

Delegated Decision Report

Application No:	25/0310	Statutory Period Expires:	25th September 2025
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Site:	<i>Gd Environmental Nash Road Newport NP18 2BS</i>		
Proposal:	<i>NEW VEHICLE ACCESS ONTO THE PUBLIC HIGHWAY TO PROVIDE A SECONDARY ACCESS FACILITY TO THE EXISTING GD ENVIRONMENTAL YARD AND EXISTING HAULAGE BUSINESS OPERATIONS</i>		
Applicant:	<i>A Chivers</i>		
Type:	Full	Ward:	Liswerry
Decision:	GRANTED WITH CONDITIONS		

1. BACKGROUND

- 1.1 The site operates as a yard and haulage business.

2. SITE LOCATION AND CONTEXT

- 2.1 The site is industrial in nature, within the settlement boundary and on brownfield land. The site is also within an archaeologically sensitive area, flood risk area and sits along the edge of SINC.

3. DESCRIPTION OF DEVELOPMENT

- 3.1 Planning permission is sought for the creation of a vehicle access which would provide a secondary access to the existing yard and haulage operations. The new access would be towards the south of the site. The erection of 2m high, 5.5m wide black mesh fencing/gates are also proposed.
- 3.2 The access would go over the existing reen. The existing reen is to be culverted. It is proposed that a box culvert would be used, providing a minimum of 200mm headroom above the maximum reen water level so that wildlife can safely cross under the access road through the reen. The culvert will be designed to avoid any drainage run-off into the reen.

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
11/1194	RETENTION OF OFFICES (B1 USE) WITH ROOF MOUNTED SOLAR PANELS ON LAND FORMERLY USED FOR STORAGE PURPOSES AND ADJACENT TO HAULAGE SITE	GRANTED WITH CONDITIONS	
13/0187	RETENTION OF USE OF LAND AS HAULAGE YARD (RESUBMISSION FOLLOWING DISMISSAL OF APPEAL APP/G6935/A/12/2177718, LPA REF 11/0098)	GRANTED WITH CONDITIONS	
16/0426	RETENTION OF WAREHOUSE BUILDING AND USE OF LAND FOR STORAGE AND DISTRIBUTION (RESUBMISSION)	GRANTED WITH CONDITIONS	
21/1093	RETROSPECTIVE APPLICATION FOR EXTENSION OF HAULAGE YARD	GRANTED WITH CONDITIONS	17/11/2022
23/0310	PLANNING APPLICATION FOR DEVELOPMENT ASSOCIATED WITH A BIOMASS BOILER INSTALLATION	GRANTED WITH CONDITIONS	14/06/2023

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 NEWPORT LOCAL DEVELOPMENT PLAN (2011-2026)

- GP2 (General Amenity)
- GP4 (Highways and Accessibility)
- GP5 (Natural Environment)
- GP6 (Quality of Design)
- CE6 (Archaeology)
- CE8 (Locally Designated Nature Conservation and Geological Sites)

6. CONSULTATION RESPONSES

6.1 Natural Resources Wales: We have concerns with the application as submitted. However, we are satisfied these concerns can be overcome by attaching the following condition to any planning permission granted and including the documents identified in the approved plans and documents condition on the decision notice. Please note, without the inclusion of this condition and these documents we would object to this planning application. Further details are provided below.

Protected Sites - The proposed development is located approximately 1km from the Gwent Levels: Nash and Goldcliff Site of Special Scientific Interest (SSSI). The proposal involves culverting a drainage ditch which is connected to the SSSI (the submission refers to the drainage ditch as a reen - for clarity, we advise our mapping indicates it is a drainage ditch). Furthermore, Great Spytty Reen, which is also connected to the SSSI, is located approximately 10m from the application site boundary. The Gwent Levels SSSIs are notified for the range of aquatic plants and invertebrates associated with the reens and ditches of the drainage system. The special interests of the SSSI are dependent on the water quality, water quantity, the existence of the drainage system and its continued management. Any development which has an adverse impact on any of these factors will have an adverse impact on the wildlife for which the area is notified. We have concerns the proposed development as submitted, will damage the features for which the SSSI is of special interest. We therefore recommend planning permission should only be granted if appropriate planning conditions are included to avoid damage to the special interest features of the SSSI. Paragraph 6.4.26 of Planning Policy Wales states development should be refused where there are adverse impacts on the features for which a site has been designated. The Ecological Impact Assessment (EclA) by Richard Green Ecology (14/02/2024) advises pollution prevention and control measures should be put in place during construction to avoid any drainage of run-off into the ditch. Based on the information submitted, we consider the proposed scheme will, subject to the inclusion of condition advised below, avoid damaging the features for which the SSSI is of special interest. We therefore advise the following condition should be attached to any permission granted: Condition:

Construction Environmental Management Plan

No development or phase of development, including site clearance, shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP should include the below:

- Construction methods: details of materials, how waste generated will be managed;
- General Site Management: details of the construction programme including timetable, details of site clearance; details of site construction drainage, containment areas, appropriately sized buffer zones between storage areas (of spoil, oils, fuels, concrete mixing and washing areas) and any watercourse or surface drain;
- Pollution Prevention: demonstrate how relevant Guidelines for Pollution Prevention and best practice will be implemented, including details of emergency spill procedures and incident response plan;
- Details of the persons and bodies responsible for activities associated with the CEMP and emergency contact details. The CEMP shall be implemented as approved during the site preparation and construction phases of the development.

Reason: A CEMP should be submitted to ensure necessary management measures are agreed prior to construction and implemented for the protection of the environment.

We advise the applicant Guidance for Pollution Prevention (GPP) 5: Works and maintenance in or near water, and GPP 6: Working on construction and demolition sites, which are available on the NetRegs website, are particularly relevant for this development; Should you be minded to grant permission for the above planning application without attaching such conditions as described above to the permission, we ask that you notify us under the provisions contained in Section 281 of the Wildlife and Countryside Act 1981 (as amended).

European Protected Species - The EclA confirms water vole presence along the drainage ditch. The proposal will result in the loss of up to 8m of bankside vegetation on each bank to facilitate the proposed access. We have considered the water vole displacement proposals within the EclA. We consider EclA provides an adequate basis upon which to consider the potential impacts of the scheme on this species and inform the decision-making process. We consider the development is not likely to be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range provided the measures set out in the EclA are implemented. Therefore, we advise the following documents are included in the approved plans and documents condition on the decision notice:

- Ecological Impact Assessment by Richard Green Ecology (14/02/2024);
- Proposed Access Road at Nash Road Depot Newport drawing, Drawing No. AR01 – 01, by GD Environmental (Jan 2024).

We advise the proposed works require a licence under the Wildlife and Countryside Act 1981 before works commence. We may offer further advice at the licence application stage. We refer you to the Chief Planning Officer's letter dated 1 March 2018 which advises Local Planning Authorities to attach an informative regarding licence requirements to all consents and notices where European Protected Species are likely to be present on site. Please note, any changes to plans between planning consent and the licence application may affect the outcome of a licence application. Based on the information in the EclA, we have no comments to make in relation to Great Crested Newt or Otter.

Flood Risk - The planning application proposes less vulnerable development. The Flood Map for Planning identifies the application site to be at risk of flooding and is within Flood Zone 2 and 3 (Sea) and a TAN15 Defended Zone. Given the nature and scale of the proposed development (and in the absence of a flood consequences assessment) we consider the proposals could be acceptable, subject to the developer being made aware of the potential flood risks and consequences.

- 6.2 Local Highways Authority: No objection. Following receipt of further information, it is accepted that a second access is needed to segregate HGVs from cars etc. On that basis the access is considered acceptable and there are no maintained objections.
- 6.3 Tree: No tree issues.
- 6.4 Ecology: The Green Infrastructure Statement does not adequately set out measures to enhance biodiversity or ecosystem resilience, to the extent that a net benefit for biodiversity will be achieved as a result of this scheme. Avoidance, mitigation and compensation measures are proposed to counteract the impact of the scheme upon the natural environment, but no evidence is provided that the biodiversity and ecosystem resilience of

this site will be better after development than it was before. Therefore we should use a planning condition to secure the submission and implementation of a scheme which demonstrates a net benefit for biodiversity above and beyond the current baseline state.

- 6.5 Landscape: No objection – an appropriate landscape scheme is still required. A Green Infrastructure Statement by Richard Green Ecology has been submitted. No enhancement is offered within the GIS. As it stands the proposal would not meet LDP GP5 policy. Some degree of proportionate new planting is required to meet LDP GP5 policy unless there is an ecological reason for not doing so. vi the proposal includes an appropriate landscape scheme which enhances the site and the wider context including green infrastructure and biodiversity networks. Appropriate and proportionate enhancement proposals could be conditioned.
- 6.6 HENEB: We have consulted the regional Historic Environment Record (HER) and note that the proposal is located within the Newport Archaeologically Sensitive Area (ASA), although there are no known sites in the vicinity. It is also located in the Gwent Levels Registered Historic Landscape (HLW (Gt) 2), specifically the Nash Goldcliff Character Area (HLCA001), as defined within the Register of Landscapes of Outstanding Historic Interest in Wales. The Character Area is described as a complex “irregular landscape” on higher coastal area, which was reclaimed by the late eleventh/early twelfth century. The area contains abundant intertidal and buried archaeological remains and drainage features and consequently, there is potential for archaeological and palaeoenvironmental remains to survive within the area. However, the current application is limited in scale and in an area at least partially disturbed by previous construction activities. Overall it is unlikely that archaeologically significant material will be encountered during the course of the proposed works. As a result, there is unlikely to be an archaeological restraint to this proposed development and consequently, as the archaeological advisors to your Members, we have no objections to the positive determination of this application. The record is not definitive, however, and features may be disturbed during the course of the work. In this event, please contact this division of the Trust.
- 6.7: Dwr Cymru Welsh Water: This site is in close proximity a public water main with the approximate position being marked on the attached statutory public watermain record. In accordance with the Water Industry Act 1991, Dwr Cymru Welsh Water requires access to its apparatus at all times in order to carry out maintenance and repairs. Having regard to drawing reference AR01 - 01, it appears the proposed development would be situated very close to the public asset, which has a protection zone measured 3.6 metres either side of the centreline. Please note, the distance specified for this protection zone is indicative and based on industry standard guidelines. However, the depth of the asset will need to be verified on site which may infer a greater protection zone. For completeness, we recommend the developer refer to their title deeds to confirm if there are any covenants or restrictions associated with the asset(s) crossing the proposed development site.

In this instance, we advise that a method statement and risk assessment for the protection of the structural condition of the public water main would be required so we can assess the relationship between the proposed works and the asset and how the asset will be protected during construction.

Notwithstanding this, we would request that if you are minded to grant Planning Consent for the above development that the Conditions and Advisory Notes listed below are included within the consent to ensure no detriment to existing residents or the environment and to Dwr Cymru Welsh Water's assets.

Condition

No development shall commence until details of a method statement and risk assessment for the protection of the structural condition of the water main in close proximity of the site has been submitted to and approved in writing by the Local Planning Authority. The approved protection measures shall be implemented in full before any other development hereby permitted has commenced, and shall be retained at all times for the duration of the approved operations including the restoration works.

Reason: To ensure that the proposed development does not affect the integrity of the public water supply system in the interests of public health and safety

Advisory Note

The applicant is also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

Our response is based on the information provided by your application. Should the proposal alter during the course of the application process we kindly request that we are re-consulted and reserve the right to make new representation.

- 6.8 SAB: Having reviewed the submitted information, a SAB application may not be required but if there are any external works exceeding 100sqm then we would encourage the application to visit the website or contact the SAB team for further discussion.
- 6.9 Environmental Health: No adverse comments or observations from the Environmental Protection perspective to this application.

7. PUBLIC REPRESENTATIONS

Neighbour notification letters were sent on 03/06/2025. No comments were received.

8. ASSESSMENT

8.1 Visual Amenity/ Character and Appearance;

The proposed secondary access would be sited along Nash Road. It would be set approximately 100m from the existing site access to the north and the access to Lee Way to the south. The site comprises a short section of open reen between the industrial site and the road. To create the access road, a stretch of the reen would be culverted. The culvert would be a box culvert, spanning the width of the reen. The access road would be read within the context of the existing yard and haulage site situated between existing buildings associated with the use. Sections of the culvert have been provided. Owing to the siting and scale of the works, it is considered that the proposed secondary access would not result in a harmful impact on visual amenity and would not significantly detract from the character and appearance of the site and wider streetscape.

The site currently has black mesh fencing running along the edge of the application site. New 2m high black mesh fencing and gates are proposed. The proposed 5.5m wide gates would be setback 10m from the highway and would open into the site. There are two sections of proposed fencing. One section would extend from the corner of the existing building to the south for a width of 16m to meet with the gates, returning for a width of 3.5m toward the highway. The other section of fencing would extend 3.5m from the highway toward the gates and return along the site for a width of 27m. There is an existing stretch of black mesh fencing that runs between the existing two buildings. Whilst the proposal includes the addition of gates, it is considered that when read against the context of the site, which is industrial in nature and contains a number of buildings, it would not result in a harmful impact on visual amenity and would not significantly detract from the character and appearance of the site and wider streetscape.

8.2 Movement:

The Council's Highways Officer initially offered an objection to the application pending justification and rationale for a secondary access to the site.

The applicant provided further information regarding the access and advised that the introduction of the secondary access would not lead to any increase in overall traffic generated by the site, rather it would assist in redistributing existing vehicle movements by separating staff and light vehicle movements from HGV and service yard movements. The applicant also provided the following details relating to justifying the secondary access with regard to operational and safety matters.

1. Segregation of Vehicle Movements:

The proposed secondary access allows clear and effective segregation of HGV and tanker movements (approximately 16 skip lorries, 22 articulated vehicles, and 10 tankers) from staff (approx. 70no), visitors, and general public vehicles. This significantly reduces potential conflicts and improves pedestrian and workforce safety within the yard.

2. Enhanced On-site Pedestrian Safety:

By separating heavier industrial traffic from lighter staff and visitor vehicles, the site layout will considerably reduce potential interactions between pedestrians and larger industrial vehicles, improving the overall internal safety environment.

3. Increased Flexibility and Efficiency:

The additional access point offers essential operational flexibility, particularly during peak operational hours or unexpected disruptions. By dispersing traffic movements, congestion at the main entrance is alleviated, improving vehicle turnaround times, and enabling quicker loading/unloading operations.

4. Improved Internal Traffic Flow:

A dedicated secondary access ensures smoother circulation patterns within the site, reducing internal congestion and improving overall operational efficiency, thus enhancing the site's ability to maintain reliable and timely services.

5. Enhanced Business Continuity:

Should there be any disruption at the primary access point (due to an accident, vehicle breakdown, or other blockage), the secondary access ensures continued operational capability, minimising downtime and associated commercial impacts.

6. Potential for Specialised Vehicle Handling:

The secondary access provides the opportunity to manage certain vehicle types, such as tankers, away from the main access point. This arrangement optimises on-site operations and reduces conflicts, without increasing the overall number or type of vehicles using the highway network.

7. Better Customer Service and Experience:

With a dedicated secondary access, we can offer improved customer satisfaction through enhanced convenience, safer site access, and reduced waiting times, which aligns positively with our commitment to customer service.

Following the submission of the additional details above, the Council's Highways Officer offered no objection to the proposal. The proposed access and associated gates and fencing are considered acceptable from a highway safety perspective.

8.3 **Flooding:**

The planning application proposes less vulnerable development. The Flood Map for Planning identifies the application site to be at risk of flooding and is within Flood Zone 2 and 3 (Sea) and a TAN15 Defended Zone. Given the nature and scale of the proposed development (and in the absence of a flood consequences assessment) NRW consider the proposals could be acceptable, subject to the developer being made aware of the potential flood risks and consequences

8.4 **Ecology/Biodiversity:**

The proposed development is located approximately 1km from the Gwent Levels: Nash and Goldcliff Site of Special Scientific Interest (SSSI). The proposal involves culverting a drainage ditch which is connected to the SSSI (the submission refers to the drainage ditch as a reen - for clarity, NRW advise their mapping indicates it is a drainage ditch). Furthermore, Great Spytty Reen, which is also connected to the SSSI, is located approximately 10m from the application site boundary. The Gwent Levels SSSIs are

notified for the range of aquatic plants and invertebrates associated with the reens and ditches of the drainage system. The special interests of the SSSI are dependent on the water quality, water quantity, the existence of the drainage system and its continued management. Any development which has an adverse impact on any of these factors will have an adverse impact on the wildlife for which the area is notified.

- 8.5 NRW raised concerns with the proposed development as submitted, specifically that it will damage the features for which the SSSI is of special interest. They therefore recommend planning permission should only be granted if appropriate planning conditions are included to avoid damage to the special interest features of the SSSI. Paragraph 6.4.26 of Planning Policy Wales states development should be refused where there are adverse impacts on the features for which a site has been designated. The Ecological Impact Assessment (EclA) by Richard Green Ecology (14/02/2024) advises pollution prevention and control measures should be put in place during construction to avoid any drainage of run-off into the ditch. It also confirms that:

The proposal would result in the culverting of a 6-8 m length of reen and loss of adjacent vegetated banks. The adjacent reen could be impacted by pollution during the construction of the culvert ... It is recommended that a box culvert be used, providing a minimum of 200 mm headroom above the maximum reen water level, so that water vole and otter can safely cross under the access road through the reen. Marginal and bankside vegetation along the length of the reen in front of the GD Environmental site should be left unmanaged, or only managed occasionally if there is an overriding need, such as highway maintenance, to enhance habitat for water voles and other wildlife, i.e., provide more cover and foraging opportunities.

- 8.6 Based on the information submitted, it is considered that the proposed scheme will, subject to the inclusion of an appropriate Construction Environmental Management Plan condition and conditions linking the permission to the mitigation detailed in the EclA, avoid damaging the features for which the SSSI is of special interest.

The EclA confirms water vole presence along the drainage ditch. It also confirms as follows:

Because water voles and their burrows are protected (4.3.1), a licence will be required for the proposed work from Natural Resources Wales. A working method for water vole displacement is included in Appendix D. This will be subject to NRW licensing and ecological supervision.

- 8.7 The proposal will result in the loss of up to 8m of bankside vegetation on each bank to facilitate the proposed access. NRW have advised that the development is not likely to be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range provided the measures set out in the EclA are implemented.

- 8.8 Policy 9 of Future Wales states that in all cases, action towards securing the maintenance and enhancement of biodiversity (to provide a net benefit), the resilience of ecosystems and green infrastructure assets must be demonstrated. Policy GP5 of the LDP supports this and states that proposals will be expected to maintain, protect and enhance ecological networks and features of importance for biodiversity. Whilst the applicant has not indicated any measures as part of the application, it is considered reasonable and necessary in this instance to secure a scheme of biodiversity enhancement measures by condition to ensure that a net benefit is provided to biodiversity as part of this application.

8.9 **Landscaping:**

A proportionate planting scheme is required to meet policy GP5 which states 'the proposal includes an appropriate landscape scheme which enhances the site and the wider context including green infrastructure and biodiversity networks.' Planting should use appropriate native species and follow advice from the ecology consultant to ensure the reen is not shaded out.

- 8.10 A Green Infrastructure Statement has been submitted and advises:

Currently the reën is heavily managed and provides limited wildlife habitat.

Marginal and bankside vegetation along the length of the reën in front of the GD Environmental site will be left unmanaged, or only managed occasionally if there is an overriding need, such as highway maintenance, to enhance habitat for water voles and other wildlife, i.e., provide more cover and foraging opportunities.

It is therefore concluded that, because of proposed sensitive management of the reën, improving its value for water voles and other wildlife, there will be a demonstrable net benefit for biodiversity.

The Green Infrastructure Statement does not adequately set out measures to enhance biodiversity or ecosystem resilience, to the extent that a net benefit for biodiversity will be achieved as part of the scheme. Avoidance, mitigation and compensation measures are proposed to counteract the impact of the scheme upon the natural environment, but no evidence is provided that the biodiversity and ecosystem resilience of this site will be better after development than it was before. The Ecology Officer therefore suggests that a condition is attached to the consent to secure the submission and implementation of a scheme which demonstrates a net benefit for biodiversity above and beyond the current baseline state.

8.11 **Archaeology:**

The proposal is located within the Newport Archaeologically Sensitive Area (ASA), although there are no known sites in the vicinity. It is also located in the Gwent Levels Registered Historic Landscape (HLW (Gt) 2), specifically the Nash Goldcliff Character Area (HLCA001), as defined within the Register of Landscapes of Outstanding Historic Interest in Wales. The Character Area is described as a complex “irregular landscape” on higher coastal area, which was reclaimed by the late eleventh/early twelfth century. The area contains abundant intertidal and buried archaeological remains and drainage features and consequently, there is potential for archaeological and palaeoenvironmental remains to survive within the area. HENEB have advised that the current application is limited in scale and in an area at least partially disturbed by previous construction activities. Overall, it is unlikely that archaeologically significant material will be encountered during the course of the proposed works. As a result, there is unlikely to be an archaeological restraint to this proposed development and consequently HENEB offer no objections to the positive determination of this application.

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 proposed development is considered acceptable and planning permission is granted subject to the conditions below.

11. DECISION

GRANTED WITH CONDITIONS

01 The development shall be implemented in accordance with the following plans and documents: Existing Survey/Proposed Scheme Drawing No.AR01 01 Rev B Received 13/05/2025, Proposed Culvert, Green Infrastructure Statement August 2025 and Ecological Impact Assessment (EcIA) by Richard Green Ecology (14/02/24).

Reason: In the interests of clarity and to ensure the development complies with the submitted plans and documents on which this decision was based.

02 No development or phase of development, including site clearance, shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP should include the below: • Construction methods: details of materials, how waste generated will be managed; • General Site Management: details of the construction programme including timetable, details of site clearance; details of site construction drainage, containment areas, appropriately sized buffer zones between storage areas (of spoil, oils, fuels, concrete mixing and washing areas) and any watercourse or surface drain; • Pollution Prevention: demonstrate how relevant Guidelines for Pollution Prevention and best practice will be implemented, including details of emergency spill procedures and incident response plan; • Details of the persons and bodies responsible for activities associated with the CEMP and emergency contact details. The CEMP shall be implemented as approved during the site preparation and construction phases of the development.

Reason: A CEMP should be submitted to ensure necessary management measures are agreed prior to construction and implemented for the protection of the environment.

03 No development shall commence until details of a method statement and risk assessment for the protection of the structural condition of the water main in close proximity of the site has been submitted to and approved in writing by the Local Planning Authority. The approved protection measures shall be implemented in full before any other development hereby permitted has commenced and shall be retained at all times for the duration of the approved operations including the restoration works.

Reason: To ensure that the proposed development does not affect the integrity of the public water supply system in the interests of public health and safety

04 Prior to the commencement of development, a scheme of Biodiversity Enhancement Measure(s) and an Implementation Timetable shall be submitted to and approved in writing by the Local Planning Authority. The Biodiversity Enhancement Measure(s) shall thereafter be undertaken in accordance with the approved scheme and Implementation Timetable and retained thereafter for the lifetime of the development.

Reason: In the interests of biodiversity and to provide a net benefit to biodiversity in accordance with policy GP5 and policy 9 of Future Wales.

05 Before the development, other than demolition, is commenced, written approval of the Local Planning Authority is required to a scheme of landscaping and tree planting for the site (indicating the number, species, heights on planting and positions of all trees and shrubs). The approved scheme shall be carried out in its entirety by a date not later than the end of the full planting season immediately following the completion of that development. Thereafter, the trees and shrubs shall be maintained for a period of 5 years from the date of planting in accordance with an agreed management schedule. Any trees or shrubs which die or are damaged shall be replaced and maintained until satisfactorily established. For the purposes of this condition, a full planting season shall mean the period from October to April.

Reason: To safeguard the rights of control of the Local Planning Authority in these respects and to ensure that the site is landscaped in a satisfactory manner.

06 All works shall be carried out in accordance with the Water Vole Displacement Method set out in 'Appendix D of the Ecological Impact Assessment (EclA) by Richard Green Ecology (14/02/24)'

Reason: In the interests of ecology including European protected species.

NOTE TO APPLICANT

01 This decision relates to plan Nos: Existing Survey/Proposed Scheme Drawing No.AR01 01 Rev B Received 13/05/2025, Ecological Impact Assessment (EclA) by Richard Green Ecology (14/02/24), Green Infrastructure Statement August 2025 and Proposed Culvert.

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies GP2, GP4, GP5, GP6, CE6 and CE8 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.

04 The applicant is advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

05 The proposed works require a licence under the Wildlife and Countryside Act 1981 before works commence.

06 The application site is within the Caldicot and Wentlooge Levels Internal Drainage District (IDD). No run-off is permitted to enter the IDD without Land Drainage Consent under the terms of the Land Drainage Act 1991 and the Flood and Water Management Act 2010.