

Delegated Decision Report

Application No:	25/0713	Statutory Period Expires:	21st November 2025
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Site:	Phase 4H Glan Llyn Development Site Queensway Llanwern Newport South Wales		
Proposal:	PARTIAL DISCHARGE OF CONDITION 28 (VERIFICATION) (PART 2 ONLY) OF 06/0471 REDEVELOPMENT OF THE SITE TO CREATE A MIXED-USE URBAN EXTENSION (IN RELATION TO PHASE 4H PLOTS 160-172 AND 177-183 ONLY)		
Applicant:	Bellway Homes Limited (Wales)		
Type:	Discharge Conditions	Ward:	Llanwern
Decision:	APPROVED		

1. BACKGROUND

- 1.1 Permission was approved, via a non-material amendment application, in 2025 to vary the wording of condition 28 (verification of remediation) to split it into two parts.

(28) (1) Prior to the commencement of each phase of development as defined by Condition 03 (that is any development excluding that required as part of the remediation strategy), unless an alternative timescale for the component parts of that phase and/or for specific remediation works has firstly been agreed in writing by the Local Planning Authority, a verification report demonstrating completion of works set out in the approved remediation strategy for that phase (or each part of the phase if an alternative timescale has been agreed by the Local Planning Authority for the component parts) shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan for that phase to demonstrate that the site remediation criteria (specifically permeability, soils, chemical validation and groundwater/pore water but excluding the drainage layer installation and/or installation of gas membranes and/or clean capping material, which shall be governed by part (2) of this condition) have been met. It shall also include any plan for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan and for the reporting of this to the Local Planning Authority.

*(2) Post completion of the remedial works as set out under part (1) of this condition, and prior to first occupation of the relevant phase, details of the drainage layer installation **and** installation of gas membranes **and** clean capping material, (insofar as applicable), shall be submitted to and approved, in writing, by the Local Planning Authority.*

Reason: To demonstrate that the remediation criteria relating to controlled waters have been met and (if necessary) to secure longer-term monitoring of groundwater quality. This will ensure that there are no longer remaining unacceptable risks to controlled waters following remediation and development of the site and in the interests of residential amenities and human health.

2. SITE LOCATION AND CONTEXT

- 2.1 This application relates to phase 4H plots 160-172 and 177-183 only of the Glan Llyn Development Site.

3. DESCRIPTION OF DEVELOPMENT

- 3.1 This application seeks to partially discharge condition 28 (verification) (part 2 only) of planning permission 06/0471.

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
06/0471	REDEVELOPMENT OF SITE TO CREATE A MIXED-	GRANTED	01/04/2010

	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	WITH CONDITIONS	
24/0942	DISCHARGE OF CONDITION 28 (REMEDIAL VERIFICATION) OF 06/0471 REDEVELOPMENT OF THE SITE TO CREATE A MIXED USE URBAN EXTENSION (PHASE 4H ONLY)	APPROVED	09/01/2025
25/0056	NON-MATERIAL AMENDMENT APPLICATION TO VARY THE WORDING CONDITION 28 (VERIFICATION OF REMEDIAL) (TO SPLIT INTO PARTS 1 AND 2) OF 06/0471 REDEVELOPMENT OF THE SITE TO CREATE A MIXED USE URBAN EXTENSION	APPROVED AND CONDITIONS	27/02/2025

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.

6. CONSULTATION RESPONSES

6.1 Natural Resources Wales: We have concerns with the application as submitted because inadequate information has been provided in support of the proposal. To overcome these concerns, you should seek further information from the applicant regarding land contamination. If this information is not provided, we would object to this planning application. Further details are provided below. We note from the submitted information that no information on the drainage layer has been submitted for this application. Therefore at present, we are unable to comment on the discharge of the submitted condition. In addition, we note that this particular application is only in relation to selected plots as per the screenshot below. We would discourage this approach to discharging the above condition, as the drainage layer is laterally extensive and should cover the plot as a whole.

6.2 Scientific Officer: I have had a look at the submissions in respect of the above and am supportive of their findings. As such I have no objections to discharge of condition. It is noted that NRW retain concerns and as such we would not wish to support discharge where there are outstanding matters to be resolved with NRW.

7. PUBLIC REPRESENTATIONS

None.

8. ASSESSMENT

8.1 This application seeks to partially discharge part 2 only of condition 28 in relation to phase 4H plots 160-172 and 177-183 only.

8.2 Part 2 states;

*(2) Post completion of the remedial works as set out under part (1) of this condition, and prior to first occupation of the relevant phase, details of the drainage layer installation **and** installation of gas membranes **and** clean capping material, (insofar as applicable), shall be submitted to and approved, in writing, by the Local Planning Authority.*

8.3 Prior to the splitting of condition 28 via an NMA, condition 28 was discharged in relation phase 4H (24/0942). This included evidence demonstrating the placement of a drainage layer across the phase in accordance with the remediation strategy and validation plan. NRW offered no objection to the full discharge of condition 28 under that application.

8.4 Whilst details of the drainage layer have not been submitted as part of this current application, it is considered that these details have been sufficiently approved previously as outlined above. It is therefore considered that this application is for the benefit of human health which is not a matter NRW would comment on, and the Council's Senior Scientific Officer has offered no objection. This is similar to the approach taken under application reference number 25/0174. It is therefore considered that part 2 of condition can be discharged in relation to phase 4H plots 160-172 and 177-183 only.

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 It is considered that sufficient information has been provided to partially discharge part 2 of condition 28 in relation to phase 4H plots 160-172 and 177-183 only.

11. **DECISION**

APPROVED

NOTE TO APPLICANT

01 This decision relates to plan Nos: Site Location Plan – Plots 160-172 & 177-183, NHBC Outstanding Land Quality Conditions REF:228471 LQ Conditions LQ1 & LQ2 Plots 160 to 167 and 178 to 179 Validation of Clean Cover to Garden Areas Interim Report Dated 15th July 2025, NHBC Outstanding Land Quality Conditions REF:228471 LQ Conditions LQ1 & LQ2 Plots 168 to 172 and 177 Validation of Clean Cover to Garden Areas Interim Report Dated 16th July 2025 and NHBC Outstanding Land Quality Conditions REF:228471 LQ Conditions LQ1 & LQ2 Plots 180 to 183 Validation of Clean Cover to Garden Areas Interim Report Dated 1st May 2025.

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.