

Delegated Decision Report

Application No:	25/0638	Statutory Period Expires:	16th January 2026
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Site:	<i>Land Adjacent To And South Of Matalan Newport Retail Park Spytty Road Newport South Wales</i>		
Proposal:	<i>PARTIAL DISCHARGE OF CONDITION 2 (CEMP) 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 02 (Construction Environmental Management Plan) of planning permission 24/0969. The condition was recommended by Environmental Health and Highways Officers.

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 CONDITIONS	30.04.2025
25/0639	PARTIAL DISCHARGE OF CONDITION 3 (WRITTEN SCHEME OF HISTORIC ENVIRONMENT MITIGATION) 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	APPROVED	12.11.2025

5. PLANNING POLICY

5.1 N/A

6. CONSULTATION RESPONSES

6.1 HIGHWAYS OFFICER
No objection

6.2 ENVIRONMENTAL HEALTH OFFICER

No response received to date.

7. PUBLIC REPRESENTATIONS

N/A

8. ASSESSMENT

8.1 Condition 02 (Construction Environment Management Plan) of 24/0969 states that:

"Prior to the commencement of development, to include any demolition, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall identify the steps and procedures that will be implemented to minimise the creation and impact of noise, air quality, vibration, dust** and waste disposal resulting from the site preparation, groundwork and construction phase of the development. The CEMP shall also provide details of construction traffic management including vehicle types, numbers, routes (avoiding non M4 air quality management areas) and timings (having regard to the function of the Newport Retail Park District Centre) as well as details of contractor compound/parking.*

The approved Construction Environmental Management Plan shall be adhered to at all times, unless otherwise first agreed in writing with the Local Planning Authority.

** The Institute of Air Quality Management <http://iaqm.co.uk/guidance/>*

*** The applicant should have regard to BRE guide 'Control of Dust from Construction and Demolition, February 2003*

Reason: In the interests of protecting the local environment and matters of highway safety during the construction phase and to protect the retail function, vibrancy and vitality of the District Centre in accordance with Policy GP2, GP4, GP7 and R6 of the NLDP 2011-2026 (adopted January 2015)."

8.2 A revised CEMP has been submitted in response to the initial comments received by the Council's Highways Officer, and this has now been confirmed as acceptable. No response has been received from Environmental Health Officers. The condition was recommended as part of the primary permission to safeguard the amenity of nearby occupants/users. Nearest users are commercial, but there is residential properties adjacent to Newport Retail Park to the east. Hours of work are provided in the CEMP albeit these were not requested by the LPA. They confirm daytime construction hours. The CEMP details protocols for noise, light and odour controls along with waste management and vibration monitoring. This accords with the details specified in the condition. The details are sufficient to partially discharge the condition in so far as the submission of a submission of a CEMP but remains to 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 information submitted to partially discharge Condition 02 is acceptable. In so far as it relates to the submission of a CEMP.

11. **DECISION**

APPROVED

NOTE TO APPLICANT

01 This decision relates to plan Nos: Construction Environmental Management Plan REV F, Covering Letter, Site Location Plan.

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 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.