

# Delegated Decision Report

|                        |                |                                  |                       |
|------------------------|----------------|----------------------------------|-----------------------|
| <b>Application No:</b> | <b>25/0311</b> | <b>Statutory Period Expires:</b> | <b>20th June 2025</b> |
|------------------------|----------------|----------------------------------|-----------------------|

|                   |                                                                                                                                                                                                                                                                                                    |              |                                     |
|-------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|-------------------------------------|
| <b>Site:</b>      | <b><i>Quinn Radiators Celtic Way Celtic Lakes Newport South Wales</i></b>                                                                                                                                                                                                                          |              |                                     |
| <b>Proposal:</b>  | <b><i>PARTIAL DISCHARGE OF CONDITION 11 (EXTERNAL MATERIALS) OF 24/0006 DEMOLITION OF REMAINDER OF EXISTING PRINCIPAL BUILDING AND REMAINING STRUCTURES AND CONSTRUCTION OF NEW DATA CENTRE (USE CLASS B8) ACROSS TWO MAIN BUILDINGS PLUS ANCILLARY STRUCTURES ANDS OTHER ASSOCIATED WORKS</i></b> |              |                                     |
| <b>Applicant:</b> | <b><i>Microsoft</i></b>                                                                                                                                                                                                                                                                            |              |                                     |
| <b>Type:</b>      | <b>Discharge Conditions</b>                                                                                                                                                                                                                                                                        | <b>Ward:</b> | <b>Tredegar Park And Marshfield</b> |
| <b>Decision:</b>  | <b>APPROVED</b>                                                                                                                                                                                                                                                                                    |              |                                     |

## 1. BACKGROUND

- 1.1 Condition 11 (External Materials) was previously partially discharged by Newport City Council on 13<sup>th</sup> March 2025. That application approved details of some, but not all of, the external materials to be used on the approved data centres.

## 2. SITE LOCATION AND CONTEXT

- 2.1 The site is the Former Quinn Radiators site, Celtic Way in the Tredegar Park and Marshfield ward.

## 3. DESCRIPTION OF DEVELOPMENT

- 3.1 The application is applying for the partial discharge of Condition 11 (Materials) of planning permission 24/006 for the development of a new Data Centre at the site.
- 3.2 The following external materials have been submitted for consideration within this submission and relate to building CWL01;
- CWL01 XBTL SS 01 0 PIN A - Sample Submittal Glulam Beam
  - CWL01 XBTL SS 41 0 GEN A - Sample Submittal Fabricated Capping
  - CWL01 XBTL SS 43 0 GEN A - Sample Submittal Fabricated Gutter
  - CWL01 XBTL SS 44 0 GEN A - Sample Submittal Fabricated Downpipe
  - CWL01 XBTL SS 45 0 GEN A - Sample Submittal Fabricated Flashings Drip
  - CWL01 XBTL V 36 0 GEN A - Sample Submittal Timber Cladding
  - CWL01 XBTL V 54 A GEN A - Sample Submittal GL102 Spandrel Glazing Unit
  - CWL01 XBTL V 55 A GEN A - Sample Submittal GL101 Glazing Unit
  - CWL01 XCRW V 33 0 GEN A - Sample Submittal - Staircase Mesh
  - CWL01 MKRB SS 02001 0 RED A - Intake and Exhaust Louvres and Insect Mesh Sample

## 4. RELEVANT SITE HISTORY

| App Number | Proposal                                                                                                                                                                                                          | Decision                  | Decision Date |
|------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------|
| 24/0006    | DEMOLITION OF REMAINDER OF EXISTING PRINCIPAL BUILDING AND REMAINING STRUCTURES AND CONSTRUCTION OF NEW DATACENTRE (USE CLASS B8) ACROSS TWO MAIN BUILDINGS PLUS ANCILLARY STRUCTURES ANDS OTHER ASSOCIATED WORKS | GC (S106 Legal Agreement) | 03.07.2024    |
| 24/0877    | PARTIAL DISCHARGE OF CONDITION 7 (PILING / FOUNDATION DESIGNS) AND 9 (APPOINTED ARBORICULTURALIST)                                                                                                                | APPROVED                  | 19.12.2024    |

|                |                                                                                                                                                                                                                                                                                                                 |                 |                   |
|----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|-------------------|
|                | <b>RELATING TO PLANNING PERMISSION 24/0006 FOR THE DEMOLITION OF REMAINDER OF EXISTING PRINCIPAL BUILDING AND REMAINING STRUCTURES AND CONSTRUCTION OF NEW DATACENTRE (USE CLASS B8) ACROSS TWO MAIN BUILDINGS PLUS ANCILLARY STRUCTURES ANDS OTHER ASSOCIATED WORKS</b>                                        |                 |                   |
| <b>24/0888</b> | <b>PARTIAL DISCHARGE OF CONDITION 4 (LANDSCAPE AND ECOLOGICAL MANAGEMENT PLAN) OF 24/0006 DEMOLITION OF REMAINDER OF EXISTING PRINCIPAL BUILDING AND REMAINING STRUCTURES AND CONSTRUCTION OF NEW DATACENTRE (USE CLASS B8) ACROSS TWO MAIN BUILDINGS PLUS ANCILLARY STRUCTURES ANDS OTHER ASSOCIATED WORKS</b> | <b>APPROVED</b> | <b>19.12.2024</b> |
| <b>24/0909</b> | <b>PARTIAL DISCHARGE OF CONDITION 2 (CEMP) OF 24/0006 DEMOLITION OF REMAINDER OF EXISTING PRINCIPAL BUILDING AND REMAINING STRUCTURES AND CONSTRUCTION OF NEW DATACENTRE (USE CLASS B8) ACROSS TWO MAIN BUILDINGS PLUS ANCILLARY STRUCTURES AND OTHER ASSOCIATED WORKS</b>                                      | <b>APPROVED</b> | <b>19.12.2024</b> |
| <b>25/0089</b> | <b>PARTIAL DISCHARGE OF CONDITION 11 (MATERIALS) OF 24/0006 DEMOLITION OF REMAINDER OF EXISTING PRINCIPAL BUILDING AND REMAINING STRUCTURES AND CONSTRUCTION OF NEW DATA CENTRE (USE CLASS B8) ACROSS TWO MAIN BUILDINGS PLUS ANCILLARY STRUCTURES ANDS OTHER ASSOCIATED WORKS</b>                              | <b>APPROVED</b> | <b>13.03.2025</b> |

**5. PLANNING POLICY**

5.1 N/A

**6. CONSULTATION RESPONSES**

6.1 None.

**7. PUBLIC REPRESENTATIONS**

None.

**8. ASSESSMENT**

8.1 Condition 11 (Materials) states;

*Prior to the construction of the building's façade, final details/samples of materials and finishes to be used on the external surfaces of the buildings hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out using the approved materials.*

*Reason: To ensure the development is carried out in an acceptable manner in accordance with Policy GP2 and GP6 of the NLDP 2011-2026 (adopted January 2015).*

8.2 Within the submission, the location of each proposed material identified on an elevation plan has been provided, along with a technical submittal and also a photograph/image of the material/product.

8.3 The materials submitted for approval relate to the data hall and administration office elevations, which are two separate components of the building CWL01. The submitted details finalise the specifications of the external materials proposed and these are in line with those agreed in principle within the full planning application for the development. The materials are all considered to be appropriate to the context of the surrounding area and the contemporary design of the building.

8.4 As such, they are acceptable and the condition can be partially discharged in so far as it relates to the materials proposed.

## **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 submitted external materials are acceptable and the condition can be partially discharged in so far as it relates to those materials being sought for building CWL01.

10.2 All other external materials that are required and are not included within this submission will require separate approval.

10.3 The application is approved.

## **11. DECISION**

### **APPROVED**

#### *NOTE TO APPLICANT*

01 This decision relates to plan Nos:

CWL01-XCRW-SS-45-0\_GEN A-Sample Submittal - Fabricated Flashings Drip  
CWL01-A-K-21-0- Site - External Stairs -Section Rev.A  
CWL01-A-J-05-0 Bay Study 05 - Data Hall Louvers Plenum Rev A \_Mark-Up 250327  
CWL01-A-J-04-0 Bay Study 04 - Data Hall Louvres Rev A \_Mark-Up 250327  
CWL01-A-J-03-A Bay Study 03 - Admin - Loading Dock Rev A Mark-up 250327.  
CWL01-A-J-02-A-Bay Study 02 - Admin-Mark-up  
CWL01-A-J-01-Bay Study 01 - Admin-Mark-up.  
CWL01-A-H-04-0\_ Data Halls - Enlarged Elevation South Rev.A-Mark-up.  
CWL01-A-H-03-A-Admin - Elevation-Mark-up  
CWL01-A-H-02-0-Building Elevations -Mark-up  
CWL01-A-H-02-0 - Building Elevations - Overall Colour Rev.A-Mark-up (Mesh and Louvres).  
CWL01-A-H-02-0 - Building Elevations - Overall Colour Rev A  
CWL01-XCRW-V-54-A\_GEN A-Sample Submittal - GL102 Spandrel Glazing Unit  
CWL01-XCRW-V-55-A\_GEN A-Sample Submittal - GL101 Glazing Unit  
CWL01-XCRW-V-36-0\_GEN A-Sample Submittal - Timber Cladding  
CWL01-XCRW-SS-44-0\_GEN A-Sample Submittal - Fabricated Downpipe  
CWL01-XCRW-SS-43-0\_GEN A-Sample Submittal - Fabricated Gutter  
CWL01-XCRW-SS-41-0\_GEN A-Sample Submittal - Fabricated Capping  
CWL01-XCRW-V-33-0 GEN A - Sample Submittal - Staircase Mesh.  
CWL01-XBTL-SS-01-0 PIN A - Sample Submittal - Glulam Beam.  
CWL01-MKRB-SS-02001-0 -RED A - Intake and Exhaust Louvres and Insect Mesh Sample Part 1-5

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 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.