

Delegated Decision Report

Application No:	26/0567	Statutory Period Expires:	17th September 2026
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Site:	<i>Land Adjacent To And South Of Matalan Newport Retail Park Seven Stiles Avenue Newport South Wales</i>		
Proposal:	<i>USE OF LAND FOR THE PURPOSE OF VEHICLE PARKING</i>		
Applicant:	<i>Hagley Building & Civil Engineering Ltd</i>		
Type:	Full	Ward:	Liswerry
Decision:	GRANTED WITH CONDITIONS		

1. BACKGROUND

- 1.1 The site has a varied planning history and has an extant planning permission for construction of 2no. retail units, car parking, servicing and landscaping as confirmed by a Lawful Development Certificate through application 14/1234. No further works appear to have taken place on site in relation to that since the LDC was issued. 24/0969 also remains extant for the change of the use of the site to a vehicle hire/rental business including the erection of a vehicular maintenance and workshop building, formation of car parking areas, ev charging points, landscaping and associated development. The latter permission includes a smaller site area to the 2014 application and does not appear prejudiced by the current proposal. The car garage adjacent to the application site which shares its access was granted permission under 99/1290.

2. SITE LOCATION AND CONTEXT

- 2.1 This application relates to a vacant parcel of land to the south of Matalan and to the north of the Peugeot dealership at Newport Retail Park. The parcel of land is 0.2ha in size, rectangular and broadly flat. It is currently very overgrown with vegetation and bracken.
- 2.2 The surrounding context is predominantly commercial, with Matalan retail store and car parking located directly to the north and a car dealership and forecourt to the south. To the west, the site is bound by Seven Stiles Avenue and to the east is a ree and vegetation containing trees, locally allocated as a Site of Importance for Nature Conservation (SINC).
- 2.3 The site is located within the Urban Boundary, is within the Newport Retail Park District Centre, The Levels Archaeologically Sensitive Area (Policy CE6) and is within Flood Zone 3 (Sea) of the Flood Maps for Planning (FMfP).
- 2.4 Newport Retail Park is approximately 21.94ha in size and is broadly triangular and contains a use mix of retail, leisure, food and drink and car dealerships. The main retail area is formed by retail units that site around a central car park, with a Tesco Extra to the south. The application site is located to the rear (east) of the northern most retail units, which have back of house areas and service yards abutting Seven Stiles Avenue. The character of the area in which the site sits is considered to be retail or of retail appropriate uses. To the south is a Peugeot car dealership with outdoor display and a Home Bargains retail unit. Laying further south are leisure uses, including a gym, inflatable play space, cinema and food and beverage units with other car dealerships further south west.

3. DESCRIPTION OF DEVELOPMENT

- 3.1 This application seeks full planning permission for the use of the application site for the purpose of vehicle storage to serve the existing Peugeot Dealership to the south. In reality, it will be a parking area rather than vehicle storage as vehicles will frequently come and go in association with the adjoining Peugeot dealership. The area would provide 49no. parking spaces with a vehicular access to the south. A landscape buffer is proposed along the northern, eastern and western site boundaries which would comprise a mix of species rich lawn, native hedgerow and semi mature trees. Each of the spaces would measure 7x3m so would be large enough to accommodate van storage. The area would be surfaced in tarmac.

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision
01/0915	DEVELOPMENT OF 2 RETAIL UNITS (3,840m2), CAR PARKING, SERVICING AND LANDSCAPING (RESUBMISSION)	GRANTED WITH CONDITIONS
07/0021	VARIATION OF STANDARD CONDITION OF PLANNING PERMISSION 01/0915 TO EXTEND PERIOD WITHIN WHICH DEVELOPMENT CAN COMMENCE BY AN ADDITIONAL TWO YEARS	GRANTED WITH CONDITIONS
13/1039	VARIATION OF STANDARD CONDITION ON PLANNING PERMISSION 07/0021 FOR DEVELOPMENT OF 2NO. RETAIL UNITS (3,840SQM), CAR PARKING, SERVICING AND LANDSCAPING TO EXTEND THE PERIOD WITHIN WHICH DEVELOPMENT CAN COMMENCE	GRANTED WITH CONDITIONS
14/0050	DISCHARGE OF CONDITIONS 4 (MATERIALS), 8 (SLAB LEVELS), 10 (SECURITY FENCING) AND 11 (SUB STATION), AND PARTIAL DISCHARGE OF CONDITIONS 5 (LANDSCAPING) AND 6 (SURFACE WATER DRAINAGE) OF PLANNING PERMISSION 13/1039 FOR THE VARIATION OF STANDARD CONDITION ON PLANNING PERMISSION 07/0021 FOR DEVELOPMENT OF 2NO. RETAIL UNITS (3,840SQM), CAR PARKING, SERVICING AND LANDSCAPING TO EXTEND THE PERIOD WITHIN WHICH DEVELOPMENT CAN COMMENCE	GRANTED WITH CONDITIONS
14/1234	CERTIFICATE OF LAWFUL DEVELOPMENT IN RESPECT OF WORKS UNDERTAKEN ON SITE IN ACCORDANCE WITH THE APPROVED PLAN AND CONSTITUTING A MATERIAL START TO PERMISSION 13/1039	ISSUED
24/0604	ERECTION OF SECURITY FENCING AT SITE PERIMETER	GRANTED WITH CONDITIONS
24/0969	CHANGE OF USE TO VEHICLE HIRE/RENTAL (SUI GENERIS), ERECTION OF A VEHICULAR MAINTENANCE AND WORKSHOP BUILDING, FORMATION OF CAR PARKING AREAS, EV CHARGING POINTS, LANDSCAPING AND ASSOCIATED DEVELOPMENT	GRANTED WITH CONDITIONS

5. PLANNING POLICY

5.1 THE NATIONAL DEVELOPMENT FRAMEWORK: FUTURE WALES - THE NATIONAL PLAN 2040

Future Wales sets out the Welsh Government's land use priorities and provides a national land use framework for SDPs and LDPs. Future Wales concentrates on development and land use issues of national significance, indicating areas of major opportunities and change, highlighting areas that need protecting and enhancing and helping to co-ordinate the delivery of Welsh Government policies to maximise positive outcomes.

Policy 1 - Where Wales Will Grow

Policy 2 - Shaping Urban Growth and Regeneration - Strategic Placemaking

Policy 9 - Resilient Ecological Networks and Green Infrastructure

5.2 PLANNING POLICY WALES (EDITION 12) 2024

3.3 - Good design is fundamental to creating sustainable places where people want to live, work and socialise.

3.4 - Meeting the objectives of good design should be the aim of all those involved in the development process and should be applied to all development proposals at all scales.

4.3 Retail and Commercial Development

4.3.1 Retail and commercial centres are hubs of social and economic activity and the focal point for a diverse range of services which support the needs of local communities. They are highly accessible to different modes of transport and are the most sustainable locations for new development.

4.3.30 Although retailing (A1) uses should underpin retail and commercial centres, it is only one of the factors which contribute towards their vibrancy.

4.3.31 Primary areas are typically characterised by a high proportion of A1 retail uses, and their designation requires an understanding of the existing distribution of uses in a centre together with careful consideration of a centre's role and how it relates to the retail strategy for the area. Secondary areas typically contain mixed uses, for example shops, cafes and restaurants, financial establishments and other services and community facilities.

4.3.34 Leisure and entertainment, and food and drink uses can benefit retail and commercial centres, and with adequate attention to safeguarding amenities can contribute to a successful evening economy. In addition to general diversity of uses, mixed use developments, which combine retailing with entertainment, restaurants and, where appropriate, residential in a comprehensive and planned way should also be encouraged where appropriate to promote lively centres during both the day and the evening.

4.3.27 On the periphery of a retail and commercial centre that has been assessed to be in decline by a planning authority, and where regeneration initiatives are thought unlikely to be successful, changes to the retail and commercial centre boundary may be appropriate. Rationalising a centre's boundary can help concentrate both A1 and non-A1 uses in a smaller more viable area, whilst potentially releasing property outside the new boundary for residential and other appropriate uses...

4.3.38 Where a planning authority considers a retail and commercial centre has declined to such an extent that it is no longer viable or has any prospect of retaining or attracting future investment, then consideration should be given to removing the retail centre status from that area. This should be done through full consultation with communities as part of the development plan.

5.4 Economic Development

5.4.1 For planning purposes the Welsh Government defines economic development as the development of land and buildings for activities that generate sustainable long term prosperity, jobs and incomes. The planning system should ensure that the growth of output and employment in Wales as a whole is not constrained by a shortage of land for economic uses

5.4.3 Planning authorities should support the provision of sufficient land to meet the needs of the employment market at both a strategic and local level. Development plans should identify employment land requirements, allocate an appropriate mix of sites to meet need and provide a framework for the protection of existing employment sites of strategic and local importance.

5.4.4 Wherever possible, planning authorities should encourage and support developments which generate economic prosperity and regeneration. Sites identified for employment use in a development plan should be protected from inappropriate development.

6.2 Green Infrastructure

6.2.12 A green infrastructure statement should be submitted with all planning applications. This will be proportionate to the scale and nature of the development proposed and will describe how green infrastructure has been incorporated into the proposal. In the case of minor development this will be a short description and should not be an onerous requirement for applicants. The green infrastructure statement will be an effective way of

demonstrating positive multi-functional outcomes which are appropriate to the site in question and must be used for demonstrating how the step-wise approach (Paragraph 6.4.15) has been applied.

6.4.5 Planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means development should not cause any significant loss of habitats or populations of species (not including non native invasive species), locally or nationally and must work alongside nature and it must provide a net benefit for biodiversity and improve, or enable the improvement, of the resilience of ecosystems.

5.2 Technical Advice Notes

TAN 4 – Retail and Commercial Development

TAN 15 – Flooding

TAN 23 – Economic Development

5.3 NEWPORT LOCAL DEVELOPMENT PLAN (2011-2026)

- Policy SP1 Sustainability;
- Policy SP3 Flood Risk;
- Policy SP9 Conservation of Natural, Historic and Built Environment;
- Policy SP18 Urban Regeneration;
- Policy GP2 General Amenity;
- Policy GP4 Highways and Accessibility;
- Policy GP5 Natural Environment;
- Policy GP6 Quality of Design;
- Policy R6 District Centres;
- Policy R7 Non Retail Uses in District Centres;
- Policy CE6 Archaeology;
- Policy T4 Parking; and
- Policy W3 Waste.

5.4 SUPPLEMENTARY PLANNING GUIDANCE

- Parking Standards
- Sustainable travel
- Wildlife and Development
- Trees, Woodland, Hedgerows and Development Sites
- Archaeology and Archaeologically Sensitive Areas SPG
- Waste Storage and Collection.

6. **CONSULTATION RESPONSES**

- 6.1 ECOLOGY OFFICER: This application is supported by an Ecological Appraisal report dated August 2026, and I agree with the methodology and conclusions of that report. A number of recommendations are made, including avoidance of harm, mitigation and biodiversity enhancement measures, and the implementation of these measures should be secured by planning condition. Noting the comments of our Landscaping Advisor, I have no grounds to object to the Green Infrastructure Statement.
- 6.2 LANDSCAPE OFFICER: The soft landscape proposals DEP landscape architecture ltd have been updated to rev B, this shows additional 2no trees along Seven Stiles Road but removal of native hedge to the north boundary. Although application 24/0969 already allows for an approved native hedge to this boundary a double hedge would be preferred.
- 6.3 DRAINAGE OFFICER: We have received an application for the above scheme, which is currently being reviewed.
- 6.4 ENVIRONMENTAL HEALTH OFFICER: No response.
- 6.5 SCIENTIFIC OFFICER: No comments in respect of air quality or contaminated land.

- 6.6 GLAMORGAN GWENT ARCHAEOLOGICAL TRUST: Thank you for consulting us about this application; consequently we have reviewed the detailed information contained on your website and have concluded that the proposal will require archaeological mitigation. Information in the regional Historic Environment Record (HER) shows that the application area is situated within the Archaeologically Sensitive Area (ASA) of the Gwent Levels; an area where evidence for human activity dating from at least 4000BC has been found, and known for its extensive waterlogged deposits with exceptional preservation of organic and palaeo environmental remains. The HER also notes that previous archaeological assessments of the area has shown that there is potential in encountering archaeological remains and deposits during any ground disturbing works in the area, especially given the apparent lack of previous development. The application is for the use of land for the purpose of vehicle storage. We previously commented on a pre-planning enquiry of the application area in which archaeological mitigation for an archaeological watching brief during the course of the works was recommended. Our understanding of the archaeological resource of the area is unchanged and consequently, our advice remains the same. Therefore, in order to mitigate the impact of the development on the archaeological resource it is our recommendation that a condition requiring the applicant to submit a detailed written scheme of investigation for a programme of archaeological work to protect the archaeological resource should be attached to any consent granted by your Members. We envisage that this programme of work would take the form of Archaeological Monitoring and Recording (watching brief), during the groundworks required for the development, with detailed contingency arrangements including the provision of sufficient time and resources to ensure that any archaeological features or finds that are located are properly investigated and recorded; it should include provision for any sampling that may prove necessary, post excavation recording and assessment and reporting and possible publication of the results. To ensure adherence to the recommendations we recommend that the condition should be worded in a manner similar to model condition 24 given in Welsh Government Circular 016/2014:

No development shall take place until the applicant, or their agents or successors in title, has secured agreement for a written scheme of historic environment mitigation which has been submitted by the applicant and approved by the local planning authority. Thereafter, the programme of work will be fully carried out in accordance with the requirements and standards of the written scheme.

Reason: To identify and record any features of archaeological interest discovered during the works, in order to mitigate the impact of the works on the archaeological resource.

We also recommend that a note should be attached to the planning consent explaining that: The archaeological work must be undertaken to the appropriate Standard and Guidance set by Chartered Institute for Archaeologists (CIfA), CIfA regulations, standards and guidance | CIfA and it is recommended that it is carried out either by a CIfA Registered Organisation or a MCIfA level accredited Member | CIfA

- 6.7 HIGHWAYS OFFICER: No highways related objections.
- 6.8 NATURAL RESOURCES WALES: We have concerns with the application as submitted. However, we are satisfied that these concerns can be overcome by attaching the following condition to any planning permission granted:

- Condition: Construction Environmental Management Plan (CEMP)

Please note, without the inclusion of this condition we would object to this planning application. Further details are provided below.

Protected sites

The site is located 0.3 miles from Gwent Levels Nash and Goldcliff Site of Special Scientific Interest (SSSI) which is designated for rare flora and invertebrates that inhabit the reens and ditches of this SSSI. We have concerns that the proposed development may damage the notified features of the Gwent Levels – Nash and Goldcliff SSSI. We therefore recommend that planning permission should only be granted if appropriate planning conditions are included. Paragraph 6.4.26 of Planning Policy Wales (PPW) (edition 12)

states that 1 of 5 "...development should be refused where there are adverse impacts on the features for which a site has been designated." We have considered the information submitted in support of the above planning application, namely the Ecological Appraisal (Soltys Brewster Ecology, May 2026, E24126401). On the basis of the information submitted, we consider that the proposed development will, subject to the inclusion of planning conditions, avoid likely damage to the notified features of the SSSI. We welcome the intention within the appraisal that a construction environment management plan (CEMP) is to be undertaken, which will reduce the risk of the potential contamination entering the watercourses associated with the SSSI. We therefore advise that the following CEMP condition is attached to any planning permission granted.

Condition: CEMP

No development, including site clearance, shall commence until a site wide 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. The CEMP shall be implemented as approved during the site preparation and construction phases of the development.

Justification: A CEMP should be submitted to ensure necessary management measures are agreed prior to construction and implemented for the protection of the environment. Without the inclusion of the relevant planning condition described above, we would object to the planning application. Ultimately, the decision as to whether the proposed development should proceed is entirely a matter for your authority, having followed the step-wise approach in PPW. Our advice above focuses on the likelihood and significance of impacts on the notified features of the SSSI from the proposed development. Should you be minded to grant planning permission for the above planning application without attaching the planning condition as described above, we ask that you notify us under the provisions contained in Section 281 of the Wildlife and Countryside Act 1981 (as amended). We also direct you to paragraph 6.4.28 of PPW which states that if you are minded to grant planning permission against our advice, then you must notify Welsh Ministers. 2 of 5

Flood risk

The planning application proposes less vulnerable development for the storage of vehicles. The Flood Map for Planning identifies the application site to be at risk of flooding and within Flood Zone 3 for Sea and is sited within a TAN15 Defended Zone. We refer you to Section 10 of Technical Advice Note 15: Development, flooding and coastal erosion, dated 2025 (TAN15) for advice on how you should consider this application in line with current planning policy. Our role is to provide you with detailed advice on the findings and conclusions of the Flood Consequences Assessment (FCA) in relation to flooding from rivers and/or the sea, including the impact on flooding elsewhere. For advice on flood risk from surface water and or small watercourses you should consult with your Lead Local Flood Authority. Therefore, we have reviewed the FCA undertaken by JBA Consulting, dated July 2026, reference SSL-JBA-XX-XX-RP-HM-0001-D3-C01-Land_at_Severn_Stiles_Avenue_FCA. Our advice to you is that the FCA satisfactorily demonstrates that the risks and consequences of flooding are manageable to an acceptable level. Therefore, we have no objection to the application as submitted on flood risk grounds. Further detail is provided below.

Frequency thresholds (Figure 5 - designing development to be flood free)

The FCA states that the site is predominantly flat, the highest levels reach up to 7.32m AOD and the lowest levels are in the centre of the site at 6.13m AOD. A lifetime of development of 75 years has been applied to this assessment, and the model results for 2100 have been used to assess flood risk to the development site. The detailed tidal flood risk assessment is based on Version 7.0 of the Newport Tidal Flood Model (June 2020).

This is a 1D-2D ESTRY-TUFLOW tidal model of Newport which was further updated by JBA in 2022 and 2025 to incorporate several improvements.

Tolerable conditions

(Figure 6 - managing consequences in an extreme flood event) The following flood levels and depths were provided for the extreme events: • 0.5% (1 in 200 year) event plus climate change allowance (CCA) 2100: the site is predicted to be flood free • 0.1% (1 in 1000 year) event plus CCA 2100: the site is predicted to be flood free

Overtopping, breach and blockage assessment

The site lies within a TAN-15 Defended Zone and therefore a breach scenario was undertaken in accordance with Section 10.26 of TAN 15 to assess the residual risk 3 of 5 associated with potential failure of the NRW flood defences. This flood event would be considered the design event. Two breach locations have been assessed to understand the residual risk associated with potential failure of the tidal defences on the banks of the River Usk. The locations were modelled separately.

• Breach Location one:

- 0.5% (1 in 200 year) plus climate change 2100: flood free
- 0.1% (1 in 1000) year plus climate change 2100: flood free

• Breach Location two:

- 0.5% (1 in 200) year plus climate change 2100: flood free
- 0.1% (1 in 1000) year plus climate change 2100: 6.59m AOD with a flood depth of 0.44m

The modelling information shows the site will remain flood free during the design event and will flood to depths within the tolerable limits of Figure 11. Due to the site remaining flood free, there is no requirement for flood resistant and resilient measures.

Flood risk elsewhere

The proposed development would not increase flood risk elsewhere, there is no built development proposed, and typical ground levels will remain unchanged.

Escape or evacuation routes

The FCA does provide evacuation routes which are predicted to flood during the 1 in 1000 year plus climate change breach event, with shallow depths of less than 400mm. The LPA should determine if the routes are considered acceptable, and if any further mitigation is required.

Advice to Developer Landscaping

We note the Landscape Management Plan (DEP Landscape Architecture Ltd, 26/6/26) and the Softworks plan (6/26, 01/A). Trees and other plants should be of UK provenance and sourced within UK. These will be better able to support biodiversity on site. Plants of UK provenance and grown in British nurseries remove the risks of importing diseases that our plants have no resistance to and spreading pests that have no natural predators in the UK.

6.9 DWR CYMRU WELSH WATER:

Asset Protection

The proposed development site is crossed by two 150mm public sewers. No operational development is to take place or SuDS features installed within 3 metres either side of the centreline of the sewer. We request that prior to commencing any operational development the location of this asset is determined. If operational development is likely to take place within 3 metres either side of this sewer please stop works and contact us. Notwithstanding this, we would request that if you are minded to grant Planning Consent for the above development that the Conditions and Advisory Notes listed below are included within the consent to ensure no detriment to existing residents or the environment and to Dwr Cymru Welsh Water's assets.

Conditions

No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the

health and safety of existing residents and ensure no pollution of or detriment to the environment.

- 6.10 TREE OFFICER: Upon reviewing the supplied information, the two trees to the west T2 and T3 appear to be lost in the Site Plan As Proposed dated April 2026 which with replacement planting is acceptable due to their poor quality. The two groups to the east G1 and G2 appear not to be directly impacted due to the 5 m landscape buffer zone.

Therefore there are no objections, with the following conditions:

- 1) All trees removed from the site as a result of development must be replaced on site at a ratio of 3:1 at a size of 10-12cm girth at 1m. Evidence of planting and establishment after a two year period, should the trees failed to establish (not be alive & growing) they should be replaced and the establishment period restated.
- 2) A pre commencement site meeting should be undertaken prior to works commencing with the NCC Tree Officer, Arboricultural Consultant and the Developer/Contractor to establish clear lines of communication and set expectations regarding trees.
- 3) No operations of any description (this includes all forms of development, tree felling, tree pruning, temporary access construction, soil moving, temporary access construction and operations involving the use of motorised vehicles or construction machinery), shall commence on site in connection with the development until the Root Protection Barrier fencing has been installed in adherence to the NCC approved Tree Protection Plan (Complaint with BS5837).
 - No excavation for services, storage of materials or machinery, parking of vehicles, deposits or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within the Root Protection Area.
 - Erect all weather notices on Heras fencing, 1 per 10 panels, stating ' CONSTRUCTION EXCUSION ZONE NO ACCESS'
 - The fencing shall be retained for the full duration of the development, and shall not be removed or repositioned without the prior written approval of the Local Planning Authority.
- 4) The trees being retained with RPA's within a 5m buffer on the car park should have protective fencing complaint with BS5837, and signed off as being in the correct location by the appointed Arboricultural Consultant.
- 5) A periodic watching brief by the Arboricultural Consultant shall be undertaken with reports to be submitted to the NCC Tree Officer for review. The time between visits to be agreed by the NCC Tree Officer.

7. PUBLIC REPRESENTATIONS

Neighbour notification letters were sent on 28th July 2026, Site Notice was put up on 31st July 2026.

- 7.1 NEIGHBOURS: Neighbours with a common boundary and opposite were consulted (13no. properties) and no responses were received.

8. ASSESSMENT

Principle of the Proposed Development

- 8.1 The site is within an established retail park which is designated as a District Centre in the Newport Local Development Plan and comprises a mix of retail and leisure uses and car sales/hire garages. The proposed use would accord with this in principle, subject to other material planning considerations.
- 8.2 Policy R6 outlines that improved shopping facilities will be favoured provided that the proposal is of a scale appropriate to the particular centre; the proposal would not have an adverse impact on the vitality and viability of the city centre; the proposal is fully accessible on foot, by bicycle and by public transport; and satisfactory car parking, access and servicing arrangements exist or can be provided. This District Centre is purpose built and intended to serve more of a sub regional retail function. The core retail function is located to the south west with the area closest to the application site having a different character and

predominantly comprising well established vehicle orientated uses such as sales and hire with leisure uses dominant to the south east. The site does not face or visually relate to the core retail activities in the Park albeit it is included in the district centre area. The proposal forms an extension to an existing vehicle related business and is located on a large retail park, its scale is therefore considered appropriate to this particular centre and it would not have an adverse impact on the vitality or viability of the city centre. National planning policy acknowledges that a more diverse range of uses, over and above retail, are appropriate in centres and vehicle parking in conjunction with an associated vehicle sales/hire use would be a compatible use in this centre by reason of the centre's particular characteristics. Whilst the site effectively encroaches into the land consented for retail by the 2001 application listed above, that consent, despite its age, has not been developed out for retail to date. The application site is a relatively small area to the south of the 2001 consented site but will, if implemented, impact the current permission on the wider site (confirmed as lawfully implemented by an LDC in 2014) as will reduce the developable area and prejudice the ability to build out the consented scheme in accordance with approved drawings. The remaining area is sufficiently large to remain developable subject to a new planning application and more recent permissions are not affected. The site is also fully accessible on foot, by bicycle and public transport and the proposed layout includes satisfactory access arrangements. On this basis, the proposal is considered to accord with policy R6 of the Newport Local Development Plan 2011-2026.

Visual Impact and Amenity

- 8.3 The proposed development represents an extension to an existing area of hardstanding to be used in conjunction with the existing Peugeot garage to the south. The area would be used for the parking of vans. The closest neighbouring property is located over 100m to the east of the site along Ebbw Vale Close. In terms of visual impact, a thick band of mature trees and vegetation is present along the eastern site boundary between the site and the adjacent residential development at Glan Llyn, limiting any views from the rear of the properties along Ebbw Vale Close or Spencer Way. Due to its open nature, the site is visible from the north, east and south, however from these viewpoints it is seen within the context of the existing retail park and surrounding commercial development. Given the site context, the proposal is not considered to give rise to an adverse impact in respect of noise, disturbance, light or privacy over and above the existing situation. It would not be detrimental to the visual amenity of the area or the wider streetscene. The proposal is therefore considered to be in accordance with policies GP2 and GP6 of the Newport Local Development Plan 2011-2026.

Landscape, Trees and Ecology

- 8.4 The site is located 0.3 miles from Gwent Levels Nash and Goldcliff Site of Special Scientific Interest (SSSI) which is designated for rare flora and invertebrates that inhabit the reens and ditches of this SSSI. A landscape buffer is proposed along the northern, eastern and western site boundaries which would comprise a mix of species rich lawn, native hedgerow and semi mature trees. This buffer would help reduce the impact of the proposal on the adjacent SINC and soften the boundary with Seven Stiles Avenue. Notwithstanding this, NRW have concerns that the proposed development may damage the notified features of the Gwent Levels – Nash and Goldcliff SSSI. They recommend that planning permission should only be granted if appropriate planning conditions are included, namely in relation to the submission of a Construction Environmental Management Plan. Subject to the inclusion of this condition NRW offer no objection to the proposal.
- 8.5 Two tree specimens would be lost as detailed on the Site Plan to accommodate the proposed development, however the Tree Officer has advised that mitigation by way of replacement planting is acceptable due to the poor condition of these specimens. This will be secured by condition and appears to be achievable in green verges to the east, west and north of the proposed parking spaces. The proposed soft landscape plan shows new trees alongside the eastern border. Overall, officers are satisfied that the proposed landscaping scheme is acceptable and will contribute towards GI objectives and will also have a positive impact on the visual impact of the site. NRW, the Ecology Officer and the Landscape Officer have reviewed the proposals and advise they have no objection to the development subject to conditions.

- 8.6 Policy 9 of Future Wales states that in all cases, action towards securing the maintenance and enhancement of biodiversity (to provide a net benefit), the resilience of ecosystems and green infrastructure assets must be demonstrated. Policy SP9 of the LDP supports this and states that proposals will be expected to maintain, protect and enhance ecological networks and features of importance for biodiversity. As outlined above, landscape planting is proposed as part of this application which shall be implemented prior to the first beneficial use of the site to secure a net gain in biodiversity. The Ecological Appraisal (May 2026) submitted with the application also details a number of Avoidance, Mitigation and Enhancement measures with regards to ecology. These measures will be secured by condition. In addition, in accordance with Chapter 6 of PPW 12 the application is also accompanied by a Green Infrastructure Statement. The proposal complies with Policy GP5 of the NLDP 2011-2026 (adopted January 2015) and Chapter 6 of PPW12.

Highways and Parking

- 8.7 The proposed layout appears to provide sufficient circulation space to accommodate vehicle manoeuvres and the access is off the existing access to the Peugeot garage site which is considered acceptable. The Highways Officer has confirmed that they have reviewed the proposal and they have no objections. On this basis the proposed development is considered to accord with policies GP4 and T4 of the Newport Local Development Plan 2011-2026.

Flood Risk and Drainage

- 8.8 The application proposes an extension to an existing area of hardstanding to be used for the parking of vehicles. This would be classed as less vulnerable development located in Zone 3 on NRW's Flood Map for Planning. The site is also located in a 'defended zone'. The application has been supported by the submission of a Flood Consequences Assessment (FCA).
- 8.9 The FCA states that the site is predominantly flat, the highest levels reach up to 7.32m AOD and the lowest levels are in the centre of the site at 6.13m AOD. The FCA refers to tidal defences on the River Usk and along the Severn Estuary Coastline, which are maintained by NRW and offer a standard of protection to the development site. The consultant, JBA, have utilised a hydraulic model to assess the flood risk to the site. The model is based on the NRW Newport Tidal Model dated June 2020. This is a 1D-2D ESTRY-TUFLOW tidal model of Newport which was further updated by JBA in 2022 and 2025 to incorporate several improvements. The FCA correctly identifies that the lifetime of development will be 75 years in accordance with Welsh Government guidance. The outputs of the modelling show that during both the 0.5%+cc scenario and 0.1%+cc scenario the site will remain flood free and is therefore compliant with TAN15.
- 8.7.5 The site lies within a TAN-15 Defended Zone and therefore a breach scenario was undertaken in accordance with Section 10.26 of TAN 15 to assess the residual risk 3 of 5 associated with potential failure of the NRW flood defences. This flood event would be considered the design event. Two breach locations have been assessed to understand the residual risk associated with potential failure of the tidal defences on the banks of the River Usk. The locations were modelled separately.

Breach Location one:

- 0.5% (1 in 200 year) plus climate change 2100: flood free
- 0.1% (1 in 1000) year plus climate change 2100: flood free

Breach Location two:

- 0.5% (1 in 200) year plus climate change 2100: flood free
- 0.1% (1 in 1000) year plus climate change 2100: 6.59m AOD with a flood depth of 0.44m

The modelling information shows the site will remain flood free during the design event and will flood to depths within the tolerable limits of Figure 11. Due to the site remaining flood free, there is no requirement for flood resistant and resilient measures. The proposed

development would also not increase flood risk elsewhere as there is no built development proposed, and typical ground levels will remain unchanged. The FCA also provides evacuation routes which are only predicated to flood to depths of less than 400mm predicted to flood during the 1 in 1000 year plus climate change breach event.

- 8.7.6 The FCA has demonstrated that the development complies with TAN15 and as such NRW would offer no objection to the proposal. It is considered that the proposal complies with Policy SP3 of the NLDP 2011-2026 (adopted January 2015).
- 8.9 In terms of drainage, SAB approval is required and the Drainage Officer has advised that a separate SAB application has been received and is currently being reviewed. DCWW have advised that the site is crossed by two 150mm public sewers and that no operational development is to take place within 3m either side of the centreline of the sewer. The proposed development comprises hard surfacing only for the purposes of vehicle parking/storage. The proposal will therefore not preclude access to the sewer and is considered acceptable.

Archaeology

- 8.10 The site is located within an archaeologically sensitive area. GGAT have advised that there is potential to encounter archaeological remains and deposits during any ground disturbing works in the area, especially given the apparent lack of previous development. Therefore, in order to mitigate the impact of the development the applicant will be required to submit an Archaeological Watching Brief. This can be dealt with by way of a condition. Subject to the submission of the Watching Brief, the proposal is considered to be in accordance with policy CE6 of the Newport Local Development Plan 2011-2026.

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 proposed development is considered acceptable in accordance with the relevant policies of the Newport Local Development Plan 2011-2026.

11. DECISION

GRANTED WITH CONDITIONS

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

22625 SP-01 Rev B Site Plan as Proposed
6026.01B Seven Stiles Avenue, Newport - Softworks Plan
Arboricultural Report (received 24/07/2026)
Ecological Appraisal (received 24/07/2026)
Flood Consequences Assessment (received 24/07/2026)
Green Infrastructure Statement (received 24/07/2026)
Landscape Management Plan (received 24/07/2026)

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

02 No development shall take place until the applicant, or their agents or successors in title, has secured agreement for a written scheme of historic environment mitigation which has been submitted by the applicant and approved by the local planning authority. Thereafter, the programme of work will be fully carried out in accordance with the requirements and standards of the written scheme.

Reason: To identify and record any features of archaeological interest discovered during the works, in order to mitigate the impact of the works on the archaeological resource.

03 No development, including site clearance, shall commence until a site wide 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.

The CEMP shall be implemented as approved during the site preparation and construction phases of the development.

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

04 No development, (other than demolition) shall commence until:

- a) An appropriate Desk-Study of the site has been carried out, to include a conceptual model and a preliminary risk assessment, and the results of that study have been submitted to and approved in writing by the Local Planning Authority.
- b) If potential contamination is identified then an appropriate intrusive site investigation shall be undertaken and a Site Investigation Report to (BS10175/2011), containing the results of any intrusive investigation, shall be submitted and approved in writing by the Local Planning Authority.
- c) Unless otherwise agreed in writing by the Local Planning Authority as unnecessary, a Remediation Strategy, including Method statement and full Risk Assessment shall be submitted to and approved in writing by the Local Planning Authority.

Following remediation a Completion/Verification 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 prior to the first beneficial use of the development hereby approved.

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

05 No development, to include demolition, shall commence until an Arboriculturalist 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) Supervision and monitoring of the approved tree felling and pruning works;
- (c) Supervision of the alteration or temporary removal of any Barrier Fencing;
- (d) Oversee working within any Root Protection Area;
- (e) Reporting to the Local Planning Authority;
- (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 policies SP9 and GP5.

06 No operations of any description (this includes all forms of development, tree felling, tree pruning, temporary construction access, soil moving and operations involving the use of motorised vehicles or construction machinery), shall commence on site in connection with the development until the Root Protection Barrier fencing has been installed in accordance with the approved Tree Protection Plan (Appendix 4 of Project Reference –

ArbTS_1906.6_Seven Sister Avenue). No excavation for services, storage of materials or machinery, parking of vehicles, deposits or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within the Root Protection Area. The fencing shall be retained for the full duration of the development.

Reason: To protect important landscape features within the site in accordance with policies SP9 and GP5.

General conditions

07 The scheme of landscaping, tree planting and green infrastructure, as detailed on plan ref: 6026.01B Seven Stiles Avenue, Newport - Softworks Plan shall be carried out in its entirety by a date not later than the end of the full planting season immediately following the first use of the parking area hereby approved. Any trees or shrubs which die or are damaged shall be replaced and maintained until satisfactorily established. For the purpose of this condition, a full planting season shall mean the period from October to April.

Reason: To secure satisfactory landscaping in the interests of visual amenity and ecological enhancement, in accordance with policy GP5.

08 Any unforeseen ground contamination encountered during development, to include demolition, shall be notified to the Local Planning Authority as soon as is practicable.

Unless otherwise agreed in writing by the Local Planning Authority as unnecessary, 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 site. Following remediation and prior to the occupation of any building, a Completion/Verification 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 that any potential risks to human health or the wider environment which may arise as a result of potential land contamination are satisfactorily addressed.

09 No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

10 The mitigation measures stipulated in the Ecological Appraisal prepared by Soltys Brewster shall be carried out in accordance with the timescales detailed in the Ecological Assessment.

Reason: In the interests of protecting European Protected Species in accordance with policies SP9 and GP5 of the Newport Local Development Plan 2011-2026.

11 The development hereby approved shall only be used for the parking of vehicles associated with the use of the land to the south of the site outlined in blue on the site location plan.

Reason: In the interests of highway safety, the vitality and viability of the district centre and general amenity. Policies GP4, R6 and GP2.

NOTE TO APPLICANT

01 This decision relates to plan Nos:

Site Location Plan

22625 SP-01 Rev B Site Plan as Proposed

6026.01B Seven Stiles Avenue, Newport - Softworks Plan

Arboricultural Report (received 24/07/2026)

Letter from Dynamic Transport Planning (received 24/07/2026)

Ecological Appraisal (received 24/07/2026)

Flood Consequences Assessment (received 24/07/2026)

Green Infrastructure Statement (received 24/07/2026)

Landscape Management Plan (received 24/07/2026)

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies SP1, SP3, SP9, SP18, GP1, GP2, GP4, GP5, GP6, GP7, CE3, CE6, CE8, R6, R7, T4 were relevant to the determination of this application.

03 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.

04 The archaeological work must be undertaken to the appropriate Standard and Guidance set by Chartered Institute for Archaeologists (CIfA), CIfA regulations, standards and guidance | CIfA and it is recommended that it is carried out either by a CIfA Registered Organisation or a MCIfA level accredited Member | CIfA