

Delegated Decision Report

Application No:	26/0272	Statutory Period Expires:	19th June 2026
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Site:	1-5 Malpas Road Newport NP20 5PA		
Proposal:	PARTIAL DISCHARGE OF CONDITION 2 (LANDSCAPING) (PART B) OF 23/0138 PROVISION OF ADDITIONAL ELECTRIC VEHICLE CHARGING BAYS AND ASSOCIATED WORKS		
Applicant:	Shell UK Oil Products Limited		
Type:	Discharge Conditions	Ward:	Shaftesbury
Decision:	APPROVED		

1. BACKGROUND

- 1.1 Planning permission for the provision of additional electric vehicle charging bays and associated works was granted with conditions in June 2023 under application ref.23/0138.

2. SITE LOCATION AND CONTEXT

- 2.1 The site is approximately 0.04ha in size and comprises of covered petrol forecourt with associated shop and external area. It is located to the west of Malpas Road within the district centre and benefits from a separate vehicular access and exit point. To the south and west of the site is the Monmouthshire Brecon Canal set behind a large wall and to the north is Goodrich Lane, which comprises of access points to the rear of commercial and residential properties along Malpas Road.

3. DESCRIPTION OF DEVELOPMENT

- 3.1 A partial discharge of Condition 2 (Part B) of application ref.23/0138 is proposed.

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
24/0291	PARTIAL DISCHARGE OF CONDITION 2 (LANDSCAPING) (PART A) OF 23/0138 PROVISION OF ADDITIONAL ELECTRIC VEHICLE CHARGING BAYS AND ASSOCIATED WORKS	APPROVED	29.05.2024
23/0138	PROVISION OF ADDITIONAL ELECTRIC VEHICLE CHARGING BAYS AND ASSOCIATED WORKS	GRANTED WITH CONDITIONS	30.06.2023
22/0744	PROPOSAL FOR THE PROVISION OF AN ELECTRIC VEHICLE CHARGE POINT HUB AND ASSOCIATED WORKS (PART RETROSPECTIVE)	GRANTED WITH CONDITIONS	21.12.2022

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.

5.3 NEWPORT LOCAL DEVELOPMENT PLAN (2011-2026)

- GENERAL DEVELOPMENT PRINCIPLES - GP2 (GENERAL AMENITY)
- GENERAL DEVELOPMENT PRINCIPLES - GP5 (NATURAL ENVIRONMENT)

6. CONSULTATION RESPONSES

6.1 LANDSCAPE OFFICER (FINAL)

No objection

The covering letter incorporating a photo of healthy trees dated 8 April 2026 has now been submitted. This meets Condition 2 (Landscaping) (Part b).

7. PUBLIC REPRESENTATIONS

N/A

8. ASSESSMENT

8.1 Condition 02 of application ref.23/0138 reads:

“The proposed soft landscaping/tree planting for the site hereby approved shall be carried out in its entirety by a date not later than the end of the full planting season following substantial completion. Thereafter the trees, grasses and shrubs 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. The monitoring and remediation of the landscape mitigation planting during the 5 years establishment phase is to be confirmed by:

- a) A short report with photo evidence by the landscape consultant to be submitted to Newport City Council immediately following the completion of the landscape scheme and showing the site before and after planting, seeding, fencing has been undertaken, and to confirm this is all in line with the approved documents e.g. plant species, plant size, planting operations etc; and*
- b) A short annual report with photo evidence by the landscape consultant to Newport City Council submitted by 31st December for each year of the five-year establishment period summarising any issues with planting or seeding, any replacement planting required and the timetable for replacements.*

For the purpose of this condition, the planting season shall mean the period of October to March.

Reason: *To secure the satisfactory implementation and maintenance of the soft landscape scheme in the interests of visual amenity having regard to policies GP2 and GP5 of the adopted Newport Local Development Plan 2011-2026 (adopted January 2015).”*

8.2 This application relates solely to Part b of Condition 2, as Part a has been formally discharged following the Council’s decision notice dated 2 May 2024 under application ref. 24/0291. Part a) of Condition 2 related specifically to the newly planted trees at Shell Newport and confirmed that they have been inspected to ensure that they meet the specifications as detailed in the approved landscaping drawing SY23-361-LPP-23-01 as

required by condition 2 Part a).

- 8.3 Condition 2 (Part b) requires ongoing annual monitoring of the trees that have been planted, for the next five years. In accordance with the requirements of the condition, photographic evidence has been provided to demonstrate that the trees remain in good condition and that no replacement planting is necessary at this time. Photographic evidence of the trees has been provided as part of this submission.
- 8.4 The covering letter incorporates a photo of healthy trees dated 8 April 2026. The Council's Landscape Officer has reviewed the details provided and has not raised an objection.
- 8.5 The details provided are sufficient to meet the requirements of Condition 2 insofar as they relate to the submission of a short annual report with photo evidence for the 2026 calendar year but the remaining 4no years of the establishment period must be adhered to.

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 details provided are sufficient to meet the requirements of Part B of Condition 2 insofar as they relate to the submission of a short annual report with photo evidence for the 2026 calendar year but the remaining 4no years of the establishment period must be adhered to.

11. DECISION

APPROVED

NOTE TO APPLICANT

01 This decision relates to plan Nos: EVC - PLNG 100 (A) - Site Location Plan, Covering Letter.

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies GP2 and GP5 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.