

Delegated Decision Report

Application No:	26/0565	Statutory Period Expires:	22nd September 2026
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Site:	<i>Phase 4E Glan Llyn Development Site Queensway Llanwern Newport South Wales</i>		
Proposal:	<i>PARTIAL DISCHARGE OF CONDITION 27 (VERIFICATION PLAN) (PHASE 4E) OF 06/0471 REDEVELOPMENT OF THE SITE TO CREATE A MIXED-USE URBAN EXTENSION</i>		
Applicant:	<i>Brighton STM (Llanwern) Limited</i>		
Type:	Discharge Conditions	Ward:	Llanwern
Decision:	APPROVED		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 This application relates to phase 4E of the Glan Llyn Development Site (Former Llanwern Steelworks).

3. DESCRIPTION OF DEVELOPMENT

3.1 This application seeks to partially discharge condition 27 (Verification Plan) of planning permission 06/0471 in relation to phase 4E only.

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	GRANTED WITH CONDITIONS	01/04/2010

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

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.

5.3 Adopted Newport Local Development Plan (2011-2026)

Policy GP7 – Environmental Protection

6. CONSULTATION RESPONSES

6.1 Natural Resources Wales: We have no objection to the proposed development as submitted and the partial discharge of Condition 27 (Verification Plan). We provide the following advice.

We have reviewed the following information.

- Phase 4E, Desk Study and Phase 2 Geo-Environmental Report, prepared by Rodgers Leask Ltd, dated May 2026
- Technical Note, Phase 4E Controlled Waters Detailed Quantitative Risk Assessment Addendum, prepared by Rodgers Leask Ltd, dated May 2026
- Phase 4E Remediation Strategy, prepared by Rodgers Leask Ltd, dated May 2026
- Appendix F of the Remediation Strategy - Glan Llyn, Newport, Human Health, and
- Controlled Waters Validation Plan, prepared by Rodgers Leask Ltd, dated May 2026

Reporting suggests that site investigation data from Phase 4E site was included in the approved Controlled Waters Risk Assessment (CWRA). However, Technical Note, Phase 4E Controlled Waters Detailed Quantitative Risk Assessment Addendum (CWDQRA) shows that concentrations of BTEX parameters from the Phase 4E site are greater than those used within the approved CWRA. The technical note goes on to say that BTEX was recorded at Limits of Detection (LOD) within Phase 4E site which has skewed the results. The LODs referred to are set out. It is unclear why there are 2 – 3 different LODs across BTEX. For future reference, this should be discussed for quality assurance. Given BTEX does not exceed the CWDQRA re-use criteria, we have no further comments on this matter.

Appendix B of Technical Note, Phase 4E Controlled Waters Detailed Quantitative Risk Assessment Addendum shows 11 exceedances of Ammoniacal Nitrogen concentrations within Phase 4E site investigation in comparison with the CWDQRA reuse criteria. Section 4.2 of Technical Note, Phase 4E Controlled Waters Detailed Quantitative Risk Assessment Addendum only reports exceedances of cyanide, iron, manganese, vanadium fluoranthene and benzo(b)fluoranthene. This requires updating for completeness. We will consider assessment of these contaminants of concern during our future assessment of the discharge of Condition 28 (as amended by NMA ref. 25/0056) in line with updated post remediation soil validation criteria.

We have no comments to make on the Remediation Strategy or Validation Plan documentation.

Based on our assessment, we are satisfied that the information submitted is sufficient to advise the partial discharge of Condition 27 of Phase 4E. Notwithstanding this advice, the reporting amendments identified above should be addressed for completeness and quality assurance purposes.

- 6.2 Senior Scientific Officer: I have reviewed the Phase 4E Remediation Strategy prepared by Rodgers Leask. I have identified no issues with their verification plan or monitoring strategy and therefore support partial discharge of planning condition 27 (verification plan) (Phase 4E).

When the remediations works are complete we will review the relevant verification information in line with planning condition 28.

7. PUBLIC REPRESENTATIONS

None.

8. ASSESSMENT

- 8.1 Condition 27 states;

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.

- 8.2 Natural Resources Wales are satisfied that the information submitted is sufficient to partially discharge condition 27 of Phase 4E.

- 8.3 The Council's Senior Scientific Officer advises that they reviewed the Remediation Strategy and have no issues with their verification plan or monitoring strategy and therefore support partial discharge of the condition.

- 8.4 It is therefore recommended that condition 27 (Verification Plan) of planning permission 06/0471 in relation to phase 4E only is partially discharged.

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 details are considered sufficient to partially discharge condition 27 (Verification Plan) of planning permission 06/0471 in relation to phase 4E only.

11. DECISION

APPROVED

NOTE TO APPLICANT

01 This decision relates to plan Nos: 18669-RLL-26-XX-RP-O-0856 Phase 4E Desk Study and Ground Investigation, 18669-RLL-26-XX-RP-O-0858-P01 Phase 4E Remediation Strategy, 18669-RLL-26-XX-RP-O-0865-P01 - Phase 4E CWDQRA Addendum and 18669-RLL-24-XX-DR-O-0657-P02 Phase 4E Redline Boundary Plan.

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.

03 CNC/NRW have additional reporting requirements that should be incorporated into any future validation reports.