

Delegated Decision Report

Application No:	25/0532	Statutory Period Expires:	13th February 2026
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Site:	<i>Land To The South And East Of Celtic Way Celtic Lakes Newport South Wales</i>		
Proposal:	<i>S73 APPLICATION TO VARY CONDITION 01 (APPROVED PLANS), CONDITION 3 (NOISE) AND CONDITION 11 (COMPENSATION MEASURES) OF PLANNING PERMISSION 23/0878 FOR PROPOSED ELECTRICITY SUBSTATION COMPOUND (132/33/11KV), INCLUDING A SWITCH-ROOM BUILDING AND OUTDOOR ELECTRICAL EQUIPMENT, ENCLOSED BY A SECURITY FENCE, WITH ASSOCIATED INFRASTRUCTURE INCLUDING ACCESS, LANDSCAPING, DRAINAGE AND EARTHWORKS</i>		
Applicant:	<i>Welsh Government</i>		
Type:	Renewals and Variation of Conditions	Ward:	Tredegar Park And Marshfield
Decision:	GRANTED WITH CONDITIONS		

1. BACKGROUND

- 1.1 Planning permission (23/0878) was granted with conditions on 7th February 2024 for a substation with associated works to enable an electricity supply to a Data Centre at Celtic Way.
- 1.2 Subsequently, details have been submitted and approved by the LPA in relation to the partial discharge of the following conditions;
 - 04 – Construction Phasing and Logistics Method Statement;
 - 06 – Habitat Management Plan;
 - 07 – Construction Environment Management Plan;
 - 08 – Seed Mix for Grasslands;
 - 09 – Cesspit Details;
 - 10 – External Lighting.

2. SITE LOCATION AND CONTEXT

- 2.1 The application site is located to the south of Imperial Park, east of the Former Quinn Radiator site. It is accessed via an existing road that leads to an existing substation located to the south of the site.

3. DESCRIPTION OF DEVELOPMENT

- 3.1 This application is applying to vary Condition 01 (Approved Plans), 03 (Noise) and 11 (Compensation Measures) of planning permission 23/0878 via a S.73 application.
- 3.2 Condition 01 (Approved Plans)
 - 3.2.1 As a consequence of the proposed variation to Condition 03 and 11, as outlined below, it is necessary to update the listed plans approved under the original permission. This is understood to be largely down to the requirements of NRW through the EPS Licence process, as summarised in Section 3.2 and Table 1 of the submitted Planning Statement.
 - 3.2.2 Full details of the amendments and their rationale are outlined in Table 1, but can be broadly summarised as; a reduction in compound and cable corridor level by 400mm reducing height of substation; inclusion of a bund to the west of the plateau; minor amendment to eastern edge of the compound earthworks footprint; amendment to section of hedge planting once cables are installed; amendment to landscape seeding and aquatic planting layout; inclusion of a timber post and rail fence around extended basin; adjustment to pond shape; minor drainage route amendment to east of substation compound; and amendment to programme of offsite SSSI grassland compensation area.

3.3 Condition 03 (Noise)

3.3.1 Approved wording;

“Noise emitted from plant and equipment located at the site shall be controlled such that the rating level, calculated in accordance with BS4142 2014, does not exceed a level of 5dB below the existing background level, with no tonal element to the plant.

Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected in accordance with Policy GP2 of the Newport Local Development Plan 2011 - 2026 (Adopted January 2015).”

3.3.2 Noise from transformers typically has tonal characteristics. Therefore, a maximum 6dB correction for ‘highly perceptible’ tonality is applied in accordance with BS 4142, as noted within the Noise and Vibration Assessment (293651-00\R01-HM) approved through the original permission. As such, the condition wording of ‘with no tonal element’ is not relevant. In order to comply with the wording of the condition, it is proposed to vary the condition wording

3.3.3 Proposed wording;

“Noise emitted from plant and equipment located at the site shall be controlled such that the rating level, calculated in accordance with BS4142:2024 including corrections for characteristics such as tonality, impulsivity and intermittency, does not exceed 5dB below the existing background level. Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected in accordance with Policy GP2 of the Newport Local Development Plan 2011 - 2026 (Adopted January 2015).”

3.4 Condition 11 (Mitigation Measures)

3.4.1 Amendments are proposed in relation to the programme of offsite SSSI Grassland Compensation Area vegetation removal, seeding of grassland areas and location of areas to be cleared and restored.

3.4.2 These changes are required as a result of a lack of maintenance within SSSI grassland area resulting in significant scrub development compared with baseline survey. This required additional baseline data collection and revision of the location and areas of vegetation to be removed; The separation of the main site and the GCA into two separate EPS licenses, which was needed to balance the restoration of the SSSI grassland habitat by the development, whilst minimising removal of dormouse habitat in the GCA.

3.4.3 Approved Wording;

“The compensation areas must be implemented as shown on the drawings and documents below in accordance with the timetable as shown on Figure 3 Grassland Compensation Area Vegetation Clearance (Drawing ref: 293651-LD-XX-DR-0403 Rev 4):

- *Figure 3 Grassland Compensation Area Vegetation Clearance (Drawing ref: 293651-LD-XX-DR-0403 Rev 4);*
- *Landscape and Ecological Management Plan (LEMP) and SSSI Grassland Management Strategy (Ref: 293651-ARPXX-XX-RP-YE-0002 Rev 3 - 12 December 2023);*
- *Figure 4 Proposed Landscape and Habitat General Arrangement (Drawing ref: 293651-LD-XX-DR0001 Rev 5);*
- *Figure 5 Existing Conditions and Vegetation Lost and Retained (Drawing ref: 293651-LD-XX-DR-0002 Rev 2);*
- *Ecological Impact Assessment (EclA) (Ref: 293651-ARP-XX-XX-RP-YE-0001 Issue 002 - 12 December 2023);*
- *Dormouse Conservation Strategy (Ref: 293651-ARP-XX-XX-RP-YE-0004 Rev 2 - 12 December 2023);*
- *Two-staged Vegetation Clearance Method Statement (Ref: 293651-ARP-XX-XX-RP-YE-0005 Issue 002 - 12 December 2023);*
- *Vegetation Clearance Method Statement.*

Once implemented the compensation areas shall be maintained in accordance with the Landscape and Ecological Management Plan (LEMP) and SSSI Grassland Management Strategy (Ref: 293651-ARP-XXXX-RP-YE-0002 Rev 3 - 12 December 2023). REASON: In the interests of ensuring the site is suitably compensated and mitigated in regard to onsite biodiversity in accordance with Policy GP5 of the Newport Local Development Plan 2011 - 2026 (Adopted January 2015)."

3.4.5 Proposed Wording;

"The compensation areas must be implemented as shown on the drawings and documents below in accordance with the timetable as shown on Figure 3 Grassland Compensation Area Vegetation Clearance (Drawing ref: 293651-LD-XX-DR-0403 Rev 5):

- Figure 3 Grassland Compensation Area Vegetation Clearance (Drawing ref: 293651-LD-XX-DR-0403 Rev 5)
- Landscape and Ecological Management Plan (LEMP) and SSSI Grassland Management Strategy (Ref: 293651-ARPXX-XX-RP-YE-0002 Rev 3 - 12 December 2023)
- Figure 4 Proposed Landscape and Habitat General Arrangement (Drawing ref: 293651-LD-XX-DR0001 Rev 6)
- Figure 5 Existing Conditions and Vegetation Lost and Retained (Drawing ref: 293651-LD-XX-DR-0002 Rev 3)
- Ecological Impact Assessment (EcIA) (Ref: 293651-ARP-XX-XX-RP-YE-0001 Issue 002 - 12 December 2023)
- Dormouse Conservation Strategy (Ref: 293651-ARP-XX-XX-RP-YE-0004 Rev 2 - 12 December 2023)
- Two-staged Vegetation Clearance Method Statement (Ref: 293651-ARP-XX-XX-RP-YE-0005 Issue 002 - 12 December 2023)
- Vegetation Clearance Method Statement
- Section 73 Ecological Assessment (Ref: 293651-ARP-XX-XX-RP-YE-0006).

Once implemented the compensation areas shall be maintained in accordance with the Landscape and Ecological Management Plan (LEMP) and SSSI Grassland Management Strategy (Ref: 293651-ARP-XXXX-RP-YE-0002 Rev 3 - 12 December 2023) and the Section 73 Ecological Assessment (Ref: 293651-ARPXX-XX-RP-YE-0006)

REASON: In the interests of ensuring the site is suitably compensated and mitigated in regard to onsite biodiversity in accordance with Policy GP5 of the Newport Local Development Plan 2011 - 2026 (Adopted January 2015)."

4. RELEVANT SITE HISTORY

Application	Description	Decision
23/0878	PROPOSED ELECTRICITY SUBSTATION COMPOUND (132/33/11KV), INCLUDING A SWITCH-ROOM BUILDING AND OUTDOOR ELECTRICAL EQUIPMENT, ENCLOSED BY A SECURITY FENCE, WITH ASSOCIATED INFRASTRUCTURE INCLUDING ACCESS, LANDSCAPING, DRAINAGE AND EARTHWORKS	GRANTED WITH CONDITIONS

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
- SP3 – Flood Risk
- SP4 –Water Resources
- SP9 – Conservation of the Natural, Historic and Built Environment
- SP17 – Employment Land
- GP1 – Climate Change
- GP2 – Amentiy
- GP4 – Highways and Accessibilty
- GP5 – Natural Environment
- GP6 – Quality of Design
- GP7 – Environmental Protection and Public Health
- CE6 – Archaeology
- CE8 – Locally Designated Nature Conservation and Geological Sites
- EM1 – Employment Land Allocations
- EM3 – Alternative Uses of Employment Land
- T4 – Parking
- W3 – Provision for Waste Management Facilities in Development

5.4 WELSH GOVERNMENT CIRCULARS

- WGC 016/2014 – The Use of Planning Conditions for Development Management (October 2014)

5.5 SUPPLEMENTARY PLANNING GUIDANCE

- Archaeology and Archaeologically Sensitive Areas
- Wildlife and Development
- Parking Standards
- Waste Storage and Collection
- Trees, Woodland, Hedgerows and Development Sites

6. CONSULTATION RESPONSES

6.1 Natural Resources Wales: No objection.

6.2 CADW (Ancient Monuments): No response.

6.3 CADW (Historic Building & Landscapes): No response.

6.3 HENEB: No objection.

6.4 Wildlife in Newport Group: No response.

6.5 Newport Access Group: No response.

6.6 Newport Civic Society: No response.

6.7 Dwr Cymru Welsh Water: No response.

6.8 Highways: No objection.

6.9 Ecology: I accept the amended proposals for habitat management in the Grassland Compensation Area.

6.10 Landscape: No objection.

- 6.11 Environmental Health: No response.
- 6.12 Senior Scientific Officer: No objection.
- 6.13 SAB: SAB required.
- 6.14 Public Rights of Way: No response.
- 6.15 Trees: No response.
- 6.16 Principal Heritage Officer: No objection.
- 6.17 Drainage: No response.
- 6.18 Planning Policy: No response.

7. PUBLIC REPRESENTATIONS

Neighbour and Ward member notification letters were sent on 10th July 2025, Site Notice was put up on 18th July 2025 and Press Notice dated 19th July 2025.

- 7.1 NEIGHBOURS: No responses received.
- 7.2 COUNCILLORS A.SCREEN/R.HOWELLS/T.WATKINS: No responses received.
- 7.3 CODKERNEW COMMUNITY COUNCIL: No response received.

8. ASSESSMENT

8.1 Principle of Development

- 8.1.1 The principle of development has already been established through the approval of planning application 23/0878. Accordingly, the assessment of this proposal is confined to the relevant matters arising from the proposed amendments, as outlined in Section 3 of this report.
- 8.1.2 Following the decision to grant planning permission in February 2024, PPW 11 was superseded by PPW 12 and most notably of relevance to this proposal is Chapter 6 – Distinctive and Natural Places. The only material planning consideration that has altered has been the introduction of the new TAN15 development, flooding and coastal erosion on 31st March 2025. The previous application did have regard to the Flood Maps for Planning in the assessment and the relevant section of this report will assess this matter.
- 8.1.2 There has been no other alteration in either National or Local planning policy or change on site that would result in any alterations to the principle of development or material matters that would need to be considered as part of this assessment.

8.2 Visual Amenity/Character and Appearance:

- 8.2.1 From a visual perspective, the proposal results in limited amendments to above ground operational development which may have any bearing on the visual amenity or the character and appearance of the surrounding area over and above the approved scheme.
- 8.2.2 It is generally considered that the amendments to earthworks have resulted in a beneficial visual impact through reduced ground levels and a bund that provides screening of the substation compound. As a result, it is not considered that the proposed development would impact the setting of the Wentlooge Levels Special Landscape Area any differently to the original permission. The design continues to be of an appropriate scale and massing, ensuring the development is integrated into the surrounding landscape through adequate planting and screening.
- 8.2.3 There has been no objection confirmed by the Council's Landscape Officer. It is considered that the proposal complies with Policy GP2 and GP6 of the NLDP 2011-2026 (adopted January 2015).

8.3 **Ecology and Biodiversity:**

8.3.1 PPW12 requires all planning applications to demonstrate a net benefit in biodiversity and compliance with the stepwise approach (any adverse environmental effects are firstly avoided, then minimised, mitigated, and as a last resort compensated for) and ecosystem resilience (strengthening the importance of the DECCA framework). It also requires Green Infrastructure Statements to be submitted with all planning applications.

8.3.2 PPW12 emphasises the need to avoid development within statutory designated sites as a matter of principle. There is a potential exception to this where development in a SSSI is necessary for the management of the site (likely to be limited to activities needed to meet its conservation objectives, including restoration and nature recovery, site management infrastructure, natural flood management and other nature-based solutions). As a result of the above policy requirements, a Green Infrastructure Statement has been submitted in support of the s73 application.

8.3.3 The original application demonstrated a net benefit in biodiversity and compliance with the stepwise approach and ecosystem resilience, and this s73 application proceeds to achieve a net benefit in biodiversity and compliance with the stepwise approach. The works proposed within the SSSI GCA remain related to habitat restoration and management. NRW and the Council's Ecologist have reviewed the application and the proposed amendments to the approved scheme and have confirmed there is no objection and that the proposed amendments to the habitat management of the GCA are acceptable.

8.3.4 Under the Conservation of Habitats and Species Regulations 2017, the Local Planning Authority is required to address the three derogation tests where a European Protected Species has been identified on the site. In this case, dormice have been detected on the site and otters are known to be present in the wider area, with the nearest record of a sprainting site (otter dung site) 350m from the application site. Therefore, the three derogation tests in relation to dormice and otters are addressed in turn below:

1) *The activity must fall within one of the licensable purposes listed in Regulation 55(2) of the Conservation of Habitats and Species Regulations 2017.*

In this case, the proposal has an overriding public interest as it facilitates the delivery of electricity to serve the adjacent development of high-tech industry sector which in turn leads to increased economic activity within the Local Authority area increasing employment opportunities.

2) *There must be no satisfactory alternative; and*

The proposed development would result in the removal of scrub to make way for the siting of the substation. The blue edge plan shows the extent of land within the ownership of the applicant setting out they have control over that land. The application site is located on land which is well related to the existing development which it is to serve. The submitted ecological compensation and mitigation measures proposed provide an enhancement when viewed as a whole. It is therefore considered that there is no satisfactory alternative.

3) *The action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.*

NRW have confirmed that the dormice population would be maintained within its natural range following completion of the development and compensation measures.

8.3.5 Despite some reductions in the scale of certain enhancements, the proposed amendments do not result in any significant adverse impacts on ecology compared to the original assessment. The project continues to deliver a net benefit for biodiversity, maintains compliance with relevant planning policies and statutory requirements, and supports the

favourable conservation status of key species and habitats within the site and its surroundings.

- 8.3.6 The proposal complies with Policy SP1 and GP5 of the NLDP 2011-2026 (adopted January 2015).

8.4 **Noise Impact:**

- 8.4.1 Condition 3 of permission 23/0878 relates to noise limits for plant and equipment. The applicant seeks to amend this condition because transformers inherently produce tonal noise, which is already accounted for under BS 4142 through the application of a tonal correction, as recognised in the approved Noise and Vibration Assessment. As a result, the existing requirement for “no tonal element” is not appropriate. The revised wording therefore updates the assessment methodology to BS 4142:2024, allowing for standard corrections (including tonality, impulsivity and intermittency) while retaining the requirement that noise levels remain 5 dB below the existing background level, thereby ensuring continued protection of residential amenity.

- 8.4.2 Environmental Health, who requested the original condition have been consulted however have not responded to the consultation. The nearby land uses are commercial and the closest residential property is circa 180m east. Having reviewed the submission, and in absence of comments from Environmental Health, it is considered that the proposed change to the wording of Condition 03 would not prejudice the amenities of other commercial premises within the local vicinity or residential properties located further away, which is the reason for the condition.

- 8.4.3 The proposal complies with Policy GP2 of the NLDP 2011-2026 (adopted January 2015).

8.5 **Flood Risk:**

- 8.5.1 Following determination of the full application, TAN15 development, flooding and coastal erosion has been introduced on 31st March 2025. This would be a new material consideration, as it was previously stated that the site was located within Flood Zone 3 of the Flood Maps for Planning.

- 8.5.2 The proposal was previously considered to be justified in this location as it contributes to the Local Authority strategy to promote the area for employment opportunities as per the NLDP. The site continues to be partially located within Flood Zone 3 (Defended Zone Sea) and there is no change in risk as a result of the amended plans. Whilst an updated FCA has not been considered, this is not considered necessary given that the previously approved scheme is the ‘fallback’ and is given weight in this assessment, as well as the fact that the changes made do not make any significant amendments to the approved scheme.

- 8.5.3 The proposal remains compliant with Policy SP3 of the NLDP 2011-2026 (adopted January 2015).

8.6 **Other Matters**

- 8.6.1 Other material considerations that were relevant to the consideration of the original planning application, but are considered to remain unimpacted by the changes sought through this application include matters of highway safety, archaeology, heritage and general/residential amenity.

- 8.6.2 No adverse consultation responses have been received in relation to any of these matters and it is considered that the proposed changes do not bear any significance over and above the approved scheme.

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 amendments to the originally approved scheme are considered to accord with the aims of the Newport Local Development Plan 2011 – 2026 (adopted January 2015). The proposal seeks to support local employment through the provision of electrical infrastructure and provides adequate mitigation and compensatory ecological measures as part of the amended scheme.

10.2 Planning permission is granted with conditions.

11. **DECISION**

GRANTED WITH CONDITIONS

Approved Plans and Document

01 The development shall be implemented in accordance with the following plans and documents;

23/0878:

- Landscape and Ecological Management Plan (LEMP) and SSSI Grassland Management Strategy (Ref: 293651-ARP-XX-XX-RP-YE-002 Rev 3)
- Plant Schedule (Drawing ref: 293651-ARP-XX-SP-LD-0001 Rev P002)

- Figure 3. Grassland Compensation Area Vegetation Clearance (Drawing ref: 293651-LD-XX-DR-0403 Rev 4)
- Figure 4. Proposed Landscape and Habitat General Arrangement (Drawing ref: 293651-LD-XX-DR-001 Rev 5)
- Figure 5. Existing Conditions and Vegetation Lost and Retained (Drawing ref: 293651-LD-XX-DR-0002 Rev 2)
- Ecological Impact Assessment (EclA) (Ref: 293651-ARP-XX-XX-RP-YE-0001 Issue 02 – 12 December 2023)
- Dormouse Conservation Strategy (Ref: 293651-ARP-XX-XX-RP-YE-0004 Rev 2 – 12 December 2023)
- Planning, Design and Access Statement (Ref: 293651-ARP-ZZ-XX-RP-YP-000001 Rev 3 – 13 December 2023)
- Two-staged Vegetation Clearance Method Statement (Ref: 293651-ARP-XX-XX-RP-YE-0005 Issue 02 – 12 December 2023)
- Vegetation Surveys, dated October 2021 by *Sturgess Ecology*, Document ref: C271/D1/V2)
- Site Location Plan (Drawing ref: CG1000 P03)
- Application Plan (Drawing ref: CG10001 Rev P03)
- Existing Site Topography and TAN15 Flood Zones (Drawing ref: CG1002 Rev P03)
- Existing Utilities (Drawing ref: CG1003 Rev P03)
- Proposed General Arrangement (Drawing ref: CG1010 Rev P03)
- Proposed Finished Levels (Drawing ref: CG1011 Rev P03)
- Proposed Site Layout (Drawing ref: CG1012 Rev P03)
- Proposed Connections Plan (Drawing ref: CG1030 Rev P03)
- Proposed Drainage Layout (Drawing ref: CG1040 Rev P03)
- Substation Drainage Strategy Report (Ref: CL-ARP-DGS-00-RP-CD-00001 Rev P04 – 27 September 2023)
- Preliminary Ecological Assessment (Ref: ECO/1 Issue 23 August 2021)
- Landscape Plan Appendix A 293651-ARP-XXX-XX-RP-YE-0005
- Celtic Lakes Substations Flood Consequences Assessment – Version 3, July 2023 by *JBA Consulting* (Received: 02/10/2023)
- Archaeological Watching Brief, July 2023 by GGAT (Ref: 2023/029)
- Archaeological Assessment, July 2023 by GGAT (Ref: 2023/036)
- Archaeological Written Scheme of Investigation, September 2023 (Ref: 2023/048)
- Noise and Vibration Assessment (Ref: 293651-00\R01-HM Rev P01 – 31 July 2023)
- Celtic Lakes National Vegetation Classification Survey Report, September 2023 – Version V1.0.
- Swept Path Analysis (Drawing ref: CG1020 Rev P03)
- Tree Retention and Removal Plan (Drawing ref: Figure 3)
- Tree Retention and Removal Plan (Drawing ref: Figure 2)
- NGED 132kV/33kV/11kV Substation Proposed Plan (Drawing ref: 15602-HYD-XX-XX-DR-Y-3003 Rev P03)
- NGED 132kV/33kV/11kV Substation Proposed Elevations and Sections (Drawing ref: 15602-HYD-XX-XX-DR-Y-3004 Rev P03)
- NGED 132kV/33kV/11kV Substation Site Plan (Drawing ref: 15602-HYD-XX-XX-DR-Y-3006 Rev P02)
- Celtic Lakes Power – Arboricultural Impact Assessment, Welsh Government, Version V0.1 (July 2023) (Received: 02/10/2023)
- Tree Retention and Removal Plan (Drawing ref: Figure 1)
- Celtic Lakes Geotechnical and Geoenvironmental Interpretative Report (Ref: 4-50, Issue 01 – September 2023)
- Celtic Lakes NGED Substation Landscape and Visual Appraisal Parts 1 - 5 (Ref: 17 July 2023)
- Celtic Lakes NGED Substation Information to Inform a Habitats Regulations Assessment (Ref: 293651-ARP-XX-XX-RP-YE-0003 Issue – 26 September 2023)
- Figure 4: Landscape General Arrangement (Drawing ref: 293651-ld-xx-dr-0001 Rev P03)

- PAC Report (Received: 02/10/2023)
- Celtic Lakes Planning Support – Transport Statement (Ref: 293651-ARP-XX-0001 – 22 September 2023)

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- CG1012 – Proposed Site Layout;
- CG1010 - Proposed General Arrangement;
- CG1011 - Proposed Finished Levels;
- CG1030 - Proposed Connections Plan;
- 20250523_LD-XX-DR-0403-Rev 09 - Figure 3 - Grassland Compensation Area Vegetation Clearance (Received 19/12/2025);
- 293651-LD-XX-DR-0001 Figure 4 - Proposed Landscape and Habitat GA;
- 293651-LD-XX-DR-0002 Figure 5 - Existing Conditions and Vegetation Lost and Retained;
- 293651-ARP-XX-XX-RP-YE-0006 – Section 73 Ecological Assessment (Including Appendix A, B & C) (04 July 2025);
- CG1040 - Proposed Drainage Layout.

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

Archaeology

02 No development shall take place until the applicant, or their agents or successors in title, has secured implementation of a programme of archaeological work in accordance with that out-lined in 'Celtic Lakes, Imperial Park, Newport: Archaeological Written Scheme of Investigation by GGAT Archaeological Services Report no. 2023/048, dated September 2023).

Reason: To identify and record any features of archaeological interest discovered during the works, in order to mitigate the impact of the works on the archaeological resource in accordance with Policy CE of the Newport Local Development Plan 2011 - 2026 (Adopted January 2015).

Noise

03 Noise emitted from plant and equipment located at the site shall be controlled such that the rating level, calculated in accordance with BS4142:2024 including corrections for characteristics such as tonality, impulsivity and intermittency, does not exceed 5dB below the existing background level.

Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected in accordance with Policy GP2 of the Newport Local Development Plan 2011 - 2026 (Adopted January 2015).

Construction Phasing and Logistics Method Statement

04 The proposed development shall take place in accordance with the Construction Phasing and Logistics Method Statement as approved by Newport City Council under application reference 24/0528 on 6th September 2024.

The development shall be carried out in accordance with the approved plan at all times for the full duration of the construction stage, unless otherwise agreed in writing with the Council as Local Planning Authority.

Reason: To ensure that adequate on-site provision is made for construction traffic, including allowance for the safe circulation, manoeuvring, loading and unloading of vehicles, as well as parking, and to reduce impact on residential amenity and the general amenity of surrounding occupiers in accordance with Policies GP2 and GP4 of the Newport Local Development Plan 2011 - 2026 (Adopted January 2015).

Unidentified Contamination

05 If, during the course of construction (including, site clearance, demolition and ground works) contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be carried out in accordance with the agreed details.

Reason: To ensure the risks associated with previously unsuspected contamination at the site are dealt with through a remediation strategy, to minimise the risk to both future users of the land and neighbouring land, and to ensure that the development can be carried out safely without unacceptable risks in accordance with Policy GP7 of the Newport Local Development Plan 2011 - 2026 (Adopted January 2015).

Habitat Management Plan

06 The proposed development shall take place in accordance with the Habitat Management Plan as approved by Newport City Council under application reference 24/0576 on 3rd October 2024.

A written report on the delivery of the habitat management plan shall be submitted to the LPA at the completion of construction, and thereafter at 5-year intervals post construction. The report shall include an updated habitat management plan which incorporates recommended changes arising from the monitoring and the 5-yearly review.

The habitat management plan shall be carried out in accordance with the approved details.

Reason: A habitat management plan should be submitted to ensure necessary habitat management measures are agreed prior to commencement and implemented to ensure the site's habitat features are adequately managed long term in accordance with Policy GP5 of the Newport Local Development Plan 2011 - 2026 (Adopted January 2015).

Construction Environmental Management Plan

07 The proposed development shall take place in accordance with the Construction Environmental Management Plan approved by Newport City Council under application reference 25/0038 on 25th March 2025.

The CEMP shall be implemented as approved during the site preparation and construction phases of the development.

Reason: To ensure necessary management measures are agreed prior to construction and implemented for the protection of the environment in accordance with Policy GP5 of the Newport Local Development Plan 2011 - 2026 (Adopted January 2015).

Seed Mix for Grasslands

08 The proposed development shall take place in accordance with the seed mix for grasslands approved by Newport City Council under application reference 24/0560 on 24th September 2024.

Reason: In the interests of enhancement of biodiversity in the immediate area in accordance with Policy GP5 of the Newport Local Development Plan 2011 - 2026 (Adopted January 2015).

Details of Cesspit

09 Prior to the first use of the toilet facilities, the cess pit shall be installed in accordance with the details approved by Newport City Council under application reference 24/0975 on 9th January 2025.

The approved details shall remain in place for the duration of the use.

Reason: In the interests of protecting the hydrology of the groundwater in accordance with Policy GP5 and GP7 of the Newport Local Development Plan 2011 - 2026 (Adopted January 2015).

External Lighting

10 External lighting shall be limited only to the details approved by Newport City Council under application reference 24/0852 on 28th November 2024. The lighting shall be installed and retained in accordance with the agreed details and no other external lighting provided as part of the development.

Reason: In the interests of biodiversity in accordance with Policy GP5 of the Newport Local Development Plan 2011 - 2026 (Adopted January 2015).

Compensation Areas

11 "The compensation areas must be implemented as shown on the drawings and documents below in accordance with the timetable as shown on Figure 3 Grassland Compensation Area Vegetation Clearance (Drawing ref: 293651-LD-XX-DR-0403 Rev 09):

- Figure 3 Grassland Compensation Area Vegetation Clearance (Drawing ref: 293651-LD-XX-DR-0403 Rev 09)
- Landscape and Ecological Management Plan (LEMP) and SSSI Grassland Management Strategy (Ref: 293651-ARPXX-XX-RP-YE-0002 Rev 3 - 12 December 2023)
- Figure 4 Proposed Landscape and Habitat General Arrangement (Drawing ref: 293651-LD-XX-DR-0001 Rev 6)
- Figure 5 Existing Conditions and Vegetation Lost and Retained (Drawing ref: 293651-LD-XX-DR-0002 Rev 3)
- Ecological Impact Assessment (EclA) (Ref: 293651-ARP-XX-XX-RP-YE-0001 Issue 002 - 12 December 2023)
- Dormouse Conservation Strategy (Ref: 293651-ARP-XX-XX-RP-YE-0004 Rev 2 - 12 December 2023)
- Two-staged Vegetation Clearance Method Statement (Ref: 293651-ARP-XX-XX-RP-YE-0005 Issue 002 - 12 December 2023)
- Vegetation Clearance Method Statement
- Section 73 Ecological Assessment (Ref: 293651-ARP-XX-XX-RP-YE-0006).

Once implemented the compensation areas shall be maintained in accordance with the Landscape and Ecological Management Plan (LEMP) and SSSI Grassland Management Strategy (Ref: 293651-ARP-XX-XX-RP-YE-0002 Rev 3 - 12 December 2023) and the Section 73 Ecological Assessment (Ref: 293651-ARP-XX-XX-RP-YE-0006)

Reason: In the interests of ensuring the site is suitably compensated and mitigated in regard to onsite biodiversity in accordance with Policy GP5 of the Newport Local Development Plan 2011 - 2026 (Adopted January 2015)."

NOTE TO APPLICANT

01 This decision relates to plan Nos: CG1000 - Site Location Plan; CG1020 - Swept Path Analysis; Planning Statement; 293651 – Covering Letter (Arup);

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies SP1, SP3, SP4, SP5, SP9, SP17, GP2, GP4, GP5, GP6, GP7, CE7, CE8, EM1, EM3, 54, W3 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.