

Delegated Decision Report

Application No:	25/0640	Statutory Period Expires:	27th November 2025
------------------------	----------------	----------------------------------	---------------------------

Site:	<i>Land Adjacent To And South Of Matalan Newport Retail Park Spytty Road Newport South Wales</i>		
Proposal:	<i>PARTIAL DISCHARGE OF CONDITION 4 (CONTAMINATION) OF PLANNING PERMISSION 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</i>		
Applicant:	<i>M McCarry</i>		
Type:	Discharge Conditions	Ward:	Liswerry
Decision:	APPROVED		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 The site is a 0.90ha parcel of broadly rectangular land that is located within the Newport Retail Park District Centre and has been granted planning permission for vehicle hire/rental and associated building and works under planning permission 24/0969.

3. DESCRIPTION OF DEVELOPMENT

3.1 This application is seeking partial discharge of Condition 04 (Contamination) of planning permission 24/0969.

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
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 CONDITION S	30/04/2025

5. PLANNING POLICY

5.1 NONE.

6. CONSULTATION RESPONSES

6.1 Senior Scientific Officer: Final Response – No objection.

7. PUBLIC REPRESENTATIONS

7.1 None.

8. ASSESSMENT

8.1 Condition 04 (Contamination) states;

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.*

No part of the development hereby permitted shall be occupied until:

d) *Following remediation a Completion/Verification Report, confirming the remediation has being carried out in accordance with the approved details, shall be submitted to, and approved in writing by, the Local Planning Authority.*

e) *Any additional or unforeseen contamination encountered during the development shall be notified to the Local Planning Authority as soon as is practicable. Suitable revision of the remediation strategy shall be submitted to and approved in writing by the Local Planning Authority and the revised strategy shall be fully implemented prior to further works continuing.*

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.

- 8.2 A Site Investigation Report has been undertaken and submitted for consideration. On review, the Council's Senior Scientific Officer is satisfied that no remedial measures are required in respect of the proposed commercial use. They have no objections to the approval of the application, however, note that in the event of unexpected land contamination Part E still stands.

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 information submitted to partially discharge Condition 04 of planning permission 24/0969 is acceptable.

10.2 The application is approved.

11. DECISION

APPROVED

NOTE TO APPLICANT

01 This decision relates to plan Nos: Site Location Plan; Covering Letter; Report No. CCL03796.CU99 - Site Investigation Report (October 2024).

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). No policies were relevant to the determination of this application.

03 As consideration of this request did not raise significant additional environmental matters over and above those previously considered as part of the original application, it is considered that the proposals did not need to be screened under the Environmental Impact Assessment Regulations.