

APPLICATION DETAILS

No: 25/1071 **Ward:** Tredegar Park And Marshfield

Type: Full (Major)

Expiry Date: 8th May 2025

Applicant: SSE Imperial Park PN Limited

Site: Land Adjacent To Electric Substation Celtic Way Celtic Lakes
Newport South Wales

Proposal: **INSTALLATION OF AN UNDERGROUND CABLE CONNECTION FROM
132KV SUBSTATION TO A DATA CENTRE**

Recommendation: **GRANTED WITH CONDITIONS SUBJECT TO SIGNING OF THE LEGAL
AGREEMENT WITH DELEGATED POWERS AND DISCRETION TO
REFUSE IN THE EVENT THAT THE AGREEMENT IS NOT SIGNED
WITHIN FOUR MONTHS OF THE COUNCIL'S RESOLUTION TO GRANT
PLANNING PERMISSION**

1. INTRODUCTION

- 1.1 This application seeks planning permission for the installation of an underground cable connection from a 132kv substation (being considered under 25/0520) to a Data Centre, on Land in the vicinity of Dyffryn Lane south of Celtic Way in the Tredegar Park and Marshfield ward.
- 1.2 The application is reported to planning committee as it meets the definition of 'Major Development' as per the Article 2 of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012, owing to the site area being greater than 1ha.
- 1.3 In line with their duty under Part 1a of The Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016 the applicant has undertaken a Statutory Pre Application Consultation (PAC) and provided the Local Planning Authority with the report.
- 1.4 The following constraints and designations apply to the application site;
- Partially Located within the Urban Boundary and Partially Located in Countryside;
 - Partially located within the Gwent Levels SSSI;
 - Partially located in an Archaeologically Sensitive Area;
 - Partially located in Special Landscape Area (Gwent Levels);
 - Partially located in Landscape of Outstanding Historic Interest (Gwent Levels);
 - Partially located within Green Wedge (Newport and Cardiff);
 - Partially located within a site allocated for Employment (EM1);
 - Flood Zone 2 and 3 (Rivers and Sea) (Defended).
- 1.5 The proposed development has been screened under Schedule 2 of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017. It is concluded that the development does not fall under any development listed within Schedule 2 Column 1, so is unlikely to have a significant environmental effect and is not EIA development.

2. RELEVANT SITE HISTORY

25/0520	THE CONSTRUCTION AND OPERATION OF A 132KV GIS SUBSTATION,INCLUDING SUBSTATION BUILDING, ASSOCIATED INFRASTRUCTURE AND WORKS	UNDER CONSIDERATION
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3. POLICY CONTEXT

3.1 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
- Policy 12 – Regional Connectivity
- Policy 33 – National Growth Area – Cardiff, Newport and the Valleys

3.2 Planning Policy Wales (PPW) Edition 12

3.61 Adequate and efficient infrastructure, including services such as education and health facilities along with transport, water supply, sewers, sustainable waste management, electricity and gas (the utilities) and telecommunications, is crucial for economic, social and environmental sustainability. It underpins economic competitiveness and opportunities for households and businesses to achieve socially and environmentally desirable ways of living and working. Infrastructure which is poorly designed or badly located can exacerbate problems rather than solving them.

5.7.8 An effective electricity grid network is required to fulfil the Welsh Government's renewable and low carbon ambitions. An integrated approach should be adopted towards planning for energy developments and additional electricity grid network infrastructure. In certain circumstances, additional electricity grid network infrastructure will be needed to support the Pre-Assessed Areas in Future Wales, but also new energy generating developments more generally.

6.1.3 The ways in which historic assets are identified can vary. The most important historic assets often have statutory protection or are included in formal registers which identify them as being of special historic interest. Other assets yet to be formally identified could include buried archaeological remains.

6.1.4 The Ancient Monuments and Archaeological Areas Act 1979, Planning (Listed Buildings and Conservation Areas) Act 1990 and Historic Environment (Wales) Act 2016 provide the legislative framework for the protection and sustainable management of the historic environment in Wales. PPW provides the national planning policy framework for the consideration of the historic environment and this is supplemented by guidance contained in Technical Advice Note 24: The Historic Environment and Cadw associated best practice guidance on the historic environment.

6.1.6 The Welsh Government's specific objectives for the historic environment seek to: conserve archaeological remains, both for their own sake and for their role in education, leisure and the economy.

6.1.23 The planning system recognises the need to conserve archaeological remains. The conservation of archaeological remains and their settings is a material consideration in determining planning applications, whether those remains are a scheduled monument or not.

6.4.42 Permanent removal of trees, woodland and hedgerows will only be permitted where it would achieve significant and clearly defined public benefits...Where loss is unavoidable developers will be required to provide compensatory planting (which is proportionate to the proposed loss)... Replacement planting shall be at a ratio equivalent to the quality, environmental and ecological importance of the tree(s) lost.

3.3 Technical Advice Notes

- Technical advice note (TAN) 5: nature conservation and planning
- Technical advice note (TAN) 11: noise
- Technical advice note (TAN) 12: design
- Technical advice note (TAN) 15: development, flooding and coastal erosion
- Technical advice note (TAN) 18: transport
- Technical advice note (TAN) 23: economic development
- Technical advice note (TAN) 24: the historic environment

3.4 Other National Policy/Guidance
The Historic Environment Wales Act 2023
Environment Wales Act 2016

3.5 Newport Local Development Plan 2011-2026 (adopted January 2015)

3.5.1 **Strategic Policies**

SP1 Sustainability
SP3 Flood Risk
SP5 Countryside
SP7 Green Wedge
SP8 Special Landscape Areas
SP9 Conservation of the Natural, Historic and Built Environment
SP13 Planning Obligations
SP18 Urban Regeneration

3.5.2 **General Policies**

GP1 Climate Change
GP2 General Amenity
GP4 Highways and Accessibility
GP5 Natural Environment
GP6 Quality of Design
GP7 Environmental Protection and Public Health

3.5.3 **The Natural Environment**

CE6 Archaeology
CE8 Locally Designated Nature Conservation and Geological Sites

3.5.4 **Objectives**

Objective 1 – Sustainable Use of Land
Objective 3 – Economic Growth
Objective 6 – Conservation of the Natural Environment

3.6 **Adopted Supplementary Planning Guidance (SPG)**

The following SPG documents are considered to be relevant to the redevelopment of the site:

- Wildlife and Development
- Trees, Woodland, Hedgerows and Development Sites
- Archaeology and Archaeologically Sensitive Areas SPG

4. **CONSULTATIONS**

4.1 Natural Resources Wales:

Final Response (April 2026)

We continue to have concerns with the application as submitted. However, we are satisfied that these concerns can be overcome by attaching the following conditions to any planning permission granted:

- Construction Environmental Management Plan
- Landscape Ecological Management Plan

We also advise that based on the information submitted to date, the documents identified below should be included in the approved plans and documents condition on the decision notice.

- Imperial Park Cable Connection – Design And Access Note By DWD, Undated
- Imperial Park Cable Route - Preliminary Ecological Appraisal By RPS, Dated December 2025
- Imperial Park Cable Route - Otter, Water Vole And Great Crested Newt Survey By RPS, Dated October 2025
- Drawing Number 0596-BPS-XX-XX-DR-EAS-2101 Titled IMPERIAL PARK Cable Connection Red Line Boundary Plan By Unknown, Revision P04 Dated 03.10.25

Without the inclusion of these conditions and document we would object to this planning application.

Protected Sites

The red line boundary of the application site is located partially within the Gwent Levels - St Brides Site of Special Scientific Interest (SSSI). The SSSI is notified for its range of aquatic plants and invertebrates associated with the interconnected reens and ditches of the drainage system. In summary, the special interests of the SSSI are dependent on the water quality, water quantity, the existence of the drainage system and its continued management. Any development which has an adverse impact on any of these factors will have an adverse impact on the wildlife for which the area was notified.

The decision as to whether the proposed development's location partially within a SSSI is justified, is entirely a matter for your Authority, having followed the step-wise approach in PPW. Our advice provided below focuses on the likelihood and significance of impacts on the notified features of the SSSI from the proposed development.

Habitats

In line with the stepwise approach set out in Planning Policy Wales, loss of SSSI habitat should be avoided. Where this loss is unavoidable, there must be adequate mitigation or compensation. The PEA states that the development would seek to provide a Net Benefit for Biodiversity, with enhancement of surrounding grassland (outside of the SSSI) proposed. We note that section 5.2.9 states that final measures must be agreed and discussed with the local planning authority's ecologist and set out in a detailed Biodiversity Strategy (or Landscape and Ecological Management Plan) and that long term implementation will be secured as a condition of successful planning consent. We agree with this approach and advise that this is secured via a condition.

Grassland enhancement is proposed outside of the SSSI. We would welcome consultation on any management plans and planting list. We advise that seed mixes should be of UK provenance and suitable for the SSSI. Our preference is for locally sourced seed. For seeding within the SSSI, our preference would be for the applicant to source the seed from Great Traston (Solutia) Gwent Wildlife Trust reserve.

We previously advised that the proposed planting of hazel within the SSSI, specifically in areas of marshy and neutral grassland should be avoided. We note that in the additional supporting information submitted (Response to Ecology Comments, by Tetra Tech, dated 17/03/2026, reference ECO22202_LPA Response Re 01) confirms that scrub planting in the SSSI will be restricted to areas of existing scrub in unfavourable condition. We are therefore satisfied with this approach, as there will be no loss of grassland habitat within the SSSI.

Shrill Carder Bee

The PEA concludes that an adverse effect on shrill carder bee is unlikely with horizontal directional drilling (HDD) techniques implemented, and we welcome that the PAC report confirms that prior to vegetation removal a check for shrill carder bee and their nests (depending on the time of year) will be undertaken.

Reen and Ditch Network

The proposed cabling crosses multiple reens and ditches and we note that HDD is proposed to be used on sections which cross watercourses. This should reduce the likelihood of adverse impact to the reen and ditch network of the SSSI.

To protect the SSSI, buffer zones of a minimum of 7m from works to the top of the ditch bank, and 12.5m to the top of the reen bank should be implemented in the Gwent Levels and we welcome that the PAC report has confirmed that these will be maintained and incorporated into the Construction Environmental Management Plan (CEMP) when submitted.

Where possible there should not be any storage of materials including soil piles or fuel storage within these buffer zones. This is to ensure that contamination of reens and impacts on the interest features of the SSSI are avoided.

Construction Environmental Management Plan

We welcome that a construction environmental management plan (CEMP) will be produced, this will need to set out pollution prevention measures to be implemented to avoid any adverse impact to the SSSI. However, this has yet to be produced and must be in place before any site clearance and construction works can take place.

Condition

No development or phase of development, including site clearance, shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP should include:

- Construction methods: details of materials, how waste generated will be managed
- General Site Management: details of the construction programme including timetable, details of site clearance; details of site construction drainage, containment areas, appropriately sized buffer zones between storage areas (of spoil, oils, fuels, concrete mixing and washing areas) and any watercourse or surface drain.
- Pollution Prevention: demonstrate how relevant Guidelines for Pollution Prevention and best practice will be implemented, including details of emergency spill procedures and incident response plan. GPP5 Works and maintenance in or near water is relevant for this development.
- Details of the persons and bodies responsible for activities associated with the CEMP and emergency contact details.
- Biodiversity Management: details of tree and hedgerow protection; invasive species management; species and habitats protection, avoidance and mitigation measures
- Control of Nuisances: details of restrictions to be applied during construction including timing, duration and frequency of works; details of measures to minimise noise and vibration from piling activities, for example acoustic barriers; details of dust control measures; measures to control light spill and the conservation of dark skies.

Justification: A CEMP should be submitted to ensure necessary management measures are agreed prior to construction and implemented for the protection of the environment during construction.

Protected Species

Dormice

We have reviewed the below documents submitted in support of the planning application:

- Email titled 'RE: 25/1071 - Land in the vicinity of Dyffryn Lane (Major) V2 - NRW Response NRW:06552743' by Rob Booth, dated 18 March 2026
- Drawings titled 'Dormouse Conservation Strategy: Habitat Creation, Enhancement, and Restoration' by RPS, dated 09/01/2026

We note from the above email that a final version of the Dormouse Conservation Strategy is to be prepared as either as a standalone document secured by a condition, or to include dormouse conservation measures in a detailed Landscape and Ecological Management Plan.

Landscape Ecological Management Plan

On the basis of the information reviewed, we advise the following condition is attached to any planning permission granted:

Condition

No development, including site clearance, shall commence until a Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority. The LEMP should build upon the principles outlined in the 'Imperial Park Cable Route - Dormouse Conservation Strategy' by RPS Group Plc, dated January 2026, and include, but not necessarily be limited to:

- The submission of a long-term site management plan to ensure the management of habitats for dormice that includes:
 - details of habitats and ecological features present or to be created, both in written form and shown on appropriate drawings, including planting plans, indicating species mix and size
 - details of the enhancements to be undertaken in the areas noted as "Restored and Enhanced Scrub" (marked in purple horizontal hatch on the drawings titled 'Dormouse Conservation Strategy: Habitat Creation, Enhancement, and Restoration' by RPS, dated 09/01/2026)
 - details of replacement measures, should any landscape or environmental features die, be removed, or become seriously damaged or diseased
 - details of the desired condition for each habitat (present and to be created) and criteria to determine when habitats have achieved this including defined aims and objectives, and key performance indicators for long term monitoring indicators of habitat condition
 - details of short and long-term habitat management prescriptions to both achieve and maintain the desired condition
 - details of monitoring methodologies for habitat(s) and species
 - details of scheduling and timings of activities
 - details of timescales; length of plan; and the method and proposed dates to review and update plans (informed by monitoring) at specific intervals as agreed
 - persons or bodies responsible for undertaking management and surveillance together with required skills and competencies
 - licensing requirements for undertaking habitat management and surveillance The LEMP shall be carried out in accordance with the approved details.

Justification: A LEMP should be submitted to ensure necessary management of habitats for European Protected Species is agreed prior to commencement and implemented to ensure the site's environmental features are adequately managed long term.

Flood Risk

The planning application proposes less vulnerable development. The Flood Map for Planning identifies the application site to be at risk of flooding and within Flood Zones 2 and 3 (Rivers and Sea).

Given the nature of the proposed development (below ground cable), we consider the proposals could be acceptable, subject to the developer being made aware of the potential flood risks and consequences. We would also expect the developer to take the opportunity to incorporate flood resilient design where feasible.

Guidance on resilient design can be found in Chapter 13 of Technical Advice Note 15: Development, flooding and coastal erosion, dated 2025, which references advice from Construction Industry Research and Information Association, including a Code of Practice and Guidance for Property Flood Resilience.

We provide advice on our website Natural Resources Wales / Preparing for a flood which may be useful for the developer or occupant of the proposal.

4.2 HENEB: No objection.

4.3 Welsh Water Dwr Cymru: No objection.

4.4 South Wales Fire: No objection.

4.5 Newport Access Group: No response.

4.6 Wildlife in Newport Group: No response.

4.7 Newport Civic Society: No response.

4.8 CADW Historic Buildings & Landscapes: No response.

5. INTERNAL COUNCIL ADVICE

5.1 Highways: No objection.

5.2 Ecology:

Final Response March 2026

In terms of the cabling route along the highway, my concern was that options requiring less vegetation clearance and therefore avoiding ecological impact in line with the step-wise approach, had not been explored. The Applicant's response is that *'The land within the existing highway has been earmarked for future development, and so the Imperial Park cable route design has been adjusted to minimise the risk of future utility clashes and impacts on future operations.'* So in other words, the ecological impact has been weighed against potential future operational needs, and it is the natural environment that has to compromise. This doesn't reassure me that *'...all locational, siting and design options for avoiding damage to biodiversity have been exhausted...'* in line with section 6.4.15.2 of PPW12.

However, having visited the site on 20th April, it is clear that if the highway is to be brought back into beneficial use as a dual carriageway, then this vegetation will need to be cleared anyway, so there is little point in avoiding this clearance when the cable route is installed. Also, I can see that the vegetation to be cleared consists almost entirely of bramble, with some regenerating woodland, which are not rare or unusual habitats. Therefore I cannot object on the basis that the stepwise approach has not been followed.

The vegetation to be cleared is likely to support dormice, and NRW have taken on board my advice about clearance methodology in their previous 12th February comments. They have since advised that a finalised Dormouse Conservation Strategy can be submitted in a LEMP, required by pre-commencement (including site clearance) condition. I support this approach in principle, however I see that the Applicant has opted for a single-stage clearance before the end of May, in theory before the dormouse breeding season starts. However, clearance of a bank of bramble and scrub over 600m long during May is very likely to encounter nesting birds. Section 2.13 of the Applicant's 17th March response includes *'The necessary precautionary measures will be implemented where a nest site is recorded within clearance or associated works areas. Suitable buffers, exclusion zones and the necessary avoidance measures will be referenced in a Precautionary Method of Works document...'* However, it is not difficult to imagine a scenario whereby clearance is delayed due to the presence of nesting birds, of which there are likely to be many given the extent of bramble clearance, such that full clearance is not possible until June. This would take clearance into the

Dormouse breeding season, and NRW have confirmed '*...we would not licence habitat clearance works between June-August (inclusive), unless it is part of a two-stage process.*', in their Feb. 12th response.

In accordance with the Morge ruling, we should not grant planning consent, where EPS are affected, unless we are satisfied that NRW would be likely to grant a derogation licence. So in this case we have NRW stating they would not licence clearance from the start of June onwards, but the Applicant confirming that if birds' nests are detected, then buffers, exclusion zones and avoidance measures will be implemented. Assuming these measures include avoiding clearance in a buffer zone until the young have fledged, which may be well into June, I can well envisage a situation where clearance of parts of the site is halted due to nesting birds, and then again due to NRW refusing to issue a Dormouse derogation licence, perhaps until the end of August.

I do not see that the Applicant has set out how they would reconcile this potential conflict.

I note that our Highways advisors did not object to this application in their comments of 22/12/25. However I have no way of knowing whether they are aware of the proposal to plant Hazel along the verge of the dual carriageway, assuming it will be brought back into use in the future. I raised this point in my original comments, but it was not addressed by the Applicant in section 2.8 of their 17th March response.

Having visited the site recently, I take the Applicants point that Hazel is noticeably rare in the immediate landscape, and that this species should form the majority of replacement and enhancement planting. However, Dormice do not survive or hazel alone, and if we are trying to develop a woodland ecosystem with improved diversity, extent, connectivity, condition and adaptability, in line with the DECCA approach set out in PPW12, then other native flowering and fruiting species should be included in the planting mix, set out in a LEMP.

I would not object to the development on the basis that part of it occurs in the SSSI, notwithstanding the advice in 6.4.25/6 of PPW12 that development in a SSSI should be avoided and that there is a presumption against such development. I agree that damage to the SSSI can be avoided subject to implementation of the CEMP condition that NRW have proposed, on the basis that horizontal direct drilling will be used under the SSSI section. However I do not know whether NRW are aware that aside from vegetation clearance for the HDD rig, there will also be at least three or maybe four trial pits dug in the SSSI, up to 1.9 m deep. NRW have not referred to these boreholes, so I assume they do not form part of this planning application.

Section 2.14 of the Applicant's 17th March response acknowledges the role of local community groups such as the Friends of Road to Nature, however there is no mechanism specified for how they would be consulted on documents submitted for the CEMP and LEMP conditions. We could rely upon these groups responding to the discharge of conditions consultations, but no proposal for proactively engaging with the community on a site which they regularly manage has been provided.

Additional Comment (On Receipt of Confirmation of September Clearance)

As NRW have confirmed they would not licence clearance between June and August inclusive, for the purposes of our own consideration of the three tests (taking into account the Morge ruling,) we can assume they would be likely to grant an EPS derogation licence for clearance during September.

- 5.3 Landscape: The Preliminary Ecological Appraisal by RPS para 5.1.7 states that 'A detailed Biodiversity Strategy or 'Landscape and Ecological Management Plan' would be secured through a condition of successful planning consent'.

The steer for a LEMP is included within the PEA para 5.2 Outline Biodiversity Strategy. This would also compensate for tree and scrub losses identified in para 5.11 of the Arboricultural Impact Assessment by RPS and would meet the need for a soft landscape scheme to meet LDP GP5 vi 'the proposal includes an appropriate landscape scheme which enhances the site and the wider context including green infrastructure and biodiversity networks'.

I have no issue with a soft landscape plan being conditioned as part of a wider LEMP but would recommend input from a landscape professional in order to assess whether tree/scrub removal could open up poor views and therefore whether replacement screen planting is required.

- 5.4 Senior Scientific Officer: No objection.
- 5.5 Trees: No objection.
- 5.6 Environmental Health Officer: No objection.
- 5.7 Principal Heritage Officer: No objection.
- 5.8 Public Rights of Way: No objection.
- 5.9 SAB: No objection.

6. REPRESENTATIONS

- 6.1 In accordance with the publicity requirements set out in The Town and Country Planning (Development Management Procedure) (Wales) Order 2012 a site notice was posted near the site on 19th December 2025, and a press notice was displayed in the South Wales Argus on 10th January 2026.
- 6.2 No responses have been received.
- 6.3 COUNCILLORS HOWELLS/SCREEN/WATKINS: No response.
- 6.3 COEDKERNEW COMMUNITY COUNCIL: No response.

7. ASSESSMENT

7.1 The Proposed Development:

- 7.1.1 The proposal seeks planning permission for the installation of a 1.94 km underground high voltage electricity cable, together with associated ancillary works. The cable would connect to a proposed 132 kV substation (currently under separate consideration under application reference 25/0520) and would provide reinforcement of electrical capacity to serve the Microsoft Data Centre currently under construction at Celtic Way.
- 7.1.2 The application site comprises a linear corridor extending approximately 1.94 km in length, with a total site area of 3.52 hectares. The width of the cable route/trench would generally range between 6 m and 10 m along the majority of its length. An exception occurs at a section towards the southern end of the route, where a 28 m wide area is proposed to facilitate horizontal directional drilling.

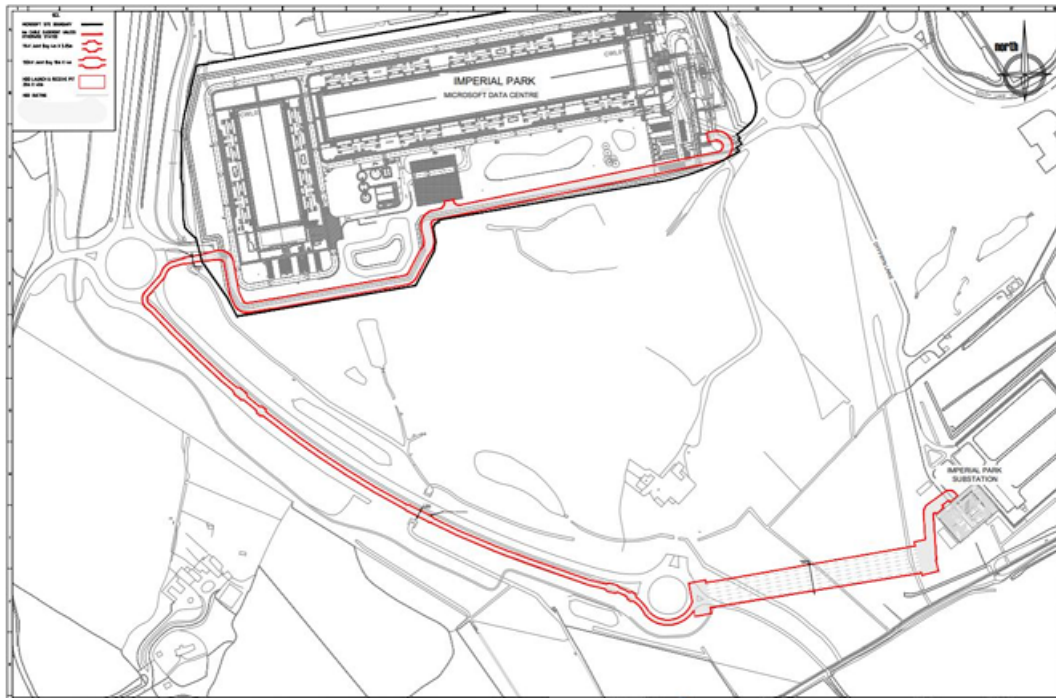


Figure 1 – The proposed Route/Location Plan

7.1.3 The cable would connect into the north western corner of the SSE substation and proceed southwards for approximately 50 m, crossing Dyffryn Lane before turning west for roughly 280 m towards a roundabout on an unadopted private road. This section of the route would primarily navigate undeveloped greenfield land and cross three minor ditches associated with Percoed Reen to the south. The route would then turn north west and run for approximately 780 m along the western side of the unadopted private road, crossing Nant-y-Moor Reen at a point where it is already culverted beneath the existing access road. Upon reaching a roundabout with Church Lane, the route would turn broadly eastwards and continue for approximately 800 m beneath an internal estate road within Imperial Park Industrial Estate. The route would then briefly turn northwards at two locations before terminating on land within Microsoft ownership. Overall, approximately 70% of the cable route would be located beneath existing hardstanding associated with the highway network, with the remainder passing through greenfield land.

7.1.4 The Proposed Development is limited to temporary excavation and installation activities associated with an underground cable and will allow the land to be restored to its current condition following completion.

7.2 Site Context and Planning Background:

7.2.1 There is no relevant planning history for the application site, which is limited to the proposed cabling route as described in the above section of this report. However, of relevance is the planning application 25/0520 for a proposed SSE substation east of the site, which the new cables will join. At the time of writing this report, the SSE substation application is currently under consideration under Delegated Powers, with a view to a positive determination following final negotiations on landscaping matters. The proposed cable network will also link to the new Microsoft Data Centre granted full planning permission under application reference 24/0006, and subsequently varied by a Section 73 submission under application reference 25/0379.

7.3 Principle of Development:

7.3.1 Policies 1 and 33 of Future Wales: The National Plan 2040 identify Newport as a National Growth Area, placing the City at the heart of growth and investment within the South East Wales region. These policies support an enhanced strategic role for Newport as a focus for sustainable, long-term economic growth and inward investment. The proposal seeks to deliver essential infrastructure required to strengthen the electricity supply to the Microsoft

Data Centre currently under construction. The Data Centre site lies within the defined Urban Boundary on previously developed land, is located within the designated growth corridor, and has been assessed as economic development. It accords with national planning policy and is anticipated to deliver economic growth and regeneration benefits consistent with Future Wales objectives and Policy SP18 (Urban Regeneration). The provision of the associated power infrastructure is therefore necessary to facilitate the implementation of the approved development and directly supports the regeneration objectives previously identified.

- 7.3.2 A section of the infrastructure route lies outside the Urban Boundary and is therefore located within the countryside, and the southern part in the Gwent Level SSSI. As such, Policy SP5 (Development in the Countryside) is relevant. This policy permits development only where it is appropriate in scale and design, respects the landscape character and biodiversity of the area, and complies with national planning policy.
- 7.3.3 In this case, the installation of underground infrastructure at this location is necessary to enable the transmission of electricity between the substation and the Data Centre. The routing beyond the Urban Boundary is therefore considered justified. As detailed later in this report, all works will be undertaken underground, with excavations backfilled and the land fully reinstated following completion. Any required scrub or tree removal will be appropriately replanted and enhancement achievable. Accordingly, the development is not expected to result in any adverse impact on the character or appearance of the countryside, and the landscape character and biodiversity of the immediate and wider area will be safeguarded.
- 7.3.4 As stated, the application site also partly lies within the Gwent Levels SSSI. PPW 12 affords SSSIs a high level of protection and establishes a strong presumption against development that would adversely affect their notified features. In this instance, it has been demonstrated that the proposed development would not result in harm to the SSSI or its qualifying features. Appropriate avoidance, mitigation and enhancement measures form part of the proposal and are assessed in detail later in this report. Subject to the implementation of these measures, the development is considered to comply with the relevant provisions of PPW12.
- 7.3.5 Overall, the principle of the proposed development is considered acceptable at this location, subject to all other relevant material planning considerations being satisfactorily addressed.

7.4 Landscape and Visual Impact:

- 7.4.1 Despite its immediate backdrop against an industrial estate, due to the designations and allocations in which the site is located, from a visual and landscape perspective it is considered as being sensitive. The site is located within;
- Gwent Levels Special Landscape Area (Policy SP8);
 - Gwent Levels Landscape of Outstanding Historic Interest;
 - Newport & Cardiff Green Wedge (Policy SP7).
- 7.4.2 Policy SP7 states that development that prejudices the open nature of the land will not be permitted and Policy SP8 requires development proposals to contribute positively to the area through high quality design, materials and management schemes.
- 7.4.3 Given that this proposal is for underground cabling with restoration of the land upon completion, whilst the above designations are relevant to consideration, the proposal would not result prejudice the open nature of the land or have any design considerations or proposed materials that would need to be high quality. As such, the proposal complies with the aims of these policies.

- 7.4.4 The proposal requires removal of scrub to the west of the highway to facilitate the open trench for the cable run, along with the part removal of scrub and tree groups to facilitate the horizontal directional drilling of the cables at the more sensitive southern end of the site.
- 7.4.5 The Council's Landscape Officer has not objected from a landscape/visual impact perspective. They note that the Outline Biodiversity Strategy advises a Landscape and Ecological Management Plan (LEMP) is to be submitted and this will propose indicative locations for mitigation, restoration and enhancement measures. This is considered in greater detail from a biodiversity and ecological perspective later in this report, but from a landscape point of view this is acceptable and would count towards a scheme of soft landscaping, as required by Policy GP5.
- 7.4.6 As such, the proposal complies with Policy SP7, SP8, SP9 and GP5 of the NDLP 2011-2026 (adopted January 2015).

7.5 **Environmental and Ecological Impact:**

- 7.5.1 A Preliminary Ecological Appraisal (PEA) including a Green Infrastructure Statement (GIS) was commissioned to provide an assessment of the site's ecological value (including surrounding area), the considerations for biodiversity and the resultant implications for the proposed development. The PEA assessment comprises of the following elements;

- The results of a desk study search for designated sites and records of protected species and other species that require consideration as part of the development proposals;
- Habitat survey of the Site and wider Imperial Park area;
- An assessment of the potential for the Site (and surrounding Imperial Park area) to support protected and/or notable species or other species that could require consideration as part of development proposals; and
- The likely impacts and effects on biodiversity, and the necessary avoidance, mitigation and compensation required to reduce significant adverse effects.

- 7.5.2 During the course of the application further technical notes and responses have also been provided in response to the Council's Ecologist and NRW.

Clearance of Vegetation

- 7.5.3 Much of the proposed cable route will be installed via open trench excavation, with the cables laid, backfilled and the ground reinstated following completion. In undertaking these works, vegetation clearance will be required along a section of the western verge of the highway known as the 'Road to Nature'.
- 7.5.4 The Council's Ecologist initially raised concerns that alternative alignment options, requiring reduced vegetation clearance and thereby avoiding potential ecological impacts in accordance with the Step Wise Approach, had not been sufficiently explored. In response, the Applicant advised that land within the existing highway corridor has been safeguarded for future development, requiring the cable route to be designed so as to minimise future utility conflicts and operational constraints. Following a site visit, the Council's Ecologist confirmed that vegetation clearance along this route would be required in any event should the road be brought into use in the future. It was also confirmed that the vegetation to be removed consists predominantly of bramble, with some areas of regenerating woodland, neither of which comprise rare or unusual habitats.
- 7.5.5 With regard to the southern section of the site, as shown on Figure 2, the proposal incorporates approximately 180 metres of Horizontal Directional Drilling (HDD). This section of the route lies within the SSSI, and HDD is proposed in this area in order to pass beneath the ground and avoid disturbance to two small watercourses associated with the SSSI and their connected habitats. This approach is significantly less invasive than open trench excavation and is considered appropriate in this sensitive location. NRW advise proposed buffer zones of a minimum of 7m from works to the top of the ditch bank and 12.5m to the top of the green bank should be implemented to protect the SSSI, and welcome that the

Figure 2 – Extract of Site Plan Showing Proposed HDD Route.

- 7.5.6 The HDD works will require temporary entrance and exit pits at either end of the drill section, with each pit measuring up to 20 metres by 40 metres in a worst-case scenario. These pits will be reinstated following completion of the works, using existing materials where possible, together with proposed enhanced planting.
- 7.5.7 NRW and the Council's Ecologist has advised that the vegetation to be cleared has the potential to support Dormice, and there are records of Dormice being present within the site and wider vicinity. Dormouse is a European Protected Species, legally protected under The Conservation of Habitats and Species Regulations 2017 (as amended). Legal protection relates to the animals themselves and the places they use to rest and breed.
- 7.5.8 Advice is provided from the Ecologist and NRW on clearance methodology and NRW have confirmed that a Dormouse Conservation Strategy can be secured through a Landscape and Ecological Management Plan (LEMP), to be required by a pre-commencement condition covering site clearance. While the Council's Ecologist supports this approach, concern was raised regarding the Applicant's initial intention to undertake clearance using a single stage approach prior to the end of May, in advance of the Dormouse breeding season. It was noted, however, that clearance of extensive bramble at this time of year would carry a high likelihood of encountering nesting birds.
- 7.5.9 The Applicant's response of 17th March confirms that precautionary measures would be implemented where active nests are identified, including buffers, exclusion zones and avoidance measures secured through a Precautionary Method of Works. Nevertheless, it is considered realistic that the presence of nesting birds could delay clearance works until June, thereby overlapping with the Dormouse breeding season. In this regard, NRW has advised that it would not licence habitat clearance works between June and August inclusive.
- 7.5.10 Having regard to the principles established by the *Morge* ruling, the Local Planning Authority must be satisfied that an EPS licence would likely be granted before planning permission is issued where EPS may be affected. Given the likelihood that clearance works would extend beyond May in order to avoid impacts on nesting birds, NRW's advice indicates that licensing would not be forthcoming if works commenced during the Dormouse breeding season.

7.5.11 Following further discussion, the Applicant has confirmed that a decision has been taken to defer all site clearance works until September. On this basis, it is considered that the proposed timing of the works would be likely to meet NRW's licensing requirements. The LPAs consideration of the derogation tests is therefore set out below.

7.5.12 Derogation Tests (European Protected Species – Dormice)

i. Regulation 52(3) the development works to be authorised are for the purpose of preserving public health or safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment.

The proposed development will reinforce power supply from the SSE substation south east of this application site to the Microsoft Data Centre to the north of the application site. The Data Centre has been assessed as economic development, accords with national planning policy, and is expected to deliver economic growth and regeneration benefits consistent with Policy SP18 – Urban Regeneration and Future Wales policy objectives for Newport as a designated growth area. Accordingly, the provision of critical supporting power infrastructure will facilitate the delivery of the approved development and directly support the regeneration objectives previously identified and contributing to significant economic benefit.

ii. There is no satisfactory alternative;

Due to the location of the SSE substation and the approved Data Centre which will have power supply linked together by this proposal, the broad location is fixed. It has been confirmed that an alternative route connecting the SSE substation to the Data Centre site that is located north west of the substation has previously been considered. However, that 'direct route' would involve greater opening up through trenching of semi natural vegetation (scrub, waterbodies/ditches, neutral and regenerating grassland) that would lead to disturbance of grassland, fragmentation and isolation of habitats.

The LPA also notes that the above alternative route would result in accessing land that is also allocated as employment land in the Local Development Plan and would potentially sterilise, or cause an issue in relation to future economic growth of this allocated site.

iii. The action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range.

A Dormice Conservation Strategy (DCS) has been submitted and reviewed by NRW as part of this application. NRW have recommended a suitably worded planning condition securing either a final version of this as a standalone document, or that a DCS is incorporated within an Landscape and Ecological Management Plan (LEMP). This document will need to build upon the principles of the submitted DCS, and NRW have provided a list of suggested detail that is required.

Based on acceptable mitigation, enhancement and restoration there is no reason to believe the development will result in a detrimental impact on the maintenance of the Dormice population.

7.5.13 NRW have advised that they would not issue an EPS License for clearance between the months of June-August (inclusive). Clearance was initially proposed for May 2026, however when it became clear that this would not be feasible due to timescales for the project, the applicant confirmed clearance works would now be rescheduled for September. As such, for the purpose of the above three derogation tests, the LPA is satisfied that NRW would be issue an EPS license for clearance in September.

Net Benefit for Biodiversity

7.5.14 The proposed development lies mostly within areas of hardstanding and bare ground. The PEA states that habitat loss will be restricted to scrub, bare ground, and hardstanding. A loss of up to 0.44ha of scrub is expected. Planting of hazel scrub is proposed to replace this loss of bramble scrub. NRW advise that some areas proposed for planting within the SSSI fall

within marshy grassland and neutral grassland. The shrill carder bee, a feature of the Gwent Levels SSSIs, has been recorded in these areas. NRW therefore advise that planting hazel within these habitats is avoided.

7.5.15 The applicant should therefore provide alternative compensatory hazel planting outside of the SSSI, but within suitable areas of the development's red line boundary, ensuring it is meaningfully connected to existing functional dormouse habitats. In line with the stepwise approach set out in Planning Policy Wales, loss of SSSI habitat should be avoided. Where this loss is unavoidable, there must be adequate mitigation or compensation. The planting that is being proposed within the site is considered as being suitable for mitigation and compensation, subject to final details being secured by the conditional regime and this has been confirmed by the Council's Ecologist. NRW note that section 5.2.9 states that final measures must be agreed and discussed with the LPA's Ecologist and set out in a detailed Biodiversity Strategy (or Landscape and Ecological Management Plan) and that long term implementation will be secured as a condition of successful planning consent. NRW confirmed agreement with this approach and advise that this is secured via a suitably worded condition.

7.5.16 The PEA states that the development would seek also to provide a Net Benefit for Biodiversity, with enhancement of surrounding grassland (outside of the SSSI) proposed. This would accord with the Step Wise Approach as per Chapter 6 of PPW12 where a scheme of enhancements must be provided to ensure net benefit for biodiversity. In order to secure compensation and enhancement, in this instance habitat restoration/creation is required off site in this instance, and this is to be secured by a legal agreement since it would be on land outside of the red line of the application site.



Figure 3 – Indicative Locations of Areas for Proposed Ecological Enhancement

7.5.17 As part of the outline scheme of biodiversity enhancement details of enhancement measures have been provided by the applicant, and this includes habitat creation, enhancement and restoration. All off site works will be included in the legal agreement.

7.5.18 The Council's Ecological Officer has confirmed their support the principle of what is being proposed.

7.5.19 The LPA is satisfied that through the necessary conditioned documents and legal agreement, a biodiversity enhancement will be achieved.

Conclusion

7.5.20 Overall, officers are satisfied with the information provided and subject to the conditions recommended consider the development accords with PPW12 and policies SP9, GP2 GP5 of the NLDP 2011-2026 (adopted January 2015).

7.6 Highway Safety:

7.6.1 The Council's Highways Officer has reviewed the application and has offered no objection to the proposed development. They have considered that the impact on the public highway is limited and would be managed via a Section 50 License under the New Roads and Streetworks Act 1991, which is separate from the planning process.

7.6.2 Overall, it is considered that the proposed development can be undertaken without adversely impacting highway safety and the proposal is compliant with Policy GP4 of the NLDP 2011-2026 (adopted January 2015).

7.7 Residential Amenity:

7.7.1 The nearest residential properties are located off Church Lane to the west of the site and there is significant landscaped areas that intervene the cabling route and these properties. The remainder of the area to the north is of commercial and industrial context, comprising of various 'B' and similar uses. The nearest property is Stud Farm, Church Lane approximately 200 m south west. The proposed work itself is not anticipated to be overly noisy or intrusive and upon completion there would be no impact owing to the cables remaining underground.

7.7.2 The Council's EHO has responded and has offered no objection to the proposal. A planning condition has been requested to control the the noise emitted from plant and machinery located at the site. However, the proposed development does not include any such equipment for the operational phase, and the condition is not considered relevant or necessary and is not recommended to be included within the condition regime. Any noise during construction phase is not anticipated to be significant, and details would be controlled through a CEMP.

7.7.3 As such, it is considered that the proposal is compliant with Policy GP2 and GP7 of the NLDP 2011-2026 (adopted January 2015).

7.8 Archaeology and Conservation:

7.8.1 The site is partially located within the Gwent Levels archaeologically sensitive area and as such HENEB have been consulted. They have offered no objection since much of the development is on or under existing areas of disturbed land and the horizontal drilling depth is only 1.60 m.

7.8.2 As a result, there is unlikely to be an archaeological restraint to this proposed development and HENEB have confirmed no objection to the positive determination of the application.

7.8.3 The Council's Principal Heritage Officer has raised no concerns from a heritage perspective given the nature of the proposed development.

7.8.4 As such, the proposal is compliant with Policy SP9 and CE6 of the NLDP 2011-2026 (adopted January 2015).

7.9 Flood Risk:

7.9.1 The application site is located within Flood Zone 2 and 3 (Rivers and Sea) (Defended) and the proposed development is considered as being 'less vulnerable' development in flood risk terms, as confirmed by NRW in their response.

7.9.2 As the Statutory consultee for planning applications that proposed development in flood risk areas, NRW have duly been consulted on the application. A FCA has been submitted and NRW have confirmed that they consider that the proposals could be acceptable, subject to the developer being made aware of the potential flood risks and consequences. NRW have provided information within their response in relation to flood risk management and the applicant is encouraged to review this, and if necessary contact NRW directly on this matter.

7.9.3 The proposal is compliant with Policy SP3 of the NLDP 2011-2026 (adopted January 2015).

7.10 Other Matters:

- 7.10.1 It is confirmed that there is no Public Right of Way that crosses the application site or that would be impacted by the proposed development.
- 7.10.2 No contamination or air quality issues have been raised, and the Senior Scientific Officer has no objection to the proposed development.

7.11 Planning Obligation matters

Summary

- 7.11.1 In accordance with Policy SP13 of the adopted Newport Local Development Plan 2011-2026 and the adopted Planning Obligations Supplementary Planning Guidance, development will be required to help deliver more sustainable communities by providing, or making contributions to, local and regional infrastructure in proportion to its scale and the sustainability of the location.
- 7.11.2 In this case, a legal agreement is required to mitigate the impact of the development and to ensure that in line with Chapter 6 of PPW12 the Stepwise Approach has been followed and that the development will result in an overall ecological enhancement.
- 7.11.3 Compensation and mitigation can be accommodated on site, however due to the limitations of the site to achieve enhancement then this must be undertaken off site, in connecting locations. It is not possible to achieve this by planning condition as it is located outside of the site and therefore a legal agreement is required to be entered to secure this.
- 7.11.4 The applicant has submitted a draft Unilateral Undertaking and a suggested plan of where and what enhancement is to be provided and this is generally considered to be acceptable. The draft Unilateral Undertaking submitted is considered to broadly covers the relevant aspects required, however will be subject to review by the Council's Legal Officer following a resolution to grant planning permission.

8. OTHER CONSIDERATIONS

8.1 ***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.

8.2 ***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.

8.3 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.

A Socio-economic Duty is also set out in the Equality Act 2010 which includes a requirement, when making strategic decisions, to pay due regard to the need to reduce the inequalities of outcome that result from socio-economic disadvantage.

8.4 The above duties have 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. There would also be no negative effects which would impact on inequalities of outcome which arise as a result of socio-economic disadvantage.

8.5 *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.

8.6 *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.

9. CONCLUSION

9.1 Overall, it is considered that subject to the recommended conditional regime being implemented, the proposed development is acceptable and would comply with national planning policy and the Newport Local Development Plan 2011-2026 (adopted January 2015).

9.2 It is recommended that planning permission is granted with conditions, subject to the signing of a Legal Agreement.

10. RECOMMENDATION

GRANTED WITH CONDITIONS SUBJECT TO SIGNING OF THE LEGAL AGREEMENT WITH DELEGATED POWERS AND DISCRETION TO REFUSE IN THE EVENT THAT THE AGREEMENT IS NOT SIGNED WITHIN FOUR MONTHS OF THE COUNCIL'S RESOLUTION TO GRANT PLANNING PERMISSION

Approved Plans and Documents

01 The development shall be implemented in accordance with the following plans and documents:

- Drawing No. 0596-KUS-XX-XX-DR-CBL-2001 – Imperial Park to Microsoft Cable Route Layout 3 Rev P03;
- Flood Consequence Assessment;
- Arboricultural Impact Assessment;
- ECO22022 – Otter, Water Vole and Great Crested Newt Survey (October 2025);
- Imperial Park Cable Connection – Design and Access Note;
- Drawing Number 0596-BPS-XX-XX-DR-EAS-2101 – Imperial Park Cable Connection Red Line Boundary Rev P04;
- Imperial Park Cable Route - Preliminary Ecological Appraisal By RPS, Dated December 2025.
- Email from Rob Booth (22nd April 2026 at 16:37) Confirming vegetation clearance to take place in September.

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

Pre- commencement conditions

Landscape and Ecological Management Plan (LEMP)

02 No development, including site clearance, shall commence until a Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority. The LEMP should build upon the principles outlined in the 'Imperial Park Cable Route - Dormouse Conservation Strategy' by RPS Group Plc, dated January 2026, and include, but not necessarily be limited to:

- The submission of a long-term site management plan to ensure the management of habitats for dormice that includes:
 - details of habitats and ecological features present or to be created, both in written form and shown on appropriate drawings, including planting plans, indicating species mix and size
 - details of the enhancements to be undertaken in the areas noted as "Restored and Enhanced Scrub" (marked in purple horizontal hatch on the drawings titled 'Dormouse Conservation Strategy: Habitat Creation, Enhancement, and Restoration' by RPS, dated 09/01/2026)
 - details of replacement measures, should any landscape or environmental features die, be removed, or become seriously damaged or diseased
 - details of the desired condition for each habitat (present and to be created) and criteria to determine when habitats have achieved this including defined aims and objectives, and key performance indicators for long term monitoring indicators of habitat condition
 - details of short and long-term habitat management prescriptions to both achieve and maintain the desired condition
 - details of monitoring methodologies for habitat(s) and species
 - details of scheduling and timings of activities
 - details of timescales; length of plan; and the method and proposed dates to review and update plans (informed by monitoring) at specific intervals as agreed
 - persons or bodies responsible for undertaking management and surveillance together with required skills and competencies
 - licensing requirements for undertaking habitat management and surveillance The LEMP shall be carried out in accordance with the approved details.

Reason: To ensure necessary management of habitats for European Protected Species is agreed prior to commencement and implemented to ensure the site's environmental features are adequately managed long term in accordance with Policy SP9 and GP5 of the NLDP 2011-2026 (adopted January 2015).

Construction Environmental Management Plan (CEMP)

03 No development or phase of development, including site clearance, shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP should include:

- Construction methods: details of materials, how waste generated will be managed
- General Site Management: details of the construction programme including timetable, details of site clearance; details of site construction drainage, containment areas, appropriately sized buffer zones between storage areas (of spoil, oils, fuels, concrete mixing and washing areas) and any watercourse or surface drain.
- Pollution Prevention: demonstrate how relevant Guidelines for Pollution Prevention and best practice will be implemented, including details of emergency spill procedures and incident response plan. GPP5 Works and maintenance in or near water is relevant for this development.
- Details of the persons and bodies responsible for activities associated with the CEMP and emergency contact details.
- Biodiversity Management: details of tree and hedgerow protection; invasive species management; species and habitats protection, avoidance and mitigation measures
- Control of Nuisances: details of restrictions to be applied during construction including timing, duration and frequency of works; details of measures to minimise noise and vibration

from piling activities, for example acoustic barriers; details of dust control measures; measures to control light spill and the conservation of dark skies

- External lighting details during the construction period.
- Details of a pre construction ecological walkover of all aquatic habitats within the site and up to 100m of the site (as per Section 4.5 of the Otter, Water Vole and Great Crested Newt Survey).
- Details of site compound and contractor parking.

Reason: To ensure necessary management measures are agreed prior to construction and implemented for the protection of the environment and highway safety during construction in accordance with Policy SP9, GP2, GP4, GP5 and GP7 of the NLDP 2011-2026 (adopted January 2015).

Arboricultural Method Statement

04 No development, or any clearance of vegetation, shall commence until an Arboriculturist has been appointed, as first agreed in writing by the Local Planning Authority, to oversee the project (to perform a Watching Brief) for the duration of the development and who shall be responsible for –

- a) Supervision and monitoring of the approved Tree Protection Plan;
- b) Once the barrier fencing is erected, the approved Arboricultural Consultant must inspect and "sign off" in writing and submit a copy of this to the Local Planning Authority stating that the protective fencing is in the correct location and is fit for purpose - this will be the first watching brief .
- c) Supervision of the alteration or temporary removal of any Barrier Fencing; .
- d) Oversee working within any Root Protection Area e.g. any re profiling/grading of existing levels, construction works and landscaping operations.
- e) Reporting to the Local Planning Authority and providing a revised Arboricultural Method Statement if operations on site dictate;
- f) The Arboricultural Consultant will provide site progress reports to the Council's Tree Officer at intervals to be agreed by the Council's Tree Officer.

Reason: To protect important landscape features within the site in accordance with Policy GP5 of the NLDP 2011-2026 (adopted January 2015).

Implementation of Landscaping/Planting

05 The proposed landscaping and planting as approved under Condition 02 of this planning permission shall be carried out in its entirety by a date not later than the end of the full planting season immediately following the completion of the development. Thereafter all landscaping and planting shall be maintained for a period of 5 years from the date of planting and any which die or are damaged shall be replaced and maintained until satisfactorily established.

For the purposes of this condition, a full planting season shall mean the period from October to April.

Reason: To secure the satisfactory implementation in the interests of visual amenity and ecological enhancement having regard to policies GP2 and GP5 of the NLDP 2011-2026 (adopted January 2015).

Otter, Water Vole and Great Crested Newt Survey Compliance

06 The development shall be undertaken in accordance with the Avoidance, Mitigation and Enhancement measures as set out in Section 4.5 of approved document reference ECO22022 – Otter, Water Vole and Great Crested Newt Survey (October 2025).

Reason: To ensure the development preserves matters of biodiversity and ecological interest in accordance with Policy SP9 and GP5 of the NLDP 2011-2026 (adopted January 2015).

Unforeseen Ground Contamination

07 Any unforeseen contamination encountered during development, shall be notified to the Local Planning Authority in writing as soon as is practicable and works shall cease immediately on affected parts of the site. An appropriate ground investigation and/or

remediation strategy shall be submitted to and approved in writing by the Local Planning Authority, and the approved strategy shall be implemented in full prior to further works on any affected part of the site. Following remediation a completion/Validation Report, confirming the remediation has been carried out in accordance with the approved details, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the risks associated with previously unsuspected contamination at the site are dealt with through a remediation strategy, to minimise the risk to both future users of the land and neighbouring land, and to ensure that the development can be carried out safely without unacceptable risks in accordance with Policy GP7 of the Newport Local Development Plan 2011 – 2026 (Adopted January 2015).

Vegetation Clearance

08 Notwithstanding any information submitted or document hereby approved, vegetation clearance shall only take place outside of the Dormouse Breeding Season (June to August inclusive).

Reason: To preserve the population of the European Protected Species in accordance with Policy SP9 and GP5 of the NLDP 2011-2026 (adopted January 2015).

NOTE TO APPLICANT

01 This decision relates to plan Nos: PAC Report (December 2025); Supporting Info – Response to NRW (March 2026); Supporting Info - Response to Ecology (March 2026); ECO220221 – Dormouse Conservation Strategy (January 2026).

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies SP1, SP3, SP5, SP7, SP8, SP9, SP13, SP18, GP1, GP2, GP4, GP5, GP6, GP7, CE6 and CE8 were relevant to the determination of this application.

03 As of 1st October 2012 any connection to the public sewerage network (foul or surface water sewerage) for the first time will require an adoption agreement with Dwr Cymru Welsh Water. For further advice contact Dwr Cymru Welsh Water on 01443 331155.

04 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.

05 Warning: A European Protected Species (EPS) Licence is required for this development.

This planning permission does not provide consent to undertake works that require an EPS licence. It is an offence to deliberately capture, kill or disturb EPS or to damage or destroy their breeding sites or resting places. If found guilty of any offences, you could be sent to prison for up to 6 months and/or receive an unlimited fine.

To undertake the works within the law, you can obtain further information on the need for a licence from Natural Resources Wales on 0300 065 3000 or on the NRW website

Development shall not be commenced until you have been granted a licence by Natural Resources Wales pursuant to Regulation 55 of the Conservation of Habitats and Species Regulations (2017) authorising the specified activity/development to go ahead. Please note that any changes between planning consent and the licence application may affect the outcome of a licence application.