

Delegated Decision Report

Application No:	25/0520	Statutory Period Expires:	4th November 2025
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Site:	<i>Land Adjacent To Electric Substation Celtic Way Celtic Lakes Newport South Wales</i>		
Proposal:	<i>THE CONSTRUCTION AND OPERATION OF A 132KV GIS SUBSTATION, INCLUDING SUBSTATION BUILDING, ASSOCIATED INFRASTRUCTURE AND WORKS</i>		
Applicant:	<i>SSE Energy Solutions</i>		
Type:	Full	Ward:	Tredegar Park And Marshfield
Decision:	GRANTED WITH CONDITIONS SUBJECT TO SIGNING OF THE LEGAL AGREEMENT WITH DELEGATED POWERS AND DISCRETION TO REFUSE IN THE EVENT THAT THE AGREEMENT IS NOT SIGNED WITHIN THREE MONTHS OF THE COUNCIL'S RESOLUTION TO GRANT PLANNING PERMISSION		

1. BACKGROUND

- 1.1 Within the locality of the application site, consent was granted under application 97/0086 for the proposed construction of Dyffryn 132/11 kv substation Dyffryn Lane. Furthermore, consent was granted under application 97/0436 for the erection of a 400/33/11 kv electricity substation and junction tower.
- 1.2 To the North of the site, under application, 23/0878, PROPOSED ELECTRICITY SUBSTATION COMPOUND (132/33/11KV), INCLUDING A SWITCH-ROOM BUILDING AND OUTDOOR ELECTRICAL EQUIPMENT, ENCLOSED BY A SECURITY FENCE, WITH ASSOCIATED INFRASTRUCTURE INCLUDING ACCESS, LANDSCAPING, DRAINAGE AND EARTHWORKS was granted.

2. SITE LOCATION AND CONTEXT

- 2.1 The application site is located to the south of Imperial Park, east of the Quinn Radiator site. The site would be accessed via an existing road that leads to the existing substation.
- 2.2 The Site measures approximately 0.66 hectares ('ha') and is predominantly comprised of brownfield land, located to the east of Dyffryn Lane and to the north of Percoed Reen and Green Lane. It is adjoined to the east by the existing National Grid 400kV substation.
- 2.3 The site is within the defined settlement boundary and within an area allocated as Employment Land as shown on the proposals map that accompanies the Newport City Council Local Development Plan (LDP). The wider area has an industrial/commercial character with large buildings used for commercial purposes occupying large plots.
- 2.3 The proposed substation and section of access track lies within Gwent Levels St Brides SSSI.

3. DESCRIPTION OF DEVELOPMENT

- 3.1 The application seeks the construction and operation of a 132kV GIS substation, including substation building, associated infrastructure and works. The substation would provide reinforcement to network capacity for high demand commercial operators in the locality, including those located to the northwest of the Site off Dyffryn Lane. The large majority of the Site has been proposed on existing hardstanding adjacent to the existing Imperial Park Substation.
- 3.2 The GIS building's measurements in totality, including stairs, would be:
Height: 18.9m
Width: 16.8m (11m not including external stairs).
Depth: 27.7m (24.7m not including external stairs).
- 3.3 The unit would appear predominantly in red brick, with a profiled metal pitched roof.

4. RELEVANT SITE HISTORY

App number	Proposal	Decision	Decision Date
25/1071	INSTALLATION OF AN UNDERGROUND CABLE CONNECTION FROM 132KV SUBSTATION TO A DATA CENTRE	GCS106	06.05.2026
24/0719	CONSTRUCTION OF A SINGLE STOREY ELECTRICITY SUBSTATION	GC	12/12/2024
23/0878	PROPOSED ELECTRICITY SUBSTATION COMPOUND (132/33/11KV), INCLUDING A SWITCH-ROOM BUILDING AND OUTDOOR ELECTRICAL EQUIPMENT, ENCLOSED BY A SECURITY FENCE, WITH ASSOCIATED INFRASTRUCTURE INCLUDING ACCESS, LANDSCAPING, DRAINAGE AND EARTHWORKS	GC	31.01.2024
13/0198	REQUEST FOR SCREENING OPINION FOR FLOOD DEFENCE WORKS	ENVSNR	03/05/2013
97/0356	CONSTRUCTION OF PRESS AND MOULD OFFICE WELFARE FACILITIES AND GATEHOUSES AS PART OF THE LG ELECTRONICS MANUFACTURING DEVELOPMENT (RESERVED MATTERS APPLICATION RELATING TO PREVIOUS PLANNING PERMISSION 96/0663/OE)	AC	26/06/1997
97/0280	ERECTION OF A 400/33/11 KV ELECTRICITY SUBSTATION AND JUNCTION TOWER	GC	23/04/1997
97/0220	VARIATION OF CONDITION 023 RELATING TO PLANNING PERMISSION 96/0663/OE TO EXTEND THE HOURS OF OPERATION	GC	24/09/1997
96/0663	CONSTRUCTION OF AN INTEGRATED PLANT FOR THE MANUFACTURE OF TELEVISION MONITORS COLOUR PICTURE AND COLOUR DISPLAY TUBES OTHER ELECTRONICS EQUIPMENT (LG ELECTRONICS INC.) A WAFER FABRICATION AND ASSEMBLY PLANT (LGSEMICON CO LTD) INCLUDING ANCILLARY	GC	24/09/1996

	BUILDINGS AND USES AND ASSOCIATED BUILDINGS, ENGINEERING AND OTHER OPERATIONS AND LANDSCAPING (CLASS B2 OF THE TOWN & COUNTRY PLANNING (USE CLASSES) ORDER 1987) (INVOLVING THE DIVERSION OF PUBLIC FOOTPATHS 7 AND 8 AND THE STOPPING UP OF PUBLIC HIGHWAYS CELTIC WAY AND DYFFRYN LANE)		
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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

Policy 33 – National Growth Area – Cardiff, Newport and the Valleys

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.

5.7.8 An effective electricity grid network is required to fulfil the Welsh Government's renewable and low carbon ambitions. An integrated approach should be adopted towards planning for energy developments and additional electricity grid network infrastructure. In certain circumstances, additional electricity grid network infrastructure will be needed to support the Pre-Assessed Areas in Future Wales, but also new energy generating developments more generally.

5.3 Technical Advice Notes

Technical advice note (TAN) 5: nature conservation and planning

Technical advice note (TAN) 11: noise

Technical advice note (TAN) 12: design

Technical advice note (TAN) 15: development, flooding and coastal erosion

Technical advice note (TAN) 23: economic development

5.4 **NEWPORT LOCAL DEVELOPMENT PLAN (2011-2026)**

Polices: SP1, SP17, CE6, EM1, GP2, GP4, GP5, GP6 and GP7.

Objectives

Objective 1 – Sustainable Use of Land

Objective 3 – Economic Growth

Objective 6 – Conservation of the Natural Environment

6. CONSULTATION RESPONSES

6.1 Public Rights of Way:

The following points should be considered and implemented :

1. All Public Rights of Way including Green Lanes (as shown on the Definitive Map) are legally required to remain completely unobstructed and be clear and available for safe public use at all times (including during construction works – unless a temporary closure/diversion order is applied for and granted beforehand).
2. The Public Right of Way and Green Lane users must not be endangered or disadvantaged in any way by the proposals (during construction and following completion).
3. The fabric of the Public Right of Way and Green Lane must not be adversely affected in any way.
4. Public Right of Way and Green Lane users must be protected from any vehicles/plant associated with the works. All potential conflict should be risk assessed and managed accordingly.

6.2 Local Highways Authority:

The additional information does not affect highway issues.

6.3 Landscape Officer:

Further revisions of the Landscape Visual Appraisal are submitted, along with a new planting plan and management plan, all by rps. The main impact of the 19m high building will be on Percoed Reen users and Green Lane users immediately opposite the site at 'point blank' views, this impact is shown on wireframe photos for viewpoints 5,12,13. Due to various constraints the impact cannot be mitigated for Percoed Reen users by new planting. Planting was proposed to the north of Percoed Reen where it is needed [between the cycleway and the proposal] but this is not now possible due to landownership. Planting is now proposed only to the south of the Percoed Reen cycleway. Planting and maintenance is provided in detail in 'Landscape Management Plan' February 2026. The document also includes management for the existing tree/shrub groups, allowing these to grow on which will help to reduce the impact for Percoed Reen users, and includes monitoring/feedback by a multi-disciplinary team at year 3 and 5 which is welcome. The existing planting as I understand is within NCC ownership, management would ensure

continued vegetation and tree coverage for visual screening along with enabling the future succession of young trees to grow taller in height. As new planting is very constrained either by service run requirements or by ownership, and as the submitted detail for management of existing planting and new planting is sufficient, I have no further comments.

6.4 **Tree Team:**

Having reviewed the Arboricultural Implications Assessment (AIA) Rev. 2, September 2025, together with the Tree Protection Plan (TPP) June 2025 Revision P02, the submitted documents are incomplete. For these reasons, arboricultural objections must remain in place until the issues outlined below are addressed.

1. Conflicting Information on Tree Removal Section 5.11 – Tree Removals

Section 5.11 of the AIA states that no trees are to be removed to facilitate the development. However, the proposed 'switch house' shown on the 'June 2025 TPP' clearly shows significant encroachment into G21 (Category C), refer to plan excerpt below:- These discrepancies must be resolved. Either:

- the AIA must be updated to reflect the removal of G21 or
- the design layout must be revised to align with the AIA and avoid G21 and be reflected within the TPP.

If group G21 is indeed to be removed, the following must be addressed:

1. Justification must be provided for why removal is unavoidable.
2. Consideration of alternatives is required, including repositioning of the proposed substation to avoid intrusion into Group G21.

If tree removals are accepted, a minimum replacement planting ratio of 1:3 must be applied.

2. Works Within Root Protection Areas (RPAs) Section 4.14 – Underground Services

Section 4.14 requires correction. Where installation of underground services within the RPA is unavoidable, the work must comply with BS 5837:2012, Section 7.7, which supersedes NJUG guidance for the purposes of planning. This correction must be made within the AIA.

Section 5.14 – RPA Impacts Not Identified

Section 5.14 fails to identify whether the proposed scheme requires works within RPAs. This omission is significant because:

- The scheme description refers to a cable route running between trees adjacent to the road, and further along a Public Right of Way (PRoW).

These elements must be shown on an updated TPP, with all trees within 15m on either side of the cable route plotted and assessed. Currently, the AIA only includes a generic comment on underground services (4.14), which is insufficient. A detailed assessment is required of all construction and installation activities that may affect RPAs.

3. Tree Protection Plan (TPP) June 2025 Rev P02

The premise of using the new site boundary fencing as Tree Protection Fencing is acceptable in principle, subject to the following:

- The fencing must be erected prior to any work commencing, including preparatory groundwork.
- The TPP must be updated to show the correct sequencing and ensure compliance with BS 5837.
- The current TPP Rev 02 does not show tree protection fencing or identify areas where works occur within or near root protection areas requiring arboricultural supervision. These omissions must be addressed in an updated revision.

A revised TPP must be submitted alongside the corrected AIA Rev. 2.

4. Arboricultural Method Statement (AMS)

Once the above issues are resolved, a full Arboricultural Method Statement will be required.

The AMS must:

- Assess all impacts arising from construction and service installation.
- Include detailed methodologies for any work proposed within RPAs.
- Set out measures to prevent, minimise or mitigate harm to retained trees.
- Identify whether redesign is required to safeguard arboricultural constraints.

Conclusion

Due to inconsistencies between the AIA and TPP, lack of clarity regarding proposed tree removals, absence of detailed assessment of the cable route, and insufficient information on works affecting RPAs, the arboricultural documentation is incomplete. Arboricultural objections are therefore maintained until the applicant submits:

1. A corrected Arboricultural Implications Assessment (Rev. 2).
2. An updated Tree Protection Plan (Rev P03).
3. A subsequent Arboricultural Method Statement, once the above omissions have been addressed.

6.5 **Environmental Health:**

Have reviewed the Noise Impact Assessment report and the Construction Noise Management Plan, based on the details provided the development will not have an adverse impact on the health or quality of life of the residents nearest to the site. Therefore, I confirm I have no objections to the proposed development.

6.6 **Ecology Officer:**

Provided we use a condition to secure the implementation of the measures described in the Ecological Restoration Areas_30102025 and the email from the Applicant dated 04/11, then I have no further comment.

6.7 **SAB:**

Having reviewed the information, a SAB application will likely be required due to the scale of the works

6.8 **HENEB:**

We have consulted the regional Historic Environment Record and note that the proposal is located within both the Newport Archaeologically Sensitive Area (ASA) and the Gwent Levels Registered Historic Landscape, specifically the Marshfield Character Area (HLCA020) which is largely medieval in date. However, there are no known archaeological

sites within the proposed development area. Furthermore modern aerial photography indicates the previous development of the site which is highly likely to have had an adverse effect on any potential remains that may be present. Overall it is unlikely that archaeologically significant material will be encountered during the course of the proposed works. As a result, there is unlikely to be an archaeological restraint to this proposed development and consequently, as the archaeological advisors to your Members, we have no objections to the positive determination of this application. The record is not definitive, however, and features may be disturbed during the course of the work. In this event, please contact this division of the Trust.

6.9 NRW:

We have concerns with the application as submitted. However, we are satisfied that these concerns can be overcome by attaching the following condition to any planning permission granted: Condition: Construction Environment Management Plan
Please note, without the inclusion of this condition we would object to this planning application. Further details are provided below.

(See Appendix 1 for NRW comments)

6.10 Welsh Water:

The proposed development is crossed by a trunk/distribution watermain, the approximate position being shown on the attached plan. Dwr Cymru Welsh Water as Statutory Undertaker has statutory powers to access our apparatus at all times. I enclose our Conditions for Development near Watermain(s). It may be possible for this watermain to be diverted under Section 185 of the Water Industry Act 1991, the cost of which will be re-charged to the developer. The developer must consult Dwr Cymru Welsh Water before any development commences on site.
Please ensure easement of 7.7m is maintained.

We would request that if you are minded to grant Planning Consent for the above development that the Conditions and Advisory Notes listed below are included within the consent to ensure no detriment to existing residents or the environment and to Dwr Cymru Welsh Water's assets.

Conditions

No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment

6.11 Senior Scientific Officer:

No comments received.

7. PUBLIC REPRESENTATIONS

7.1 A Site Notice was put up on 11.07.2025. No comments received to date.

7.2 Councillor Rhian Howells, Councillor Allan Screen, and Councillor Trevor Watkins were consulted as part of the application. No comments received to date.

- 7.3 Coedkernew Community Council were consulted on the application. No comments received to date.

8. ASSESSMENT

8.1 Principle of Development

- 8.1.1 The application site is located within the defined settlement boundaries where there is a presumption in favour of development and efficient use of land is encouraged. Additionally, the site forms part of a wider development on land allocated for employment use development in as designated by the LDP.

- 8.1.2 The proposal is to support the function of the existing national grid imperial park 400kv substation to meet increased electricity demand for commercial operators in the locality. The existing infrastructure does not have sufficient capacity to support the new load requirements. By upgrading the substation through the proposed development, the electricity network will be able to deliver a higher and more stable supply of power, ensuring the long-term reliability and resilience of the local grid. Accordingly, there is no objection raised to the principle of the development. A full assessment is carried out below.

8.2 Visual Amenity/ Character and Appearance;

- 8.2.1 The application site is located near the southern boundary of Imperial Park and would therefore be visible from parts of the public realm, including vantage points from Green Lane to the south and Celtic Way/Duffryn Lane to the north. The wider business park is characterised by large-scale commercial and industrial buildings of simple form, together with substantial existing electrical infrastructure, including the tall pylons and associated apparatus that frame the setting. This establishes a clear utilitarian and infrastructure-led character within which the proposal would be viewed.

- 8.2.2 The proposed building would sit adjacent to the existing National Grid substation, which forms a prominent feature within the landscape. When considered within this context, the introduction of a substation building not appear incongruous. The external finish in red brick is deemed acceptable, and there is already red brick walling contained on site surrounding the existing equipment.

- 8.2.3 While the scale of the development means it will be a larger, visible addition, even with supplementary planting, the surrounding context already accommodates substantial infrastructure elements. Intervening overhead lines to the south restrict opportunities for tall planting due to required safety clearances and swing zones, meaning full screening cannot reasonably be achieved. The applicant proposes some landscape planting south of the Percoed Reen cycleway and the retention of existing trees on adjoining NCC land, which will assist in softening views, although not completely obscuring the building. This is further assessed in section 8.4.

- 8.2.4 Overall, when weighed against the established industrial and infrastructure character of Imperial Park and the functional need for the building to support existing National Grid operations, the visual impact is considered acceptable. The development represents an

appropriate ancillary addition within an area already defined by large-scale infrastructure, and on balance, the justification for the proposal has been satisfactorily demonstrated.

8.3 Residential Amenity

- 8.3.1 The application site is within a commercial area, a significant distance from the nearest residential property therefore no unacceptable impact would arise from the built form of the development that would prejudice the living conditions of nearby residents.
- 8.3.2 A noise assessment has been submitted in line with the application, as well as a construction noise management plan. The Environmental Health Officer has reviewed these details and suggests the development will not have an adverse impact on the health or quality of life of the residents nearest to the site. Therefore, I confirm I have no objections to the proposed development.

8.4 Landscaping/ Trees

- 8.4.1 The applicant does not intend to remove any trees on site in line with the development, and therefore, there are no objections in this regard. The applicant has proposed new site boundary fencing as Tree Protection Fencing and the tree officer has stated that this is acceptable in principle, however, this must be erected prior to any work commencing, including preparatory groundwork. The tree officer also states that the TPP must be updated to show the correct sequencing and ensure compliance with BS 5837. The compliance with BS5837 can be added as a compliance condition on any permission granted. The officer also states that the current TPP Rev 02 does not show tree protection fencing or identify areas where works occur within or near root protection areas requiring arboricultural supervision. It is noted that the plan does demonstrate where the fencing will be erected, however, the tree officer has requested an Arboricultural Method statement as part of any permission granted, which should include detailed methodologies for any work proposed within RPAs, and set out measures to prevent, minimise or mitigate harm to retained trees. It is therefore, considered that the AMS will ensure that these details are obtained and the trees sufficiently protected.
- 8.4.2 The tree officer also states that the proposed 'switch house' shown on the 'June 2025 TPP' clearly shows significant encroachment into G21 (Category C) even though no trees were to be removed. This has since been revised by the applicant, and G21 is not affected. Additionally, concerns were raised over underground cabling impacting trees on site. It is noted the applicant is not applying for underground cabling as part of this application and has been granted subject to the S106 agreement separately under 25/1071. The proposal is in line with Policy GP5 and PPW12.
- 8.4.3 When assessing proposed planting, the application is supported by a Landscape & Visual Appraisal. The location in which the substation is proposed to be situated is on a mix of land, including, a small section of existing tall ruderal plants, bare ground and hardstanding. When assessing the views afforded it is noted that the landscape officer suggests that the main views of the unit would be from Green Lane and Percoed Reen to the South. The applicant has suggested there is constraints to a landscaping scheme given the land ownership and overhead electrical lines. The applicant has proposed

planting to the South of Percoed lane, and to the North of Green Lane and Percoed reen on NCC land out of the swing zones of the electrical wires. A full planting scheme and maintenance schedule has been provided. NRW through correspondence has no objections to the planting located next to the reen. It is concluded, the planting will not adversely impact on the SSSI. The landscape officer has also reviewed this and states any new planting is very constrained either by service run requirements or by ownership, and as the submitted detail for management of existing planting and new planting is sufficient, there are no objections to the submitted details. The public rights of way officer has also stated that Green Lane should not be obstructed at any point. It is therefore, considered the new planting is deemed acceptable in line with Policy GP5.

- 8.4.4 Moreover, the applicant has also stated they will enter into a unilateral undertaking legal agreement with NCC to maintain the existing tree/shrub groups including G17, G18, G19, G20, S14 and S15, allowing these to grow on which will help to reduce the impact for Percoed Reen users. The existing planting is within NCC ownership, management would ensure continued vegetation and tree coverage for visual screening along with enabling the future succession of young trees to grow taller in height. The new planting and maintenance of existing planting will provide a benefit to the surrounding area and views to the substation. It is therefore, considered that the scheme accords with Policy GP5.

8.5 Ecology

- 8.5.1 It is noted there is a loss of habitat, approximately, 0.02ha of ruderal habitats due to the proposed works. To mitigate for the estimated loss of 0.02 ha of tall ruderal habitat, the proximal areas of bare ground, tall ruderal, neutral grassland and dense scrub (located to the north, west and south of the Site) would be targeted to control undesirable species, with the aim of restoring, creating and enhancing grassland habitat with higher quality features comprising valuable tall and meadow forbs and grasses, improving its ecosystem functioning. Up to 0.06 ha of the surrounding bare ground, tall ruderal, grassland and scrub would be managed and controlled to mitigate for the permanent loss of habitat. The proposals would increase vegetation cover with native vascular plants, reduce pressure from undesirable species and increase ecosystem functioning through expanding vegetation cover (in existing bare ground sections) and reconnecting areas of isolated habitat. The applicant has provided a map of the ecological restoration areas. The Ecology Officer has commented and suggests we should secure the implementation of the measures described in the Ecological Restoration Areas_30102025 and the email from the Applicant dated 04/11 via condition. This would be compliant with Policy GP5 and Policy 9 of Future Wales for securing a net benefit for biodiversity enhancement.
- 8.5.2 When assessing this under the stepwise approach as detailed within PPW12 it is considered that the development would mitigate/restore the habitat as outlined above, and there are no objections from the ecology officer or NRW in this regard. Therefore, the development is compliant with PPW12.
- 8.5.3 NRW have further stated that Shrill carder bee, a feature of Gwent Levels SSSIs, has been recorded within the wider Imperial Park area. The proposed development site has

been deemed as unsuitable for the shrill carder bee. Prior to any vegetation removal, NRW advise that a check for shrill carder bee or their nests (depending on the time of year) is undertaken. It is also noted that the PEA has identified that whist dormice are likely to be using the application site as no dormouse habitat is to be removed. NRW recommend that the LPA ecology officer should advise. The ecology officer has not raised this as an objection.

- 8.5.4 As stated, the application site also partly lies within the Gwent Levels SSSI. PPW 12 affords SSSIs a high level of protection and establishes a strong presumption against development that would adversely affect their notified features. In this instance, it has been demonstrated that the proposed development would not result in harm to the SSSI or its qualifying features. Appropriate avoidance, mitigation and enhancement measures form part of the proposal and have been assessed above. Subject to the implementation of these measures, the development is considered to comply with the relevant provisions of PPW12.

8.6 **Movement**

- 8.6.1 The highways officer was consulted on the application, and there are no highways objections in line with Policy GP4.

8.7 **Flooding/ Drainage**

- 8.7.1 The planning application proposes less vulnerable development. The Flood Map for Planning identifies the application site to be at risk of flooding and within Flood Zone 2 and 3 (Rivers/ Sea) / TAN15 Defended Zone. The applicant provided a FCA and this has been reviewed by NRW. NRW state the FCA satisfactorily demonstrates that the risks and consequences of flooding are manageable to an acceptable level. Therefore, we have no objection to the application as submitted.
- 8.7.2 Percoed branch west reen is approximately 50m to the west of the proposed development site. Percoed reen is approx. 50m south of the development site. There looks to be a ditch close to the site (approx. 5m away) which flows into Percoed reen. From the Preliminary ecology assessment that surface water drainage will remain as per the existing drainage on site. Any clean water discharged to the drainage system should be of a quality compatible with the Gwent Levels SSSI and should be discharged at greenfield run-off rate. NRW states a Construction Environmental Management Plan should be produced, and this will need to set out pollution prevention measures to be implemented to ensure no adverse impact to the SSSI. This will be secured via condition.
- 8.7.3 Welsh water were consulted on the application. The proposed development is crossed by a trunk/distribution watermain. Dwr Cymru Welsh Water as Statutory Undertaker has statutory powers to access our apparatus at all times. It may be possible for this watermain to be diverted under Section 185 of the Water Industry Act 1991. The developer must consult Dwr Cymru Welsh Water before any development commences on site. SAB have also stated that an application is likely needed to be submitted.

8.8 **Other comments**

- 8.8.1 HENEB were consulted on the application. The proposal is located within both the Newport Archaeologically Sensitive Area (ASA) and the Gwent Levels Registered Historic Landscape, specifically the Marshfield Character Area (HLCA020) which is largely medieval in date. However, there are no known archaeological sites within the proposed

development area. Furthermore modern aerial photography indicates the previous development of the site which is highly likely to have had an adverse effect on any potential remains that may be present. Overall it is unlikely that archaeologically significant material will be encountered during the course of the proposed works. As a result, there is unlikely to be an archaeological restraint to this proposed development and are no objections to the positive determination of this application. The record is not definitive, however, and features may be disturbed during the course of the work. In this event, please contact HENEB.

8.9 **Planning Obligations**

Summary

- 8.9.1 In accordance with Policy SP13 of the adopted Newport Local Development Plan 2011-2026 and the adopted Planning Obligations Supplementary Planning Guidance, development will be required to help deliver more sustainable communities by providing, or making contributions to, local and regional infrastructure in proportion to its scale and the sustainability of the location.
- 8.9.2 In this case, a legal agreement is required to mitigate the impact of the development and to ensure that in line with Chapter 6 of PPW12 the Stepwise Approach has been followed and that the development will result in an overall ecological enhancement.
- 8.9.3 Compensation and mitigation can be accommodated on site, however due to the limitations of the site to achieve enhancement then this must be undertaken off site, in connecting locations. It is not possible to achieve this by planning condition as it is located outside of the site and therefore a legal agreement is required to be entered to secure this.
- 8.9.4 The applicant has submitted a draft Unilateral Undertaking and a suggested plan of where and what enhancement is to be provided and this is generally considered to be acceptable. The draft Unilateral Undertaking submitted is considered to broadly cover the relevant aspects required, however will be subject to review by the Council's Legal Officer following a resolution to grant planning permission.

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 proposal represents essential infrastructure to support the operational needs of the existing National Grid 400kV substation at Imperial Park, ensuring the network can meet increasing commercial electricity demand. The development has been designed within an established industrial and infrastructure-dominated setting, and its scale, form and materials would integrate appropriately with the surrounding built environment. Although the building will remain visible from parts of the public realm, the surrounding context of large commercial units, pylons and existing substation structures ensures that the visual impact is acceptable and not out of character. There would be no adverse residential amenity effects due to the site's separation from housing, and both the submitted noise assessment demonstrate that the scheme would not harm nearby occupiers. Tree impacts are limited, with no removals required, and appropriate protection, sequencing and an Arboricultural Method Statement can be secured by condition. The proposed planting and long-term maintenance of existing vegetation, supported by the Landscape Officer, NRW and secured through a unilateral undertaking, will provide appropriate mitigation. The ecological effects are minor, with a small loss of ruderal habitat fully offset through targeted habitat restoration and enhancement, delivering a net biodiversity benefit. Highways,

flooding and drainage matters are satisfactorily addressed, with the development classified as less vulnerable and the submitted FCA confirming that flood risks can be managed to an acceptable level. Overall, the proposal is justified, policy compliant, and represents an appropriate and necessary extension to existing strategic electrical infrastructure. Accordingly, the development is considered acceptable subject to the recommended conditions.

11. DECISION

GRANTED WITH CONDITIONS SUBJECT TO SIGNING OF THE LEGAL AGREEMENT WITH DELEGATED POWERS AND DISCRETION TO REFUSE IN THE EVENT THAT THE AGREEMENT IS NOT SIGNED WITHIN THREE MONTHS OF THE COUNCIL'S RESOLUTION TO GRANT PLANNING PERMISSION

01 The development shall be implemented in accordance with the following plans and documents: Imperial Park Substation Application - Arboricultural Impact Assessment P.02; Landscape Maintenance; Imperial Park Substation Extension Offsite Planting Plan; 250626 Imperial Park Substation - SSE - Design and Access Note; Revised LVA Imperial Park Part 1 -6; Email from applicant 04/11 to read in conjunction with Ecological Restoration Areas_30102025; FCA and SuDS v3_Final_Part2; FCA and SuDS v3_Final_Part1; Preliminary Ecological Appraisal_Part2; Preliminary Ecological Appraisal_Part1; Noise Impact Assessment_Redacted; CNMP_Redacted; AIA_Part3; Imperial Park Substation_Ecological Restoration Areas_30102025; B2494900-JAC-ZZ-XX-DR-C-0025 Existing Site Plan.; B2494900-JAC-ZZ-XX-DR-C-0024 - Architectural 3D; B2494900-JAC-ZZ-XX-DR-C-0023 - South - West Elevations; B2494900-JAC-ZZ-XX-DR-C-0021 – Sections; B2494900-JAC-ZZ-XX-DR-C-0020 - Roof Plan; B2494900-JAC-ZZ-XX-DR-C-0019 - First and Second Floor Plan; B2494900-JAC-ZZ-XX-DR-C-0018 - Lower Ground and Upper Ground Floor Plan; B2494900-JAC-ZZ-XX-DR-C-0016 - Location Plan; B2494900-JAC-ZZ-XX-DR-C-0005 - Drainage Plan; B2494900-JAC-ZZ-XX-DR-C- 0022 - North - East Elevations; B2494900-JAC-ZZ-XX-DR-C- 0017 - Site 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.

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

- Construction methods: details of materials, how waste generated will be managed;
- General Site Management: details of the construction programme including the timetable and details of any site clearance; details of site construction drainage, containments areas, appropriately sized buffer zones between storage areas (of spoil, oils, fuels, concrete mixing and washing areas) and any watercourse or surface drainage.
- Soil Management: details of topsoil strip, storage and amelioration for re-use.
- CEMP Masterplan: details of the extent and phasing of development.
- Resource Management: details of fuel and chemical storage and containment; details of waste generation and its management; details of water consumption, wastewater and energy use.
- Traffic Management: details of site deliveries, plant on site, wheel wash facilities.
- Pollution Prevention: demonstrate how relevant Guidelines for Pollution Prevention

and best practice will be implemented, including details of emergency spill procedures and incident response plan.

- Details of the persons and bodies responsible for activities associated with the CEMP and emergency contact details.
- Landscape/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.

Justification: A CEMP should be submitted to ensure necessary management measures are agreed prior to commencement of development and implemented for the protection of the environment during construction.

03 Prior to the clearance and construction of development, a full Arboricultural Method Statement shall be submitted to the Local Planning Authority and maintained thereafter. The AMS shall include

- All impacts arising from construction and service installation.
- Include detailed methodologies for any work proposed within Root Protection Areas.
- Set out measures to prevent, minimise or mitigate harm to retained trees.
- Identify whether redesign is required to safeguard arboricultural constraints.

The AMS shall be implemented as approved during the site preparation and construction phases of the development and all works carried out in accordance with BS 5837.

Reason; To ensure trees are protected during construction in line with Policy GP5 of Newport Local Development Plan (2011-2026), PPW12, and Policy 9 of Future Wales.

04 The Ecological restoration areas and measures set out in plans: *Imperial Park Substation _Ecological Restoration Areas_30102025*; *Email from applicant 04/11 to read in conjunction with Ecological Restoration Areas_30102025* shall be implemented within 6 months of the completed development and maintained for the lifetime of development.

Reason: To enhance biodiversity on site in compliance with Policy GP5 of Newport Local Development Plan (2011-2026), PPW12, and Policy 9 of Future Wales.

05 The Tree Protection Plan as submitted within *Imperial Park Substation Application - Arboricultural Impact Assessment P.02*, must be carried out in accordance with British Standards 5837 and retained for the duration of construction on site.

Reason: to ensure the development is carried out in a competent manner in line with policy GP5 of Newport Local Development Plan (2011-2026), PPW12, and Policy 9 of Future Wales.

06 The external surfaces of the building shall be constructed of the materials specified on the approved drawing number B2494900-JAC-ZZ-XX-DR-C-0023 - South - West Elevations; B2494900-JAC-ZZ-XX-DR-C- 0022 - North - East Elevations; 250626 Imperial Park Substation - SSE - Design and Access Note.

Reason: To ensure the development is completed in a manner compatible with its surroundings.

NOTE TO APPLICANT

01 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies SP1, SP13, GP2, GP4, GP5, GP6, GP7, CE6 and EM1 were relevant to the determination of this application.

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.

Protected sites

Gwent Levels St Brides Site of Special Scientific Interest

The proposed substation and section of the of access track lies within Gwent Levels St Brides SSSI. The SSSI is notified for its range of aquatic plants and invertebrates associated with the interconnected reens and ditches of the drainage system. The special interests of the SSSI are dependent on the water quality, water quantity, the existence of the drainage system and its continued management. Any development which has an adverse impact on any of these factors will have an adverse impact on the wildlife for which the area was notified.

Habitats

Whilst the proposed development lies mostly within areas of hardstanding and bare ground, the PEA states that a small area (0.2ha) of tall ruderal and neutral grassland would be permanently lost. In line with the stepwise approach set out in Planning Policy Wales, loss of SSSI habitat should be avoided. Where this loss is unavoidable, there must be adequate mitigation or compensation. We note that the development would seek to provide a Net Benefit for Biodiversity, with enhancement of surrounding grassland proposed. We welcome consultation on any management plans and planting list to ensure that species are suitable for the SSSI.

Species

Shrill carder bee, a feature of Gwent Levels SSSIs, has been recorded within the wider Imperial Park area. The proposed development site has been deemed as unsuitable for the shrill carder bee. Prior to any vegetation removal, We would advise that a check for shrill carder bee or their nests (depending on the time of year) is undertaken.

Ditches & reens

Percoed branch west reen is approximately 50m to the west of the proposed development site. Percoed reen is approx. 50m south of the development site. There looks to be a ditch close to the site (approx. 5m away) which flows into Percoed reen. We note from the Preliminary ecology assessment that surface water drainage will remain as per the existing drainage on site. Any clean water discharged to the drainage system should be of a quality compatible with the Gwent Levels SSSI and should be discharged at greenfield run-off rate. We welcome that a Construction Environmental Management Plan will be produced, and this will need to set out pollution prevention measures to be implemented to ensure no adverse impact to the SSSI. We recommend the following condition is included to secure the inclusion of a CEMP

Condition: Construction Environmental Management Plan

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

- Construction methods: details of materials, how waste generated will be managed;
- General Site Management: details of the construction programme including the timetable and details of any site clearance; details of site construction drainage, containments areas, appropriately sized buffer zones between storage areas (of spoil, oils, fuels, concrete mixing and washing areas) and any watercourse or surface drainage.
- Soil Management: details of topsoil strip, storage and amelioration for re-use.
- CEMP Masterplan: details of the extent and phasing of development.
- Resource Management: details of fuel and chemical storage and containment; details of waste generation and its management; details of water consumption, wastewater and energy use.
- Traffic Management: details of site deliveries, plant on site, wheel wash facilities.
- Pollution Prevention: demonstrate how relevant Guidelines for Pollution Prevention and best practice will be implemented, including details of emergency spill procedures and incident response plan.
- Details of the persons and bodies responsible for activities associated with the CEMP and emergency contact details.
- Landscape/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. Justification: A CEMP should be submitted to ensure necessary management measures are agreed prior to commencement of development and implemented for the protection of the environment during construction.

Protected Species

We note that the information submitted in support of the above application (Preliminary Ecological Appraisal prepared by RPS, June 2025) has identified that whist dormice are likely to be using the application site as no dormouse habitat is to be removed, we recommend that you discuss the need to secure further measures/ avoidance measures with your internal ecological advisor.

Flood risk

The planning application proposes less vulnerable development. The Flood Map for Planning identifies the application site to be at risk of flooding and within Flood Zone 2 and 3 (Rivers/ Sea) / TAN15 Defended Zone. We refer you to Section 10 of Technical Advice Note 15: Development, flooding and coastal erosion, dated 2025 (TAN15) for advice on how you should consider this application in line with current planning policy. Our role is to provide you with detailed advice on the findings and conclusions of the Flood Consequences Assessment (FCA) in relation to flooding from rivers and/or the sea,

including the impact on flooding elsewhere. For advice on flood risk from surface water and or small watercourses you should consult with your Lead Local Flood Authority. We have reviewed the supporting FCA undertaken by RPS dated July 2025 referenced ENV-22018 for the proposed substation which is in a wider substation compound surrounded by a private flood defences (with a crest level of 6.5m AOD) with flood doors providing access to the site. Our advice to you is that the FCA satisfactorily demonstrates that the risks and consequences of flooding are manageable to an acceptable level. Therefore, we have no objection to the application as submitted. Further detail is provided below: We have provided the Caldicot and Wentlooge (2016) model as well as the River Ebbw (2018) Integrated Catchment Model and confirmed that the site benefits from flood defences in the form of an Embankment graded as being in Fair condition with a standard of protection of 1000 years, the crest level of this defence is not provided. Topography shows levels along the southern boundary of the site sit between 5.9-5.96m AOD.

Using the River Ebbw 2018 flood model provided by NRW,

- 1 in 100 year plus 25% climate change event: the site is shown to be flood free, flooding confined to the Percoed Reen.
- 1 in 100 year plus 70% climate change event: flood level is 6.33m AOD and the site is completely inundated with flood water. Depths are shown to be up to 0.25m in the west of the site where the substation is proposed. In the east of the site, depths remain below 1m, generally between 0.3-0.4m (flood level 6.29m AOD).

The FCA does not provide any information for the 1 in 1000 year plus climate change event. However, table 4 lists undefended figures of the 1 in 1000 year current day event but uses defended 1 in 1000 year information to assess the inundation time for the site in Section 6.19 – stating flood waters will not reach the site until 14.4 hours after the start of the event. For completeness the FCA should be updated provide flood level data for the 1 in 1000 year plus climate change event for the fluvial source of flooding and to confirm that model checks/updates have been undertaken to ensure the suitability of the River Ebbw model use for this site. We would question the site being located within the River Ebbw TAN 15 defended zone given the distance from these defences – it is likely the designation is based upon the Coastal Defences and not relate to the fluvial outlines. The applicant should justify the information used, and given the age of the model data we would have expected model checks/upgrades to have been undertaken and discussed within the FCA. Section 6.24 of the FCA states that NRW mapping is within the TAN 15 defended zone where defences are shown to have standard of protection of 1000 years (2023) against the sea. It is confirmed in the FCA that the lifetime of development for the substation is 75 years. The tidal assessment undertaken uses the existing hydraulic modelling data results and recognises that due to the age and purpose of the modelling it does not contain exact scenarios to support a 2025 FCA. Since the production of the

modelling in 2016 both the extreme sea levels have changed, and the climate change uplift magnitudes have been subject to revision. The FCA compares the 2016 model results as a proxy for the required 2025 FCA scenarios. Following this comparison the 2016 modelling uses higher Extreme Water levels than those required for the FCA assessment. As such it concludes that on site flood levels would be lower than those provided within the Caldicot and Wentlooge model – the FCA provides nodal data for the 2100 year events.

The following flood levels are provided:

- 1 in 200 year 2100 – 6.13m AOD, flood depths up to 0.14m northeast of the site and 0.19m along the existing access road
- 1 in 1000 year 2100 – 8.4m AOD, flood depths up to 2.41m northeast of the site and 2.46m along the existing access road.

Section 6.39 states that because the site is within a TAN 15 defended zone and the condition is confirmed as “fair” with a standard of protection of 1000 years, the defended 200 year plus climate change scenario is taken forward to assess levels at the site. The FCA suggests an inundation time of 21.3 hours with most of the site inundated by flood waters by 27 hours. The site benefits from a flood wall surrounding the entire area and set to a level of 6.5m AOD which the FCA states will provide protection from the 1 in 200 year 2100 event and the 1 in 100 year plus 70% climate change event with a 370mm and 170mm freeboard respectively. This flood wall will be overtopped for the 1 in 1000 year plus climate change tidal event, and may result in a flood depth 2.09m around the area of the proposed substation. Whilst we would expect the FCA to provide finished floor levels for the substation – our calculation of 2.09m flooding is based on the given 8.4m flood level for the 1 in 1000 year 2100 event and the suggestion that the finished floor levels is approx. 6.31m (given that it would experience a 0.25m of flooding in the 1 in 100 year plus 70% climate change event which as a flood level of 6.33m). The flood wall is to be extended to incorporate additional areas as part of the development and gates along the flood water are fitted with flood resilient measures to prevent ingress of water. This is a private flood defence, and we can not provide comments on the suitability/insurance of it's use over the lifetime of the development. The FCA states that site users should sign up to received flood warnings and avoid accessing the site if a warning is received and it is recommended that a Flood Management Plan is produced for site management and operational staff. According to the FCA Emergency services can pass through greater depths of water than standard vehicles, depths of 430mm and 190mm are expected in the 1 in 100 year plus climate change and 1 in 200 year plus climate change events. The site will remain accessible to emergency services during the design flood events – we would direct the LPA to consult with their Emergency Planners on these statements. Whilst we consider that updates may be required to the River Ebbw model data given it's

7 year age and changes since development, given the low risk nature of this development, we leave it to your authority to determine whether this information is required for completeness.

Battery Systems and pollution

The proposed scheme involves the storage of large battery systems contain lithium ion electrolytes and hydrocarbons which have the potential to cause pollution in the event of fire at the site as a result of battery failure. We are not the expert body to advise as to whether measures proposed by the applicant to minimise the risk of fire, or to suppress a fire at the site are adequate. We recommend that you seek advice from a Battery Energy and Electrical process safety expert and the relevant Fire and Rescue Service in determining whether the proposed measures to minimise the risk of fire, and to suppress a fire at the site are adequate. You may also wish to consult the below guidance in relation to such matters: - The National Fire Chiefs Council (NFCC) provide Grid Scale Battery Storage System Planning guidance; - HSE guidance on managing health and safety in grid scale electrical energy storage systems which includes an assessment of the principal hazards. CIRIA C736 - Design of containment systems for the prevention of water pollution from industrial incidents. Before determining the planning application, you should be satisfied that in the event of a fire all contaminated firewater can be fully contained on site and cannot enter the wider environment. We advise that measures to avoid pollution from contaminated firewater should be clearly set out by the applicant and provide sufficient detail in support of the planning application. This should include demonstration, to your satisfaction, that:

- thermal runaway detection equipment, automated alert systems, automated fire suppression systems and planned responses to a fire are adequate in detecting and prevent the spread of fire. The relevant Fire and Rescue Service may advise you on these matters.
- there is sufficient spacing between units to help to prevent further spread of fires;
- contaminated firewater and foam run-off is prevented from infiltrating the ground or any offsite drainage networks with the use of impermeable surfaces, secondary containment and sealed drainage systems;
- the scheme includes sufficient storage capacity to contain contaminated firewater in the event of a fire. The relevant Fire and Rescue Service may advise you on what they consider to be adequate storage capacity;
- Notwithstanding the wider TAN15 considerations, where the site is proposed within a flood risk area, the risk of fire from battery exposure to a flood event has been avoided, and the proposed method of containing contaminated firewater will operate effectively without the risk of pollution;
- the proposed method of transporting contaminated firewater off-site will be effective, including under the prevailing conditions of a fire at the site;
- adequate post event cleanup and environmental remediation has been considered and planned.

Other Matters

Our comments above only relate specifically to matters included on our checklist, Development Planning Advisory Service: Consultation Topics (September 2018), which is published on our website. We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests.