

Delegated Decision Report

Application No:	25/1006	Statutory Period Expires:	20th February 2026
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Site:	<i>Llanwern Works Queensway Llanwern Newport South Wales</i>		
Proposal:	<i>PARTIAL DISCHARGE OF CONDITION 02 (PROPOSED PLANTING) AND 03 (ADDITIONAL PLANTING) OF PLANNING PERMISSION 25/0052 FOR RETENTION OF ENGINEERING WORKS AND USE OF LAND AS AN OPEN STORAGE AND DISTRIBUTION FACILITY, WITH ANCILLARY STAFF WELFARE/SECURITY/OFFICE SPACE, ALONG WITH THE LAYING OF ROADS/MARSHALLING AREAS, THE ERECTION OF NEW FENCING AND LIGHTING AND ASSOCIATED GROUND, DRAINAGE, ENGINEERING AND LANDSCAPING WORKS</i>		
Applicant:	<i>C Cairns</i>		
Type:	Discharge Conditions	Ward:	Bishton And Langstone
Decision:	APPROVED		

1. BACKGROUND

- 1.1 A full (major) application for the retention of engineering works and use of the land as an open storage and distribution facility, with ancillary staff welfare/security/office space, along with the laying of roads/marshalling areas, the erection of new fencing and lighting and associated ground, drainage, engineering and landscaping works was granted with conditions under application ref.25/0052 in June 2025.

2. SITE LOCATION AND CONTEXT

- 2.1 The site is a 10.2Ha of land to the south of the Air Products site off Queensway (the Eastern Distributor Road / EDR) used for external storage. The development approved under application ref.25/0052 involves the construction of a network of concrete roads and a concreted loading / unloading area, the provision of an office / welfare facility (2 stacked containers), gates & security shed, installation of floodlighting columns, car & bicycle parking, lengths of fencing, new foul drainage, new surface water drainage network and associated planting. The proposed user is Westland Horticulture who will use the site to store and distribute palletised products from identified bays.

3. DESCRIPTION OF DEVELOPMENT

- 3.1 This application is seeking partial discharge of Condition 02 (Planting) and Condition 03 (Additional Planting) of planning permission 25/0052.

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
25/0052	RETENTION OF ENGINEERING WORKS AND USE OF LAND AS AN OPEN STORAGE AND DISTRIBUTION FACILITY, WITH ANCILLARY STAFF WELFARE/SECURITY/OFFICE SPACE, ALONG WITH THE LAYING OF ROADS/MARSHALLING AREAS, THE ERECTION OF NEW FENCING AND LIGHTING AND ASSOCIATED GROUND, DRAINAGE, ENGINEERING AND LANDSCAPING WORKS	GRANTED WITH CONDITIONS	05.06.2025

5. PLANNING POLICY

- 5.1 N/A

6. CONSULTATION RESPONSES

6.1 LANDSCAPE OFFICER

No objection.

6.2 ECOLOGY OFFICER

No objection

7. PUBLIC REPRESENTATIONS

N/A

8. ASSESSMENT

8.1 Condition 02 (Planting) of 25/0052 states that:

“Prior to the beneficial occupation of the site a Method Statement for ground preparation, a planting specification informed by the submitted Landscape & Ecological Management Plan (January 2025) and a Management Plan of minimally 5 years duration from when all proposed planting has been completed; which shall include inter alia, details of monitoring & replacement planting as required; shall be submitted to and approved in writing by the Local Planning Authority. That is the planting of the hedgerow, earth bund and reen / swale banking. The planting and its management shall thereafter be completed / undertaken as approved with all planting being completed in the first full planting season, (October to March inclusive) following the first occupation of the site.

Reason: to ensure the site is adequately landscaped in the interests of Green Infrastructure provision and bio-diversity enhancement. Policies GP2 & GP5.”

8.2 The application is accompanied by a Landscape Management and Maintenance Plan which provides details of site/ground preparation for tree and hedge planting, site planting, an Arboricultural method statement, a maintenance regime, record keeping and a handover/long term management plan. The plan sets out the requirements for the initial 36-month establishment period following practical completion of the landscape works and then for a further 24 months beyond that for a total of 5 years.

8.3 Condition 03 (Additional Tree Planting) of 25/0052 states that:

“Prior to the beneficial occupation of the site a scheme of Tree planting including tree pit details (or other means of ground preparation) and a management scheme of minimally 5 years duration after all tree planting has been completed which shall include inter alia details of monitoring & replacement tree planting as required shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall thereafter be implemented fully as approved in the first full planting season (October to March inclusive) following the first occupation of the site.

Reason: to ensure the site is adequately landscaped in the interests of Green Infrastructure provision and bio-diversity enhancement. Policies GP2 & GP5.”

8.4 The Landscape Management and Maintenance Plan also provides Tree Pit Details. Each tree planting pit shall be 600 mm minimum depth and 1000 mm minimum diameter/width. The Depth shall be increased where necessary to incorporate drainage layers or to reach free-draining sub-base. In terms of excavation requirements: Pits shall be square or circular as required, the base of the pit shall be broken up to a depth of 150 mm to relieve compaction and side walls shall be loosened to allow root penetration. If ground investigations indicate poor drainage, deeper excavation to install a 150 mm layer of free-draining material (e.g., washed gravel) or vertical or lateral drainage pipes if indicated in the drawings or by site conditions shall be installed. Regarding backfilling, all pits shall be backfilled with BS 3882-compliant topsoil, mixed with approved organic matter (e.g., composted material). Backfill in layers, firming lightly to avoid air pockets but not compacting excessively.

8.5 The Council’s Landscape Officer was consulted on this application and has advised that there is not a strong enough reason to object to the application, however as the landscaping is driven by ecology mitigation and enhancement rather than

softening/screening of views, in addition the wider sensitive ecology landscape of the Gwent Levels SSSI and connectivity with water features, two queries were deferred to the Council's Ecology Officer.

- 8.6 The first query deferred by the Landscape Officer sought clarity regarding the use of hornbeam and yew for the trees in the native hedge, specifically to provide bat habitat and whether there was locally native context. The Council's Ecology Officer has confirmed that Hornbeam and Yew are not typical hedgerows in this locality and a traditional hedgerow mix of Hazel, Holly, Elder, Dog-rose, Hawthorn, Blackthorn for example, would be more appropriate. Following discussion with the applicant, the Landscape Management and Maintenance Plan and the Planning Layout were amended in line with the Ecology Officer's comments and no objection has been raised.
- 8.7 The second query deferred to the Ecology Officer sought clarity that the seed mix is appropriate for this location as it includes *Carex Pendula*. The Ecology Officer has confirmed that the seed mix is appropriate for this locality and is satisfied with the detail provided.
- 8.8 Sufficient information has been provided, in line with the details specified in Condition(s) 02 and 03 of 25/0052. The details are sufficient to partially discharge the conditions in so far as the submission of planting/additional planting details, but the landscape management and maintenance plan remains to be adhered to.

9. OTHER CONSIDERATIONS

9.1 *Crime and Disorder Act 1998*

Section 17(1) of the Crime and Disorder Act 1998 imposes a duty on the Local Authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. This duty has been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable increase in crime and disorder as a result of the proposed decision.

9.2 *Equality Act 2010*

The Equality Act 2010 identifies a number of 'protected characteristics', namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; marriage and civil partnership.

9.3 Having due regard to advancing equality involves:

- removing or minimising disadvantages suffered by people due to their protected characteristics;
- taking steps to meet the needs of people from protected groups where these differ from the need of other people; and
- encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

9.4 The above duty has been given due consideration in the determination of this application. It is considered that there would be no significant or unacceptable impact upon persons who share a protected characteristic, over and above any other person, as a result of the proposed decision.

9.5 *Planning (Wales) Act 2015 (Welsh language)*

Section 31 of the Act clarifies that impacts on the Welsh language may be a consideration when taking decisions on applications for planning permission so far as it is material to the application. This duty has been given due consideration in the determination of this application. It is considered that there would be no material effect upon the use of the Welsh language in Newport as a result of the proposed decision.

9.6 *Newport's Well-Being Plan 2018-23*

The Wellbeing of Future Generations (Wales) Act 2015 imposes a duty on public bodies to carry out sustainable development in accordance with the sustainable development principle to act in a manner which seeks to ensure that the needs of the present are met

without compromising the ability of future generations to meet their own needs. This duty has been considered during the preparation of Newport's Well-Being Plan 2018-23, which was signed off on 1 May 2018. The duty imposed by the Act together with the goals and objectives of Newport's Well-Being Plan 2018-23 have been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the proposed decision.

10. CONCLUSION

- 10.1 Sufficient information has been provided, in line with the details specified in Condition(s) 02 and 03 of 25/0052. The details are sufficient to partially discharge the conditions in so far as the submission of planting/additional planting details, but the landscape management and maintenance plan remains to be adhered to.

11. DECISION

APPROVED

NOTE TO APPLICANT

01 This decision relates to plan Nos: Site Location Plan, Landscape Management and Maintenance Plan Rev C, Planning Site Layout 24.12.100 Rev B.

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). No policies were relevant to the determination of this application.

03 Due to the minor nature of the proposed development (including any demolition) and the location of the proposed development, it is considered that the proposals did not need to be screened under the Environmental Impact Assessment Regulations.