

0thDelegated Decision Report

Application No:	26/0076	Statutory Period Expires:	10th April 2026
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Site:	Llanwern Works, Queensway, Llanwern, Newport, South Wales		
Proposal:	PARTIAL DISCHARGE OF CONDITION 2 (LAND RESTORATION) OF 25/0036 S73 APPLICATION TO VARY CONDITION 2 (TEMPORARY CONSENT) OF 20/0974 INSTALLATION OF A TEMPORARY WATER TREATMENT PLANT ON LAND AT THE GLAN LLYN REGENERATION SITE		
Applicant:	Revantage Real Estate Limited		
Type:	Discharge Conditions	Ward:	Bishton & Langstone
Decision:	Approved		

1. BACKGROUND

- 1.1 The applicant is seeking to discharge condition 2 (Site Restoration) of Permission 25/0036 which effectively granted permission for a water treatment plant on the Glan Llyn Regeneration site for a temporary period. That condition reads as follows:

This permission shall be for a limited period expiring on 24th February 2027 when the use shall be discontinued and any associated paraphernalia associated with the use shall be removed from the land in its entirety and the land shall be restored to its former condition in accordance with a scheme of work that has been submitted to and approved in writing by the Local Planning Authority prior to the permission expiry date.
Reason: *The building and associated plant is only acceptable for a temporary period and until a permanent arrangement is completed. This is in the interest of amenity and the acceptable drainage of the site in the long term.*

2. SITE LOCATION AND CONTEXT

- 2.1 The site is located within Phase 5E of the site adjacent to the 'Avenue' loop road that is the main distributor road through the regeneration site (Baldwin Drive). That road is currently incomplete but the section adjacent this site has been finished and is in use serving Phase 4H (Bellway).
- 2.2 The water treatment plant covers an area of approximately 112sqm including an ancillary compound. Immediately north of the compound is what appears to be a settlement pond associated with the plant but this lies outside the approved area of Permission 20/0974 which initially established the treatment plant. The plant discharges to the Main East / West Ditch via a retained culvert beneath the Eastern Distributor Road immediately south of the approved compound. The plant has been treating runoff from the Regeneration Site (held in large temporary ponds to the north of the compound) prior to its discharge to the Tata private drainage system.
- 2.3 The temporary treatment plant has come to the end of its life (limited to 24.02.2027 in any event) and the applicant now wishes to remove the plant from the site.

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; 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
20/0974	INSTALLATION OF A TEMPORARY WATER TREATMENT PLANT ON LAND AT THE GLAN LLYN REGENERATION SITE	GC 11 February 2021
25/0036	S73 APPLICATION TO VARY CONDITION 2 (TEMPORARY CONSENT) OF 20/0974 INSTALLATION OF A TEMPORARY WATER TREATMENT PLANT ON LAND AT THE GLAN LLYN REGENERATION SITE	GC 24 February 2025

5. PLANNING POLICY

5.1 NEWPORT LOCAL DEVELOPMENT PLAN 2011-2026 (NLDP)

The following Policies of the adopted NLDP are relevant to this determination:

SP4 – Water Resources

GP5 – Natural Environment

GP7 – Environmental Protection & Public Health

6. CONSULTATION RESPONSES

6.1 Health & Safety Executive: No interest.

6.2 Wales & West Utilities: No interest.

6.3 National Grid Electricity Transmission: No interest.

- 6.4 National Grid Electricity Distribution: Advise of equipment in the area and safe working practices.
- 6.5 Indigo Pipelines: Advise of equipment in the area and safe working practices.
- 6.6 Air Products: Advise of equipment in the area and advise no excavation works are undertaken without contacting them first.
- 6.2 Cyfoeth Naturiol Cymru / Natural Resources Wales (CNC/NRW): Do not object to the removal of the water treatment plant per se but do object to the failure to deal with the site restoration element of the condition considering that the applicant should demonstrate successful remediation of the site area as part of this submission.

7. PUBLIC REPRESENTATIONS

No neighbour consultations or other publicity was carried out for this application.

8. ASSESSMENT

- 8.1 This temporary development was approved under 20/0974 and then its lifetime was extended under 20/0974. The approved site area is shown below:

Extract from Drawing D1815/5025/A1 – Site Location Plan (20/0974)



8.2 The existing site condition is (Google Earth, November 2025):



8.3 As such the permission relates solely to the enclosure approximately identified above (red line). Therefore the condition as written relates to this area alone and the requirement is to restore the land to its previous condition. A review of aerial imagery suggests that in 2020 when the plant was established that this area of the site although cleared of its previous steelworks structures remained un-remediated. It is clear that the settlement lagoon although required as part of the treatment plant operation was not approved under 20/0974 and appears to have been one of a series of temporary lagoons / holding pens that have appeared across this site as earthworks / remediation works have been undertaken and pending the formation of finalised forms agreed under Reserved Matters submissions. Outline permission 06/0471 placed no controls over temporary construction drainage arrangements via a CEMP condition or any other conditional controls and so there is no planning control over these arrangements which

are an essential part of water management / treatment within the construction / remediation areas.

- 8.4 However it is clear that returning this part of the site to its previous condition would require restoration to its un-remediated character and in essence that is what the applicant proposes. The removal of the plant (but not the lagoon, since that is outside the application area) and the clearance of the site.
- 8.5 CNC/NRW do not object to the removal of the plant of itself but they conclude that the site should be remediated as part and parcel of this removal operation. However the condition does not require that; it requires restoration to its pre-existing un-remediated condition and that is what the applicant proposes and what his method statement describes. As such the terms of the condition are judged to be met in a satisfactory form. This temporary use has not caused contamination that must be removed, the contamination on the site was in place before the temporary use was approved. The current development has not worsened the position. Indeed by treating runoff it has reduced environmental risk to surface waters arising from the wider remediation programme.
- 8.6 The requirement for the remediation of the wider site under the 06/0471/O does not change and that requirement has not been met for this part of the site, that is the area of the temporary treatment works and the associated (non-approved) lagoon and other works. As such the public interest remains protected. The applicant or another must meet the requirements of the decontamination conditions applied under 06/0471 before this part of the site can be developed for housing. As such the public interest is protected going forwards and as noted above this temporary development did not cause any contamination beyond that already present.
- 8.7 In terms of runoff the removal of the plant does beg the question as to whether poor environmental outcomes will arise from its removal ahead of the agreed time for it to be present. As noted the outline permission never controlled construction site runoff in terms of volume, outlet, flow rates or chemical composition. The outlet was and currently remains to the private Tata system as it had been for the lifetime of the steelworks going back to the early 1960s. This system had its own series of settlement lagoons and biological treatment before being pumped to the Severn at Porton where dilution was considered sufficient to ameliorate any residual harm. This discharge was subject to Environmental Permit and it appears that Tata have maintained control over the discharge that they accept from Glan Llyn including its chemical characteristics and so the treatment plant was required to neutralise alkalinity from slag impacted ground waters within the regeneration site (the site was raised prior to construction of the steelworks by dumping basic slag from other steelworks). The removal of the plant implies that remediation efforts have now reduced that risk to acceptable levels and pre-discharge treatment is no longer needed.
- 8.8 However for now, the Tata permit protects the environment rather than planning based controls and going forward when the discharge point for the regeneration site will change to the Monks Ditch, planning conditions and a new CNC/NRW discharge licence will protect that outlet. As such removal of the treatment plant is not seen as harmful to surface waters and the wider environment. In any event the plant will cease to have permission early next year and the applicant could not reasonably be required to retain it beyond that date regardless of what impact its removal might have on the environment. Ultimately at that point the Environmental Protection Act would become the arbiter of the public interest.

- 8.9 In the light of this, the applicant is considered to have met the terms of the condition and the plant removal and site restoration can be agreed. Conditions 27 & 28 of permission 06/0471 are still in place to secure remediation of the site of the treatment plant and of the wider site going forward.

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 applicant is considered to have met the terms of the condition and the plant removal and site restoration can be agreed. Conditions 27 & 28 of permission 06/0471 are still in place to secure remediation of the site of the treatment plant and of the wider site going forward.

11. DECISION

Approved

NOTE TO APPLICANT

01 This decision relates to the following plans and documents:

- Covering letter – Savills 30.01.2026
- Surface Water Treatment System Decommissioning (C1815) – 23.01.2026.

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies SP4, GP5 & GP7 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.

04 Air Products, Llanwern advise of a pipeline running along the southern side of the Eastern Distributor Road near this site and advise they are contacted in the event of any excavations near their infrastructure. Any such excavations could pose a severe accident hazard.