

# Notice of Decision



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**TOWN AND COUNTRY PLANNING ACT 1990 [as amended]  
ENVIRONMENT (WALES) ACT 2016  
THE HEDGEROW REGULATIONS 1997**

Application No: **26/0191**

Application Type: **Outline (Minor)**

Proposal: **OUTLINE PLANNING APPLICATION FOR THE CREATION OF A SECURE COMPOUND AND THE INSTALLATION OF EXTERNAL PLANT AND EQUIPMENT TO CREATE A MODULAR DATA CENTRE TOGETHER WITH ASSOCIATED EQUIPMENT AND STRUCTURES, ENGINEERING OPERATIONS, STAFF ACCOMMODATION AND ASSOCIATED WORKS**

Site/Location: **Liberty Steel, Corporation Road, Newport, NP19 4XE**

Decision Date: **31st July 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 19th March 2026. The application has been:

## Granted with Conditions

### *STANDARD CONDITIONS*

(a) The matters set out in the conditions below are reserved for the submission and approval of details.

(b) In the case of any reserved matter, application for approval must be made not later than the expiration of **THREE YEARS** beginning with the date of this permission.

**Reason:** The application is in outline only and the further details are required to ensure that a satisfactory form of development takes place.

(c) No development shall be carried out until details of the reserved matters have been approved, and the development shall be carried out in accordance with these approved details.

**Reason:** The application has been submitted in outline only. Further details are required to ensure that a satisfactory form of development takes place.

(d) The development to which this permission relates must be begun not later than whichever is the later of the following dates:

(i) the expiration of **FIVE YEARS** from the date of this permission; or

(ii) the expiration of **TWO YEARS** from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

**Reason:** To conform to the requirements of Sections 91 and 92 of the Town & Country Planning Act 1990.

## ADDITIONAL CONDITIONS

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

- Drawing VLS-FEA-S1-XX-DP-A-0002 P4 - Site Location Plan

**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 & Decontamination Conditions

2. Reserved Matters: Applications for the approval of the details of appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development and the development shall thereafter be carried out as approved.

**Reason:** The application, in outline form, does not give sufficient detail for consideration of these matters at this time.

3. Decontamination: No development, of land known to be / suspected of contamination, shall commence until the following components of a scheme to deal with the risks associated with contamination at the site, has been submitted to and approved in writing by the Local Planning Authority.

(1) A preliminary risk assessment which has identified:

- i. all previous uses
- ii. potential contaminants associated with those uses
- iii. a conceptual model of the site indicating sources, pathways and receptors
- iv. potentially unacceptable risks arising from contamination at the site;

(2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site;

(3) The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken;

(4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The remediation strategy and its relevant components shall be carried out in accordance with the approved details.

**Reason:** To ensure the risks associated with contamination at the site have been fully considered prior to commencement of development as controlled waters are of high environmental sensitivity; and where necessary remediation measures and long-term monitoring are implemented to prevent unacceptable risks from contamination. Policies SP1, SP9, GP5 & GP7.

4. Decontamination Verification Report: 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. Policies SP1, SP9, GP5 & GP7.

5. Long term monitoring plan: Prior to the operation of the development a long-term monitoring plan for land contamination shall be submitted and approved in writing by the Local Planning Authority.

The long-term monitoring plan should include:

- i. Details of the methods and triggers for action to be undertaken;
- ii. Timescales for the long-term monitoring and curtailment mechanisms e.g. a scheme of monitoring for 3 years unless the monitoring reports indicate that subsequent monitoring is or is not required;
- iii. Timescales for submission of monitoring reports to the LPA e.g. annually;
- iv. Details of any necessary contingency and remedial actions and timescales for actions;
- v. Details confirming that the contingency and remedial actions have been carried out.

The monitoring plan shall be carried out in accordance with the approved details, within the agreed timescales.

**Reason:** A long-term monitoring plan should be submitted prior to occupation or operation, to ensure necessary monitoring measures are approved to manage any potential adverse impacts as a result of development on controlled waters. Policies SP1, SP9, GP5 & GP7.

6. Unsuspected contamination: If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out in the area affected by that unsuspected contamination until a remediation strategy detailing how this unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be carried out as approved.

**Reason:** To ensure the risks associated with previously unsuspected contamination at the site are dealt with through a remediation strategy, to minimise the risk to the water environment, and to ensure that the development can be carried out safely without unacceptable risks. Policies SP1, SP9, GP5 & GP7.

7. Piling/foundation design: Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater.

**Reason:** There is an increased potential for pollution of controlled waters from inappropriate methods of piling. Policies SP1, SP9, GP5 & GP7.

8. Infiltration of surface water: No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

**Reason:** To prevent pollution to the water environment. Policies SP1, SP9, GP5 & GP7.

9. CEMP: No development, including site clearance / demolition shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP should include:

- Identification of structures to be demolished and the methodology to demolish them.
- Details of site construction drainage, run-off containment areas and pre-discharge treatment, details of buffer zones between working areas / storage areas (of spoil, oils, fuels, concrete mixing and washing areas) and any watercourse or surface drain and how contamination will be prevented from entering surface waters either directly or indirectly.
- Details of the locations of site offices, welfare facilities, stores of materials, soils, spoil or waste including maximum dimensions including height.
- Details of site enclosure and temporary construction lighting and how light spill will be minimised.
- Details of the location of any semi-permanent plant on site including cement silos and crane pads, including maximum heights.
- Control of nuisances: details of restrictions to be applied during construction including timing, duration and frequency of works; details of measures to minimise noise and vibration from piling activities, for example acoustic / visual barriers and details of dust control measures;
- Resource management: details of fuel and chemical storage and containment in the event of spills or leaks; details of waste generation and its management demonstrating how relevant Guidelines for Pollution Prevention and best practice will be implemented, to include details of emergency spill procedures and an incident response plan.
- Traffic management: details of site deliveries, wheel wash facilities and contractor parking arrangements.
- Details of the persons and bodies responsible for activities associated with the CEMP and emergency contact details
- Ecological clerk of works to ensure construction compliance with approved plans and environmental regulations.

The CEMP shall be implemented as approved during the site preparation and construction phases of the development.

**Reason:** the wider site has significant ecological interest in terms of habitats and species, including species associated with the River Usk SAC, the Severn Estuary SAC and the Severn Estuary SPA and is hydrologically connected to the River Usk SAC. Policies SP1, SP4, SP9, GP5 & GP7.

### Pre-construction Conditions

10. Foul & Surface Water Drainage: No foul and surface water drainage, including any proposed attenuation shall be constructed until such a time as details of that drainage has been submitted to and approved in writing by the Local Planning Authority. The drainage shall be installed as approved prior to the first beneficial use of the site and retained thereafter for the lifetime of the development.

**Reason:** to control run-off and water quality in the interest of the wider environment including the hydrologically connected River Usk SAC. Policies SP1, SP4, SP9, GP2, GP5 & GP7.

11. Boundary Treatments: Prior to the construction of any boundary treatments details of their siting, design and appearance shall be submitted to and approved in writing by the Local Planning Authority. No boundary treatments shall be installed that have not been approved by the Local Planning Authority.

**Reason:** to protect visual amenity, secure good design and to protect the ecological interests of the wider site. Policies GP2, GP5 & GP6.

12. Cooling System: No cooling system shall be installed until details of that cooling system have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall show the minimisation of the use of potable water. Only the approved cooling system shall be installed thereafter and no other.

**Reason:** it has not been demonstrated that a cooling system using large quantities of potable water could be supported by local infrastructure and Dwr Cymru / Welsh Water would object to such a system. Policies SP1, SP4, GP2 & GP3.

13. Ecological Compensation & Net Benefit for Biodiversity: No construction shall commence until such a time as details of an Ecological Compensation and Enhancement Plan have been submitted to and approved in writing by the Local Planning Authority. The scheme shall:

- a. Clearly identify the compensation / mitigation area, planting, wider ecological works and management strategies proposed in relation to identified habitats and species.
- b. Set or establish pre-development baselines for that planting, ecological work & management and establish a monitoring regime going forward.
- c. Set clear and measurable targets for the planting, ecological works & management proposed (informed by baselines established under b.) including timescales that are:
  - Short term - 5 years and less
  - Medium term - 6 to 10 years
  - Long term - 11 years and more
- d. Establish a reporting regime for those ecological targets (identified species and habitats) with reports to be submitted to the Local Planning Authority in writing in accordance with an approved timetable.
- e. Where reporting establishes failure to reach or maintain stated ecological targets, or the Local Planning Authority refuses to approve the conclusions of any submitted Monitoring Report, contingency measures in the form of a fully revised Ecological Compensation and Enhancement Plan (including measures such as further planting or ecological works or revised management) is to be submitted as a fully amended document to the Local Planning Authority. Following the written agreement of the Local Planning Authority the revised Ecological Compensation and Enhancement Plan shall be implemented fully as approved. Any approved revisions shall be subject to the same monitoring and target setting as the original scheme unless the Local Planning Authority agrees to any revised monitoring and target setting that arises from the monitoring, reporting & contingency regime.

The scheme shall be implemented fully as agreed (including any further approved revisions) for the lifetime of the development.

**Reason:** to secure enhanced green infrastructure, mitigation for adverse impacts on species & habitats and net-benefit for bio-diversity on the site over the lifetime of the development. Policies SP1, GP2, GP5 & GP6 and PPW12.

14. Access Road: Prior to the construction of the access road, full details of that road including details of the width of the road, surface finish and height above existing ground level and means of drainage, shall be submitted to and approved in writing by the Local Planning Authority. The access road shall thereafter be provided prior to construction works on the compound and data centre hereby permitted.

**Reason:** to ensure a safe and suitable access is provided to the site. Policy GP4.

#### Other Conditions requiring Information

15. Lighting control: No external lighting shall be installed on the site which has not been first approved in writing by the Local Planning Authority. Any submitted scheme shall demonstrate that lighting is the minimum required and that there will be no significant light spill beyond the site boundary.

**Reason:** to prevent light spill to ecologically sensitive areas beyond the site boundaries and to reduce general light pollution in the interests of wider amenity and the rural character of adjacent land. Policies SP1, SP5, SP9, GP2, GP5 and GP7.

16. Environmental Noise Assessment: no plant shall be installed on the site until an Environmental Noise Assessment has been undertaken for the proposed equipment demonstrating that plant noise will not exceed pre-existing background levels by more than 3dB. If mitigation is required to achieve this, it shall be installed prior to operation and be retained and maintained as such for the lifetime of the development.

**Reason:** to prevent noise adversely impacting ecologically sensitive areas beyond the site boundaries. Policies SP1, SP5, SP9, GP2, GP5 and GP7.

#### NOTE TO APPLICANT

1. This decision notice is issued in respect of Planning Permission only and does not convey any decision which may be required under any other legislation or provisions, such as the Building Regulations.
2. 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.
3. This decision relates to the following plan & documents:
  - Appendix 3 - Habitat Regulations Assessment (HRA) Screening Report
  - Liberty Steel Site - Modular Data Centre: Flood Consequence Assessment (March 2026)
  - Preliminary Ecological Appraisal (06.03.2026)
  - Proposed Modular AI Centre - Supporting Planning Statement (March 2026)
  - Design & Access Statement (March 2026)
  - Drawing VLS-FEA-S1-XX-DP-A-1201 P2 - Proposed Site Plan
  - Drawing VAH-FEA-S1-XX-DP-A-1202 P1 - Security Office, Modules & Fence
  - Drawing VAH-FEA-S1-00-DD-A-6903 P1 - Power Module Unit
  - Drawing VAH-FEA-S1-00-DD-A-6902 P1 - Data Module Unit
  - Drawing VLS-FEA-S1-XX-DP-A-1100 P2 - Existing Site Plan
  - Drawing VWC-FEA-S1-XX-DD-A-6900 P1 - Assembly Detail Perimeter Fence

- Drawing GB3-05289-25052-007E 0 - CHILLER DETAIL
  - Drawing GB3-05289-25052-007F 0 - DRY COOLER DETAIL
  - Drawing GB3-05289-25052-007G 0 - LCS PUMP SKID DETAIL
  - Drawing GB3-05289-25052-007H 0 - ACS PUMP SKID DETAIL
  - Drawing GB3-05289-25052-007J 0 - BUFFER VESSEL DETAIL SINGLE LINE DIAGRAM
4. The development plan for Newport is the Newport Local Development Plan 2011 - 2026 (Adopted January 2015). Policies SP1, SP9, SP18, GP1, GP2, GP5 & GP6 were relevant to the determination of this application.
  5. 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.
  6. 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.
  7. The maximum and minimum building dimensions required under Article 3 (4) of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 as amended have been taken from the submitted indicative drawings. See Note 3.

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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: 26/0191**

**Decision Date: 31st July 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).