

Notice of Decision



K. Smith,
Asbri Planning Ltd.
Unit 9
Oak Tree Court
Cardiff Gate Business Park
Cardiff
CF23 8RS

TOWN AND COUNTRY PLANNING ACT 1990 [as amended]

Application No: **14/0704**

Application Type: **Reserved Matters (Major)**

Proposal: **RESIDENTIAL DEVELOPMENT COMPRISING 250NO. DWELLINGS AND ASSOCIATED WORKS (RESERVED MATTERS PURSUANT TO OUTLINE PLANNING PERMISSION 14/0507) INCLUDING DETAILS TO PARTIALLY DISCHARGE CONDITION 13 (LANDSCAPE MANAGEMENT), CONDITION 14 (RECREATION AREAS), CONDITION 16 (BOUNDARY TREATMENTS) & CONDITION 19 (NOISE MITIGATION).**

Site/Location: **Former Pirelli Site, Telford Street, Newport**

Decision Date: **23-Dec-2014**

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 04-Aug-2014. The application has been:-

Approved & Conditions

STANDARD CONDITIONS

- (a) The development to which this permission relates must be begun not later than whichever is the later of the following dates:-
- (i) the expiration of **FIVE YEARS** from the date of the OUTLINE permission to which these reserved matters apply; or
 - (ii) the expiration of **TWO YEARS** from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.
- (b) [In the case of any Reserved Matter, application for approval must be made not later than the expiration of **THREE YEARS** beginning with the date of the grant of OUTLINE planning permission.]
- Reason:** To conform to the requirements of Sections 91 and 92 of the Act 1990.

ADDITIONAL CONDITIONS

1. The development shall be carried out in accordance with the following approved plans and documents:
Drawing 273.01H (Planting Plan, Sheet 1 of 2), Drawing 273.03H (Materials Plan), Loftus Garden Maintenance Specification Contract (Ref LGV1), Report No. 1406066R01A – Noise and Vibration Impact Assessment, Planning Statement (July 2014), Design and Access Statement (July 2014), Drawing 411090-01C – Engineering Layout, Drawing 1308 SL-01Z – Site Layout, Drawing 273.02H – Planting Plan Sheet 2 of 2, Drawing 7WED/SK/001A - 7 Wednesbury Street Proposed Parking Provision, Drawing 1308 SOC/01A – Typical Canopy Profiles, Drawing 1308 SOC/02A – Typical Bay Profiles, Drawing 1308 SOC/03A - Typical Dormer Profiles, Drawing 1308 SOC/04A – Sheet 4 of 5 – various, Drawing 1308 SOC/05 - Chimney Details, Drawing HT/7811B – Flat over Garage 7, 8 & 11, Drawing 1308 HT-7811-M&E A – Electrical Layout Flat over Garages 7, 8 & 11, Drawing 1308 HT-14A – Flat over Garage HT-14, Drawing 1308 HT-14-M&E - House Type 14 Electrical Layout, Drawing 1308 HT-13A - Flat over Garage HT-13, Drawing 1308 HT-13-M&E – House Type 13 Electrical Layout, Drawing 1308 HT-10A - Flat over Garage HT-10, Drawing 1308 HT-10-M&E – House Type 10 Electrical Layout, Drawing 1308 HT-9A – Flat over Garage HT-9, Drawing 1308 HT-9-M&E – House Type 09 Electrical Layout Flat over Garage HT-09, Drawing 1308 HT-12B – House Type 12, Drawing 1308 HT-12-M&E – House Type 12 Electrical Layout, Drawing 1308 HT-6B – House Type 06, Drawing 1308 HT-6-M&E – House Type 6 Electrical Layout, Drawing 1308 HT-5B – House Type 05, Drawing 1308 HT-5-M&E – House Type 5 Electrical Layout, Drawing 1308 HT-4B – House Type 4, Drawing 1308 HT-4-M&E – House Type 4 Electrical Layout, Drawing 1308 HT-3B – House Type 3, Drawing 1308 HT-3-M&E – House Type 3 Electrical Layout, Drawing 1308 HT-2B – House Type 2, Drawing 1308 HT-2-M&E – House Type 2 Electrical Layout, Drawing 1308 FL15A – 3 Storey Apartments, Drawing 1308 FL-15-M&E01A – Ground Floor Electrical Layout 3 storey apartments, Drawing 1308 FL-15-M&E02A – First Floor Electrical Layout 3 storey Apartments, Drawing 1308 FL-15-M&E03A – Second Floor Electrical Layout 3 storey apartments, Drawing 1308 FL16B – 2 storey apartments, Drawing 1308 FL-16-M&E01A – Ground Floor Electrical Layout 2 storey apartments, Drawing 1308 FL-16-M&E02A – First Floor Electrical Layout 2 storey apartments, Drawing 1308 HT-1A – House Type 1, Drawing 1308 HT-1-M&E – House Type 1 Electrical

Prior to Commencement

2. Prior to the commencement of development, details of an acoustic fence along the site boundary with Phoenix Park shall be provided in writing to the Local Planning Authority (LPA). Following the LPA's written agreement, the fence shall be provided as agreed prior to the occupation of any plot that backs onto Phoenix Park and shall be retained thereafter.
Reason: to protect the outdoor amenity space of those plots from excessive noise

Prior to Construction

3. Prior to the construction of Plots 191 to 207 and 210 to 211, details of mechanical ventilation shall be provided to the Local Planning Authority (LPA). Following the LPA's written agreement to the submitted details the scheme shall be installed as approved prior to first occupation of each of the relevant plots and retained thereafter.
Reason: to ensure noise affected rooms can be adequately ventilated with closed windows.
4. Prior to the construction of any block of flats, details of the communal bin storage and drying areas to serve those flats shall be provided in writing to the Local Planning Authority (LPA). Following the LPA's written agreement the communal bin stores and drying areas shall be provided fully as agreed prior to the first occupation of the units they serve and retained in the approved manner in perpetuity.
Reason: to ensure these facilities are provided and to ensure they are of appropriate design.

Prior to Occupation

5. Prior to the first occupation, windows serving habitable rooms in Plots 191 to 207 and 210 to 211 that face north west towards the main South Wales Railway line shall be fitted with minimally 4/20/4 standard thermal glazing.
Reason: to ensure internal noise levels of habitable rooms meet required standards.
6. No house shall be occupied until roads and footpaths have been laid to provide access to them and where applicable their related garages or parking courts have been completed in accordance with the plans and details hereby approved.
Reason: To ensure that the development is carried out in a proper and coordinated manner.

NOTE TO APPLICANT

The development should be carried out fully in accordance with the proposals granted in the outline consent shown in the plans and particulars accompanying that application as varied and amended by this permission.

This decision notice is issued in respect of Planning Permission only and does not convey any decision which may be required under any other legislation or provisions, such as the 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.

1. The development plan for Newport is the Newport Unitary Development Plan 1996 – 2011 (Adopted May 2006). The following Policies were relevant to the determination of this application:
SP1, SP2, SP17, SP24, SP27, CE4, CE30, CE31, CE35, CE36, CE37, CE38, CE39, CE40, CE45, H1, H2, H5, T3, T7, T10, T12, CF5, U3, U4, U5, U6, U7, U13
2. The LDP examination Inspector's Binding Report has been published and the following LDP policies formed part of the consideration for this application:
SP1, SP2, H3, H4, T4, GP2, SP18, SP3, H6, GP6, SP15, SP10, H1, GP4, T3, SP4
3. 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.

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.

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.

Signed on behalf of the Council

Newport City Council
Regeneration, Investment and Housing
Civic Centre
NEWPORT
South Wales
NP20 4UR



Mark Hand
Development Services Manager
Rheolwr Gwasanaethau Datblygu

Application Number: 14/0704

Decision Date: 23-Dec-2014

Notes for Applicants

TOWN AND COUNTRY PLANNING ACT 1990

Appeals to the Welsh Government

If you are aggrieved by the decision of your Local Planning Authority to refuse an application or to grant it subject to conditions, you can appeal to the Welsh Government under Section 78 of the Town and Country Planning Act 1990.

If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.

Appeals must be made using a form which you can get from the Welsh Government, Planning Inspectorate at Crown Buildings, Cathays Park, Cardiff CF10 3NQ, or online at www.planningportal.gov.uk/pcs

The Welsh Government can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Welsh Government will not consider an appeal if it seems that the Local Planning Authority could not have granted permission for the proposed development or could not have granted it without the condition 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 Government does not refuse to consider appeals solely because the Local Planning Authority based its decision on a direction given by them.

The Choice of Appeal Procedure

The appeal procedures available are:

- a) by written representations which you and the Local Planning Authority make, normally followed by an unaccompanied site inspection
- b) by Hearing, when both parties make oral representations to an Inspector appointed by the Welsh Government. A Hearing is conducted on a less formal basis than a Public Inquiry.
- c) by Public Inquiry which takes the form of a formal hearing by an Inspector appointed by the Welsh Government.

Purchase Notices

If either the Local Planning Authority or the Welsh Government refused planning permission or listed building consent or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial 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 local planning authority in whose area the land is situated.

This Notice will require the Council to purchase the owner's interest in the land in accordance with Part VI of the Town and Country Planning Act 1990. (The Local Planning Authority may accept the notice and proceed to acquire the land; or reject the notice in which case they must refer the notice to the Welsh Government.)