

# Delegated Decision Report

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|------------------------|----------------|----------------------------------|------------------------------------|
| <b>Application No:</b> | <b>26/0056</b> | <b>Statutory Period Expires:</b> | <b>28<sup>th</sup> August 2026</b> |
|------------------------|----------------|----------------------------------|------------------------------------|

|                   |                                                                                                                                                                                                                  |              |                 |
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| <b>Site:</b>      | <b><i>Llanwern Works, Queensway, Llanwern, Newport, South Wales</i></b>                                                                                                                                          |              |                 |
| <b>Proposal:</b>  | <b><i>PARTIAL DISCHARGE OF CONDITION 5 (INFRASTRUCTURE PHASING PLAN) IN RELATION TO PHASES 3B AND 3D ONLY OF PLANNING PERMISSION 06/0471 FOR REDEVELOPMENT OF SITE TO CREATE A MIXED-USE URBAN EXTENSION</i></b> |              |                 |
| <b>Applicant:</b> | <b><i>M. Marsh</i></b>                                                                                                                                                                                           |              |                 |
| <b>Type:</b>      | <b>Discharge Conditions</b>                                                                                                                                                                                      | <b>Ward:</b> | <b>Llanwern</b> |
| <b>Decision:</b>  | <b>Approved</b>                                                                                                                                                                                                  |              |                 |

## 1. BACKGROUND

- 1.1 The applicant is seeking to partially discharge Outline Condition 05 of Permission 06/0471 which reads as follows:

*(5) No development shall commence in relation to each phase (as defined by Condition 03), unless otherwise agreed in writing by the Local Planning Authority in relation to specific advanced works, until a detailed Infrastructure Phasing Plan for that phase has been submitted to and approved in writing by the Local Planning Authority. The Infrastructure Phasing Plan shall include the sequence and trigger dates for the provision of the following infrastructure (including for the individual development parcels, links between parcels and phases, and links with the wider external network): highways and drainage, pedestrian and cycleways, public transport services including interim measures for temporary services during the course of construction, recreation areas and all formal and informal open spaces (including a landscaping implementation timetable), and flood mitigation measures. The development shall be implemented in accordance with the approved Infrastructure Phasing Plan unless otherwise agreed in writing by the Local Planning Authority.*

**Reason:** *To ensure that the necessary infrastructure and facilities to accommodate the development are provided.*

## 2. SITE LOCATION AND CONTEXT

2.1 The sought discharge is partial relating to Phases 3B & 3D only:



## 3. DESCRIPTION OF DEVELOPMENT

3.1 See above.

## 4. RELEVANT SITE HISTORY

| Ref. No. | Proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Decision & Date            |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------|
| 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; | GC & S106<br>01 April 2010 |

|         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                         |
|---------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|
|         | 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                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                         |
| 19/1074 | SUBMISSION OF RESERVED MATTERS (PURSUANT TO OUTLINE PERMISSION 06/0471) IN RELATION TO HOUSING PHASE 3B AND 3D OF THE GLAN LLYN REGENERATION SITE TO PROVIDE 203NO. HOUSES AND ASSOCIATED GARAGING AND CAR PARKING AND SUBMISSION OF INFORMATION TO PARTIALLY DISCHARGE CONDITIONS 06 (RECREATION AREAS), 08 (EXTERNAL SURFACES OF BUILDINGS), 09 (MATERIALS AND HARD SURFACING), 10 (BOUNDARY TREATMENTS), 12 (OFF STREET PARKING AND CYCLING), 15 (EMERGENCY ACCESS PROPOSALS), 16 (DETAILS OF ROADS, CYCLEWAY AND FOOTWAYS), 18 (DETAILS OF ESTATE ROADS AND THEIR DRAINAGE), 23 (ECOLOGICAL MANAGEMENT PLAN), 24 (DETAILS OF LEVELS AND PROVISION OF CROSS SECTIONS), 33 (DISPOSAL OF SURFACE WATER), 34 (DETAILS OF FOUL AND SURFACE WATER DRAINAGE AND STORAGE), 39 (CARBON REDUCTION AND SUSTAINABILITY STATEMENT) AND 43 (ACCESS FOR FIREFIGHTING APPLIANCES). ALL CONDITIONS RELATE TO OUTLINE PLANNING PERMISSION 06/0471 | AC<br><br>05 March 2020 |

## 5. PLANNING POLICY

### 5.1 NEWPORT LOCAL DEVELOPMENT PLAN (2011-2026)

SP1 – Sustainability  
SP11 – Eastern Expansion Area  
SP12 – Community Facilities

### 5.4 SUPPLEMENTARY PLANNING GUIDANCE

None.

## 6. CONSULTATION RESPONSES

- 6.1 Dwr Cymru / Welsh Water: No objection.
- 6.2 NCC Highways: insufficient detail has been provided to discharge the condition.
- 6.3 NCC Air Quality: No objection but note CNC/NRW interest in maintaining the quality of controlled waters.
- 6.4 NCC Landscaping: No objection per se but notes the benefits of completing landscaping work early.

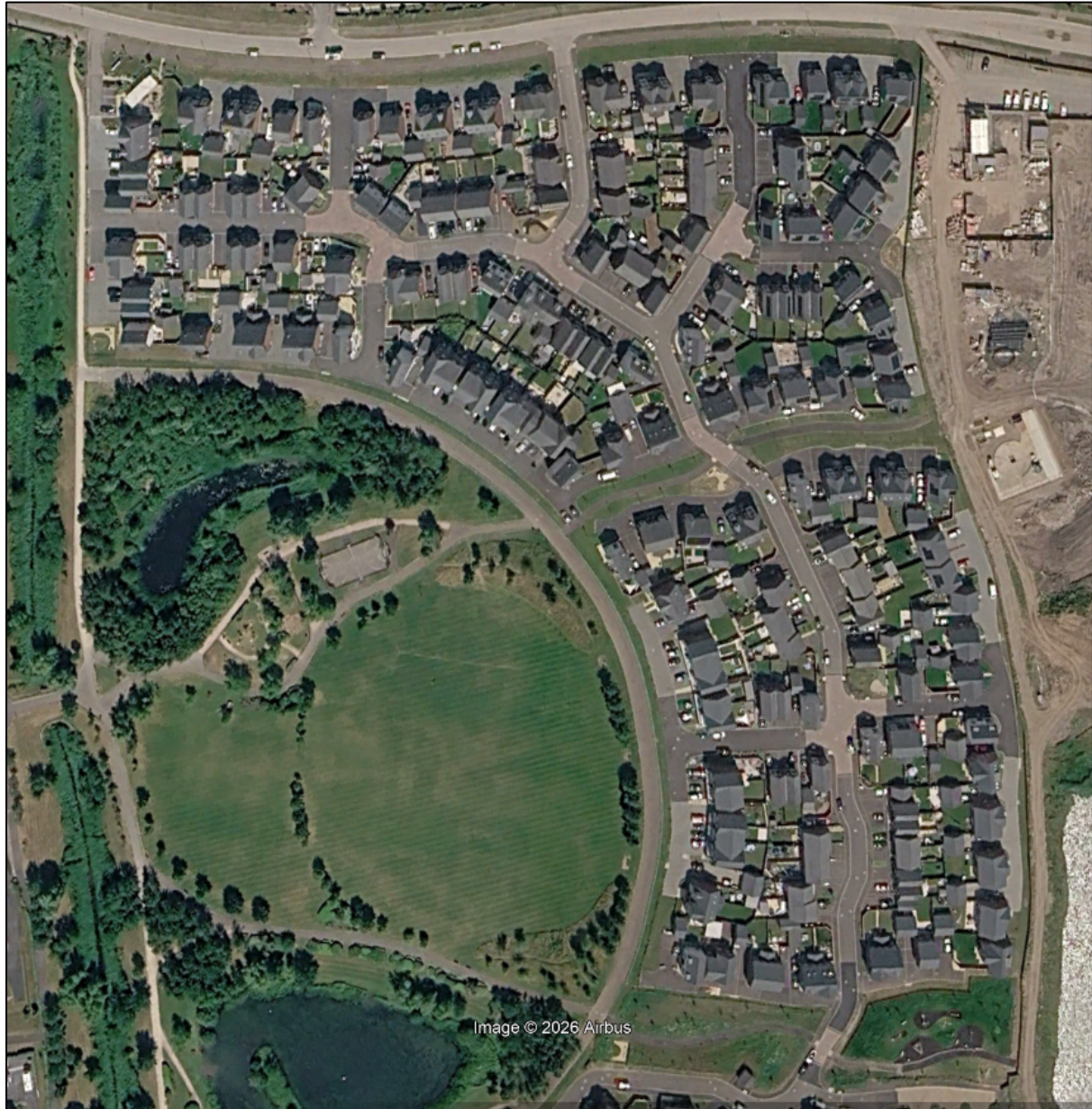
## 7. PUBLIC REPRESENTATIONS

None.

## 8. ASSESSMENT

- 8.1 Both Phases appear complete with them including some areas of Public Open Space, footpath linkages and equipped play facilities for children consisting of 3 Local Areas of Play and one Locally Equipped Area of Play.

Aerial Image June 2026



- 8.2 The condition requires a consideration of linkages beyond the Phase and a demonstration of how the Phase will link into the wider site. In this case the footpath links access the already established Western Park and road links to the north and south are in place and available for use, as are the approved footways.
- 8.3 Drainage details were agreed under RM 19/1074 and have been provided and the aerial photographs confirm the provision of the on-phase Public Open Space and Play facilities. Bus services are available from Baldwin Drive (the Avenue Loop Road) to the north of the phases. Flood mitigation measures were primarily the raising of the site which was agreed as part of the RMs and has been carried out.

- 8.4 In terms of the submitted information, that primarily relates to the on-phase features which are now in place. As such the purpose of the condition no longer applies as the required facilities have been provided. As such the submitted phasing information is acceptable and can be agreed.

## **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 submitted phasing information is acceptable and can be agreed. Policies GP2 (Amenity), GP4 (Highways & Accessibility) and GP7 (Environmental Protection) are complied with, and the condition can be discharged.

## **11. DECISION**

### **APPROVED**

#### *NOTE TO APPLICANT*

01 This decision relates to plan Nos:

- Drawing R9000-RLA-19-XX-DR-A-2016 D Proposed Phasing Plan

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies GP2, GP4 & GP6 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.

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