

Delegated Decision Report

Application No:	25/0792	Statutory Period Expires:	22nd May 2026
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Site:	<i>Bridge Over Ebbw River Forge Mews Bassaleg Newport NP10 8NE</i>		
Proposal:	<i>DEMOLITION OF THE OLD BASSALEG BRIDGE AND CONSTRUCTION OF A REPLACEMENT SINGLE SPAN BRIDGE STRUCTURE ACROSS THE EBBW RIVER TO FACILITATE VEHICULAR ACCESS TO FORGE MEWS FROM VIADUCT WAY</i>		
Applicant:	<i>A Brooks</i>		
Type:	Full	Ward:	Graig
Decision:	GRANTED WITH CONDITIONS		

1. BACKGROUND

- 1.1 Investigations into the condition of the bridge's structure took place in June and August 2021, with emergency repairs being carried out to the bridge pier foundation in September 2021. However, the bridge was closed for vehicular use as it could not be confirmed as safe for bearing a live load. Further deterioration was identified in Spring 2022 and following a structural assessment in January 2023, the structure was rated as being suitable for 'Dead Load Only'.
- 1.2 The bridge has been closed to vehicular traffic thereafter, with the downstream footway remaining open for pedestrians.

2. SITE LOCATION AND CONTEXT

- 2.1 The site measures approximately 0.34ha in size and forms the Old Bassaleg Bridge and adjacent land, watercourse and highway including the junction of Caerphilly Road with Station Approach and Forge Mews in the Graig Ward.



Figure 1 – Extract of Site Location Plan

- 2.2 The surrounding area is largely residential in character, including the residential properties located along Forge Mews to the east. St Basil's Church (Grade II) and cemetery are located north west of the site and the Bassaleg Viaduct (Grade II*) is located approximately 150 metres north of the existing bridge. The River Ebbw and river banks traverse beneath the site in roughly a north – south direction. Nearby highways include local roads and the A467 and the NP-ROG-C002 Active Travel Route intersects the site at Viaduct Way. The surrounding area comprises of a mix of trees and green space.

- 2.3 The site is located within a mix of Flood Zone 2 and 3 (Rivers) – It is predominantly Undefended but Defended in part. The River Ebbw is designated locally as a Site of Importance for Nature Conservation (SINC).

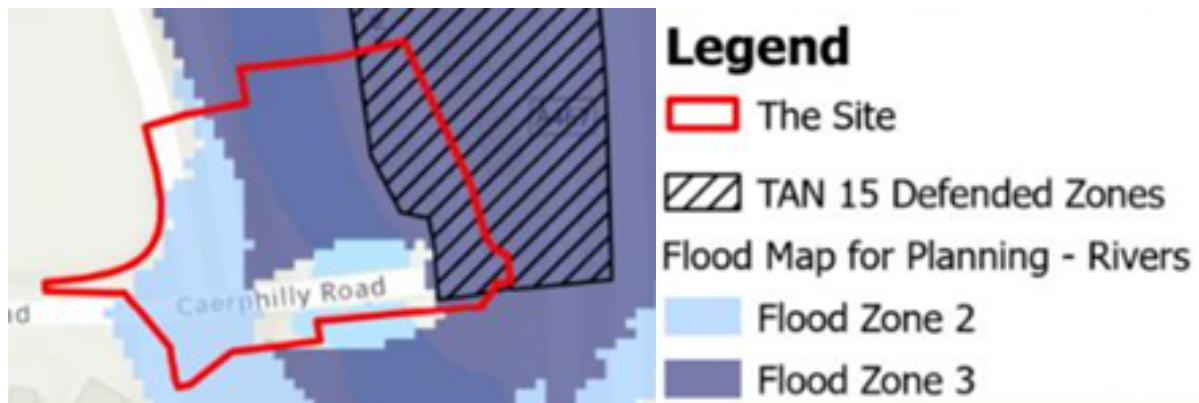


Figure 2 – Extract of Flood Maps for Planning

3. DESCRIPTION OF DEVELOPMENT

- 3.1 This application is seeking planning permission for the demolition of the existing Bassaleg Bridge and for the construction of a new bridge to the north that will facilitate vehicular access from Forge Mews to Viaduct Way.
- 3.2 The proposed bridge is of single span structure and will be constructed from pre cast concrete, measuring 12.50 metres in width and with a 21.00 metres span. The two way vehicular carriageway will measure 7.50 metres wide and will contain a 3.50 metre wide shared use path on the southern side, along with a 0.60 metre wide maintenance verge to the north of the carriage. The carriageway will tie into the existing highway to the east and west with highway realignment proposed, which will also require a separate highway consent. Tactile crossing points are also proposed at either end to link with existing footways.
- 3.3 In terms of the design and appearance of the bridge itself, the visible elements of the parapets, abutments and wingwalls will be clad in stone slips, formed of natural Welsh stone. The parapets will be topped with a grey coping stone and galvanised steel handrailing, which will be powder coated in black reaching a height of 1.40m above finish ground level.
- 3.4 Scour protection will be provided beneath the overbridge which will consist of rock bags with a layer of overlain rip rap by the bridge piles and rip rap along the centre of the channel. In addition, it is proposed that a gabion retaining wall will be installed along the line of the gabions under the existing bridge. This is required to stop-up the end of the existing Bassaleg Bridge.
- 3.5 A section of the existing flood wall located along the eastern bank of the River Ebbw is to be demolished to facilitate the construction. The bridge wingwalls and parapet will be of a height to provide the same level of protection as the existing wall.
- 3.6 During the construction period, pedestrian access across the existing bridge will continue to be provided and following completion of the proposed bridge, the existing bridge will be demolished and works required to make good.

4. RELEVANT SITE HISTORY

None.

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 3 – Supporting Urban Growth and Regeneration – Public Sector Leadership

Policy 8 Flooding

Policy 9 - Resilient Ecological Networks and Green Infrastructure

Policy 12 – Regional Connectivity

Policy 33 – National Growth Area – Cardiff, Newport and the Valley

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 TECHNICAL ADVICE NOTES (TAN)

TAN 5 – Nature Conservation and Planning;

TAN 12 – Design;

TAN 15 - Development, Flooding and Coastal Erosion;

TAN 18 – Transport;

TAN 24 – The Historic Environment.

5.4 HISTORIC ENVIRONMENT WALES ACT (2023)

5.5 NEWPORT LOCAL DEVELOPMENT PLAN (2011-2026)

Strategic Policies:

- SP1 Sustainability
- SP3 Flood Risk
- SP9 Conservation of the Natural, Historic and Built Environment
- SP14 Transport Proposals.

General Policies:

- GP1 General Development Principles – Climate Change
- GP2 General Development Principles – General Amenity
- GP4 General Development Principles – Highways and Accessibility
- GP5 General Development Principles – Natural Environment
- GP6 General Development Principles – Quality of Design
- GP7 General Development Principles – Environmental Protection and Public Health

Other Policies:

- CE7 Conservation Areas
- CE8 Locally Designated Nature Conservation and Geological Sites
- T4 Parking
- T5 Walking and Cycling
- T7 Public Rights of Way and New Development

5.4 SUPPLEMENTARY PLANNING GUIDANCE

SUSTAINABLE TRAVEL;

WILDLIFE AND DEVELOPMENT;

TREES, WOODLAND, HEDGEROWS AND DEVELOPMENT SITES.

6. CONSULTATION RESPONSES

6.1 Natural Resources Wales:

We continue to have concerns with the application as submitted. However, we are satisfied that these concerns can be overcome by attaching the following condition to any planning permission granted:

- Condition : Construction/Demolition Environmental Management Plan

We also advise that based on the information submitted to date, the document identified below should be included in the approved plans and documents condition on the decision notice. Without the inclusion of this conditions and document we would object to this planning application.

- Ecological Impact Assessment (EcIA) by Mott McDonald), dated June 2025.

Construction/Demolition Environmental Management Plan

Due to the potential to affect water quality during the demolition and construction phases of the development we advise that the following condition should be included on any permission granted:

No development or demolition shall commence until a Demolition and Construction Environmental Management Plan (DCEMP) has been submitted to and approved in writing by the Local Planning Authority. The DCEMP should include:

- 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, containments areas, appropriately sized buffer zones between storage areas (of spoil, oils, fuels, concrete mixing and washing areas) and the watercourse.
- Biodiversity Management: details of tree and hedgerow protection; invasive species management; species and habitats protection, avoidance and mitigation measures.
- Soil Management: details of topsoil strip, storage and amelioration for re-use.
- CEMP Masterplan: details of the extent and phasing of development; location of landscape and environmental resources; design proposals and objectives for integration and mitigation measures.
- Control of Nuisances: details of restrictions to be applied during construction including timing, duration and frequency of works; details of measures to minimise noise and vibration from piling activities, for example acoustic barriers; details of dust control measures; measures to control light spill.
- Resource Management: details of fuel and chemical storage and containment; details of waste generation and its management; details of water consumption, wastewater and energy use
- Traffic Management: details of site deliveries, plant on site, wheel wash facilities
- 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.
- Landscape/ecological clerk of works to ensure construction compliance with approved plans and environmental regulations

The DCEMP shall be implemented as approved during the demolition and construction phases of the development.

Justification: A DCEMP should be submitted to ensure necessary management measures are agreed prior to commencement of development and implemented for the protection of the environment during construction and demolition.

European Protected Species (EPS)

Otter

We note from the Ecological Impact Assessment (EclA) by Mott McDonald, dated June 2025, submitted in support of the application, that a confirmed resting site for an otter is likely to be disturbed by the proposed works.

We are satisfied with the level of survey, the results and the proposed mitigation. We therefore advise that the Ecological Impact Assessment (EclA) by Mott McDonald, dated June 2025, should be included in the 'approved list of plans/ documents' condition within the decision notice should consent for the project be granted.

We also advise that the works are carried out under licence. 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. Bats We note that the information submitted in support of the above application (Ecological Impact Assessment (EclA) by Mott McDonald), dated June 2025 has identified that bats are unlikely to be using the application site. We therefore have no comments to make on the application as submitted in respect of bats.

Flood Risk

The 1D-2D hydraulic model used to inform the Flood Consequences Assessment (FCA) is an adaptation of an existing NRW integrated catchment model (ICM) for the River Ebbw named 'EbbwLowerICM_5_V1.0_2018', undertaken by Wallingford HydroSolutions (WHS) in 2019 (NRW, 2025g).

For the purposes of the FCA, the NRW model has been truncated, with updates made to the hydrological assessment, land digitisation using the latest Ordnance Survey (OS) MasterMap and topography using data from surveys conducted in 2024 and 2025.

For the existing hydraulic model to be suitable for informing the project and the FCA in support of this application, a number of updates have been undertaken. These are predominantly to bring the model in line with the latest data available and increase the level of detail of the modelling in areas adjacent to the site.

We have not undertaken a full assessment of the fitness for purpose of the modelling and can accept no liability for any errors or inadequacies in the model.

We have reviewed the FCA undertaken by Mott MacDonald, Reference 100119581-MMD XX-XX-RP-FL-0002 Revision P01 dated 4th September 2025, and provide the following comments based on the information presented within it.

Acceptability Criteria

Frequency thresholds

The proposed bridge is shown to be flood free during the 1 in 100 year plus an allowance for climate change (1% +CC (25%)) flood event. However, the connecting highway infrastructure will flood during this event as it is not considered practicable to raise the highway above existing levels at these specific locations. It is also confirmed that the existing highway will flood during the baseline model conditions.

The proposed bridge complies with the requirements of Figure 5 within TAN15 but please note that the existing highway connections at each end will need to be tied into and these have been assessed to flood during the baseline scenario.

Tolerable Conditions

The proposed bridge is shown to comply with the tolerable conditions contained within Figure 6 of TAN15 during the 1 in 100 year (0.1%) +CC event. However, as per the above, the connecting highway infrastructure will flood during this event as it is not considered

practicable to raise the highway above the existing levels. Therefore, the tolerable conditions at the tie-in points with the proposed bridge and the existing highway will be exceeded.

The proposed bridge complies with the requirements of Figure 6 within TAN15 but again please note that the existing highway connections at each end will need to be tied into. These have been assessed to exceed the tolerable conditions set out in Figure 6.

Increase in flood risk elsewhere

The proposals have been assessed and generally show a reduction in flood risk especially within existing residential areas by up to 0.4m (1% +CC 25%) locally to the site. A maximum increase of 90mm has been assessed to Forge Mews which is limited to the 0.1% +CC (25%) event only. Most of the increases will be downstream of the site within those areas along the River Ebbw corridor which are water compatible i.e. flood plain.

The FCA (Table 6.3) states 'in the long term, in most cases, the proposed development is not expected to increase flooding elsewhere, except in water-compatible areas. General reductions in flood levels are anticipated in residential areas. Therefore, the impacts are considered to be broadly consistent with the acceptability criteria outlined in TAN15'.

The proposed bridge is expected to reduce flood risk in existing residential areas by up to 0.4m during a 1% annual exceedance probability (AEP) event plus climate change allowance (25%). Although the development may cause a maximum increase of 90mm in flood levels elsewhere during a 0.1% AEP + CC (25%) extreme event, this is considered acceptable because:

- The overall flood risk is reduced in more vulnerable residential areas.
- The increase elsewhere is relatively minor and occurs only during a very rare event.
- Therefore, the net impact is positive, improving current flood conditions in key areas.

Whilst the increase exceeds the typical 4mm tolerance applied for detriment, we do not consider this a significant matter, given the context and rarity of the event in question. Furthermore, the existing bridge structure, which is to be demolished, currently restricts flow within the River Ebbw and has a documented history of blockages due to its multi span design. Its removal is expected to improve conveyance and reduce flood risk more broadly.

In Section 2.5.3, the removal of the Old Bassaleg Bridge has been assessed to potentially increase downstream flood risk due to the conveyance of more unrestricted flows, compared to the proposed clear span bridge which is designed to maintain flow continuity while minimising obstruction. To mitigate this potential increase in flood risk, flood defence measures, specifically a flood wall or bund, have been incorporated into the overall design proposals. These measures are intended to manage and contain any additional flow volumes and will tie into existing higher ground along Churchmead and the A467 dual carriageway embankment.

It is noted that these mitigation features are not part of the formal planning application as they are considered 'permitted development', but they remain integral to the flood risk management strategy associated with the bridge replacement.

Climate change

The peak flows for climate change have been estimated by applying a 25% increase for the central allowance and a 70% increase for the upper end allowance to the 1% and 0.1% design events.

Overtopping and/or breach assessment

This is not applicable to the proposed bridge crossing above the River Ebbw even though there are NRW flood defences upstream and downstream of the proposed bridge. The defences would not have any implications on flooding to the bridge itself which is set higher than the scheme. It will be suitably tied into these existing defences to ensure continuity of the existing standard of protection provided by the scheme.

Blockage of in-channel structures

There has been a 25% blockage assessment on the existing bridge (to be demolished after completion of the new bridge) based on advice provided by NRW in meetings prior to this planning application being submitted.

Proposed access to the site

The access off the existing highway (Viaduct Way) which connects to the proposed bridge is assessed to flood but only for the design events i.e. 1% and 0.1% +CC with the latter covering most of the access compared with the 1% +CC event. In consideration of this the proposals meet the 0.1% +CC tolerable conditions in Figure 6 of the TAN, with a few exceptions at existing tie-in points (where it is not considered practicable to raise levels).

Additional Comments

The proposed bridge along with associated works including the flood mitigation bund/wall will be subject to a Flood Risk Activity Permit (FRAP). The applicant and their consultants are aware of this requirement, and it is anticipated that FRAP applications will be submitted should planning permission be granted by the LPA.

Designated Sites for Nature Conservation

The application site is approximately 3.9km from the River Usk Special Area of Conservation (SAC) and approximately 4.3km from the Severn Estuary Ramsar and Severn Estuary SAC. We have considered the Habitats Regulations Assessment (HRA) by Mott McDonald dated April 2025 which includes an appropriate assessment. The HRA has outlined all the potential impacts of the work and provided that the proposed mitigation highlighted below is followed we agree with the conclusion that the development is unlikely to have an adverse effect upon the integrity of the River Usk Special Area of Conservation (SAC) or Severn Estuary Ramsar and Severn Estuary SAC.

- No work should be undertaken at night where there is a need for artificial lighting, this will minimise the effect on migratory fish as well as commuting wildlife using the river such as otter and bats.
- The pollution prevention guidance listed in the HRA is followed and a demolition and construction environmental management plan is submitted and adhered to via condition.
- Works will not take place during the fish and eel migration/spawning periods. This leaves a small window where works can be completed, so it is considered a risk that this may not be possible. If this window is exceeded the risk of a significant effect on fish and eel is increased. Therefore, NRW should be made aware of any delays that may extend the works into these periods.

For completeness, we recommend that the HRA be amended to include reference to a DCEMP.

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/SPA/Ramsar site, 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.

Water Environment

We note the submission of further information (bridge abutment justification document) regarding justification of the bridge abutment design, scour and bedrock protection design and bank protection alternatives. We welcome this information which has adequately justified our previous concerns regarding these matters.

Weir Sensitivity

We agree with the recommendations of the geomorphology report that the design should consider the potential implications of weir failure on bed levels and scour risk, we advise that an evaluation of the implications of downstream weir failure or removal on upstream hydraulics and scour risk should be considered and this should confirm whether the proposed bed protection would remain effective under altered control conditions.

6.2 Dwr Cymru Welsh Water: No objection subject to a condition.

6.3 Highways:

Final Response

No Objection – Following receipt of additional/amended information including a safety audit the highways issues have been agreed and there are no further objections.

6.4 Landscape: Given the public views and heritage context all visible faces of the abutments and wing walls are to be clad in callow sandstone slips. Following pre-app advice a tree survey and protection plan has been provided. The group highlighted are proposed for removal.

The Green Infrastructure Statement provides for tree mitigation along Laurel Road (at a 3 to 1 ratio) – see paragraph 2.2.2 and plan A.4.

I assume others in NCC have been involved with this proposal as Laurel Road is a residential road with some grass slopes and trees, so location of native species in relation to service runs and shadowing etc will need to be considered along with ongoing maintenance.

6.5 Principal Heritage Officer: Bassaleg Bridge is an unlisted reinforced concrete structure built in the 1940's and carries a two-way single lane carriageway that connects Caerphilly Road to a small residential development known as Forge Mews. It is a double span bridge of elliptical arch form with cast-concrete balustrading.

Its western end is located some 100m to the south-east of the Grade II Listed church of St Basil (who's separately listed boundary wall and lychgate is set considerably closer at it sweeps the corner of Caerphilly Road and Sta on Approach).

To the north, the GII* listed Railway viaduct built in 1826 for the Rumney Railway Co. also spans the river.

Settings Impacts

Principal near views of the viaduct to the north are obtainable from Viaduct Way (and the adjacent footway) as one passes directly underneath.

The full span/elevation of the asset may be best appreciated from the existing long-range view from Bassaleg Bridge, as one passes over and looks north up the river - though this has already been somewhat compromised by the development of houses to the northern end of Forge Mews, which obstruct views of its eastern end. As such, any significant increase in the height of the parapets to the new bridge will potentially impact upon this key view, resulting in cumulative harm. This will need to be balanced against the planning benefits of the proposed works.

Due to the recessed nature of the existing and proposed Bassaleg Bridge (set principally within the deep river channel), it is not considered that the new will impact unduly upon views from the GII Listed church or its curtilage. The existing bridge also offers a fine long-range view of the church from the east; with its glimpsed view of the principal building through mature trees set within its wide curtilage and surrounded by its ornate boundary wall. As such, any significant increase in the height of the parapets to the new bridge will also have potential to impact upon this view, resulting in some cumulative harm. This will also need to be balanced against the planning benefits of the proposed works.

6.6 Active Travel: No objection.

- 6.7 Senior Scientific Officer: Confirmed no comment to make.
- 6.8 Waste: No waste requirement confirmed.
- 6.9 Ecology: As the Competent Authority in this planning case, it is our responsibility to undertake the HRA, although in this case the Applicant has effectively submitted a 'shadow' HRA document. I agree with the findings of the shadow HRA, as do NRW, so my response to the text you have quoted is that your report should indicate we have adopted the shadow HRA as our own, and this represents our opinion as required by Regulation 63(1) of the Conservation of Habitats and Species Regulations 2017 (as amended).

Replacement Tree Planting - As long as the trees are native, or have some clear value to native biodiversity, then as long as the Tree Team are in agreement with their planting I have no objection on ecological grounds.

- 6.10 Drainage: No response.
- 6.11 SAB: SAB is required and an application has been submitted.
- 6.12 Trees: Confirmed numbers and locations of replacement trees are broadly appropriate. If the final details of the tree planting are to be secured by planning condition, then the Tree Team should be consulted on the discharge of that condition.
- 6.13 Environmental Health: No objection subject to a DCEMP condition.
- 6.14 Street works: No response.
- 6.15 Structures: No response.
- 6.16 Landscape: No objection.

7. PUBLIC REPRESENTATIONS

Neighbour and Ward member notification letters were sent on 7th October 2025 and a Site Notice was put up on 10th October 2025.

- 7.1 NEIGHBOURS: 24no. properties were consulted and 3no. responses have been received, with the relevant and material planning considerations being summarised below;

- The proposal fails to demonstrate compliance with local and national sustainability objectives. There is sufficient evidence that the development does not minimise environmental harm, reduce carbon impact, or integrates sustainably with the surrounding area;
- The site is subject to known flood risk conditions. The proposed mitigation measures are unconvincing and lack sufficient detail to demonstrate that flood risk will not be increased on-site or elsewhere, contrary to national planning policy;
- The proposal conflicts with relevant local plan policies.

- 7.2 COUNCILLORS HARRIS/JONES: No formal responses made.

- 7.3 GRAIG COMMUNITY COUNCIL:

Graig Community Council strongly supports this application on the grounds that it will resolve several longstanding issues affecting the residents of Forge Mews, including – but not limited to:

- Lack of vehicular access for residents and their visitors
- Access issues for the emergency services
- Delivery issues

- Waste management issues
- Knock-on impacts on the residents of Forge Mews's wellbeing and property value

The community council would greatly appreciate opportunities to collaborate with the city council to identify cost saving efficiencies and enable the work to progress as quickly as possible. Additionally:

- Graig Community Council supports the residents request in having double yellow lines included on the bridge on both lanes as a standard enforceable measure to prevent the reoccurrence of historic parking issues on the old bridge
- Given the ongoing issues affecting the residents of Forge Mews highlighted above, the community council believes the harm to views of heritage assets are minimal, given the availability of multiple alternative viewpoints in the vicinity, mitigating any adverse impacts, therefore the community council argues that the benefit outweighs the harms
- The community council believes that the concerns raised by Welsh Water are addressable and are technical and routine in nature, and can be resolved through established mechanisms, including method statement and Section 185 diversion agreements. The community council calls on Newport City Council and Welsh Water to work together on these issues
- The community council argues that the concerns raised by the Highways department can be addressed by practical mitigation measures and that the concerns raised about HGVs are not proportionate for the locality, where traffic flows are low and the only HGVs present are small delivery vehicles

8. **ASSESSMENT**

8.1 **Principle of Development:**

- 8.1.1 The proposal is for a replacement bridge that is located within the urban boundary and will provide vehicular and pedestrian access over the River Ebbw linking the properties on Forge Mews to Bassaleg. Currently there is no vehicular access to Forge Mews with residents having to park on the wider highway network and cross the bridge by foot and with emergency services having limited accessibility.
- 8.1.2 There is no in principle objection to the proposal, however all relevant material planning considerations will need to be suitably addressed as considered within the following sections of this report.

8.2 **Impact on Residential Amenity:**

- 8.2.1 Policy GP2 (General Amenity) states that development will not be permitted where it has a significant adverse effect on local amenity in terms of noise, disturbance, overbearing, light, odours and air quality. Development will not be permitted which is detrimental to the visual amenity. Proposals should seek to design out crime and anti-social behaviour, promote inclusion and provide adequate amenity for future occupiers.
- 8.2.2 The replacement bridge raises no issues in principle in terms of residential amenity, as it will replace an existing structure serving the same purpose and will reinstate vehicular access to the properties at Forge Mews. However, the location is moving further north and it needs to be considered whether this will result in any adverse impact on residential amenity once in operation, as well as considering potential impacts during the construction phase.
- 8.2.3 The nearest residential property is River Bridge Cottage, located to the east of the site beyond the carriageway at Forge Mews, and broadly aligned with the proposed bridge. The development would not generate vehicular movements beyond those that occurred when the existing bridge was in vehicular operation. However, it would result in the junction between

the bridge and Forge Mews being positioned closer to the side elevation of River Bridge Cottage, which contains both a ground floor and first floor window. The specific rooms served by these openings are not known, although the first floor window, which would be the most exposed, appears to be of a secondary nature. A traffic geometrical light review has been submitted in order to consider the potential impact of vehicle lights on River Bridge Cottage and takes into account both the existing arrangement and the proposal. The TGLR concludes that there would be no adverse impact on River Bridge Cottage.

8.2.4 While the proposed bridge would inevitably lead to vehicle manoeuvres occurring in closer proximity to the dwelling and these secondary side windows, having regard to the number of properties served by the bridge and the site's established relationship with the highway, the LPA's assessment considers that level of activity would not represent an intensification sufficient to give rise to material harm to residential amenity. As such, the impacts identified are not considered to warrant refusal of planning permission.

8.2.5 Turning to the construction phase of development, there will inevitably be an element of noise and disturbance as with any construction project. However, there is no reason to suggest this cannot be managed to an acceptable degree through the implementation of a Demolition and Construction Management Plan as suggested by the Environmental Health Officer who has offered no objection to the proposal. This will need to be controlled through the conditional regime.

8.2.6 Overall, it is considered that the proposed development will not result in any demonstrable adverse impact on residential amenity and the proposal is compliant with Policy GP2 and GP7 of the NLDP 2011-2026 (adopted January 2015).

8.3 Design/Appearance, Visual Impact and Heritage:

8.3.1 Policies SP9- Conservation of the Natural, Historic and Built Environment, GP2- General Amenity and GP6- Quality of Design of the NLDP 2011-2026, seek to ensure that the development proposals are of a good quality of design and reflect the scale and context of the locality. Schemes should also be sensitively designed to mitigate any adverse impact upon the protected built environment (listed buildings and conservation areas), gateway routes through Newport and wider landscape features.

8.3.2 The proposed bridge has been designed with its purpose in mind and so that it conforms to the necessary structural and safety requirements, as well as meeting requirement for Welsh Government Active Travel. This has resulted in a wider bridge that is of greater scale than the existing and the design has also adopted a more contemporary approach compared to the existing bridge. However the bridge is to be finished in a Natural Welsh stone slip cladding with a random facing stone pattern. Callow sandstone slips have been suggested as they will have a red/brown colour with occasional grey seems, which is suggested as being similar to the walls of the adjacent graveyard at St Basil's Church, so would be complimentary to the surrounding palette. The handrails located on top of the bridge are metal and will be powder coated in black. Again, this material has been chosen to reflect the boundary treatment of the adjacent Church grounds. There is no objection to the materials, however final specification and details will need to be secured through a planning condition to ensure acceptability and quality of selected material.

8.3.3 The Council's Principal Heritage Officer has responded to the consultation in relation to the potential impact on the setting of the nearby historic assets i.e. St Basil's Church (Grade II) and the Railway Viaduct (Grade II*).

8.3.4 Principal views of the Viaduct to the north are obtainable from Viaduct Way (and the adjacent footway). The full span/elevation of the asset may be best appreciated from the existing long range view from Bassaleg Bruidge, as you pass over and look north up the River Ebbw, through this has already somewhat been compromised by the development of houses to the northern end of Forge Mews, which obstruct views of its eastern end. As such, any significant increase in the height of the parapets to the new bridge will potentially impact upon this key view, resulting in cumulative harm.

- 8.3.5 Due to the recessed nature of the existing and proposed bridge, which is principally set within the deep river channel, it is not considered that the new development will impact unduly upon views from the Grade II listed church or its curtilage. The existing bridge also offers a fine long range view of the Church from the east, with its glimpsed view of the principal building through mature trees set within its wide curtilage and surrounded by its ornate boundary wall. As such, any significant increase in the height of the parapets to the new bridge will also have potential to impact upon this view, resulting in some cumulative harm.
- 8.3.6 The Principal Heritage Officer has referred to the increased height of the parapets in relation to both of the heritage assets in their response, and the potential for impacted views. It is acknowledged that there will be an increased height, however this in itself is not considered such an unacceptable harm that would warrant the refusal of planning permission in this instance. Particularly if giving weight to the proposed merits of the scheme in reinstating vehicular access as well as the provision of enhanced active travel measures. It is considered that within the surrounding context, the proposed development would be acceptable and would not prejudice the character and appearance of the surrounding area or the setting of the heritage assets, this complying with the statutory preserve and enhance tests of the Historic Environment (Wales) Act 2023.
- 8.3.7 In terms of the general character and appearance of the local area and streetscape, the bridge is considered to be of an acceptable design and will be constructed of suitable materials. It will be a piece of important infrastructure that will replace an existing feature and will integrate acceptably within the local context.
- 8.3.8 The proposal complies with Policy GP2, GP6 and SP9 of the NLDP 2011-2026 (adopted January 2015).

8.4 Environmental and Ecological Impact:

- 8.4.1 The application has been supported by the submission of an Ecological Impact Assessment (EcIA), Green Infrastructure Statement (HIS), Habitats Regulation Assessment (HRA); Arboricultural Impact Assessment (AIA) and; Water Framework Directive (WFD).
- 8.4.2 The Water Framework Directive advises that there are no protected areas within the boundary of the application site, such as Special Protection Areas (SPAs), Sites of Special Scientific Interests (SSSIs), RAMSAR Sites or Special Areas of Conservation (SACs). Within the wider area the downstream transitional water bodies Usk and Severn, lie within the Severn Estuary SAC, SPA and RAMSAR designated areas. It is not anticipated that permanent presence of the scheme will impact this water body. However, impacts during construction may have the potential to impact designated receptors associated with these sites. Mitigation and enhancement are offered within Section 5.2.2 of the WFD and are linked to other measures required and controlled through the planning regime, such as a CEMP. A HRA assesses the potential effects of the project on the above protected sites and is included later on in this section of the report.
- 8.4.3 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. Planning Policy Wales (Edition 12) (PPW) reiterates that biodiversity must be maintained and enhanced to enable resilient ecological networks to be built and deliver net benefits for biodiversity. Policy GP5 of the NLDP supports this and states that proposals will be expected to maintain, protect and enhance ecological networks and features of importance for biodiversity.
- 8.4.4 Furthermore, Chapter 6 of PPW12 indicates that a step-wise approach must be taken to maintain and enhance biodiversity, build resilient ecological networks and deliver net benefits for biodiversity by ensuring that any adverse environmental effects are firstly avoided, then minimized, mitigated, and as a last resort compensated for.

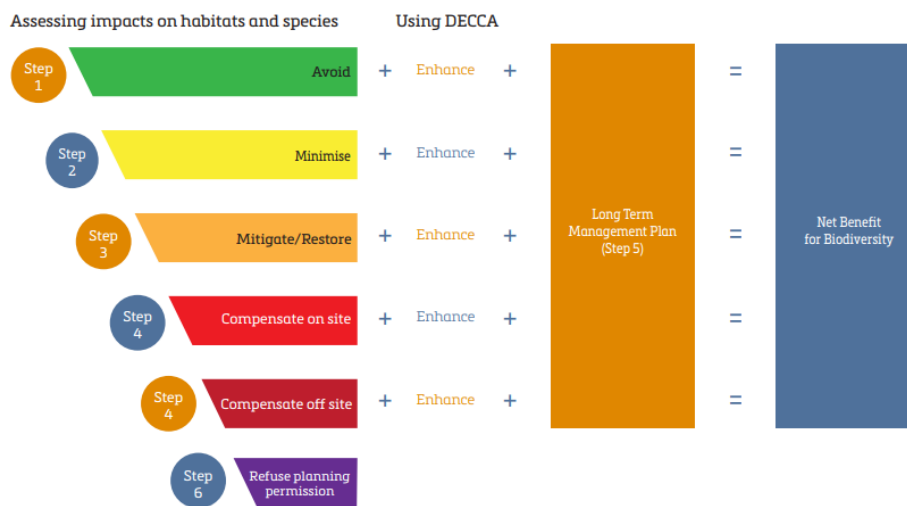


Figure 3 – PPW 12 Stepwise Approach

8.4.5 The submitted GIS considers the existing context of the site referring to the survey work undertaken as part of the EclA. A summary of how the proposal has followed the Stepwise Approach has been set out, and is outlined below for ease of reference;

Avoidance

Whilst the proposed development crosses the River Ebbw, a Site of Importance for Nature Conservation, the project aims to avoid any significant impacts upon ecologically sensitive habitats, due to the placement of the new structure along a modified stretch of the River Ebbw, rather than affecting any more natural sections. The design avoids any impacts to the large sycamore to the southwest of the existing bridge, which will be retained. The proposal is not considered to have any likely significant effects upon internationally designated sites. In addition, the new structure will allow retention of part of the existing structure to avoid the loss of an otter resting site.

Minimise

The proposals have also sought to minimise the need for any loss of green infrastructure, being sited along a generally modified section of the river which has an open character. The impacts are considered only occur to terrestrial habitats to only small areas of grassland and tree specimens (of which several are non-native honey locust).

Mitigation

The proposals provide mitigation for impacts to an otter resting site which will be secured through the conditions within a Natural Resources Wales (NRW) development licence. The proposals also provide mitigation for impacts to nesting birds and spawning fish through appropriate timing of impactful works. There will be an otter ledge provided under the bridge to allow otters to move safely under the structure rather than to pass over land during periods of high water. Invasive non-native species will be subject to a management plan as part of the works to prevent spread, and support overall reduction of these species.

Compensation

There will be appropriate compensation provided for 8no. trees through the planting of native species specimens in the local area. These trees will provide opportunities for supporting foraging and nesting birds (and other species) once they become established. It is not considered that the otter resting site will require compensation as it will be retained in perpetuity.

Enhancement

Enhancement of grassland through a change in management practice and planting of more tree species than are currently present, are to be provided within the local area, increasing diversity and supporting invertebrate communities. Additional of bird nest boxes, bat roost boxes and installation of coir rolls to enhance the botanical diversity of the riverbank associated with the bridge to support aquatic flora and in turn, invertebrates and fish.

- 8.4.6 The LPA is generally satisfied that the proposal has demonstrated compliance with the Stepwise Approach and that the proposal can evidence biodiversity enhancement is to be achieved. It is accepted that where possible the loss of GI has been avoided and minimised, however due to the location of the proposed bridge there will be a loss of 8no. semi mature trees at the eastern bank alongside Forge Mews, as confirmed in the AIA. A mature sycamore tree is to be retained and measures for its protection will be put in place, and final details of these measures will need to be controlled by planning condition.
- 8.4.7 Chapter 6 of PPW12 advises that permanent removal of trees, woodland and hedgerows will only be permitted where it would achieve significant and clearly defined public benefits. In this instance, it is considered that reinstating a vehicular access for residents of the properties at Forge Mews who have been without this for several years is a clear and defined public benefit. Compensatory planting will be required at a minimum ratio of 3 trees of a similar type and size for every 1 tree lost, and ideally this would be on site. In this case this would result in a requirement for 24no. replacement trees, and given the location and size of the site this would not be reasonable. However, confirmation of 24no. of native replacement trees to be planted within the local area on adopted highway where there are significant gaps in existing tree cover has been provided. This is shown on a plan in locations at Laurel Drive, in close proximity to the application site. Final details including species, timing and maintenance will need to be controlled. The Council's Ecologist and Tree Officer have accepted the principle of the replacement trees in the indicative locations shown.
- 8.4.8 Consideration has been given as to how it would be most appropriate to secure the replacement tree planting that has been proposed, as the areas proposed are outside of the application site, and have not been outlined in blue. Section 72 of the Town and Country Planning Act 1990 (as amended) enables LPAs to impose conditions regulating the development or use of land under the control of the applicant, even if such land is outside the site which is the subject of the application. In this instance, the proposed tree planting is to be located within the adopted highway and therefore the applicant i.e. Newport City Council have control over the land and are able to plant the proposed trees in the locations provided. It is therefore considered that using an appropriately worded condition would satisfy the six legal tests as set out in Welsh Government Circular 016/2014.
- 8.4.9 Enhancement proposed includes a new two-cut management regime for the modified grassland on the eastern bank, installation of bat and bird boxes, inclusion of an otter ledge under the new bridge structure (in addition to the existing retained otter holt), installation of coir rolls (to provide stability and native flora) and removal of invasive non-native species (such as Japanese Knotweed) will result in a net benefit for biodiversity and will provide additional green infrastructure within the site.
- 8.4.10 The proposed GIS is considered to have satisfactorily set out that the scheme can achieve a net gain for biodiversity, however a planning condition will be required for the submission of a final detailed scheme of biodiversity enhancement that builds on the principles of the GIS and EcIA.
- 8.4.11 The submitted Ecological Impact Assessment (EcIA) has advised that a confirmed resting site for an otter is likely to be disturbed by the proposed works, however it will be retained in situ as part of the overall development, and enhancement provided through a new otter ledge under the proposed bridge. NRW are satisfied with the level of survey, the results and the proposed mitigation and advise that the EcIA should be included within the approved plans and documents condition if permission is granted.
- 8.4.12 NRW also advise that works are required to be carried out under license, and as such the LPA are required to have regard to the principles established by the *Morge* ruling, and must be satisfied that an EPS licence would likely be granted before planning permission is issued where EPS may be affected.
- 8.4.13 Derogation Tests (European Protected Species – Otter)

i. Regulation 52(3) the development works to be authorised are for the purpose of preserving public health or safety, or for other imperative reasons of overriding public interest, including

those of a social or economic nature and beneficial consequences of primary importance for the environment.

The proposed development will reinstate vehicular access to the properties at Forge Mews, who are currently unable to access their properties unless on foot since the bridge was closed in January 2023. This closure further causes an issue for emergency service access, which is currently restricted as well. Therefore, the new bridge proposed is considered to be in the public interest and will result in social enhancement and increased amenity to residents.

ii. There is no satisfactory alternative;

Other alternatives have been explored by the applicant prior to the submission of this planning application. Given the location of the otter resting site, the LPA considers that any other alternative, such as undertaking works to the existing bridge, is considered likely to require an EPS license as well.

iii. The action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range.

NRW are satisfied that the level of information submitted with the application, which includes proposed mitigation that can be secured under the conditional regime.

Based on this there is no reason to believe the development will result in a detrimental impact on the maintenance of the Otter population. As such, for the purpose of the above three derogation tests, the LPA is satisfied that NRW would likely issue an EPS license.

8.5 Habitats Regulations Assessment

8.5.1 The requirements of the Habitats Regulations with regard to the implications of plans or projects are set out within Regulation 63. The step-based approach implicit within this Regulation is referred to as a 'Habitats Regulations Assessment' (HRA), which is the term that has been used throughout this report. It is a requirement of any public body, referred to as a 'competent authority' within the Habitats Regulations, to carry out a HRA when they are proposing to carry out a project, implement a plan or authorise another party to carry out a plan or project. Competent authorities are required to record the process undertaken, ensuring that there will be no adverse effects on the integrity of any European or Ramsar Site as a result of a plan or project whether alone or in combination with other plans or projects.

8.5.2 The applicant has provided a shadow Habitats Regulation Assessment (HRA) alongside the Ecological Impact Assessment document and the Council's Ecologist and officers are satisfied with its content and recommend this is adopted as the necessary assessment in this case for the purposes of the Council's duties under Regulation 63 of the Habitats Regulations. There is no need to duplicate it. The full report is included as part of this application and the following is a summary inclusion of its findings;

8.5.3 HRA Stage 1: Screening

River Usk SAC Screening Assessment

Table 3.2: River Usk SAC

Qualifying feature	Assessment of Impact Pathways	Likely significant effects
Annex I habitats: Water courses of plain to montane levels with the <i>Ranunculus fluitantis</i> and <i>Callitriche</i>	Due to the distance between the Proposed Development and the SAC (3.55km east and 6.5km downstream), no direct or indirect damage to qualifying habitats is considered likely to occur within the SAC boundary. There is no land-take, habitat removal or physical disturbance proposed to any areas within the SAC boundary. As such, effects from construction-related noise, vibration and/or artificial lighting are not anticipated within the SAC boundary.	Potential during construction

Batrachion vegetation	Although there is hydrological connectivity between the River Ebbw and the River Usk, the boundary of the SAC is upstream of the confluence between these watercourses and therefore any pollution events which may occur during construction are not anticipated to enter the SAC boundary.
Annex II species:	Furthermore, the strong tidal regime of the Severn Estuary which adjoins this confluence is likely to result in considerable dilution of any pollutions at this location to a point where they no longer have a significant effect of the watercourses.
Sea lamprey	The River Ebbw is not considered to be functionally linked habitat for any of the qualifying fish species associated with the SAC, including those which are migratory. As the confluence of the River Ebbw and the SAC lies downstream of the SAC boundary, the River Ebbw is not considered to be a route that fish species which spawn within the SAC will use; any of these species which are found within the River Ebbw are considered to be separate populations which spawn elsewhere, and therefore any effects on these populations are not considered relevant to this SAC. However, the River Ebbw could be considered functionally linked for the SAC's otter population, considering the mobile nature of this species and the large territory sizes they hold. The River Ebbw could constitute an important foraging and commuting corridor for the SAC's otter population, and therefore any pollution events during construction could have a significant effect on overall food resource, thus displacing otters from their preferred feeding grounds and affecting their overall distribution and the total extent of supporting habitat outside the SAC boundary. Equally, construction-related noise, vibration and/or artificial light could cause disturbance to foraging or resting otters, and therefore resulting in the same displacement effects. Due to the scale of the Proposed Development and its location approximately 6.5km upstream of the SAC, any effects on individual otters and their resting sites are not anticipated to be significant at the SAC's population level and therefore are not considered further. Where works may damage or disturb otter resting sites, and thus constitute an offence, this is dealt with through the European Protected Species (EPS) licensing route, and not included within this document. On this basis, it would be considered that a LIKELY SIGNIFICANT EFFECT cannot be ruled out during the construction stage of the Proposed Development in relation to pollution events, visual disturbance, noise, vibration and artificial lighting. No LSEs are anticipated on any of the qualifying features during the operational stage.
Brook lamprey	
River lamprey	
Twaite shad	
Atlantic salmon	
Bullhead	
Otter	
Allis shad.	

Severn Estuary Ramsar Screening Assessment

Table 3.3: Severn Estuary Ramsar

Qualifying feature	Assessment of Impact Pathways	Likely significant effects
Ramsar criteria 1, 3, 4, and 8 as detailed in Table 4.1	The habitats site is located 4.35km southeast (5.8km downstream) of the Proposed Development, the River Ebbw terminates within the Severn Estuary. No habitat loss from the Ramsar will occur and effects within the site's boundary are not anticipated due to the distance from the Proposed Development. Functionally linked habitat provided by the River Ebbw may be impacted during construction if unmitigated. There is potential (if unmitigated) for pollution to enter the Ramsar and impact the qualifying features by contaminating the habitat. Due to the distance of the Ramsar site from the Proposed development, lighting and noise pollution are unlikely to impact the Ramsar Site directly, however, qualifying features associated with the Ramsar Site, such as migratory fish, may be present within the Proposed Development Site and impacted by pollution events and noise and light pollution. On this basis, it would be considered that a LIKELY SIGNIFICANT EFFECT cannot be ruled out during the construction stage of the Proposed Development in relation to pollution events. No LSEs are anticipated on any of the qualifying features during the operational stage.	Potential during construction

Severn Estuary SPA Screening Assessment

Qualifying feature	Assessment of Impact Pathways	Likely significant effects
Wintering Birds, as detailed in Table 4.1	The designated site is located 4.35km southeast (5.8km downstream) of the Proposed Development, the River Ebbw terminates within the Severn Estuary. No habitat loss from the SPA will occur and effects within the site's boundary are not anticipated due to the distance from the Proposed Development. Although there is hydrological connectivity between the River Ebbw and the Severn Estuary SPA, any pollution events which may occur during construction are not anticipated to enter the SPA boundary due to the distance between the Proposed Development and the SPA. Furthermore, the strong tidal regime of the Severn Estuary is likely to result in considerable dilution of any pollutions at this location to a point where they no longer have a significant effect of the watercourses. Qualifying species of the SPA will forage within the marginal habitats and exposed mudflats which are not likely to be susceptible to any pollution events from the Proposed Development. No saltmarsh habitat is present between the Proposed Development and the SPA which may be used by qualifying species. Due to the distance of the SPA from the proposed development, light and noise pollution will not impact the SPA. On this basis no LSEs are anticipated on any of the qualifying features during the construction or operational stage.	No

Severn Estuary SAC Screening Assessment

Qualifying feature	Assessment of Impact Pathways	Likely significant effects
Annex I habitats: Estuaries Subtidal sandbanks Atlantic salt meadows Reefs Annex II species: River lamprey Sea lamprey Twait shad.	The designated site is located 4.35km southeast (5.8km downstream) of the Proposed Development, the River Ebbw terminates within the Severn Estuary. No habitat loss from the SAC will occur and effects within the site's boundary are not anticipated due to the distance from the Proposed Development. Although there is hydrological connectivity between the River Ebbw and the Severn Estuary SAC, any pollution events which may occur during construction are not anticipated to enter the SAC boundary due to the distance between the Proposed Development and the SAC. Furthermore, the strong tidal regime of the Severn Estuary is likely to result in considerable dilution of any pollutions at this location to a point where they no longer have a significant effect of the watercourses. There is potential (if unmitigated) for distance, however it may impact migratory fish species that migrate up the River Ebbw from the Severn Estuary SAC. On this basis, it would be considered that a LIKELY SIGNIFICANT EFFECT cannot be ruled out during the construction stage of the Proposed Development in relation to pollution events. No LSEs are anticipated on any of the qualifying features during the operational stage.	Potential during construction

HRA Stage 2: Appropriate Assessment

- 8.5.4 The Stage 1 Screening has identified a risk of adverse effects on Designated Sites such that the identified impact pathways are required to be appropriately assessed to establish if there will be an adverse effect on the integrity of the Designated Sites. The Stage 2 has considered the conservation objectives of the Designated Sites and potential mitigation measures in order to alleviate potential adverse effects.

River Usk SAC

Impact pathways have been identified which may result in a significant effect on a qualifying species as follows:

- Construction-related pollution incidents affecting foraging and commuting habitat for otter associated with the River Usk SAC (within functionally linked habitat only); and
- Noise and light pollution affecting foraging and commuting otter associated with the River Usk SAC (within functionally linked habitat only). Measures are proposed to mitigate the identified potential impact pathways as follows:

- Standard pollution prevention measures to be implemented to prevent pollutants from entering the River Ebbw; and
- Sensitive timing of construction activities to avoid the optimal otter activity period. No works to be undertaken at night, to ensure that disturbance to commuting/foraging otter is avoided.

Severn Estuary Ramsar and Severn Estuary SAC/RAMSAR

Impact pathways have been identified which may result in a significant effect on qualifying species as follows:

- Direct loss of spawning habitats around new bridge piers;
- A pollution incident and noise and light pollution affecting migratory fish species associated with the Ramsar Site and SAC; and
- A pollution incident affecting the Ramsar and SAC directly by pollutants travelling downstream and into the Ramsar Site and SAC.

Measures are proposed to mitigate the identified potential impact pathways as follows:

Standard pollution prevention measures^{15,16,17} to be implemented to prevent pollutants from entering the River Ebbw;

- No works to be undertaken at night, to ensure migratory fish are not impacted by light pollution;
- The River Ebbw to remain free flowing during works to ensure fish can travel up/downstream; and
- Works to avoid key fish migration and spawning periods where possible (for salmonids this is November to March inclusive, for eels this is autumn for downstream migrating adults and spring for upstream migrating glass eels/elvers).

Conclusion

- 8.5.6 The HRA concludes that based on the assessment and the implementation of the mitigation set out above, the proposed development would have no appreciable effect on the integrity of the River Usk SAC, Severn Estuary SAC or Severn Estuary Ramsar, or their designated interest features. Therefore, the Proposed Development would not contribute to any in-combination effects with other plans or projects.

8.6 Overall Ecology/Biodiversity Conclusion

- 8.6.1 Overall, it is considered that the proposed development will be able to preserve and enhance matters of biodiversity and ecology and will not result in any appreciable effect on the integrity of any of the nearby protected sites or their designated features.
- 8.6.2 As such, the proposal has demonstrated compliance with Policy SP1, SP9 and GP5 of the NLDP 2011-2026 (adopted January 2015).

8.7 Highway Safety

- 8.7.1 In order to facilitate the new bridge, which is located directly north of the existing, there is a requirement for permanent closure of the existing bridge and access points and alterations to the highway layout that will give Viaduct Way priority through the highway network. The existing situation would see vehicles travelling along Caerphilly Road in an easterly direction access the bridge, which would be a straight continuation of the existing highway, before carrying around in a northerly direction onto Forge Mews. It is now proposed for the junction (west of the bridge) between Caerphilly Road, Station Approach, Viaduct Way and Churchmead to be realigned and include provision for a pedestrian crossing point and active travel verge that would continue across the bridge. To the east of the bridge, the active travel verge would continue south to give provision to a footbridge over the A467, and a tactile crossing point would be provided north of the bridge to allow pedestrians to cross onto the eastern footway of Forge Mews.

- 8.7.2 In their initial response, the Highways Officer had raised concerns regarding the level of information provided with the application in support of the changes to the highway that were being proposed. The key issues were noted as being pedestrian routes and safety, driver legibility, vehicular conflicts and visibility splays. As such, a technical response was submitted by the applicant with a number of supporting additional drawings in relation to vehicle tracking; visibility envelope; visibility splays; and an updated general highways arrangement plan.
- 8.7.3 Upon receipt and re-consultation with the Highways Officer, they have confirmed that following the additional/amended information (including a safety audit) the highway issues have been agreed and there is no longer an objection to the proposal.
- 8.7.4 As the plans show details of pedestrian crossing points and an active travel verge that have been included within the scheme for the replacement bridge, their provision will need to be controlled otherwise part implementation could take place or provision could be delayed. The appropriate way to do this would be through an appropriately worded planning condition that requires implementation of these features prior to the first use of the bridge hereby approved.
- 8.7.5 The submitted Transport Statement confirms that a Construction Traffic Management Plan will be required and this will address concerns relating to safety, access and working arrangements for this phase of the development. An appropriately worded planning condition can be used to secure this detail as part of the conditional regime.
- 8.7.6 The proposal is considered to comply with Policy GP5 of the NLDP 2011-2026 (adopted January 2015).

8.8 Flood Risk

- 8.8.1 The site is located within a mix of Flood Zone 2 and 3 (Rivers) – It is predominantly Undefended but Defended in part. The development is for the replacement of an existing bridge, and is considered to be ‘redevelopment’.
- 8.8.2 Section 3.1 of TAN15 outlines vulnerability classifications for different development types and it is considered that this proposal as a scheme of transport infrastructure would be classified as ‘Less Vulnerable Development’ in flood risk terms. The FCA also suggests that it could be considered ‘Water Compatible’ development since the bridge is situated near water by its very nature. However, in adopting a precautionary approach for the purposes of the assessment, the proposed development is classed as less vulnerable in terms of TAN15.
- 8.8.3 One objection that has been received cites flood risk as being a concern. NRW have reviewed the FCA undertaken by Mott MacDonald, and have provided technical advice.
- 8.8.4 Frequency Thresholds: Design development to be flood free

The required design standard for new development is to be flood free during the 1% river flood (i.e. a flood with a 1 in 100 chance of occurring in any year) and the 0.5% flood from the sea (i.e. a flood with a 1 in 200 chance of occurring in any year), plus an allowance for climate change over the lifetime of development.

The risk of flooding at the site is River, rather than Sea and in the 1 in 100 year plus climate change allowance flood event the bridge is designed to be flood free and this complies with Figure 5 of TAN 15. The existing highway connections at each end will need to be tied into and these have been assessed to flood during the baseline scenario, however it is not considered practicable to raise the highway above existing levels at these specific locations.

8.8.5 Tolerable Conditions

The proposed bridge is shown to comply with the tolerable conditions contained within Figure 6 of TAN15 during the 1 in 1000 year (0.1%) plus climate change event. However, as per the above, the existing highway connections at each end need to be tied into and these will exceed the tolerable limits.

8.8.6 Increase in Flood Risk Elsewhere

The proposals have been assessed and generally show a reduction in flood risk especially within existing residential areas by up to 0.4m (1% +CC 25%) locally to the site. A maximum increase of 90mm has been assessed to Forge Mews which is limited to the 0.1% +CC (25%) event only. Most of the increases will be downstream of the site within those areas along the River Ebbw corridor which are water compatible i.e. flood plain.

The FCA (Table 6.3) states *'in the long term, in most cases, the proposed development is not expected to increase flooding elsewhere, except in water-compatible areas. General reductions in flood levels are anticipated in residential areas. Therefore, the impacts are considered to be broadly consistent with the acceptability criteria outlined in TAN15'*.

The proposed bridge is expected to reduce flood risk in existing residential areas by up to 0.4m during a 1% annual exceedance probability (AEP) event plus climate change allowance (25%). Although the development may cause a maximum increase of 90mm in flood levels elsewhere during a 0.1% AEP + CC (25%) extreme event, NRW consider this is acceptable because:

- The overall flood risk is reduced in more vulnerable residential areas.
- The increase elsewhere is relatively minor and occurs only during a very rare event.
- Therefore, the net impact is positive, improving current flood conditions in key areas.

Whilst the increase exceeds the typical 4mm tolerance applied for detriment, NRW do not consider this a significant matter, given the context and rarity of the event in question. Furthermore, the existing bridge structure, which is to be demolished, currently restricts flow within the River Ebbw and has a documented history of blockages due to its multi span design. Its removal is expected to improve conveyance and reduce flood risk more broadly.

In Section 2.5.3, the removal of the Old Bassaleg Bridge has been assessed to potentially increase downstream flood risk due to the conveyance of more unrestricted flows, compared to the proposed clear span bridge which is designed to maintain flow continuity while minimising obstruction. To mitigate this potential increase in flood risk, flood defence measures, specifically a flood wall or bund, have been incorporated into the overall design proposals. These measures are intended to manage and contain any additional flow volumes and will tie into existing higher ground along Churchmead and the A467 dual carriageway embankment.

8.8.7 Overtopping and/or Breach Assessment

NRW confirm that this is not applicable to the proposed bridge crossing above the River Ebbw even though there are NRW flood defences upstream and downstream of the proposed bridge. The defences would not have any implications on flooding to the bridge itself which is set higher. It will be suitably tied into these existing defences to ensure continuity of the existing standard of protection provided by the scheme.

8.8.8 Flooding Conclusion

Overall, it is considered that the proposed development will comply with the requirements of TAN 15. Whilst it is noted that where the new bridge is to tie in with the existing highway either side of the River Ebbw then this will not remain flood free and flood beyond tolerable limits within the respective flood events it is not considered feasible to raise the highway to try and mitigate this. The LPA also note that this is likely to be the same for the existing bridge which is being replaced, so would be no worse off than the current situation.

The proposal is considered to comply with Policy SP3 of the NLDP 2011-2026 (adopted January 2015).

8.9 **Surface Water Drainage**

- 8.9.1 Due to the construction area being greater than 100sqm, under Schedule 3 of the Flood and Water Management Act 2010, an application is required to be made to the SuDS Approving

Body (SAB). The SAB have responded to the planning consultation and confirmed that an application is currently before them.

- 8.9.2 There is no reason to doubt that SAB approval, which is a separate legislative consent, would not be achievable based on the proposed development being considered. As such, there is no issue in relation to surface water drainage raised.

8.10 Other Matters

- 8.10.1 Within earlier versions of the NRW consultation response a request was made that consideration is given to the consequences of weir failure downstream on the design of the bridge and associated scour risk. Following clarification with NRW as to whether this is a matter that should be controlled by the conditional planning regime, NRW confirmed that a condition would not be necessary and wanted to highlight to the applicant that NRW agreed with this recommendation, as made within the geomorphology assessment.

- 8.10.2 To the south and west of the site, a major gas pipeline crosses the River Ebbw. The pipeline lies east of the site within the highway and south of the existing bridge outside of the site. The new bridge is to be relocated to the north of the existing and there is no reason to doubt that the pipeline can be adequately protected and maintained during the development works, and that there would be no adverse impact as a result of the new bridge. A DCEMP condition is included within the conditional regime and this will control the demolition of the existing bridge and will need to have regard to working within proximity of this pipeline. The applicant is also required to contact Wales and West Utilities directly in relation to this to ensure compliance with any separate regulatory requirements.

8.11 Matters Raised During Public Consultation

- 8.10.1 A representation has been received from a member of the public raising concerns regarding alternative development options considered by the applicant prior to submission of the current proposal and has critiqued the submitted proposal.
- 8.10.2 The determination of this application is confined to the planning merits and acceptability of the proposal as submitted. It is not within the remit of the assessment to speculate on, or undertake comparative analysis of, alternative schemes which do not form part of this application. The application has therefore been assessed solely on the basis of the scheme before the authority and any other planning applications will need to be assessed on their own merit.
- 8.10.3 The objection also states that the proposal is contrary to principles within the National Planning Policy Framework (NPPF), particularly those relating to sustainable development, climate resilience, and risk avoidance. However, as the NPPF applies to England only, it does not constitute a material planning consideration in Wales and has therefore not been taken into account in the assessment.
- 8.10.4 Graig Community Council have responded to the consultation, and have confirmed their strong support for the proposed replacement bridge and have also made some further comments. Matters in relation to heritage impact, Welsh Water assets and highway safety are material planning considerations that have been addressed within this report. However, the Community Council have stated their support for requests to include double yellow lines on the bridge on both lanes to prevent the reoccurrence of historic parking issues on the former bridge. However, Traffic Regulation Orders (TROs) are not a matter for consideration as part of a planning application and is for the Highway Authority to apply under separate regulation.
- 8.10.5 An anonymous objection has commented that due to the limited number of houses on the western side of the River Ebbw and ability to park on the east then the bridge is not required. The LPA consider that reintroducing vehicular access for residents and for emergency services is a significant merit of the scheme. Whilst no material planning consideration has been raised within this neighbour response, the scheme that is submitted has been assessed within this report and deemed 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 Overall, it is considered that the proposed development is acceptable and would comply with national planning policy and the Newport Local Development Plan 2011-2026 (adopted January 2015).

10.2 The application is granted with conditions.

11. DECISION

GRANTED WITH CONDITIONS

Approved Plans and Documents:

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

100119581-MMD-XX-XX-DR-HW-3201-P04 General Arrangement;
 100119581-MMD-XX-XX-DR-PL-1201 -Site Layout Plan;
 100119581-MMD-XX-XX-DR-PL-1301 - Proposed Elevation;
 100119581-MMD-XX-XX-DR-PL-1302 - Proposed Sections;
 100119581-MMD-XX-XX-SK-HW-0008 - Detailed Design Highways Vehicle Tracking Sketch Personal Vehicles;
 100119581-MMD-XX-XX-SK-HW-0007 - Detailed Design Highways Vehicle Tracking Sketch Station Approach to Viaduct Way;
 100119581-MMD-XX-XX-SK-HW-0006 - Detailed Design Highways Caerphilly Road to Viaduct Way Visibility Envelope;
 100119581-MMD-XX-XX-SK-HW-0002-P04 - Visibility Splays – Crossing;
 100119581-MMD-00-XX-DR-EN-00002 – Basseleg Bridge Replacement Tree Protection Plan;
 Green Infrastructure Assessment (May 2025);
 Habitats Regulations Assessment (April 2025);
 Ecological Impact Assessment (June 2025);
 Water Framework Directive Assessment (September 2025);
 Geomorphology Report (August 2025);

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

Pre- commencement conditions

Demolition and Construction Environmental Management Plan (DCEMP)

02 No development or demolition shall commence until a Demolition and Construction Environmental Management Plan (DCEMP) has been submitted to and approved in writing by the Local Planning Authority. The DCEMP should include, but not be limited to:

- Construction methods: details of materials, how waste generated will be managed;
- General Site Management: details of the construction and demolition programme including timetable, details of site clearance; details of site construction drainage, containments areas, appropriately sized buffer zones between storage areas (of spoil, oils, fuels, concrete mixing and washing areas) and the watercourse;
- Biodiversity Management: details of tree and hedgerow protection; invasive species management; species and habitats protection, avoidance and mitigation measures.
- Soil Management: details of topsoil strip, storage and amelioration for re-use.
- CEMP Masterplan: details of the extent and phasing of development; location of landscape and environmental resources; design proposals and objectives for integration and mitigation measures;
- Control of Nuisances: details of restrictions to be applied during construction including timing, duration and frequency of works; details of measures to minimise noise and vibration from piling activities, for example acoustic barriers; details of dust control measures; measures to control light spill; external lighting details;
- Resource Management: details of fuel and chemical storage and containment; details of waste generation and its management; details of water consumption, wastewater and energy use;
- Traffic Management: details of site deliveries, including timings to avoid school drop off and pick up times, plant on site and wheel wash facilities;
- 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;
- Landscape/ecological clerk of works to ensure construction compliance with approved plans and environmental regulations;
- Safety measures for working in the proximity of a gas pipeline.

The DCEMP shall be implemented as approved during the demolition and construction phases of the development.

Reason: To ensure necessary management measures are agreed and implemented for the protection of the environment, residential amenity and highway safety for the demolition and construction phases in accordance with Policy GP2, GP5 and GP7 of the NLDP 2011-2026 (adopted January 2015).

Construction Design Method Statement and Risk Assessment

03 No development (to include demolition) shall take place until details of a construction design method statement and risk assessment for the protection of the structural condition of the public water main and sewer assets crossing the site has been submitted to and approved in writing by the Local Planning Authority. No other development pursuant to this permission shall be carried out until the approved protection measures have been implemented and completed. Thereafter, the protection measures shall be retained at all times during the lifetime of this permission.

Reason: To protect the integrity of the public watermain(s) and sewer(s) and avoid damage thereto in accordance with Policy GP3 and GP7 of the NLDP 2011-2026 (adopted January 2015).

Ecological Mitigation

04 Prior to the commencement of development (including demolition) full details of all mitigation as recommended in Section 6.2 of the approved Ecological Impact Assessment (EclA) (June 2025) shall be submitted to and approved in writing by the Local Planning Authority. The development shall take place in accordance with the approved details thereafter.

Reason: To secure appropriate mitigation as part of the development in accordance with Policies SP9 and GP5 of the NLDP 2011–2026 (adopted January 2015).

Pre – construction conditions

Details of Materials and Finishes

05 Prior to the construction of the bridge hereby approved, final details and specification of the external surfaces and materials to be used shall be submitted to and approved in writing by the Local Planning Authority. The approved materials shall be applied prior to the first beneficial use of the bridge hereby approved and retained in that state thereafter.

Reason: In the interest of good design and acceptable visual amenity in accordance with Policy GP2 and GP6 of the NLDP 2011-2026 (adopted January 2015).

Pre –occupation conditions

Ecological Enhancement

06 Prior to the first beneficial use of the bridge hereby approved, a final scheme and details of ecological enhancement, based on the principles set out in the approved Green Infrastructure Statement, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include but not be limited to the following and shall include a timetable for implementation and details of ongoing management and maintenance;

- Grassland Creation;
- Coir Roll Installation;
- Invasive Non-Native Species Management;
- Bird and Bat Boxes;
- Retention of Otter Holt and provision of new Otter resting ledge.

The ecological enhancements shall be implemented in full in accordance with the approved timetable and shall be retained and maintained thereafter.

Scheme of Proposed Tree Planting

07 Prior to the first beneficial use of the bridge hereby approved, a detailed scheme for the off-site planting of a minimum of 24 replacement trees (of appropriate native species) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the location, number, species and height of the trees at the time of planting.

The approved scheme shall be implemented in full no later than the end of the first full planting season following the first beneficial use of the bridge. For the purposes of this condition, a full planting season shall be taken to mean the period between October and April inclusive.

All trees shall thereafter be maintained for a period of five years from the date of planting in accordance with an approved management schedule. Any trees which die, are removed, or become seriously damaged or diseased within this period shall be replaced in the next available planting season with specimens of the same size and species, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To secure appropriate off-site mitigation and compensation in accordance with Planning Policy Wales (Edition 12) and Policies SP1, SP9 and GP5 of the NLDP 2011–2026 (adopted January 2015).

Active Travel Implementation

08 The bridge hereby approved shall not be brought into use until the shared use path/active travel verge and associated uncontrolled crossing points at Viaduct Way and Forge Mews as shown on the approved plans have been provided in full and are made available for use.

Reason: To encourage active travel and to ensure pedestrian/highway safety in accordance with Policy SP1 and GP4 of the NLDP 2011-2026 (adopted January 2015).

Tree Protection Barrier Fencing

09 No operations of any description (this includes but is not limited to all forms of demolition, development, tree felling, tree pruning, temporary access construction, soil moving, temporary access construction and operations involving the use of motorised vehicles or construction machinery) shall commence on site in connection with the development until the Root Protection Barrier fencing for Tree T9 as shown on “*Drawing No. 100119581-MMD-00-XX-DR-EN-00002 – Basseleg Bridge Replacement Tree Protection Plan*” contained within approved document “*Arboricultural Impact Assessment (March 2025)*” has been installed on site. No excavation for services, storage of materials or machinery, parking of vehicles, deposits or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within the Root Protection Area. The fencing shall be retained for the full duration of the development, and shall not be removed or repositioned without the prior written approval of the Local Planning Authority.

Once erected the approved Tree Consultant should provide written, dated and signed confirmation that the fencing has been installed as detailed in the Tree Protection Plan .

Reason: To protect important landscape features within the site in accordance with Policy SP1, SP9 and GP5 of the NLDP 2011-2026 (adopted January 2015).

Embankment Reinstatement Details

10 Prior to the demolition of the existing bridge, full details for the making good of the existing embankment shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with these approved details and retained thereafter.

Reason: To ensure the development is undertaken in an acceptable manner in accordance with Policy GP2 of the NDLP 2011-2026 (adopted January 2015).

General conditions

Ecological Mitigation

11 The development shall be undertaken in accordance with the Mitigation measures set out in Section 6.2 of the approved Ecological Impact Assessment (EclA) (June 2025).

Reason: To ensure the development preserves matters of biodiversity and ecological interest in accordance with Policy SP9 and GP5 of the NLDP 2011-2026 (adopted January 2015).

Tree Removal Timing

12 The tree removal shall take place outside of the bird nesting season (March to August Inclusive).

Reason: To ensure the development preserves matters of biodiversity and ecological interest in accordance with Policy SP9 and GP5 of the NLDP 2011-2026 (adopted January 2015).

Demolition of Existing Bridge

13 The existing bridge shall not be demolished until the replacement bridge hereby approved has been completed in full and is open and available for use by vehicles and pedestrians (including active travel users).

The demolition of the existing bridge shall take place no later than six months from the date of first use of the replacement bridge, unless an alternative timescale has first been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the availability of access for existing residents during the construction and commissioning of the replacement bridge, in the interests of residential amenity, in accordance with Policy GP2 of the NLDP 2011-2026 (adopted January 2015).

Method of Piling

14 The piling method shall be Continuous Flight Auger (CFA) only, as shown on the approved drawing "100119581-MMD-XX-XX-DR-PL-1302 – Proposed Sections".

Reason: To protect the local environment in accordance with Policy GP5 of the NLDP 2011–2026 (adopted January 2015).

NOTE TO APPLICANT

01 This decision relates to plan Nos:

Site Location Plan;

100119581-MMD-XX-XX-DR-PL-1001 - Existing Plan and Elevation.

100119581-MMD-XX-XX-DR-PL-1002 - Demolition Plan and Elevation.

100119581-MMD-XX-XX-DR-UT-5001- Existing Utilities;

100119581-MMD-XX-XX-RP-LI-0002 -Traffic Geometric Lighting Review;

100119581-MMD-XX-XX-RP-TP-0003 Bassaleg Bridge Transport Statement;

100119581-MMD-XX-XX-RP-FL-0002 Flood Consequences Assessment;

Arboricultural Impact Assessment;

100119581-MMD-XX-XX-RP-PL-0001 - Bassaleg Bridge Planning Statement.

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies SP1, SP3, SP9, SP14, GP1, GP2, GP4, GP5, GP6, GP7, CE7, CE8, T4, T5 and T7 were relevant to the determination of this application.

03 The proposed development (including any demolition) has been screened under the Environmental Impact Assessment Regulations and it is considered that an Environmental Statement is not required.

04 Warning: A European Protected Species (EPS) Licence is required for this development.

This planning permission does not provide consent to undertake works that require an EPS licence. It is an offence to deliberately capture, kill or disturb EPS or to damage or destroy their breeding sites or resting places. If found guilty of any offences, you could be sent to prison for up to 6 months and/or receive an unlimited fine.

To undertake the works within the law, you can obtain further information on the need for a licence from Natural Resources Wales on 0300 065 3000 or on the NRW website

Development shall not be commenced until you have been granted a licence by Natural Resources Wales pursuant to Regulation 55 of the Conservation of Habitats and Species Regulations (2017) authorising the specified activity/development to go ahead.

Please note that any changes between planning consent and the licence application may affect the outcome of a licence application.