

Delegated Decision Report

Application No:	25/0438	Statutory Period Expires:	22 August 2025
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Site:	<i>Glan Llyn Development Site Queensway Llanwern Newport South Wales</i>		
Proposal:	PROPOSED SWALE AND GREENWAY ON LAND EAST OF PHASE 4C AND WEST OF PHASE 4E/4G		
Applicant:	<i>St Modwen Home Limited</i>		
Type:	Full	Ward:	Llanwern
Decision:	Granted & Conditions		

1. BACKGROUND

- 1.1 The application is for an area of public open space between housing Phases 4C and 4G on the Glan Llyn Regeneration site. In terms of the approved Eastern Sub Area Masterplan (ESAMP), the application is for a greenway between housing phases. The greenway will contain a drainage easement from the central lake immediately to the north. The ESAMP scribes Greenways as follows:

3.6 GREENWAYS

The green grid forms and defines the structure of the site.

Within some of the landscape corridors are broad greenways of open grass and groups of trees and shrub planting.

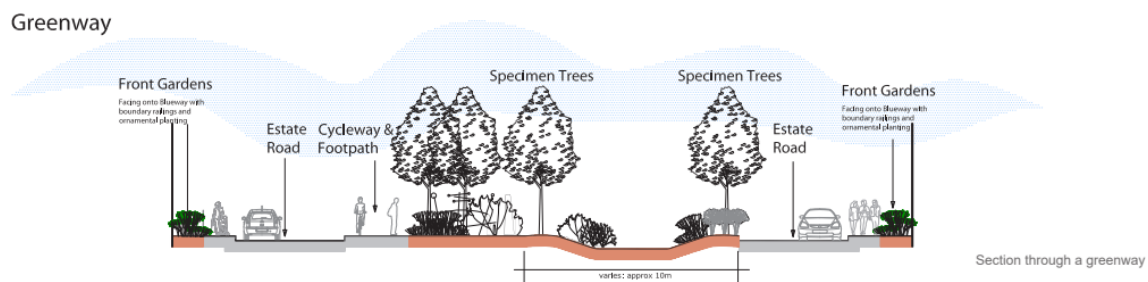
Footpaths and cycleways follow the reens which meander through the landscape corridors.

Housing and public buildings front the greenways and offer informal surveillance of the spaces. Play areas are often located on the edge of the greenways borrowing on the landscape setting and benefiting from a greater informal play space.

Planting will be in the main native species, however amenity parkland trees will be introduced to offer a variety of colour, texture and form throughout the seasons.

Paving will be low key self binding gravels or bitmacadam with a bonded gravel surface to create a rural character with the use of timber site furniture whether benches, seats, bins or sign posts.

The drainage function of the greenways is to act as a route for water to ensure that water is not allowed to flood any properties.



2. SITE LOCATION AND CONTEXT

- 2.1 The site area is 0.2Ha consisting of a strip measuring approximately 100m long by between 14m and 8.5m wide. The site is flat and is post-industrial land subject to engineering and remediation works. The scheme is to provide a vegetated swale.

3. DESCRIPTION OF DEVELOPMENT

- 3.1 See above.

4. RELEVANT SITE HISTORY

Ref.No.	Description	Decision & Date
06/0471	REDEVELOPMENT OF SITE TO CREATE A MIXED-USE URBAN EXTENSION	GC 01 April 2010
19/0650	PARTIAL DISCHARGE OF CONDITION 04 (EASTERN SUB AREA MASTERPLAN) OF PLANNING PERMISSION 06/0471 FOR GLAN LLYN DEVELOPMENT SITE	A 10 February 2020
21/0871	RESERVED MATTERS APPLICATION FOR CONSTRUCTION OF 'MAIN STREET'	AC 22 December 2021
21/0920	RESERVED MATTERS APPLICATION FOR INFRASTRUCTURE AND LANDSCAPING for the CENTRAL and EAST LAKES AND for the KINGS WALL REEN	AC 22 December 2021
23/0622	RESERVED MATTERS APPLICATION (ALL MATTERS) FOR A RESIDENTIAL DEVELOPMENT (PHASE 4C) CONSISTING OF 59NO DWELLINGS	Part Approved with Conditions and Part Refused 13 June 2024

5. PLANNING POLICY

- 5.1 NEWPORT LOCAL DEVELOPMENT PLAN (2011-2026)

SP1 – SUSTAINABILITY

SP18 – URBAN REGENERATION
GP2 – GENERAL AMENITY
GP6 – QUALITY OF DESIGN
CE3 – ENVIRONMENTAL SPACES & CORRIDORS

6. CONSULTATION RESPONSES

- 6.1 Scottish & Southern Electricity: Advise of equipment in the area and safe working practices.
- 6.2 HSE: No interest
- 6.3 Indigo Pipelines: Advise of equipment in the area and safe working practices.
- 6.4 National Grid Electricity Distribution: Advise of equipment in the area and safe working practices.
- 6.5 Wales & West Utilities: No assets affected.
- 6.6 Heneb: No objection.
- 6.7 NCC Scientific Officer: No comment.
- 6.8 NCC SAB: SAB approval is likely required and early engagement is encouraged.
- 6.9 NCC Trees: No objection.
- 6.10 NCC Landscaping: Advises adjustments to the planting scheme proposed.
- 6.12 NATURAL RESOURCES WALES: no response.

7. PUBLIC REPRESENTATIONS

Neighbour and Ward member notification letters were sent on 09 June 2025, a Site Notice dated 13 June 2025 was put up on 10 June 2025. No comments have been received.

8. ASSESSMENT

The Proposal

- 8.1 The proposal is to provide a vegetated swale measuring approximately 100m long by 10m wide between housing phases 4C and 4G.

Key Issues

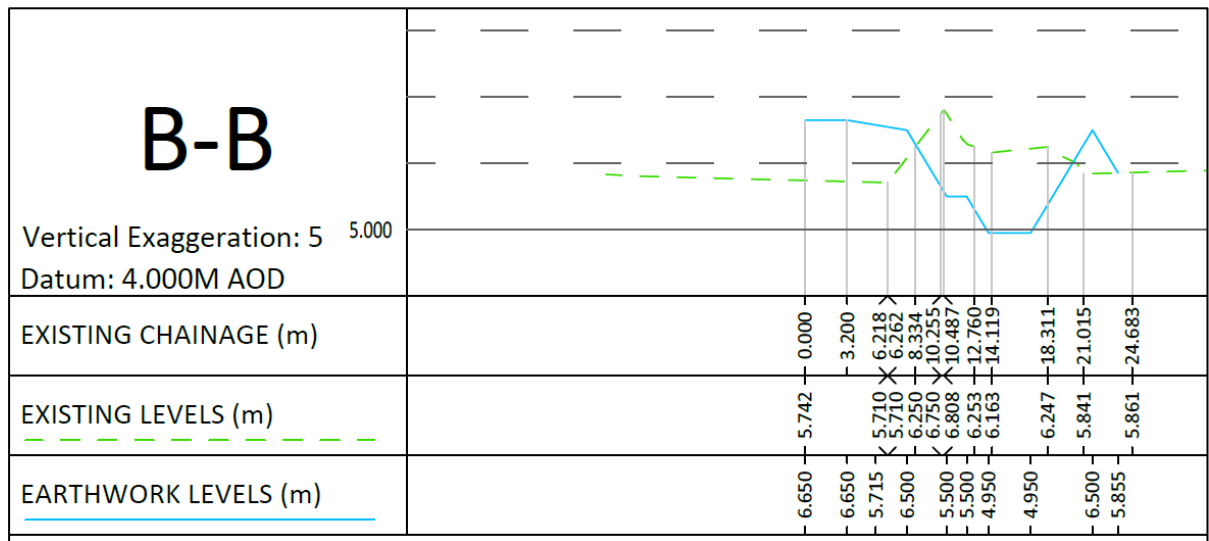
- 8.2 The key issues are:
 - Compliance with the approved Masterplanning principles
 - Public Realm utility

Planting Compliance with the approved Masterplanning principles & Utility of Public Realm

- 8.3 Although a standalone application, this submission relates to a development on the Glan Llyn Regeneration Site and is in effect pursuant to Outline permission 06/0471. A full application is currently required since the time limit for submitting Reserved Matters applications has elapsed and the variation of conditions application that would enable further submissions is delayed pending agreement over the required S106 provisions. This submission is clearly to allow necessary work to proceed on the site as soon as possible.
- 8.4 The Eastern sub-area Masterplan (ESAMP) was approved under 19/0650 and shows this application site as being delivered as 'blueway', that is an open water channel linked to the central lake. However the central lake RM approval reduced the length of this channel effectively meaning the more southerly length would be delivered as greenway with a surface water drainage easement beneath it that would carry surface water from the central southern part of the site to the central lake.
- 8.5 As such this application should be treated as a greenway for the purposes of masterplanning. The ESAMP advises on the form of greenways and that advice is shown at Paragraph 1.1 of this report. Greenways have been delivered as areas of Public Open Space in other parts of the development and the ESAMP emphasises their role in providing bio-diversity and amenity opportunities as well as contributing to surface water storage in the overall drainage strategy. The greenways are provided at a lower level than the surrounding housing phases in anticipation of them providing flood storage capacity in the event of a significant flood event.
- 8.6 It is increasingly clear that the adoption of SUDs¹ has seen pressure to accommodate additional SUDs infrastructure within the green grid at Glan Llyn, meaning that areas of POS are now being pressured to accommodate additional surface water attenuation. In essence this was always part of the role of these spaces i.e. in extreme events they would have filled up with water. However now they appear to be somewhat repurposed to accommodate water from more common rainfall events. In this case the greenway will be significantly engineered and will be more of a dry ditch than a gently sloped multipurpose space of wider use and function. Scope for informal recreation in this space will be very low to none which undermines the multipurpose element of the greenways that is promoted in the ESAMP. The drawing extract below, although heavily vertically exaggerated (x5), shows a cross-section of the proposed landform and gives an indication of gradient and usability.

¹ Schedule 3 of the Flood and Water Management Act 2010

Extract from Drawing R9128-PJA-24-SK-DR-C-0513 P02 – Swale Sections



- 8.7 The overall utility of the proposed space has been reduced by the extent of the engineering works proposed and it does not really function efficiently or flexibly as a greenway as envisaged in the approved ESAMP. That said under the approved ESAMP this area of the site was shown as a blueway fronted with structural planting and limited green infrastructure. It was initially envisaged as primarily a drainage corridor with limited greenspace; meaning that overall there is a broad compliance with the approved ESAMP under this proposal. However that would not have been the case had this been ~~approved-identified as a greenway in the ESAMP, since as a greenway~~ ~~which~~ would have needed to provide significant wider amenity function beyond the accommodation of surface water in extreme events. In short SUDs features should not erode the usability of amenity space in an unacceptable way and the developer should be aware of this going forward.



Red – Approximate Site Boundary

- 8.8 As approved Phase 4C will deliver a 3m combined cycleway and footway along the western edge of the swale and there will be some level of public access / view being achievable from the eastern edge of the application site as well, assuming Phase 4G is delivered approximately as currently submitted (25/0152/RM):



Purple – cycleway / footway
 Orange – footway / adopted highway frontage
 Green - site

- 8.9 On this occasion there is general conformity with the ESAMP but the developer should note that the erosion of public utility in greenways to a harmful extent will be unacceptable in terms of the approved ESAMP and wider amenity considerations.

Planting

- 8.10 In terms of planting, the slopes will be grassed with the base of the ditch being planted in a grass mix more suitable for wet areas. Limited tree planting is proposed outside of the areas subject to periodic flooding. The proposed planting has been varied following comments from the Landscaping Officer and her concerns are now fully addressed. The proposed planting is acceptable and Policy GP5vi (Landscaping) is complied with.

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 swale is broadly compliant with the approved Eastern Sub-Area Masterplan for the Glan Llyn Regeneration site notwithstanding concerns over the loss of potential utility of the development area as Public Open Space. Policies GP2 and GP5 are complied with.

11. DECISION

Granted with Conditions

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

- Drawing 1562A9-LLA-ZZ-00-DR-L-0501 P03 - Detailed Planting Proposals Swale Land
- Drawing R9128-PJA-24-XX-DR-C-0901 P1 - 4C/4G Swale Land Boundary Plan
- Drawing R9128-PJA-24-00-DR-C-0902 A1 - 4C/4G Swale Location Plan
- Drawing R9128-PJA-24-SK-DR-C-0513 P2 - Swale Sections

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

General conditions

02 Timing of Completion: The swale shall be completed (including planting) and available to receive drainage from Phase 4C prior to the completion of the 29th dwelling within that phase.

Reason: the swale is required to receive run-off from the highway area of Development Parcel 4C (FCA page 6) and needs to be vegetated to function effectively and to provide appropriate levels of visual amenity and enhanced biodiversity. Policies SP3, SP4, GP1, GP2 & GP5.

03 Planting Maintenance: The approved planting scheme shall be maintained for a period of 5 years from the date of planting and any plants which die or are damaged shall be replaced and maintained until satisfactorily established.

Reason: To secure the establishment of planting on the site in the interests of visual amenity and biodiversity. Policies GP2 & GP5.

04 Means of Enclosure: No means of enclosure shall be constructed on the site unless the details of the placement, height, design and materials of that means of enclosure have been submitted to and agreed in writing by the LPA.

Reason: to reduce the risk of public access and in the interests of public safety. Policy GP7.

NOTE TO APPLICANT

01 This decision relates to the following unconditioned plans & documents:

- Flood Consequences Assessment (27.06.2025)
- Green Infrastructure Statement (May 2025)
- Covering Letter 30.05.2025

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies SP1, SP3, SP4, GP1, GP2, GP5 & CE3 were relevant to the determination of this application.

03 Due to the minor nature of the proposed development (including any demolition) and the location of the proposed development, it is considered that the proposals did not need to be screened under the Environmental Impact Assessment Regulations.

04 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.

05 The applicant is reminded that greenways on Glan Llyn are multi-purpose spaces that should provide usable public open space and it does not follow that these spaces can be entirely given over to drainage functions to the unacceptable detriment of other expected aspects of their delivery.