21059 (05) 216 - Tanner, Elevations (Weatherboard)
- Drawing 21059 (05) 217 - Mason Plans
- Drawing 21059 (05) 218 - Mason Elevations
- Drawing 21059 (05) 219 - Scrivener Plans
- Drawing 21059 (05) 220 B - Scrivener, Elevations
- Drawing 21059 (05) 221 - Scrivener, Elevations (Weatherboard)
- Drawing 21059 (05) 222 - Wheelwright Plans
- Drawing 21059 (05) 223 A - Wheelwright, Elevations
- Drawing 21059 (05) 224 - Wheelwright, Elevations (Weatherboard)
- Drawing 21059 (05) 225 - Bowyer Plans
- Drawing 21059 (05) 226 A - Bowyer, Elevations
- Drawing 21059 (05) 227 - Bowyer, Elevations (Weatherboard)
- Drawing 21059 (05) 228 - Cutler Plans
- Drawing 21059 (05) 229 A - The Cutler, Elevations
- Drawing 21059 (05) 230 - Goldsmith Plans
- Drawing 21059 (05) 231 A - The Goldsmith, Elevations
- Drawing 21059 (05) 232 - Goldsmith, Elevations – Weatherboard
- Drawing 21059 (05) 233 - Philosopher Plans
- Drawing 21059 (05) 234 - Philosopher Elevations
- Drawing 21059 (05) 235 A, Apartment A (Plots 08-13) - Plans, Ground Floor.
- Drawing 21059 (05) 236 A, Apartment A (Plots 08-13) - Plans, First Floor.

- Drawing 21059 (05) 237 B, Apartment A (Plots 08-13) - Plans, Second Floor.
- Drawing 21059 (05) 238 A, Apartment A (Plots 08-13) - Elevations (1 of 2)
- Drawing 21059 (05) 239 A - Apartment (Plots 08-13) - Elevations (2 of 2)
- Drawing 21059 (05) 240 - Apartment Block B Ground Floor Plan
- Drawing 21059 (05) 241 - Apartment Block B First Floor Plan
- Drawing 21059 (05) 242 - Apartment Block B Second Floor Plan
- Drawing 21059 (05) 243 - Apartment Block B Elevations Sheet 1
- Drawing 21059 (05) 244 - Apartment Block B Elevations Sheet 2
- Drawing 21059 (05) 245 - 4.2.1 Plans & Elevations
- Drawing 21059 (05) 246 - 5.3.1 Plans & Elevations
- Drawing 21059 (05) 247 - 6.4.1 Plans & Elevations
- Drawing 21059 (05) 248 - Garage Plans & Elevations (Single)
- Drawing 21059 (05) 249 - Garage Plans & Elevations (Plots 188 & 189)
- Drawing 21059 (05) 250 - Garage Plans & Elevations (Twin)
- Drawing 21059 (05) 251 - Garage Plans & Elevations (Triple)
- Drawing 21059 (05) 252 - Enclosure Detail A
- Drawing 21059 (05) 253 - Enclosure Detail B
- Drawing 21059 (05) 254 A - Apartment A, Bin & Bike Stores - Plans & Elevations
- Drawing 21059 (05) 255 A - Apartment B, Bin & Bike Store - Plans & Elevations
- Drawing 21059 (05) 256 - Chandler, Elevations (Weatherboarding)
- Drawing 21059 (05) 257 - Bowyer Bay, Plans
- Drawing 21059 (05) 258 - Bowyer Bay, Elevations (Brick).
- Drawing 21059 (05) 259 - Bowyer Bay, Elevations (Weatherboard)
- Drawing 21059 (05) 260 Car Port / Store A, Plans & Elevations
- Drawing 21059 (05) 261 - Car Port / Store B, Plans & Elevations
- Drawing 21059 (05) 262 - Goldsmith, Plans (Bay)
- Drawing 21059 (05) 263 - Goldsmith (Bay), Elevations (Weatherboard).
- Drawing 21059 (05) 264 - Enclosures Detail C, Estate Railing
- ~~Drawing 21360.101 D - Soft Landscape Proposals (1 of 3)~~
- **Drawing 21360.101 S - Soft Landscape Proposals (1 of 3)**
- ~~Drawing 21360.102 D - Soft Landscape Proposals (2 of 3)~~
- **Drawing 21360.102 S - Soft Landscape Proposals (2 of 3)**
- ~~Drawing 21360.1003 - Site Landscape Proposals (3 of 3)~~
- **Drawing 21360.103 S - Soft Landscape Proposals (3 of 3)**
- Drawing 21360.111 C - Greenway Landscape Proposals 4H
- Drawing 21360.131 D - Greenway Leap Proposals
- Drawing 21360.132 C - Residential LAP Proposals, Western Proposals
- Drawing 21360.133 A - Residential LAP Proposals, Eastern Proposals
- ~~Drawing 3904-110-1 L - Engineering Layout (1 of 2)~~
- **Drawing 3904-110-1 M - Engineering Layout (1 of 2)**
- ~~Drawing 3904-110-2 M* - Engineering Layout (2 of 2)~~
- **Drawing 3904-110-2 N - Engineering Layout (2 of 2)**
- Drawing 3904-111-1 E - Longitudinal Sections (1 of 2)
- Drawing 3904-111-2 K - Longitudinal Sections (2 of 2)
- Drawing 3904-112 C - Highway Construction Details
- Drawing 3904-115 E - Manhole Schedule
- ~~Drawing 3904-S38-1 B - Section 38 Layout (1 of 2)~~
- **Drawing 3904-S38-1 C - Section 38 Layout (1 of 2)**
- ~~Drawing 3904-S38-2 B* - Section 38 Layout (2 of 2)~~
- **Drawing 3904-S38-2 C - Section 38 Layout (2 of 2)**
- Drawing 3904-120 - Typical Noise Bund Detail
- 5 Year Landscape Maintenance & Management Plan

Reason: *In the interests of clarity and to ensure the development complies with the submitted plans and documents on which this decision was based."*

It must be noted that the approved landscape plans prepared by MHP Chartered Landscape Architects for the Reserved Matters application (Ref: 22/0224) were originally titled 'Soft Landscape Proposals'. However, the amended plans that were prepared for the recent NMA application (Ref: 26/0461) were renamed 'Site Landscape

Proposals, and as identified above, 'Site Landscape Proposals, (3 of 3)' was approved as part of the NMA. For the purpose of this NMA, they have been renamed back to 'Soft Landscape Proposals'.

Appraisal

Section 96a of the Town & Country Planning Act 1990 allows non-material amendments to be made to an existing planning permission. This was brought into effect on the 1st September 2014. The Welsh Government has produced a guidance note entitled 'Approving Non-material Amendments to an Existing Planning Permission' which sets out four tests to be considered in determining whether an application qualifies as a non-material amendment. It is, therefore, necessary to assess the proposed amendment against the four tests in turn:

(a)(i) is the scale of the proposed change great enough to cause an impact different to that caused by the original approved development scheme; and,

(a)(ii) would the proposed change result in a detrimental impact either visually or in terms of local amenity?

(b) would the interests of any third party or body be disadvantaged in planning terms; or,

(c) would the proposed change conflict with national or development plan policies?

(a)(i) is the scale of the proposed change great enough to cause an impact different to that caused by the original approved development scheme

The proposed changes only relate to the removal of the garages to 17 of the 212 plots (8%) and replacement with hardstanding for the parking spaces original provided by the garages. As such, unlike the previous NMA the numbers of car parking spaces available per property remains as approved in the reserved matters application. It is considered that this is non-material, and will not cause any material planning impacts on the adjacent dwellings. The hard standing car parking spaces will act as replacement parking spaces for residents instead of the garages, and will therefore not result in a loss of off-street parking, thereby addressing the relevant reason for refusal in Application 26/0461. In terms of the physical aspect of the removal of the garages, there will be less built form on site, meaning that the scale of the development is reduced.

It is therefore considered that the scale of the proposed changes is not great enough to cause an impact different to that caused by the original approved development scheme in accordance with test (a)(i).

(a)(ii) would the proposed change result in a detrimental impact either visually or in terms of local amenity?

As the proposed changes relate to the removal of the garages on 17 of the proposed 212 dwellings, it is considered that this will not have a detrimental impact on the proposed properties visually or in terms of local amenity. The location of the originally approved garages is set back from the main building line, meaning they were not as prominent in the street scene in the first instance. It is not considered that there will be additional overlooking as a result of the replacement of the garages with hard standing car parking spaces.

In light of the above, it is considered that the proposed changes would not result in a detrimental impact either visually or in terms of local amenity and are compliant with test (a)(ii).

(b) would the interests of any third party or body be disadvantaged in planning terms; or

As stated under criterion (a)(ii), the proposed changes relate to the removal of the garages on 17 of the proposed dwellings, which are located within the curtilage of the proposed dwellings, and replacement with hardstanding car parking spaces. Therefore, it is not considered that any third parties will be disadvantaged in planning terms as the number of parking spaces per property remains the same as in the approved reserved matters.

(c) would the proposed change conflict with national or development plan policies

As the NMA relates to the replacement of the garages with hardstanding car parking spaces, there will not be a loss of off-street parking. This therefore directly addresses the refusal reason related to the loss of the garages in Application 26/0461. As such, it is considered that the proposed changes within the NMA do not conflict with any

national or development plan policies.

In addition, the appropriate fee will be paid to the Authority under separate cover. I trust that the submitted documents allow the application to be validated and look forward to receiving details of the name of the case officer, application reference number and target determination date. If you have any queries in the meantime, please do not hesitate to get in touch.

Yours sincerely,

Max Cruse

Graduate Planner