

Delegated Decision Report

Application No:	25/0926	Statutory Period Expires:	23rd December 2025
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Site:	Unit 6 Afon Ebbw Road Rogerstone Newport South Wales		
Proposal:	DISCHARGE OF CONDITIONS; CONDITION 2: ARBORICULTURAL CONSULTANT AND CONSTRUCTION PERSONNEL, CONDITION 4: APPOINTMENT OF AN ARBORICULTURALIST, TO PERFORM A "WATCHING BRIEF", CONDITION 5: CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN, CONDITION 6: SCHEME OF LANDSCAPING AND TREE PLANTING, CONDITION 7: SOIL RESOURCE PLAN, CONDITION 9: LIGHTING STRATEGY, CONDITION 10: CYCLE STORAGE; AND CONDITION 11:ELECTRIC VEHICLE CHARGING POINTS OF APPLICATION 22/1194.		
Applicant:	Dalziel Limited		
Type:	Discharge Conditions	Ward:	Rogerstone West
Decision:	PART APPROVED/PART REFUSED		

1. BACKGROUND

- 1.1 The extant consent permitted the extension of an existing warehouse and the formation of a staff car park on adjacent land serving the existing B1 use.

2. SITE LOCATION AND CONTEXT

- 2.1 Industrial site segregated from residential uses to the north east with intervening woodland.

3. DESCRIPTION OF DEVELOPMENT

- 3.1 The application seeks to discharge details relating to conditions 02, 04, 05, 06, 07, 09, 10 and 11.

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
22/1194	PROPOSED EXTENSION TO EXISTING WAREHOUSE AND CHANGE OF USE OF ADJACANT LAND TO FORM STAFF CAR PARK	Granted with conditions	11.05.2023

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

- 5.3 NEWPORT LOCAL DEVELOPMENT PLAN (2011-2026)

- SP1 – Sustainability
- SP9 – Conservation of the Natural, Historic and Built Environment
- GP1 – Climate Change

- GP2 – General Amenity
- GP4 – Highways and Accessibility
- GP5 – Natural Environment
- GP6 – Quality of Design
- GP7 – Environmental Protection and Public Health

5.4 SUPPLEMENTARY PLANNING GUIDANCE

- Wildlife and Development
- Trees, woodland, hedgerows and development sites

6. CONSULTATION RESPONSES

6.1 Ecology Officer: No response.

6.2 Landscape Architect: Note there is still no indicative surface water drainage scheme and no allocation within the site plan or planting plan for above ground SuDS elements to meet the national standards.

CONDITION 6: SCHEME OF LANDSCAPING AND TREE PLANTING

Soft landscape proposals are adequately shown on the 'Tree Specification' plan by Tree Maintenance Ltd.

The only query I have is that as the existing bund height is not shown, compliance with visibility splay requirement is recommended.

CONDITION 7: SOIL RESOURCE PLAN

No comments.

6.3 Environmental Health Officer: No response.

6.4 Highways Officer:

Highway recommendation:

CONDITIONS 2 and 4: ARBORICULTURAL: No comment.

CONDITION 5: CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN: Recommend no discharge.

CONDITION 6: SCHEME OF LANDSCAPING AND TREE PLANTING: No comment.

CONDITION 7: SOIL RESOURCE PLAN: No comment.

CONDITION 9: LIGHTING STRATEGY: No comment.

CONDITION 10: CYCLE STORAGE: Recommend partial discharge pending provision and retention.

CONDITION 11: ELECTRIC VEHICLE CHARGING POINTS: Recommend partial discharge pending provision and retention.

Highway Comments:

The CEMP (condition 5) does not include sufficient detail regarding HGV loading/unloading, safe access to the site, wheel cleaning, use of banksmen or visibility splays. We would therefore recommend no discharge pending further information.

Adequate cycle storage and vehicle charging is proposed. We would therefore recommend partial discharge of conditions 10 and 11 in so far as the schemes are approved but remain to be provided and retained.

6.5 Tree Team: As the developer has appointed Tree Maintenance Ltd as the Tree Consultant to provide Arboricultural Advise and the required watching brief I am satisfied that condition 2 and 4 have been satisfied. Providing they remain as the appointed Tree Consultant for the life of the project, should a different consultant be appointed we would need evidence that they are competent and qualified to fulfil this role.

7. PUBLIC REPRESENTATIONS

7.1 The application was not advertised.

8. **ASSESSMENT**

8.1 **Condition 02: Arboricultural Consultant and Construction Personnel**

8.1.1 The Tree Team have raised no objection to the submitted details and are acceptable.

8.2 **Condition 04: Appointment of Arboriculturalist to Perform a Watching Brief**

8.2.1 The Tree Team have raised no objection to the submitted details and are acceptable.

8.3 **Condition 05: Construction Environmental Management Plan**

8.3.1 The Highways Officer has raised objection to the submitted details as the CEMP does not contain sufficient information regarding HGV loading/unloading, safe access to the site, wheel cleaning, use of banksman or visibility splays.

8.3.2 The absence of this information is considered to impact upon highway safety and therefore contrary to Policy GP4; as such the details are refused.

8.4 **Condition 06: Scheme of Landscaping and Tree Planting**

8.4.1 The Landscape Architects comments regarding SuDS are noted however, this lies outside of the considerations of the landscaping and tree details as this is controlled separately via the Flood and Water Management Act 2010. Furthermore, the soil resources plan confirms that the car parking area is to be formed of permeable paving to allow surface water to drain.

8.4.2 The existing bund annotated on the submitted drawings and those considered through the extant consent confirm that no alterations are proposed to its height. The Highways Officer has raised no concerns regarding height of the bund at the entrance to the parking area.

8.4.3 The Landscape Officer raises no objection to the scheme of soft landscaping and is hereby considered to be acceptable.

8.5 **Condition 07: Soil Resource Plan**

8.5.1 No objections have been received regarding the details contained within the soil resource plan. The location of the topsoil storage bund during construction is located outside of the tree buffer areas, and the topsoil is to be screened and reused across the car parking area. The submitted details are considered acceptable.

8.6 **Condition 09: Lighting Strategy**

8.6.1 The lighting strategy has received no objection for the Environmental Health Officer or the Ecology Officer, and as such is considered to be acceptable.

8.7 **Condition 10: Cycle Storage**

8.7.1 Details have been provided for a 12no. cycle store which has received no objection from the Highways Officer. The details are considered acceptable.

8.8 **Condition 11: Electric Vehicle Charging Points**

8.8.1 The proposed site plan includes 3no. electric vehicle charging points and the details have been provided of the charging pillars; the type and number of charging points have received no objection from the Highways Officer and are considered acceptable.

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 application is part approved and part refused as per the details contained within the report.

11. DECISION

PART APPROVED/PART REFUSED

01 In so far as the application relates to CONDITION 02, the application is approved.

02 In so far as the application relates to CONDITION 04, the application is approved.

03 In so far as the application relates to CONDITION 05, the application is refused for the following reason:

The submitted Construction Environment Management Plan (CEMP) details are insufficient to ensure that during construction there would be no adverse impact upon highway safety contrary to Policy GP4 of the Newport Local Development Plan 2011 – 2026 (Adopted January 2015).

04 In so far as the application relates to CONDITION 06, the application is approved.

05 In so far as the application relates to CONDITION 07, the application is approved.

06 In so far as the application relates to CONDITION 09, the application is approved.

07 In so far as the application relates to CONDITION 10, the application is approved.

08 In so far as the application relates to CONDITION 11, the application is approved.

NOTE TO APPLICANT

01 This decision relates to plan Nos:

- Site Location Plan (Received: 29.10.2025)
- Ratio-io7 Brochure (Received: 29.10.2025)
- Soil Resources Plan (Document ref: J002499/SRP-1)
- LiAS Design Notes & Luminaire Schedule (Drawing ref: DWG00 Rev 1)
- Proposed Lighting Layout (Drawing ref: DWG01 Rev 1)
- Planting Plan (Drawing ref: 16547/75570)
- Cycle Store and EV Charger Proposals (Drawing ref: 0030 Rev P01)
- Proposed Site Plan (Drawing ref: 1539: PL/AL(0)10 rev E)

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies SP1, SP9, GP1, GP2, GP4, GP6 and GP7 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.