

Delegated Decision Report

Application No:	25/0523	Statutory Period Expires:	27th August 2025
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Site:	<i>Development Plots 11 To 14 Monks Ditch Drive Indurent Park Newport South Wales</i>		
Proposal:	<i>PARTIAL DISCHARGE OF CONDITION 3 (TREE PIT DETAILS) OF 24/0983 RESERVED MATTERS APPLICATION RELATING TO LAYOUT, SCALE, APPEARANCE, ACCESS AND LANDSCAPING FOR 3NO. COMMERCIAL UNITS (USE CLASS B1, B2, B8) PURSUANT TO OUTLINE PLANNING PERMISSION 06/0471 FOR A MIXED USE REGENERATION OF THE FORMER LLANWERN STEELWORKS AND PARTIAL DISCHARGE OF CONDITIONS 01 (RESERVED MATTERS), 08 (MATERIALS), 09 (DETAILS OF HARD LANDSCAPED ACCESS), 10 (BOUNDARY TREATMENTS), 11(MANAGEMENT STRATEGY FOR MAINTENANCE OF OPEN SPACE), 12 (OFF STREET PARKING AND CYCLE PARKING), 15 (EMERGENCY ACCESS), 16 (DETAILS OF ROADS/CYCLEWAYS/FOOTWAYS), 18 (ESTATE ROADS), 22 (STREET LIGHTING AND CAR PARKING AREAS), 24 (SITE LEVELS), 33 & 34 (FOUL AND SURFACE WATER DRAINAGE), 39 (SUSTAINABILITY STATEMENT) AND 43 (FIRE FIGHTING ACCESS)</i>		
Applicant:	<i>Indurent Logistics Propco A8 Ltd</i>		
Type:	Discharge Conditions	Ward:	Llanwern
Decision:	APPROVED		

1. BACKGROUND

- 1.1 A reserved matters application relating to layout, scale, appearance, access and landscaping for 3no. commercial units (use class B1, B2, B8) pursuant to outline planning permission 06/0471 for a mixed-use regeneration of the former Llanwern Steelworks was approved subject to conditions under application ref.24/0983.

2. SITE LOCATION AND CONTEXT

- 2.1 The site is located on Indurent Park (formerly Saint Modwens Park) which is the commercial part of the Glan Llyn Regeneration Site located between the Monks Ditch and the retained steelworks to the east. The southern part of the park has already been developed for various commercial units and the CAF train factory lies at the northern end of the park. This site is immediately adjacent to the retained works and would be for the man part accessed by roads already in place to serve existing units. Indurent Park is accessed off the Eastern Distributer Road (EDR) by a light-controlled junction to the south. The site is allocated in the adopted Newport Local Development Plan 2011-2026 (NLDP) for employment use.

3. DESCRIPTION OF DEVELOPMENT

- 3.1 This application seeks to discharge condition 3 (Tree Pit Details) of application ref.24/0983. Condition 3 reads:

*“03 No tree shall be planted in accordance with the approved planting specification until details of ground preparation for tree planting or details of tree pits have been provided in writing to the Council. Following the Council’s written agreement the ground preparation or tree pits shall be undertaken / provided as agreed prior to the planting of any trees.
Reason: to ensure that trees are planted in suitably prepared ground in the interests of visual amenity, green infrastructure, biodiversity and general placemaking. Policies GP2 & GP5”*

4. RELEVANT SITE HISTORY

App	Proposal	Decision & Date
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Number		
06/0471	REDEVELOPMENT OF SITE TO CREATE A MIXED USE URBAN EXTENSION COMPRISING: A RANGE OF NEW HOMES (APARTMENTS, HOUSES AND SOME SHELTERED ACCOMMODATION FOR THE ELDERLY - USE CLASSES C2&C3); NEW OFFICES, WORKSHOPS, FACTORIES AND WAREHOUSES (USE CLASSES B1, B2&B8); COMMUNITY FACILITIES INCLUDING NEW SCHOOLS AND COMMUNITY CENTRES (USE CLASSES D1&D2); A LOCAL CENTRE INCORPORATING SHOPS, OFFICES AND COMMERCIAL LEISURE FACILITIES INCLUDING NEW BARS, CAFES AND LICENSED PREMISES (USE CLASSES A1, A2, A3&D2); A NETWORK OF OPEN SPACES INCLUDING PARKLAND, FOOTPATHS, SPORTS PITCHES AND AREAS FOR INFORMAL RECREATION; NEW ROADS, ACCESSES AND PATHS; HEALTHCARE AND FITNESS FACILITIES (USE CLASSES D1&D2); PROVISION FOR A NEW RAILWAY HALT/STATION; OTHER ANCILLARY USES AND ACTIVITIES; AND REQUIRING: SITE CLEARANCE, TREATMENT AND PREPARATION; THE INSTALLATION OF NEW SERVICES AND INFRASTRUCTURE; THE CREATION OF NEW WATER BODIES AND DRAINAGE CHANNELS; IMPROVEMENTS/WORKS TO THE HIGHWAYS NETWORK AND OTHER ANCILLARY WORKS AND ACTIVITIES	GC 01 April 2010
14/1020	RESERVED MATTERS SUBMISSION PURSUANT TO CONDITION 01 OF PERMISSION 06/0471 FOR A MIXED USE REDEVELOPMENT OF THE FORMER LLANWERN STEELWORKS IN RELATION TO THE ACCESS ROAD, LANDSCAPING AND DRAINAGE FOR THE EMPLOYMENT ZONE	A 08 April 2015
14/1124	DISCHARGE OF CONDITION 04 (SUB AREA MASTERPLAN) OF PLANNING PERMISSION 06/0471 FOR A MIXED USE REDEVELOPMENT OF THE FORMER LLANWERN STEELWORKS (GLAN LLYN) IN RELATION TO THE EMPLOYMENT (EASTERN) SUB-AREA	A 05 January 2015
17/0248	APPROVAL OF RESERVED MATTERS PURSUANT TO OUTLINE PERMISSION 06/0471 FOR THE REGENERATION OF THE FORMER LLANWERN STEELWORKS (GLAN LLAN) IN RELATION TO THE CONSTRUCTION OF ACCESS ROADS AND FOUL AND SURFACE WATER DRAINAGE ON THE CELTIC BUSINESS PARK INCLUDING LANDSCAPING DETAILS AND DETAILS TO DISCHARGE CONDITION 7 (LANDSCAPE MANAGEMENT), CONDITION 9 (DETAILS OF HARD SURFACING), CONDITION 16 (DETAILS OF ROADS, CYCLEWAYS & FOOTWAYS), CONDITION 18(ESTATE ROADS), CONDITION 22 (STREETLIGHTING), CONDITION 24 (SITE LEVELS), CONDITION 33 (SURFACE WATER DRAINAGE) & CONDITION 34 (FOUL AND SURFACE WATER DRAINAGE) OF PLANNING PERMISSION 06/0471	AC 25 May 2017
21/1174	RESERVED MATTERS APPLICATION RELATING TO ACCESS, APPERANCE, LANDSCAPING, LAYOUT AND SCALE FOR PHASE 6 (UNITS 11, 12 AND 14) AND PARTIAL DISCHARGE OF CONDITIONS 1 (RESERVED MATTERS APPLICATION), 8 (MATERIALS), 9 (LANDSCAPING DETAILS), 10 (BOUNDARY TREATMENTS), 11 (OPEN SPACE MANAGEMENT AND MAINTENANCE), 12 (CYCLE PARKING), 15 (EMERGENCY ACCESS DETAILS), 16 (HIGHWAYS DETAILS), 18 (HIGHWAYS DETAILS), 22 (STREET LIGHTING), 24 (LEVELS), 33 (SURFACE WATER DRAINAGE), 34 (FOUL AND SURFACE WATER DRAINAGE), 39 (SUSTAINABILITY STATEMENT) AND 43 (FIREFIGHTING APPLIANCES WATER SUPPLY)	AC 17 March 2022

	PURSUANT TO OUTLINE PLANNING PERMISSION 06/0471 FOR THE REDEVELOPMENT OF THE SITE TO CREATE A MIXED USE URBAN EXTENSION	
24/0983	RESERVED MATTERS APPLICATION RELATING TO LAYOUT, SCALE, APPEARANCE, ACCESS AND LANDSCAPING FOR 3NO. COMMERCIAL UNITS (USE CLASS B1, B2, B8) PURSUANT TO OUTLINE PLANNING PERMISSION 06/0471 FOR A MIXED USE REGENERATION OF THE FORMER LLANWERN STEELWORKS AND PARTIAL DISCHARGE OF CONDITIONS 01 (RESERVED MATTERS), 08 (MATERIALS), 09 (DETAILS OF HARD LANDSCAPED ACCESS), 10 (BOUNDARY TREATMENTS), 11(MANAGEMENT STRATEGY FOR MAINTENANCE OF OPEN SPACE), 12 (OFF STREET PARKING AND CYCLE PARKING), 15 (EMERGENCY ACCESS), 16 (DETAILS OF ROADS/CYCLEWAYS/FOOTWAYS), 18 (ESTATE ROADS), 22 (STREET LIGHTING AND CAR PARKING AREAS), 24 (SITE LEVELS), 33 & 34 (FOUL AND SURFACE WATER DRAINAGE), 39 (SUSTAINABILITY STATEMENT) AND 43 (FIRE FIGHTING ACCESS)	AC 29 January 2025

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)

None.

5.4 SUPPLEMENTARY PLANNING GUIDANCE

None.

6. CONSULTATION RESPONSES

6.1 TREE OFFICER

No objection.

6.2 LANDSCAPE OFFICER

No objection

A plan 'Tree Pit Detail' by rps has been submitted and responds to the concern raised by the Tree Officer due to the difficult growing conditions on site. No further comments.

7. PUBLIC REPRESENTATIONS

7.1 NEIGHBOURS: NONE.

8. ASSESSMENT

- 8.1 Tree pit details have been submitted relating to the dimensions and materials of the proposed tree pits in both hard and soft landscaping.
- 8.2 For Trees within island beds in the car park, the Tree Pit would measure 1130mm in depth and 3m in width including a RootSpace 600 structure at 600mm x 6no modules wide (1no x 2no x 2no module void below RootDirector). The RootSpace modules are to incorporate side panel inserts to the tree perimeter for increased strength and stability. GRN20 plastic open reinforcing mesh 20mm aperture is to be laid below and around the sides of the RootSpace Structure. Beneath the 3m RootSpace structure, clean angular stone would serve as a drainage layer for a depth of 150mm.
- 8.3 For trees within the soft perimeter of the car park, the tree would be secured using twin stakes to be pressure impregnated softwood, round, peeled, straight, free of projections and pointed at one end: 75mm diameter, 1800mm long (600mm above ground). A timber cross bar 75mm diameter half round; 650mm long. The tree is to be secured to cross bar with suitable tie and spacers. Stakes and cross bar would be positioned towards prominent wind direction to avoid tree 'breaking it's back' against cross bar. All trees planted within soft areas are to be provided with appropriate conical strimmer guards and rabbit guards. A RootRain Urban irrigation system would be installed ensuring that the inlet is slightly above finished surround level, above the 75mm bark mulch layer. The base of the tree pit is to be thoroughly broken up to relieve compaction, aiding root penetration and drainage. Minimum 150mm depth of free draining gravel to be provided (20-50mm) dia, lime free, no fines and river washed. A geotextile filter membrane to prevent mixing of soil and stone would be installed between the base and the 400mm of imported topsoil above. Beneath the base, the site won subsoil is to be well drained, of neutral acidity and otherwise free from rubbish or phytotoxic elements. The sides and the bottom of pit are to be broken up to avoid glazing and aid drainage.
- 8.4 The Tree pit details for Ex Heavy/Standard Tree in soft landscaping would include a 800mm diameter circle of 75mm depth mulch above ground level with a RootRain Urban irrigation system which is to be installed around the guyed root ball, ensuring that the inlet is slightly above finished surround level. The tree would be secured using twin stakes which are to be pressure impregnated softwood, round, peeled, straight, free of projections and pointed at one end; 75mm diameter, 1800mm long (600mm above ground). A timber cross bar 75mm diameter half round; ~650mm long. Tree to be secured to cross bar with suitable tie and spacers. The stakes and cross bar to be positioned towards prominent wind direction to avoid tree 'breaking it's back' against cross bar. Trees planted within soft areas to be provided with appropriate conical strimmer guards and rabbit guards. The tree pit would measure 1500mm in width in depth and would consist of imported topsoil for a depth of 600mm, site won subsoil for a depth of 300mm, and the base would be minimum 150mm depth of free draining gravel to be provided (20-50mm) diameter lime free, no fines and river washed.
- 8.5 The Council's Landscape Officer and Tree Officer are satisfied with the information submitted and have not raised any objection to the details provided.

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 information submitted provides sufficient details relating to ground preparation and tree pit details. The information is sufficient to partially discharge condition 3 (Tree Pit Details) of application ref.24/0983.

11. DECISION

APPROVED

NOTE TO APPLICANT

01 This decision relates to plan Nos: 701106-RLA-24-XX-DR-A-0001A Location Plan, Cover Letter DOC3 application, JSL4841-RPS-XX-EX-DR-L-9018_P01_Tree Pit Detail.

02 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.

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.