

Delegated Decision Report

Application No:	26/0226	Statutory Period Expires:	20th April 2026
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Site:	10 East Way Road Alexandra Docks Newport NP20 2NP		
Proposal:	PRIOR NOTIFICATION OF DEMOLITION OF THE FORMER ENGINEERS OFFICE AND ADJOINING FLAT-ROOFED BUILDING		
Applicant:	W Ryan		
Type:	Demolition	Ward:	Pillgwenlly
Decision:	PRIOR APPROVAL IS NOT REQUIRED		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 The site comprises of the port office buildings at 10 East Way Road, within the grounds of ABP Newport Docks which are accessed via the A48. The surrounding area consists primarily of industrial warehouses, offices and temporary cabins associated with the dock operation.

2.2 The site has the following designations/allocations;

- Within the Urban Boundary;
- Newport Docks allocated Employment Site (Policy EM2);
- Developed Coastal Zone;
- Flood Zone 3 (Sea);
- Parking Zone 6.

3. DESCRIPTION OF DEVELOPMENT

3.1 This application is submitted seeking Prior Approval for demolition under Part 31 (Demolition of Buildings) of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995. The building subject to the demolition is the two storey brick built port office and associated more modern constructed flat roof annex building.

3.2 The proposed development complies with the limitations and conditions of the aforementioned part of The Order and constitutes permitted development. Planning permission is therefore granted by The Order, subject to the Prior Approval of the Local Planning Authority as to whether details of the method of demolition and any proposed restoration of the site will be required.

3.3 This submission is supported by a Demolition Method Statement and Site Plan, Demolition Environmental Management Plan, Environmental Assessment and Monitoring Document and Preliminary Roost Assessment and Activity Survey for Bats. The works will include;

- Safe demolition of the former Engineers Office and adjoining flat roofed extension, using techniques appropriate to their construction type and surroundings, carried out in accordance with all relevant health, safety, and environmental legislation.
- Removing all superstructure elements, including roofs, walls and floors.
- Delivery of a cleared, level, and safe site following demolition.
- Segregation, removal, and licensed disposal of all demolition arisings, including any miscellaneous items such as office furniture, shop floor plant, off-site, with provision of waste transfer documents to demonstrate compliance;
- Footprint of the building finished in general hardstanding following demolition.

4. RELEVANT SITE HISTORY

None.

5. PLANNING POLICY & MATERIAL GUIDANCE/LEGISLATION

- 5.1 Town and Country Planning Act 1990
The Town and Country Planning (General Permitted Development) Order 1995
Development Management Manual
Planning Controls Over Demolition (Circular 31/95)
Letter to Chief Planning Officers – Planning Control Over Demolition 18 April 2011

6. CONSULTATION RESPONSES

- 6.1 Natural Resources Wales: No objection.

Protected Sites

The application is located within 25m from the Usk Special Area of Conservation (SAC).

From the information provided, we consider that providing the developer adheres to standard industry-wide best practice measures (which would be applied onsite independently of the HRA process) the proposal would not result in a likely significant or adverse effect.

Potential indirect effects on designated sites, including dust, noise, vibration and pollution via surface water pathways, have been appropriately identified and are mitigated through the submitted Demolition Environmental Management Plan, including pollution prevention, runoff control, dust suppression and monitoring measures.

Wider biodiversity impacts are limited due to the industrial context, with a precautionary approach proposed for protected species. Subject to full implementation of the submitted mitigation, no adverse effects on the River Usk SAC, the Lower Usk SSSI, or wider biodiversity interests are anticipated.

As the competent authority under the Conservation of Habitats and Species Regulations 2017 (as amended), it is for your Authority to carry out the test of Likely Significant Effects for the proposed development. Should you conclude that the proposal is likely to have a significant effect on a SAC, either alone or in combination with other plans or projects, an appropriate assessment must be made of the implications of the project for that site in view of its conservation objectives. You must for the purposes of the assessment consult NRW and have regard to any representations we make within such reasonable time as you specify.

Flood Risk

We note that the prior notification proposes the demolition of former engineers' office and flat-roofed building. The flood map for planning (FMfP) identifies the building to be at risk of flooding withing flood zone 3 (Sea). Given the source of flooding is tidal an assessment of the impacts elsewhere would not be required.

Protected Species

No ecological information has been submitted in support of this application. We note that there are records of bats in the vicinity of the site. We recommend you seek the advice of your Authority's internal ecological adviser about the requirement for further information to be submitted in support of the application, the need for bespoke surveys and the scope of further information, where required.

- 6.2 Local Highways Authority: No response.
- 6.3 Ecology: No response.
- 6.4 Landscape: No objection.
- 6.5 Environmental Health: No response.

6.6 Senior Scientific Officer: No response.

7. PUBLIC REPRESENTATIONS

7.1 In accordance with the requirements of Part 31 of The Town and Country Planning (General Permitted Development) Order 1995 the proposal was advertised by the applicant via a site notice.

7.2 No representations have been received by the Local Planning Authority.

8. ASSESSMENT

8.1 The proposal for demolition of an existing building is permitted development as established by The Order, accordingly the principle of development is established and is therefore not for consideration.

9.2 As set out by The Circular (31/95), only in cases where demolition is likely to have a significant impact upon its surroundings should it be necessary to require formal submission for approval.

9.3 This submission is accompanied by a Demolition Management Plan which details how the demolition would be undertaken along with the contractor's approach to ensure that the potential risk to the environment is minimised. NRW note the close proximity to the River Usk SAC and consider that providing the contractor adheres to the standard industry wide best practice measures the proposal will not result in a likely significant or adverse effect.

9.4 Potential indirect effects on designated sites, including dust, noise, vibration and pollution via surface water pathways, have been appropriately identified and are mitigated through the submitted Demolition Environmental Management Plan, including pollution prevention, runoff control, dust suppression and monitoring measures. NRW also advise that wider biodiversity impacts are limited due to the industrial context, with a precautionary approach proposed for protected species. Subject to full implementation of the submitted mitigation, no adverse effects on the River Usk SAC, the Lower Usk SSSI, or wider biodiversity interests are anticipated.

9.5 As the competent authority under the Conservation of Habitats and Species Regulation 2017 (as amended) the Local Authority share the view of NRW in that subject to the proposal being undertaken in line with the submitted documentation, then there would be no likely significant effects on the SAC, either alone or in combination with any other plans or projects.

9.6 NRW note in their response that no ecological information has been submitted. However, the applicant has now provided this and this is the same bat survey details undertaken in 2025 and submitted with a previous Prior Notification for Demolition (25/0933) of this building that was withdrawn. Whilst the Council's Ecologist has not responded to this application, they did respond to the previous application and the surveys are still in date and are less than a year old. The Ecologist agreed with the methodology and conclusions within the report accepting that no bats were detected using the building, but highlighting the proposed precautionary mitigation and biodiversity measures are followed.

9.7 No comments have been received from Environmental Health of Highways, however having reviewed the submitted documentation Officer's consider that these matters will be dealt with accordingly.

9.8 Following the demolition of the existing building, the site will be cleared, levelled and finished in general hardstanding, which is considered to be acceptable given the general industrial nature of the Newport Docks in which it is situated.

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 In accordance with W/O Circular 31/95 Planning Controls Over Demolition, the Local Planning Authority considers that the proposal is not likely to have a significant impact upon its surroundings. The application is supported by sufficient information to demonstrate that any impact upon protected sites and species within the vicinity of the application site would be adequately protected. Where Prior Approval is not required, the development shall be carried out in accordance with the details submitted with the application.

11. **DECISION**

PRIOR APPROVAL IS NOT REQUIRED

01 The method of demolition and restoration of the land would have no adverse impact upon local amenity or protected sites or species.

NOTE TO APPLICANT

01 This decision relates to plan Nos: EO Prior Notification Cover Letter; Demolition Environmental Management Plan; EO Demolition Notice – Completed; EO- Demolition

Method Statement; Environmental Assessment and Monitoring; 238-03-19.R4 - PRA for Bats, Port Office, ABP Newport - Oct 25; 238-03-23 - ABP Newport - Dusk Emergence Survey RAMS - Port Office - August 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 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.