

Delegated Decision Report

Application No:	26/0215	Statutory Period Expires:	14th May 2026
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Site:	<i>Land To the East and Adjacent to Telford Street Depot Telford Street Newport South Wales</i>		
Proposal:	<i>PARTIAL DISCHARGE OF CONDITION 23 (VERIFICATION REPORT FOR PLOTS 7-14 ONLY)) OF PLANNING PERMISSION 20/1138 PROPOSED CONSTRUCTION OF 54NO. RESIDENTIAL UNITS, ACCESS, STOPPING UP OF HIGHWAY, ENGINEERING OPERATIONS, LANDSCAPING, DRAINAGE AND ASSOCIATED WORKS</i>		
Applicant:	<i>Pobl Group</i>		
Type:	Discharge Conditions	Ward:	Liswerry
Decision:	APPROVED		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 The site is at an advanced stage of construction pursuant to a full planning application being granted for residential development adjacent to the existing residential estate known as Loftus Garden Village. The units comprise 14 flats and 40 houses with 8 houses backing onto Phoenix Park. The site is 1.89 hectares and was previously part of a larger industrial area. The modern Phoenix Park employment site abuts the eastern boundary, Loftus Garden Village to the south and a public right of way and Telford Depot (a housing allocation H1(63) to the west.

3. DESCRIPTION OF DEVELOPMENT

3.1 This application seeks to partially discharge condition 23 (Verification Report) of planning permission 20/1138 in relation to plots 7 to 14 only.

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
20/1138	PROPOSED CONSTRUCTION OF 54NO. RESIDENTIAL UNITS, ACCESS, STOPPING UP OF HIGHWAY, ENGINEERING OPERATIONS, LANDSCAPING, DRAINAGE AND ASSOCIATED WORKS	GRANTED WITH CONDITIONS	01/12/2021

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.

6. CONSULTATION RESPONSES

- 6.1 Natural Resources Wales: We have reviewed the following information submitted in support of the application: - Letter report dated 11 March 2026 from Integral Geotechnique (Wales) Limited to JG Hale Construction Limited. Re: Phase 2, Former Pirelli Cable Works, Newport – Loftus Gardens Development – Validation of Imported Clean Soil Cover for Plots 7 to 14 Garden and Landscape Areas. This condition is mainly a human health issue for the local authority. However, we note the imported soil to site has low levels of residual contamination and unlikely to be a risk to controlled waters. Therefore, we have no objection to the partial discharge of Condition 23 (Verification Report) of planning permission 20/1138 for the set plots.
- 6.2 Scientific Officer: I have looked at the validation report in respect of the above application and am supportive of discharge of condition as it relates to Plots 7-14.

7. PUBLIC REPRESENTATIONS

None.

8. ASSESSMENT

- 8.1 Condition 23 states;

Prior to the occupation of the development a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include a long-term monitoring and maintenance plan for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be carried out in accordance with the approved details.

Reason: To ensure the methods identified in the verification plan have been implemented and completed and the risk associated with the contamination at the site has been remediated prior to occupation or operation, to prevent both future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

- 8.2 A validation report has been submitted with the application. The report concludes that 'the required remediation works to the soft finished areas within plots 7 to 14 of the development have been established in accordance with the requirements of the Outline Site Investigation Report produced for the site.'
- 8.3 The Council's Scientific Officer was consulted on the application and advised that they are supportive of the discharge of the condition as it relates to plots 7-14.
- 8.4 Natural Resources Wales were also consulted on the application and note that whilst it is mainly a human health matter for the local authority, the report indicates that the imported soil to site has low levels of residual contamination and unlikely to be a risk to controlled waters. They therefore offer no objection to the partial discharge of the condition.
- 8.5 It is therefore considered that sufficient information has been provided to partially discharge condition 23 in relation to plots 7-14 only.

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 are acceptable and it is recommended that condition 23 is partially discharged in relation to plots 7-14 only.

11. DECISION

APPROVED

NOTE TO APPLICANT

01 This decision relates to plan Nos: Cover Letter, Site Location Plan and Letter report dated 11 March 2026 from Integral Geotechnique (Wales) Re: Phase 2, Former Pirelli Cable Works, Newport – Loftus Gardens Development – Validation of Imported Clean Soil Cover for Plots 7 to 14 Garden and Landscape Areas.

02 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.