

# Notice of Decision



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## TOWN AND COUNTRY PLANNING ACT 1990 [as amended]

Application No: **25/0983**  
Application Type: **Full**  
Proposal: **CHANGE OF USE OF PART OF EXISTING INDUSTRIAL BUILDING (USE CLASS B2) TO DATA CENTRE (USE CLASS B8) INCLUDING RECLADDING OF EXTERNAL ELEVATIONS, INSTALLATION OF ASSOCIATED PLANT AND EQUIPMENT, AND ANCILLARY WORKS**  
Site/Location: **Liberty Steel, Corporation Road, Newport, NP19 4XE**  
Decision Date: **26th March 2026**

In pursuance of its powers under the above Act the Council of the City of Newport notifies you of its decision in respect of your application, registered by them on 26th November 2025. The application has been:

## Granted with Conditions

### STANDARD CONDITIONS

The development must begin not later than the expiration of FIVE YEARS from the date of this permission.

**Reason:** To conform with the requirements of Section 91 of the Town and Country Planning Act 1990

### ADDITIONAL CONDITIONS

- Plans: The development shall be implemented in accordance with the following plans and documents, other than as amended by conditional discharges:
  - Drawing 10544-ECL-XX-XX-DR-C-0001 A - Site Location Plan
  - Drawing 10544-ECL-XX-XX-DR-C-0003 A - Proposed Site Layout
  - Drawing 10544-ECL-XX-XX-DR-C-0004 A - AI Facility Floor Plan and Elevations
  - Email from agent regarding water supply & flood resilience 30.01.2026

**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*

- CEMP: No development of any kind shall proceed until such a time as a Construction Environment Management Plan has been submitted to and agreed in writing by the LPA. Development shall proceed strictly in accordance with the agreed CEMP. The CEMP shall demonstrate how the special interests of the River Usk SAC/SSSI will be protected in terms of disturbance to flora, fauna and maintenance of water quality.

**Reason:** to protect the flora, fauna and water quality of the River Usk. Policies SP1, GP5 and GP7.

#### *Pre - construction conditions*

3. Levels: First Floor Level: The first floor shall not be installed until such a time as a site-specific Flood Consequences Assessment (FCA) has been completed for the development. Informed by that FCA first floor levels shall be set so that the first floor is flood free for the 1 in 200 year tidal flood over the lifetime of the development allowing for climate change and so that the 1 in 1000 year tidal flood event can be mitigated within the criteria shown in Figure 6 of Technical Advice Note 15 over the lifetime of the development allowing for climate change, that is for 75 years from the date of this permission. The FCA and levels shall be submitted in writing to the LPA. Following the LPA's written agreement the development shall proceed strictly in accordance with the agreed first floor level which shall be retained as agreed.  
**Reason:** to mitigate for flood risk in accordance with local and national policy. Policies SP3, GP1 and GP7.
4. Cladding: No cladding shall be installed on the building until details of that cladding (colour, material, texture) and demonstrating its non-frangible characteristics have been submitted to and agreed in writing by the LPA. The development shall proceed using the approved cladding which shall be retained thereafter.  
**Reason:** to control the appearance of the building in the interests of design and visual amenity and to mitigate the risk of proximity to an explosives site. Policies GP2, GP6 and GP7.
5. Flood resilience measures: No construction activities shall take place until a scheme of flood resilience measures to be built into the converted building which itself will have been informed by the FCA required in condition 03 has been submitted to and agreed in writing by the LPA. Following the LPA's written agreement to that flood resilience scheme the development shall proceed strictly in accordance as agreed. The agreed measures shall be retained for the lifetime of the development.  
**Reason:** to minimise flood risk to the development in an undefended floodplain. Policy GP7.
6. Prior to the installation of any cooling system for the development hereby approved details of that cooling system showing the minimisation of the use of potable water shall be provided in writing to the LPA. Following the LPA's written agreement the agreed cooling system shall be installed as agreed prior to the first beneficial use of the scheme and shall be retained for the lifetime of the approved development.  
**Reason:** the relevant statutory consultee has identified potable water resources as a constraint on development in this area and any cooling system exerting high water demand has not been shown to be acceptable. Policy SP4.

#### *Pre -occupation conditions*

7. Flood Mitigation Plan: Prior to the first beneficial use of the development hereby approved details of a flood evacuation / flood containment / flood mitigation plan shall be submitted to the LPA in writing. The Plan shall demonstrate how flood risk to personnel and the ground floor areas of the site shall be minimised. Following the LPA's written agreement the plan shall be put into place prior to the first beneficial use of the scheme and shall be complied with for the lifetime of the development.  
**Reason:** to mitigate flood risk and to protect life and property from flooding. Policies SP3, GP1 and GP7.

#### *General conditions*

8. Ground floor use: the ground floor of the approved scheme shall only be used for the parking of motor vehicles and no other purpose.  
**Reason:** to mitigate flood risk to life and property so far as possible. Policies SP3, GP1 and GP7.
9. PD removal: Notwithstanding the provisions of the General Permitted Development Order 1995 or any order revoking or revising that order no development permitted under that order in relation to Schedule 2 Parts 3 (Change of Use) and Part 8 (Industrial & Warehouse Development) shall take place without the prior written agreement of the LPA.  
**Reason:** to ensure that otherwise permitted changes that could increase the risk associated with a flood event unacceptably cannot take place without further assessment and control by the LPA. Policies SP3, GP1 and GP7.

#### **NOTE TO APPLICANT.**

1. The development shall be carried out fully in accordance with the proposals shown in the application and in the plans and particulars accompanying such application as varied and amended by this permission.
2. This decision notice is issued in respect of Planning Permission only and does not convey any approval which may be required under any other legislation or provisions, such as, but not limited to, Highways and Building Regulations. For advice on the requirements of the Building Regulations and allied legislation, and/or whether there is a need for a Building Regulations submission, please contact the Council's Building Control Section on 01633 656656 or email [building.control@newport.gov.uk](mailto:building.control@newport.gov.uk). For advice on obtaining relevant permissions from the Highway Authority, please contact [highway.planning@newport.gov.uk](mailto:highway.planning@newport.gov.uk)
3. Where there are conditions which require details to be approved prior to the commencement of development, failure to submit these details prior to commencement of development may result in the permission being invalidated.
4. The Local Planning Authority has a target to determine Discharge of Condition applications within 8 weeks of receipt of the details, and so you are advised to programme any work accordingly.
5. The plans have been assessed on the basis of the scale or dimensions stipulated and any statement of 'do not scale' (or similar) has been disregarded.
6. This decision relates to the following unconditioned plans & documents:
  - Drawing 10544-ECL-XX-XX-DR-C-0002 A - Existing Site Layout
  - Drawing 10544-ECL-XX-XX-DR-C-0005 A - Proposed AI Facility Sections through Site
  - Drawing 10544-ECL-XX-XX-DR-C-0006 P01 - Existing Building Elevations
  - Email from agent regarding water supply & flood resilience 30.01.2026
  - Email from agent regarding FCA & Flood Levels 04.02.2026
  - Supporting Planning Statement (November 2024)
  - Flood Consequences Assessment (November 2025)

- Habitat Regulations Assessment (HRA) Screening Report (November 2025)

7. The development plan for Newport is the Newport Local Development Plan 2011 - 2026 (Adopted January 2015). Policies:
- SP3 - Flood Risk
  - SP8 - Special Landscape Areas
  - SP9 - Conservation of the Natural, Historic & Built Environment
  - GP1 - Climate Change
  - GP5 - Natural Environment
  - GP6 - Quality of Design
- were relevant to the determination of this application.
8. 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.
9. It is considered that the decision has been made in conformity with the Marine Policy Statement (2011) and in accordance with marine national planning policy contained within the Welsh National Marine Plan (2019) as demonstrated in the assessment of this proposal.

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Signed on behalf of the Council



Newport City Council  
Regeneration and Economic Development  
Civic Centre  
Newport  
South Wales  
NP20 4UR

**Tracey Brooks Bsc Hons Dip TP MRTPI ILM**  
**Pennaeth Adfywio a Datblygu Economaidd / Head of Regeneration and Economic Development**  
**Cyngor Dinas Casnewydd / Newport City Council**

**Application Number: 25/0983**

**Decision Date: 26th March 2026**

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*IMPORTANT! PLEASE READ THE NOTES ON THE REVERSE OF THIS FORM*

# Notes for Applicants

## TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

### Appeals to the Welsh Government

- If you are aggrieved by the decision of your Local Planning Authority to refuse permission or grant it subject to conditions, then you can appeal to the Welsh Government under Section 78 of the Town and Country Planning Act (as amended).
- Appeals must be made within a prescribed time period that is dependent on the application type. These time periods along with further information on the appeals process are available here and should be checked immediately: [Planning appeals | Sub-topic | GOV.WALES](#)
- Appeals in respect of:
  - Householder and 'minor commercial' development must be received within 12 weeks from the date of the decision notice;
  - Advertisement consent applications must be received within 8 weeks from the date of the decision notice; and,
  - Other types of planning application must be received within 6 months from the date of the decision notice.

Appeal forms can be downloaded at Planning Casework ([gov.wales](http://gov.wales)) or are obtainable from Planning and Environment Decisions Wales, Crown Buildings, Cathays Park, Cardiff, CF10 3NQ, email [PEDW.Casework@gov.wales](mailto:PEDW.Casework@gov.wales)

- The Welsh Ministers can allow a longer period for giving notice of an appeal, but are not normally prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Welsh Ministers do not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by them.

### Purchase Notices

- If either the Local Planning Authority or the Welsh Government refuses permission to develop land or grants it subject to conditions, the owner may claim that he/she can neither put the land to a reasonable beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a Purchase Notice on the Council. This notice will require the Council to purchase his/her interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990 (as amended).