

Delegated Decision Report

Application No:	25/0022	Statutory Period Expires:	18 th April 2025
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Site:	7 Decoypool Road St Modwen Park Newport South Wales NP19 4RG		
Proposal:	ERECTION OF SECURITY FENCING TO SITE PERIMETER WITH ASSOCIATED ACCESS GATES, INSTALLATION OF SPRINKLER TANKS, PUMP HOUSE, HOUSED GENERATOR AND INSTALLATION OF EXTERNAL AIR HANDLING EQUIPMENT		
Applicant:	M Owusu		
Type:	Full	Ward:	Llanwern
Decision:	GRANTED WITH CONDITIONS		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

- 2.1 This application relates to Unit 7 of Indurent Park at the Llanwern Development site. The unit benefits from planning permission for B1, B2 and B8 use under reserved matters approval 21/0537. Unit 7 is located to the south of Unit 1 occupied by Amazon and west of Unit 6 occupied by Solus Accident Repair.
- 2.2 The site is designated for employment use and is located in a C1 flood zone and archaeologically sensitive area.

3. DESCRIPTION OF DEVELOPMENT

- 3.1 This application seeks full planning permission for the erection of security fencing to the site perimeter with associated access gates, installation of 1no. sprinkler tank, 1no. pump house, 1no. housed generator, 3no. external air handling units and secondary AC units.
- 3.2 The security fencing would measure approximately 1945m total in length and would comprise of black mesh at 2.4m in height. The fencing would include an 8m wide sliding gate at the northern entrance and a secondary gate at the eastern entrance both with a new kerbed island to house the access controls. The proposals also include the following elements:
- 1no. sprinkler tank which would measure 6m in width and 8m in height.
 - 1no. pump house which would measure 5m in width, 5m in length and 3.5m in height.
 - 3no. external air handling units, 2no. would measure 8m in length, 3m in width and 2.5m in height and 1no. would measure 6m in length, 3m in width and 2.5m in height.

The application also includes the relocation of 1no. vehicle barrier and new ducting along the eastern elevation of the building. The ducting would connect the AHUs to the building and would be finished in dark grey (RAL 7015) to match the building.

- 3.3 The new fencing and gated access will improve site security and the purpose of the new plant is to maintain air quality and temperature within the building which would be used for the storage of I.T equipment.

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision
06/0471	REDEVELOPMENT OF THE SITE TO CREATE A MIXED USE URBAN EXTENSION	GRANTED WITH CONDITIONS

21/0537	RESERVED MATTERS APPLICATION FOR 4NO. EMPLOYMENT UNITS (USE CLASS B1, B2 AND B8) AND THE PARTIAL DISCHARGE OF CONDITIONS 1 (RESERVED MATTERS SUBMISSION), 8 (MATERIALS DETAILS), 9 (LANDSCAPING DETAILS), 10 (BOUNDARY TREATMENTS), 11 (OPEN SPACE MAINTENANCE), 12 (CYCLE PARKING), 15 (EMERGENCY ACCESS), 16 (HIGHWAYS DETAILS), 18 (HIGHWAYS AND DRAINAGE DETAILS), 22 (STREET LIGHTING), 24 (LEVELS), 33 (SURFACE WATER DRAINAGE), 34 (FOUL WATER DRAINAGE), 39 (SUSTAINABILITY STATEMENT) AND 43 (FIRE FIGHTING WATER SUPPLY ACCESS) PURSUANT TO OUTLINE PLANNING PERMISSION 06/0471 FOR THE REDEVELOPMENT OF SITE TO CREATE A MIXED USE URBAN EXTENSION AT LLANWERN WORKS, NEWPORT	APPROVED AND CONDITIONS
22/1005	NON-MATERIAL AMENDMENT TO 21/0537 RESERVED MATTERS APPLICATION FOR 4NO. EMPLOYMENT UNITS (USE CLASS B1, B2 AND B8) AND VARIOUS PARTIAL DISCHARGE OF CONDITIONS PURSUANT TO OUTLINE PLANNING PERMISSION 06/0471 FOR THE REDEVELOPMENT OF SITE TO CREATE A MIXED USE URBAN EXTENSION. AMENDMENTS SOUGHT RELATE TO CHANGES TO RETAINING WALL, STEP AND LEVELS AND SUBSEQUENT LANDSCAPE AMENDMENTS AT UNIT 6.	APPROVED AND CONDITIONS

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.

5.3 NEWPORT LOCAL DEVELOPMENT PLAN (2011-2026)

Policies SP3 (Flood Risk), GP2 (General Amenity), GP4 (Highways and Accessibility), GP6 (Quality of Design) and CE6 (Archaeology) of the Newport Local Development Plan 2011 – 2026 (Adopted January 2015) are relevant to the determination of this application.

6. CONSULTATION RESPONSES

6.1 ECOLOGY OFFICER: I have no comment on this application other than to support the request by our Landscaping Advisor for additional planting and a planting plan required by planning condition.

- 6.2 LANDSCAPE OFFICER: Updated comments following receipt of 'Proposed Site Plan' which has been revised, now version PO7. The visual impact issue from fencing has been addressed where possible by proposing a native mixed hedge and this now includes around the north-west corner. The plan shows hedge planting locations, specifies a hawthorn/blackthorn hedge to 1.8m at 7 per linear meter, using bare root stock to 90-120cm with spiral guards. The mix between the two species is not clear, this is not important from a landscape point of view but the applicant should be aware that blackthorn readily suckers and using a higher percentage of hawthorn would be easier to maintain. A proportionate management plan is still required to cover the 5 year establishment phase. The plan should cover annual inspection and replacement of failures during this period as well as routine maintenance checks, weeding, firming in etc during the growing season. This could be conditioned.
- 6.3 DRAINAGE OFFICER: Having reviewed the submitted information, a SAB application may not be required but if there are any external works exceeding 100square metres.
- 6.4 ENVIRONMENTAL HEALTH OFFICER: The proposed construction traffic routing plan for Plot 7, Queensway, Llanwern is acceptable.
- 6.5 SCIENTIFIC OFFICER: No comments to make.
- 6.6 HIGHWAYS OFFICER: I am content with this design now and can confirm there are no outstanding highway related issues.
- 6.7 GGAT: The current application is for fencing, gates, sprinkler tanks etc, and this is relatively limited in scale. Overall it is unlikely that archaeologically significant material will be encountered during the course of the proposed works. As a result, there is unlikely to be an archaeological restraint to this proposed development and consequently, as the archaeological advisors to you we have no objections to the positive determination of this application.
- 6.8 NATURAL RESOURCES WALES: We note the reserved matters for this application under 21/0537 have been discharged where we had no objection. We have reviewed the planning application submitted to us, and from the information provided we do not consider that the proposed development affects a matter listed on our Consultation Topics
- 6.9 DWR CYMRU WELSH WATER: This proposed application includes the installation of a sprinkler tank, although there is capacity within the potable water network to accommodate the proposal due to the capacity of the sprinkler tank, the tank should be filled in a controlled matter to minimise impact to our network and not affect supply to our existing customers. Therefore we would request that if you are minded to grant Planning Consent for the above development that the Conditions and Advisory Notes listed below are included within the consent to ensure no detriment to existing residents or the environment and to Dwr Cymru Welsh Water's assets.

Conditions

The initial fill of the sprinkler tank shall be carried out via a tanker thereafter, topping up and refilling of the tank can be carried out through the existing mains connection. Reason: To ensure the site is served by a suitable potable water supply without causing detriment to existing customers' water supply.

No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

7. PUBLIC REPRESENTATIONS

Neighbour and Ward member notification letters were sent on 21st January 2025, Site Notice was put up on 24th January 2025.

- 7.2 NEIGHBOURS: Neighbours with a common boundary and opposite were consulted and no

responses were received.

7.3 LLANWERN COMMUNITY COUNCIL: No comments to make.

8. **ASSESSMENT**

Principle of the proposed development

8.1 The site and existing building benefits from planning permission for B1, B2 and B8 use. The proposed development would be ancillary to this use and therefore is considered acceptable in principle, subject to other material planning considerations.

Design and Amenity

8.2 As part of the original scheme it was proposed to locate the new sprinkler tank and pumphouse to the south east of the existing building. This location is directly adjacent to a seating/amenity and landscaped area. Given the scale and appearance of the new plant it was not considered that this was an appropriate location from a visual amenity perspective. On this basis, the applicant has moved the proposed plant further north into the site, adjacent to the existing building. In this revised location, the new plant and ducting would be partially visible from the A4810 (Queen's Way), however, it would be read against the backdrop of the existing building and given the commercial nature of the site it is considered that it would not be out of keeping with the character of this location. Both the pumphouse and sprinkler tank would now also be colour coated to match the existing building in dark grey (RAL 7016).

8.3 The proposed plant would be located over 20m from the adjacent unit to the east and therefore it would not have an adverse impact in respect of amenity. The proposed fencing and new gates would include an open mesh type design which would allow light to penetrate through, in addition new landscaping is proposed along the western and southern site boundaries to help soften the visual impact of the fencing. Given the commercial site context this element of the proposals is also considered acceptable in terms of both visual and neighbouring amenity.

Highways and Parking

8.4 The proposal would not impact upon the existing access and parking arrangements at the site. The Highways Officer has no objection to the proposed development. On this basis the proposals are considered to accord with policy GP4.

Landscape and Ecology

8.5 The proposal includes new landscaping to the west of the site which will aid in screening the proposed fencing from the public realm at the entrance to St Modwens Park. The Landscape Officer has requested additional planting at the north west corner of the building, this has now been provided. An existing landscaped corridor is also located to the south of the site which has already matured to provide a degree of screening along this section of Queensway. On this basis, the Landscape Officer has advised that they have no objection to the proposals subject to the provision of a 5 year management and maintenance plan for the new landscaped areas. This can be dealt with by way of a condition. On this basis the proposed development is considered acceptable from a landscape perspective. Whilst the amenity area to the south of the building will not be directly accessible, it can still be accessed by exiting the building to the north and walking around the perimeter of the building. Indurent has advised that this paved area is designed for use by the occupier of the unit. It is an amenity space for people to take breaks, eat lunch, etc and is maintained by Indurent under a service charge.

8.6 Policy 9 of Future Wales states that in all cases, action towards securing the maintenance and enhancement of biodiversity (to provide a net benefit), the resilience of ecosystems and green infrastructure assets must be demonstrated. Policy SP9 of the LDP supports this and states that proposals will be expected to maintain, protect and enhance ecological networks and features of importance for biodiversity. The site within the red line boundary

does not currently include any landscaping and therefore the provision of additional planting to the north west and south west of the building is considered to provide a net gain in terms of biodiversity. The implementation of this planting will be secured by condition. In addition, in accordance with Chapter 6 of PPW 12 due regard has been given to the fact that the application should be accompanied by a Green Infrastructure Statement, however due to the scale and nature of the proposed development it is not considered proportionate to request one in this instance. On this basis the proposed development is considered acceptable in accordance with policy GP5.

Flood Risk

- 8.7 The site lies entirely within Flood Zone 3 as outlined on the Flood Map for Planning. The proposed development is for the construction/installation of plant and fencing only and does not affect the footprint of the existing building or the vulnerability classification of the site (which remains as less vulnerable development). NRW have advised that they have no objection to the proposal. On this basis the proposed development is considered acceptable in accordance with policy SP3 and TAN 15.

Archaeology

- 8.8 The site is located in the Archaeologically Sensitive Area of the Gwent Levels and c0.7km north of the Gwent Levels Registered Historic Landscape. The application area was formerly part of the Llanwern Works and the construction and remediation of the landscape is likely to have destroyed any shallowly buried archaeological features. The Historic Environment Record also shows that there are no known buried archaeological features located near to the application area and the mapping sequences from the mid 19th century onwards show the area as pasture, fields and open ground. GGAT have confirmed that it is their opinion that the proposal will not have any adverse effect upon any archaeological resource and they have no objection to the application.

Air Quality

- 8.9 The site is not located in an Air Quality Management Area and the proposed development is relatively minor in scale however the Environmental Health Officer has requested the submission of a construction routing plan which demonstrates how the routing of traffic during the construction phase will avoid non M4 air quality management areas. This information has been provided by the applicant and the Environmental Health Officer has confirmed that it is acceptable. The proposed development is therefore considered acceptable in accordance with policy GP2.

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 proposed development is considered acceptable in accordance with the relevant policies of the Newport Local Development Plan 2011-2026.

11. DECISION

GRANTED WITH CONDITIONS

01 The development shall be implemented in accordance with the following plans:

GB-CWL90-ADA-ST-00-DR-A-060105 Sprinkler Tank Pump House and Generator-P01

GB-CWL90-ADA-ST-00-DR-A-060102 Proposed Site Plan P07

GB-CWL90-ADA-WH-EL-DR-A-060223-Duct & AHU Elevations

GB-CWL90-ADA-WH-EL-DR-A-060224-Duct & AHU Elevations

GB-CWL90-ADA-WH-EL-DR-A-060225-Duct & AHU Elevations

GB-CWL90-ADA-WH-EL-DR-A-060301 - Proposed Elevations

SKEL 0725 CWL90 - Surface Water Drainage Note 250110

SKEL 0725 CWL90 - Piling Works Note

TSL Construction Traffic Routing Plan for Plot 7, Queensway, Llanwern

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

02 The scheme of landscaping, tree planting and management schedule hereby approved (as shown on drawing ref: GB-CWL90-ADA-ST-00-DR-A-060102 Proposed Site Plan P07) 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 the development. Thereafter the trees and shrubs shall be retained for a period of 5 years from the date of planting and any which die or are damaged shall be replaced and retained until satisfactorily established. For the purpose of this condition, a full planting season shall mean the period from October to April.

Reason: To secure the satisfactory implementation of the proposal.

03 Prior to the first beneficial use of the building, a landscape management and maintenance scheme shall be submitted to and approved in writing by the Local

Planning Authority. The landscaping shall be maintained in accordance with the approved scheme thereafter.

Reason: To safeguard the rights of control of the Local Planning Authority in these respects and to ensure that the site is landscaped in a satisfactory manner.

- 04 The initial fill of the sprinkler tank shall be carried out via a tanker thereafter, topping up and refilling of the tank can be carried out through the existing mains connection.
Reason: To ensure the site is served by a suitable potable water supply without causing detriment to existing customers' water supply.
- 05 No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.
Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.
- 06 The sprinkler tank, pump house, secondary air condition units, air handling units and associated ducting hereby approved shall be finished in colour RAL 7016.
Reason: To ensure that the development is completed in a manner compatible with its surroundings.

NOTE TO APPLICANT

01 This decision relates to plan Nos:

GB-CWL90-ADA-ST-00-DR-A-060101 - Site Location Plan
GB-CWL90-ADA-ST-00-DR-A-060401 - Existing Site Plan
GB-CWL90-ADA-WH-EL-DR-A-060403 - Existing Elevations
GB-CWL90-ADA-ST-00-DR-A-060105 Sprinkler Tank Pump House and Generator-P01
GB-CWL90-ADA-ST-00-DR-A-060102 Proposed Site Plan P07
GB-CWL90-ADA-WH-EL-DR-A-060223-Duct & AHU Elevations
GB-CWL90-ADA-WH-EL-DR-A-060224-Duct & AHU Elevations
GB-CWL90-ADA-WH-EL-DR-A-060225-Duct & AHU Elevations
GB-CWL90-ADA-WH-EL-DR-A-060301 - Proposed Elevations
SKEL 0725 CWL90 - Surface Water Drainage Note 250110
SKEL 0725 CWL90 - Piling Works Note
TSL Construction Traffic Routing Plan for Plot 7, Queensway, Llanwern

02 Policies SP3 (Flood Risk), GP2 (General Amenity), GP4 (Highways and Accessibility), GP6 (Quality of Design) and CE6 (Archaeology) of the Newport Local Development Plan 2011 – 2026 (Adopted January 2015) were relevant to the determination of this application.

03 Due to the minor nature of the proposed development (including any demolition) and the location of the proposed development, it is considered that the proposals did not need to be screened under the Environmental Impact Assessment Regulations.

04 The applicant is also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.