

Ein cyf/Our Ref: CAS-287910-H3X0  
Eich cyf/Your Ref: CONNEX/25/0700

Geraint Roberts  
Newport City Council  
Regeneration, Investment & Housing  
Civic Centre  
Newport  
NP20 4UR

Dyddiad/Date: 19 September 2025

Annwyl Mr Roberts/Dear Mr Roberts

**BWRIAD/PROPOSAL: RESIDENTIAL DEVELOPMENT INCLUDING THE ERECTION OF 32NO UNITS, ACCESS, CAR PARKING, ENGINEERING, LANDSCAPING AND ASSOCIATED WORKS.**

**LLEOLIAD/LOCATION: LAND FORMERLY KNOWN AS THE OPEN HEARTH, HENDRE FARM DRIVE, NEWPORT, NP19 9LH.**

Thank you for consulting Cyfoeth Naturiol Cymru (CNC)/Natural Resources Wales (NRW) about the above, which we received on 8 September 2025.

**We have concerns with the application as submitted. However, we are satisfied that these concerns can be overcome if the document identified below is included in the approved plans and documents condition on the decision notice:**

- Ecological Impact Assessment, version 2.0, prepared by Ecological Services Ltd, dated 7th October 2024.

**Please note, without the inclusion of this document we would object to this planning application. Further details are provided below.**

### **Protected Species**

We have reviewed the following information submitted in support of the application:

- Ecological Impact Assessment, version 2.0, prepared by Ecological Services Ltd, dated 7<sup>th</sup> October 2024

### Great Crested Newt (GCN)

The information has identified that GCN may be material to the application site. The Ecological Impact Assessment states that 'the scrub, grassland areas and piles of rubble/debris of the site have potential to be used by GCN during the terrestrial phase of their lifecycle.' The report considers it unlikely that GCN are present within the site however, their presence cannot be ruled out entirely.

GCN and their breeding sites and resting places are protected under the Conservation of Habitats and Species Regulations 2017 (as amended) and Schedule 5 of the Wildlife and Countryside Act 1981. Where GCN are present and a development proposal is likely to contravene the legal protection, they are afforded, the development may only proceed under licence issued by Natural Resources Wales, having satisfied the three requirements set out in the legislation. A licence may only be authorised if:

- i. 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;
- ii. There is no satisfactory alternative; and,
- 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.

To avoid developments with planning permission subsequently not being granted a licence, the Local Planning Authority (LPA) should take Planning Policy Wales and Technical Advice Note 5 into account when considering development proposals where a European Protected Species is present.

Please note, for the purposes of providing advice at the planning application stage, our comments would be limited to the 3<sup>rd</sup> test “demonstration of no detriment to the maintenance of the favourable conservation status of European protected species”. We would advise the LPA that before any consent is given, as informed by the provisions of Regulation 9 of the Conservation of Habitats and Species Regulations 2017 (as amended) it should satisfy itself as to whether the scheme satisfies the other two tests, namely a relevant Habitats Regulations purpose and whether there is no satisfactory alternative to the proposal.

We consider that the above report provides an adequate basis upon which to consider the potential impacts of the scheme on this species and inform the decision-making process.

Therefore, we would advise the LPA that the above document is included in the approved list of plans/documents condition within the decision notice.

### Bats

We note the Ecological Impact Assessment has identified trees within the site which have low potential for roosting use by bats. Based on the findings of the Assessment we consider that bat use is of a lower risk, and we would refer the LPA to the advice of their in-house Ecologist.

### **Protected Sites – River Usk Special Area of Conservation (SAC)**

The application site is approximately 2.7km from the River Usk SAC. From the information provided, we consider that the proposal may affect the SAC site and have identified pollution as a potential impact pathway to features of the site. However, we consider the above pathway would not result in an adverse effect if the developer adheres to standard pollution prevention guidelines. Further information on standard pollution prevention guidelines is provided under the ‘Advice for the developer’ section below.

The planning authority will be the competent authority under the Conservation of Habitats and Species Regulations 2017 (as amended). They should screen the proposal and carry out a test of Likely Significant Effects for the proposed development. Should they 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 on the implications of the project for that site in view of its conservation objectives. They must for the purposes of the assessment consult NRW and have regard to any representations we make within such reasonable time as they specify.

### **Protected Sites – River Usk Special Site of Scientific Interest (SSSI)**

NRW consider the proposals have the potential to impact upon the River Usk SSSI. Providing the impact pathways referenced above for the SAC are adequately addressed, NRW consider the features of the SSSI will also be adequately safeguarded.

### **Other Matters**

The advice in this letter relates to matters which are included on our [consultation topics list](#). We do not rule out the potential for the proposed development to affect other environmental interests that are not included on this list.

We advise the applicant that, in addition to planning permission, it is their responsibility to ensure they secure all other permits/consents/licences relevant to their development. Please refer to our [website](#) for further details.

If you have any queries on the above, please do not hesitate to contact us.

Yn gywir/Yours faithfully

**Andrew Hurst**

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Croesewir gohebiaeth yn Gymraeg a byddwn yn ymateb yn Gymraeg, heb i hynny arwain at oedi/Correspondence in Welsh is welcomed, and we will respond in Welsh without it leading to a delay.