

Delegated Decision Report

Application No:	25/0690	Statutory Period Expires:	21st October 2025
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Site:	<i>Land West Of 1 Kings Wall Drive Newport South Wales</i>		
Proposal:	PARTIAL DISCHARGE OF CONDITION 7 (BIO DIVERSITY MEASURES) OF 24/0782/RM FOR PROPOSED RETAIL STORE, NURSERY (D1) AND 3NO. COMMERCIAL UNITS AND ASSOCIATED WORKS AND PARTIAL DISCHARGE OF VARIOUS CONDITIONS PURSUANT TO OUTLINE PLANNING PERMISSION 06/0471 FOR REDEVELOPMENT OF SITE TO CREATE A MIXED USE URBAN EXTENSION		
Applicant:	<i>Lidl Great Britain Limited</i>		
Type:	Discharge Conditions	Ward:	Llanwern
Decision:	Approved		

1. BACKGROUND

- 1.1 The applicant is seeking the partial discharge of Condition 7 (Biodiversity Measures) of Reserved Matters approval 24/0782 for a proposed retail store, nursery (D1) and 3no. commercial units and associated works. That condition reads as follows:

Additional Bio-diversity Measures: Prior to the first occupation of the site or any part of the site in the case of phased delivery; details of the bird and bat boxes proposed for the site or phase shall be submitted in writing to the Local Planning Authority. Following the LPA's written approval the bird and bat boxes shall be installed as agreed prior to the occupation of the site or phase and shall be retained as agreed thereafter.

Reason: to secure net-benefit for bio-diversity in accordance with national and local policy. Policy GP5.

2. SITE LOCATION AND CONTEXT

- 2.1 The site is within the allocated Local Centre on Glan Llyn. It is currently undeveloped having been subject to works of remediation and having been partly in use as a construction compound by St Modwen's Homes

3. DESCRIPTION OF DEVELOPMENT

- 3.1 See Paragraph 1.1.

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision & Date
06/0471/O	REDEVELOPMENT OF SITE TO CREATE A MIXED USE URBAN EXTENSION COMPRISING: A RANGE OF	01 April 2010

	NEW HOMES (APARTMENTS, HOUSES AND SOME SHELTERED ACCOMMODATION FOR THE ELDERLY - USE CLASSES C2&C3); NEW OFFICES, WORKSHOPS, FACTORIES AND WAREHOUSES (USE CLASSES B1, B2&B8); COMMUNITY FACILITIES INCLUDING NEW SCHOOLS AND COMMUNITY CENTRES (USE CLASSES D1&D2); A LOCAL CENTRE INCORPORATING SHOPS, OFFICES AND COMMERCIAL LEISURE FACILITIES INCLUDING NEW BARS, CAFES AND LICENSED PREMISES (USE CLASSES A1, A2, A3&D2); A NETWORK OF OPEN SPACES INCLUDING PARKLAND, FOOTPATHS, SPORTS PITCHES AND AREAS FOR INFORMAL RECREATION; NEW ROADS, ACCESSES AND PATHS; HEALTHCARE AND FITNESS FACILITIES (USE CLASSES D1&D2); PROVISION FOR A NEW RAILWAY HALT/STATION; OTHER ANCILLARY USES AND ACTIVITIES; AND REQUIRING: SITE CLEARANCE, TREATMENT AND PREPARATION; THE INSTALLATION OF NEW SERVICES AND INFRASTRUCTURE; THE CREATION OF NEW WATER BODIES AND DRAINAGE CHANNELS; IMPROVEMENTS/WORKS TO THE HIGHWAYS NETWORK AND OTHER ANCILLARY WORKS AND ACTIVITIES	
24/0782/RM	RESERVED MATTERS (CONDITION 01) FOR PROPOSED RETAIL STORE, NURSERY (D1) AND 3NO. COMMERCIAL UNITS AND ASSOCIATED WORKS IN LOCAL CENTRE AND PARTIAL DISCHARGE OF CONDITIONS 07 (LANDSCAPING), 08 (MATERIALS/FINISHES TO EXTERNAL SURFACES), 9 (MATERIALS/FINISHES FOR HARD LANDSCAPED AREAS), 10 (BOUNDARY TREATMENTS), 12 (PARKING), 15 (EMERGENCY ACCESS), 16 (ROADS, CYCLEWAYS AND FOOTWAYS), 17 (GREEN TRAVEL STRATEGY), 19 (NOISE ASSESSMENT), 22 (LIGHTING), 23 (ECOLOGICAL MANAGEMENT PLAN), 24 (SITE LEVELS), 27 (GROUND CONDITIONS), 28 PART 1 ONLY (VERIFICATION REPORT), 32 (PILING WORKS), 33 (SURFACE WATER), 34 (FOUL AND SURFACE WATER DRAINAGE AND STORAGE) AND 39 (CARBON REDUCTION STRATEGY) RELATING TO OUTLINE PLANNING PERMISSION 06/0471 FOR REDEVELOPMENT OF SITE TO CREATE A MIXED USE URBAN EXTENSION	01 July 2025

5. PLANNING POLICY

5.1 NEWPORT LOCAL DEVELOPMENT PLAN (2011-2026)

SP1 – Sustainability
GP5 – Natural Environment

5.4 SUPPLEMENTARY PLANNING GUIDANCE

Wildlife & Development (August 2015)

6. CONSULTATION RESPONSES

6.1 None.

7. PUBLIC REPRESENTATIONS

None.

8. ASSESSMENT

8.1 The applicant has provided details of the location and details of bird and bat boxes to be installed on the site:

- Bird boxes: 3no. 1SP Schwegler Sparrow Terrace
- Bat Boxes: 2no. 1WQ Schwegler Summer & Winter Bat Roost

8.2 Given the highly limited contribution made to biodiversity by the existing site (reclaimed industrial land), the proposed enhancement is considered acceptable. Policy GP5 of the adopted Newport Local Development Plan 2011-2026 is complied with and the condition can be discharged in part.

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 submitted details are acceptable and the condition can be discharged in part.

11. DECISION

APPROVED

NOTE TO APPLICANT

01 This decision relates to the following plans & documents:

- Drawing BioC23-272 – Bat & Bird Boxes Locations
- Unnumbered Drawing – Redline Plan
- REF : B IO C23-272 | V1 .1 | ECOLOGICAL MANAGEMENT PLAN (details of bird & bat boxes)
- Covering Letter dated 22.08.2025

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies SP1 and GP5 were relevant to the determination of this application.

03 Due to the minor nature of the proposed development (including any demolition) and the location of the proposed development, it is considered that the proposals did not need to be screened under the Environmental Impact Assessment Regulations.