

Notice of Decision



T. O'Kane
Axis
1st Floor
Barfield House
26 Alderley Road
Wilmslow
SK9 1PL

**TOWN AND COUNTRY PLANNING ACT 1990 [as amended]
PLANNING AND COMPENSATION ACT 1991 [as amended]
TOWN AND COUNTRY PLANNING [GENERAL PERMITTED DEVELOPMENT] ORDER 1995 (as amended)**

Application No: **25/0652**
Application Type: **Lawful Development Proposed**
Proposal: **LAWFUL DEVELOPMENT CERTIFICATE FOR PROPOSED BIOMETHANE COMPRESSED NATURAL GAS (BIO-CNG) FILLING STATION AND ASSOCIATED WORKS**
Site/Location: **Land North of Eastern Dry Dock Birdport Ltd - Cargo Depot, Corporation Road, Newport, South Wales,**
Decision Date: **16th October 2025**

In pursuance of its powers under Section 191 and 192 of the above Act [as amended by Section 10 of the Planning and Compensation Act 1991] and Article 4 of the above Regulations, the Council of the City of Newport notifies you of its decision in respect of your application, registered by them on 12th August 2025. The application has been:

Granted

Reasons for the decision:

The proposed development is permitted development under Schedule 2 Part 17B of the General Permitted Development Order 1995 (as amended) for the following reasons:

- the land proposed for the development is operational dock land;
- the operators of Part Harcon / Bird Port are statutory undertakers having delegated powers granted by the Newport Harbour Commissioners in relation to port activities on their site;
- the development supports the loading, discharging and transport of goods at a dock, pier or harbour;
- the development proposed is not precluded by Schedule 2 Part 17 B.1 of the order.

This decision relates to the land outlined red in Drawing 5258 01 01 – Site Location Plan.

This decision relates to the following development description: *Lawful Development Certificate for proposed biomethane compressed natural gas (bio-CNG) filling station and associated works.*

NOTE TO APPLICANT

1. In granting this certificate of lawfulness the Local Planning Authority has determined that planning consent is not required for the development as described above.
2. Please note that the statement in this Certificate is what is lawful relates only to the state of affairs at the date of the application and on the evidence submitted in the application. It is based on the regulations relating to permitted developments enforced at the time of issuing the notice and so may not be valid if the works are implemented at a time when the regulations have changed. If the Certificate is not acted upon promptly or there occurs a change in any of the matters relevant to determining its lawfulness, you are advised to check with the Head of Regeneration, Investment and Housing before proceeding with the proposed use of operation.

3. Please also note that this determination relates to whether or not planning consent is required 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.
4. 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.
5. This decision relates to the following documents:
 - Planning Statement (August 2025)
 - Drawing 5258 01 01 - Site Location Plan
 - Drawing 5258 01 02 - Statutory Plan
 - Drawing 5258 01 03 Proposed Site Layout
 - Application Form
 - Email from agent: 02.10.2025 09:46
6. The development plan for Newport is the Newport Local Development Plan 2011 - 2026 (Adopted January 2015). No policies were relevant to the determination of this application.
7. The proposed development (including any demolition) has been screened under the Environmental Impact Assessment Regulations and it is considered that an Environmental Statement is not required.

Signed on behalf of the Council



Newport City Council
Regeneration and Economic Development
Civic Centre
Newport
South Wales
NP20 4UR

Tracey Brooks Bsc Hons Dip TP MRTPI ILM
Pennaeth Adfywio a Datblygu Economaidd / Head of Regeneration and Economic Development
Cyngor Dinas Casnewydd / Newport City Council

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IMPORTANT! PLEASE READ THE NOTES ON THE REVERSE OF THIS FORM

Notes for Applicants

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

Appeals to the Welsh Government

- If you are aggrieved by the decision of your Local Planning Authority to refuse permission or grant it subject to conditions, then you can appeal to the Welsh Government under Section 78 of the Town and Country Planning Act (as amended).
- Appeals must be made within a prescribed time period that is dependent on the application type. These time periods along with further information on the appeals process are available here and should be checked immediately: [Planning appeals | Sub-topic | GOV.WALES](#)
- Appeals in respect of:
 - Householder and 'minor commercial' development must be received within 12 weeks from the date of the decision notice;
 - Advertisement consent applications must be received within 8 weeks from the date of the decision notice; and,
 - Other types of planning application must be received within 6 months from the date of the decision notice.

Appeal forms can be downloaded at Planning Casework (gov.wales) or are obtainable from Planning and Environment Decisions Wales, Crown Buildings, Cathays Park, Cardiff, CF10 3NQ, email PEDW.Casework@gov.wales

- The Welsh Ministers can allow a longer period for giving notice of an appeal, but are not normally prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions 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 Ministers do not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by them.
Purchase Notices
- If either the Local Planning Authority or the Welsh Government refuses permission to develop land or grants it subject to conditions, the owner may claim that he/she can neither put the land to a reasonable beneficial use in its existing state nor render the land capable of a reasonably beneficial use 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 Council. This notice will require the Council to purchase his/her interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990 (as amended).