

Notice of Decision



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SECTION 73 OF THE TOWN AND COUNTRY PLANNING ACT 1990 [as amended]

Application No: **25/0875**

Application Type: **Renewals and Variation of Conditions**

Proposal: **S73 APPLICATION TO VARY CONDITIONS 1 (PLANS), 6 (BIO DIVERSITY ENHANCEMENT) AND 10 (FCA) OF PLANNING PERMISSION 22/0952 DEMOLITION OF EXISTING BUILDINGS AND STRUCTURES AND THE ERECTION OF A NEW HGV GATEHOUSE, ALTERATIONS TO THE EXISTING SITE ACCESS AND ASSOCIATED WORKS**

Site/Location: **Eastern Dry Dock, Marshalls Mono Ltd , Corporation Road, Newport, NP19 4RE**

Decision Date: **19th February 2026**

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 14th October 2025. The application has been:-

Granted with Conditions

ADDITIONAL CONDITIONS IMPOSED BY THE COUNCIL

- 01 The development must begin not later than the expiration of FIVE YEARS from 13th July 2023.
Reason: To conform with the requirements of Section 91 of the Town and Country Planning Act 1990
- 02 The development shall be implemented in accordance with the following plans and documents:
Marshalls Eastern Dry Dock, Newport HGV Gatehouse ECOLOGICAL APPRAISAL May 2023 by Tetra Tech Ltd;
Proposed Site Improvements, HGV Gatehouse, Marshalls, Corporation Road, Newport Flood Consequences Assessment" Revision 6 06/08/2025 by Tetra Tech Ltd
Marshalls Mono Ltd Eastern Dry Dock, Newport – Proposed Gatehouse Facility Geo-Environmental Desk Study November 2019 WYG
Newport Works – Proposed Wet Press Plant Development: Archaeological Desk-Based Assessment by Tetra Tech V2 February 2023
221681-AHR-GH-XX-DR-A-SK-001p06
Planting Plan by 2B Landscape Consultancy Ltd dwg 001
Typical Section North Pond dwg 003
Planting and Maintenance Notes dwg 002
Proposed New Road and Surfacing Layout dwg 552P03
Newport Gatehouse Proposed New road Drainage dwg 551P01
Site Plan dwg 558P01
Flood Consequences Assessment" Revision 6.0 6/8/25 by Tetra Tech Ltd
Soft Landscape 5 year Management Plan including Biodiversity Enhancements V5 by Marshalls 02/10/25
Fencing Plan dwg558P01
Gatehouse plans 1-4; east, west, south and north
Gatehouse floor plan by Concept accommodation Ltd
Proposed Demolition of Existing Buildings dwg 557P01
Proposed New Road Marking Layout dwg 555P01

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

- 03 The development shall be undertaken in accordance with the Written Scheme of Investigation Observation by Border Archaeology (August 2025) approved in writing by the Local Planning Authority pursuant to LPA reference 25/0795.
Reason: To identify and record any features of archaeological interest discovered during the works, in order to mitigate the impact of the works on the archaeological resource.

- 04 The development shall be undertaken in accordance with the Construction Environmental Management Plan (CEMP) Version 2025 V6 by Marshalls (16/12/25) approved in writing by the Local Planning Authority pursuant to LPA reference 25/0795.
Reason: To protect the amenities of nearby sensitive receptors and in the interests of ecology including European protected species and in the interest of safeguarding the features of the Severn Estuary European sites and SSSI and the River Usk SAC and SSSI. Policies GP2, GP5 & GP7.

- 05 All clearance of scrub vegetation or trees shall be undertaken in accordance with the method statement entitled "Planning Condition Discharge Proposal" (30/6/25) approved in writing by the Local Planning Authority pursuant to LPA reference 25/0795.
Reason: To protect nesting birds and other animals including European Protected Species (bats and otters). Policy GP5.

- 06 The development shall be undertaken in accordance with the documents entitled:
- Marshalls Mono Ltd Eastern Dry Dock, Newport – Proposed Gatehouse Facility Geo-Environmental Desk Study November 2019 WYG; and
 - Newport Silo Base Geo Environmental Appraisal by Couch Consulting Engineers September 2024 report reference GRO-23226-5338 (approved in writing by the Local Planning Authority pursuant to LPA reference 25/0795).

Any additional or unforeseen contamination encountered during the development shall be notified to the Local Planning Authority as soon as is practicable. Suitable revision of the remediation strategy shall be submitted to and approved in writing by the Local Planning Authority and the revised strategy shall be fully implemented prior to further works continuing.

Reason: To ensure that any potential risks to human health or the wider environment which may arise as a result of potential land contamination are satisfactorily addressed. GP2 and GP5.

- 07 The biodiversity enhancement measures outlined within the Soft Landscaping and Maintenance Plan including Biodiversity Enhancements (ref. V5 02/10/25) shall be undertaken in accordance with the approved scheme and Implementation Timetable and retained thereafter for the lifetime of the development.
Reason: in the interests of bio-diversity and to secure ecological net-benefit. Policy GP5.

- 08 Maintenance of the flood void underneath the finished floor level of the gatehouse hereby approved shall be undertaken in accordance with the document entitled "Planning Condition Discharge Proposal" (27/6/25) approved in writing by the Local Planning Authority pursuant to LPA reference 25/0795.
Reason: To avoid the accumulation of waste and debris in the void and associated risk of odour and environmental/amenity issues. Policy GP1 and GP2.

- 09 Prior to the installation of any external lighting scheme, full details shall be submitted to and approved in writing by the Local Planning Authority. The lighting scheme/assessment must include the following details:

- Light into neighbouring residential windows generated from the lighting which shall not exceed 5 Ev (lux) (vertical illuminance in lux).
- Any floodlight must be aligned to ensure that the upper limit of the main beam does not exceed 70 degrees from its downward vertical.
- The floodlighting shall be designed and operated to have full horizontal cut-off and such that the Upward Waste Light Ratio does not exceed 2.5%.

Any submitted scheme must include an isolux diagram showing the predicted illuminance in the vertical plane (in lux) at critical locations on the boundary of the site and at adjacent properties.

All external lighting shall be installed in accordance with the approved scheme and shall be retained as such thereafter.

Reason: In the interest of amenity and biodiversity. GP2, GP5 and SP9.

- 10 The development hereby approved shall be undertaken in accordance with the approved document entitled "Marshalls Eastern Dry Dock, Newport HGV Gatehouse ECOLOGICAL APPRAISAL" May 2023 by Tetra Tech Ltd.
Reason: in the interests of bio-diversity and to secure ecological net-benefit. Policy GP5.

- 11 The development hereby approved shall be undertaken and completed in accordance with the document entitled "Proposed Site Improvements, HGV Gatehouse, Marshalls, Corporation Road, Newport Flood Consequences Assessment" Revision 6 06/08/2025 by Tetra Tech Ltd.
Reason: To minimise the risk of flooding in accordance with Policy GP1.

- 12 The development shall be undertaken in accordance with the approved soft landscape plans and management plan hereby approved. The approved scheme shall be carried out in its entirety by a date not later than the end of the full planting season immediately following the first beneficial use of the development hereby approved or completion of that development, whichever is the sooner. Thereafter, the trees and shrubs shall be maintained for a period of 5 years from the date of planting in accordance with the agreed management plan. Any trees or shrubs which die or are damaged shall be replaced and maintained until satisfactorily established. For the purpose of this condition, a full planting season shall mean the period from October to April.
Reason: In the interests of amenity, biodiversity and landscape quality and in accordance with policies GP2, GP5 and SP9.

It is considered that the decision has been made in conformity with the Marine Policy Statement (2011) and in accordance with marine national planning policy contained within the Welsh National Marine Plan (2019) as demonstrated in the assessment of this proposal.

NOTE TO APPLICANT

The development shall be carried out fully in accordance with the proposals shown in the application and in the plans and particulars accompanying such application as varied and amended by this permission.

01 This decision relates to plan Nos:
221681-AHR-GH-XX-DR-A-SK-008P04

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies SP1, GP1, SP3, GP2, GP4, GP5, GP7, SP9, CE8 and T8 were 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.

Signed on behalf of the Council



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Application Number: 25/0875

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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).