

Delegated Decision Report

Application No:	25/0549	Statutory Period Expires:	30 th January 2025
Site:	Llanwern Works Queensway Llanwern Newport NP19 4QZ		
Proposal:	DISCHARGE OF CONDITION 27 (CONTAMINATION) (PHASE 4B & 5D ONLY) OF PLANNING PERMISSION 06/0471 FOR THE REDEVELOPMENT OF THE SITE TO CREATE A MIXED-USE URBAN EXTENSION		
Applicant:	Revantage Real Estate Limited		
Type:	Discharge Conditions	Ward:	Bishton & Langstone
Decision:	Approved		

1. BACKGROUND

- 1.1 The applicant is seeking the discharge of Condition 27 (Contamination) of Planning Permission 06/0471/O in relation to the area of Housing Phases 4B & 5D. That condition reads as follows:

Prior to the commencement of each phase of development as defined by Condition 03 (or at such other date or stage in development or for such specified activities or works as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination relating to that phase or activity shall each be submitted to and approved, in writing, by the Local Planning Authority:

(1) A preliminary risk assessment which has identified:

- (a) all previous uses;*
- (b) potential contaminants associated with those uses;*
- (c) a conceptual model of the site indicating sources, pathways and receptors;*
- (d) 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 site investigation results and the detailed risk assessment (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 (3) are complete and identifying any requirements for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the Local Planning Authority.

Reason: *To ensure that the proposed development will not cause pollution of the environment or harm to human health.*

2. SITE LOCATION AND CONTEXT

- 2.1 The wider site is the Glan Llyn Regeneration Site which is located on the western (heavy) end of the Llanwern Steelworks. The specific area of the site subject to this discharge is in the main the area of housing phases 5B & 4D and is specifically identified in Drawing 18669-RLL-22-XX-DR-O-0323 P03 submitted with this application.

3. DESCRIPTION OF DEVELOPMENT

- 3.1 See above.

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision & Decision Date
06/0471	REDEVELOPMENT OF SITE TO CREATE A MIXED USE URBAN EXTENSION COMPRISING: A RANGE OF NEW HOMES (APARTMENTS, HOUSES AND SOME SHELTERED ACCOMMODATION FOR THE ELDERLY - USE CLASSES C2&C3); NEW OFFICES, WORKSHOPS, FACTORIES AND WAREHOUSES (USE CLASSES B1, B2&B8); COMMUNITY FACILITIES INCLUDING NEW SCHOOLS AND COMMUNITY CENTRES (USE CLASSES D1&D2); A LOCAL CENTRE INCORPORATING SHOPS, OFFICES AND COMMERCIAL LEISURE FACILITIES INCLUDING NEW BARS, CAFES AND LICENSED PREMISES (USE CLASSES A1, A2, A3&D2); A NETWORK OF OPEN SPACES INCLUDING PARKLAND, FOOTPATHS, SPORTS PITCHES AND AREAS FOR INFORMAL RECREATION; NEW ROADS, ACCESSES AND PATHS; HEALTHCARE AND FITNESS FACILITIES (USE CLASSES D1&D2); PROVISION FOR A NEW RAILWAY HALT/STATION; OTHER ANCILLARY USES AND ACTIVITIES; AND REQUIRING: SITE CLEARANCE, TREATMENT AND PREPARATION; THE INSTALLATION OF NEW SERVICES AND INFRASTRUCTURE; THE CREATION OF NEW WATER BODIES AND DRAINAGE CHANNELS; IMPROVEMENTS/WORKS TO THE HIGHWAYS NETWORK AND OTHER ANCILLARY WORKS AND ACTIVITIES	GC 01 April 2010

5. PLANNING POLICY

5.1 NEWPORT LOCAL DEVELOPMENT PLAN (2011-2026)

GP7 – Environmental Protection & Public Health

6. CONSULTATION RESPONSES

6.1 Cyfoeth Naturiol Cymru / Natural Resources Wales (NRW/CNC): No objection.

6.2 NCC Scientific Officer: supports general approach but notes need for measures to be fully implemented including those required of house builders.

7. PUBLIC REPRESENTATIONS

None.

8. ASSESSMENT

8.1 The applicant has provided various documents relating to these Phases of the site with the key one ultimately being the Remediation Strategy (P04 version, December 2025) which incorporated requirements from CNC/NRW and has been agreed by that organisation.

8.2 In the light of the lack of objection from CNC/NRW and input to the strategy from that organisation there is no reason to object to the discharge of the condition.

8.3 In summary the remediation strategy is:

Paragraph 6.1 - Based on the results of the previous ground investigations and CWDQRA, the key driver for the remediation of the Site is considered to be the removal of significant

sources of contamination, below ground obstructions and re-engineering of near-surface Made Ground to reduce infiltration for the protection of surface waters and installation of a clean cover system for the protection of human health.

Protection of human health will be achieved by breaking the potential pathway with the provision of suitable clean cover or construction of hardstanding. Gas protection may be required.

8.4 In terms of protective gas measures the Strategy further comments:

The assessment of ground gas protection measures is to be updated following the remedial works. The classification of the Site will depend on the competency of the upper clay of the Tidal Flat Deposits. A site-specific ground gas assessment is recommended following the earthworks. In accordance with BS8485:2015+A1:2019.

Risks from vapours has not been assessed as part of the 2021 ground investigation and will be assessed as part of the post remediation ground gas and vapour assessment detailed within this Remediation Strategy.

As such there is no gap in the strategy with ground gas protection being backloaded but still undertaken as part of this strategy. That assessment will inform the need for gas protection measures within buildings. Given outgassing is from deeper peat layers rather than the recent industrial use it is likely gas protection measures will be needed, however that is not a reason to object to that assessment being completed post ground works under this remediation strategy.

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 condition can be discharged.

11. DECISION

Approved

NOTE TO APPLICANT

01 This decision relates to plan the following plans & documents:

- Covering Letter dated 27.06.2025
- Glan Llyn, Phase 4B & 5D - Desk Study & Phase 2 Geo-Environmental Interpretative Report (June 2025)
- Phase 4B & 5D Controlled Waters Detailed Quantitative Risk Assessment Addendum (June 2025)
- Controlled Waters Detailed Quantitative Risk Assessment (June 2022)
- Phase 4B & 5D, Glan Llyn - Remediation Strategy (December 2025) & Appendices
- Phase 4B & 5D Controlled Waters Detailed Quantitative Risk Assessment Addendum (05.12.2025)

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policy GP7 was 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.

04 No construction of any building on the site should be commenced until such a time as decontamination has been shown to have been successfully completed as required under other Outline conditions (including Outline Condition 28) and that decontamination verification should include confirmation risks from ground gases have been fully mitigated or alternatively that mitigation for ground gas is not required.