

APPENDIX 1.1



Our Ref/Ein Cyf 17/0037
Your Ref/Eich Cyf
Tel/Efôn 01633 656656
Direct Dial/Rhif Union 01633 210094
DX 99463 Newport (Gwent) 3
E-Mail/E-Bost planning@newport.gov.uk

Civic Centre/Canolfan Ddinesig
Newport/Casnewydd
South Wales/De Cymru
NP20 4UR

Ms. Emma Harding
Asbri Planning
Unit 9 Oak Tree Court
Cardiff Gate business Park
Cardiff CF23 8RS

08 February 2017

Dear Ms Harding

PROPOSAL: EIA SCOPING OPINION FOR THE CONSTRUCTION OF
195NO. RESIDENTIAL UNITS, ESTATE ROADS, PARKING,
LANDSCAPING AND ASSOCIATED WORKS

SITE: Land To South Of Glan Usk Primary School, Herbert Road,
Newport.

APPLICATION TYPE: EIA Scoping

1. CONSULTATIONS

- 1.1.1 GLAMORGAN & GWENT ARCHAEOLOGICAL TRUST (GGAT): The Trust has consulted the information contained within the Historic Environment Record along with historic maps of the area. The area appears to have been agricultural land alongside the River Usk since at least the medieval period when it was located in one of the open fields. Later the land was enclosed but remained in agricultural use until the 20th century, when it was developed for factory use. Therefore there are no known archaeological sites in the area. We have therefore considered the likelihood that unrecorded archaeological sites could be buried in the alluvium alongside the river. Although there is always a possibility that boats and other maritime equipment could have abandoned alongside the river, there are no significant pills (small tidal estuaries that could have been used as harbours) marked on the historic maps. It is thought that the area surrounding pills could have been the location for settlement in the prehistoric and Roman periods but given the lack of such topographical features, it is our opinion that it is unlikely that any significant archaeological features are located in the proposed development area.
- 1.1.2 Consequently, we do not envisage any archaeological or historic environment issues that will be material considerations in the determination of any planning application in this area.
We note that no chapter addressing Cultural Heritage is proposed and we concur that Cultural Heritage is unlikely to be a significant factor and does not need to be addressed in any Environmental Impact Assessment.

2. INTERNAL COUNCIL ADVICE

- 2.1 PUBLIC PROTECTION MANAGER (AIR QUALITY): Having reviewed information submitted it is clear the main access to the site is via Herbert Road. There are no alternative routes to access Herbert Road other than via Caerleon Road / Clarence Place. Both Caerleon Road and Clarence Place have been designated as an Air Quality Management Area (AQMA) because they have been proven to breach the air quality standards. The increase in traffic caused by the proposed development on these routes will contribute more air pollution, compounding the impact on the health of local residents.

Therefore it is the opinion of Environmental Health that the development would meet the criteria for an EIA. However it should be made clear the air quality aspects should focus on the traffic to and from the site impacting the AQMAs, rather than detailing the suitability of the air quality at the site for human occupation. Any and all mitigation measures to help reduce the number of fossil fuel based vehicle trips to and from the site, for both construction phase and operational phase, should be explored in full.

- 2.2 PUBLIC PROTECTION MANAGER (ENVIRONMENTAL HEALTH): Having reviewed the information submitted with the request for an EIA Scoping Opinion it is clear that the site preparation and construction of the proposed development have the potential to cause significant disruption from the effects of noise, vibration, dust as well as adding to air pollution from vehicle movements.

The EIA will need to demonstrate that the impact from these effects can be prevented, and if not prevented then minimised, during the project. Measures considered necessary within the EIA will need to be clearly identified, implemented, monitored, reviewed and maintained for the duration of the project.

3. REPRESENTATIONS

- 3.1 None.

4. RELEVANT SITE HISTORY

Ref. No.	Description	Decision & Date
00/0768	REPLACEMENT PRIMARY SCHOOL, ALL WEATHER PITCH, SOFT & HARD PLAY AREAS & RESIDENTIAL DEVELOPMENT	Granted with conditions 06.11.2000
03/1531	ERECTION OF A REPLACEMENT PRIMARY SCHOOL, ALL WEATHER PITCH, SOFT AND HARD PLAY AREAS AND RESIDENTIAL DEVELOPMENT (PURSUANT TO 00/0768)	Approved with conditions 25.05.2004
12/1011	SCREENING OPINION FOR RESIDENTIAL DEVELOPMENT	EIA development 27.11.2012
12/1012	SCOPING OPINION FOR RESIDENTIAL DEVELOPMENT	Scoping 27.11.2012
13/1279	DEVELOPMENT OF 251 DWELLINGS AND ASSOCIATED WORKS INCLUDING BOUNDARY TREATMENTS, RETAINING WALLS, VEHICULAR ACCESS, PARKING, PATHWAYS AND LANDSCAPING AFFECTING PUBLIC RIGHT OF WAY 407/1	Granted with Conditions 11.08.2015

5. ASSESSMENT

- 5.1 The applicant is seeking a scoping opinion under Regulation 13 (Scoping Opinions) of the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2016. This Regulation allows applicants to seek the view of the LPA on the content of any Environmental Statement that may be submitted. Under Regulation 13(6) The LPA must take into account:
(a) the specific characteristics of the particular development;
(b) the specific characteristics of development of the type concerned; and
(c) the environmental features likely to be affected by the development.
- 5.2 A similar residential development on this site was found to be EIA development under Screening Opinion 12/1011 in November 2012. A scoping opinion was also provided in 2012 under application 12/1012. That scoping opinion is appended for reference.
- 5.3 Under this scoping opinion the following issues are considered to be relevant to the proposed application and its likely effects upon environmental features. Please note that Regulation 13(9) places no limitation on an authority seeking additional information following the issue of a scoping opinion in the event an application is subsequently submitted.
- 5.4 The likely scope of any submitted Environmental Statement is considered below.
- 5.5 CONTAMINATION
- 5.5.1 The site is known to have been used for industrial purposes and as a landfill site. Particular risks arise from the likely contamination of the site. Significant levels of contamination were found and remediated when the site to the immediate north of this site was developed (the Glan Usk School Site). It is highly likely that this site will have similar high levels of contamination. Remediation to the required level is likely to be a complex process which runs the risk of mobilising pollution in the vicinity of highly sensitive receptors in the form the River Usk SAC which could be affected by run-off or ground water seepage. This site is known to overlie a minor sandstone aquifer. There also appears to be a perched water table that is contaminated. There is a risk of pollution being mobilised vertically by for example, piling activities. The containment of any pollution mobilised during any development phase should be considered. It will be necessary to remediate the site to a level appropriate to its residential end use and to protect the interests of the adjacent SAC both during the construction and operational phase of the development. Any assessment should take account of materials imported under permission 00/0768 their chemical qualities and their impact on containing existing pollution.
- 5.6 ACCESS AND HIGHWAYS
- 5.6.1 A Traffic Impact Assessment will be required. A local business reports existing difficulties in the local highway network via the passage of HGVs. Access to the site is constrained and can only be achieved by routing through densely populated urban areas which are often heavily parked. The construction and operational phases of the proposal are likely to generate significant highway impacts in the vicinity of the site and the associated urban areas which should be assessed. Careful consideration should be given to load divisibility with a minimal number of abnormal loads being routed via Clarence Place and under the East Usk Road railway bridge. The bulk of traffic should use the Turner Street access point irregardless of the lowness of that bridge.
- 5.7 VISUAL IMPACT

- 5.7.1 The Usk River Front is an important vista in the area and contains an important public right of way that connects into the wider strategic network of public rights of way. Visual impacts and landscape impacts and the potential effects on users of the river front public right of way are capable of being significant and should be considered.
- 5.8 NOISE
- 5.8.1 Noise from the industrial uses to the south and east of the site and from the railway line on the eastern boundary of the site are likely to be significant and potentially adverse. Consideration of how this noise will affect outside amenity space and internal rooms should be given. The potential for curtailment of existing industrial activities via Noise Abatement Notice should be considered.
- 5.9 FLOODING
- 5.9.1 A large part of the site lies within a defended floodplain (C1) as identified in the Welsh Government's Development Advice Maps. It will be necessary to show that the effects of tidal flooding can be acceptably managed on the site. If land raising is proposed the impact of flood water displacement and run-off effects should be taken into account. Consideration should be given to any fallback position available to the applicant in terms of landraising.
- 5.10 IMPACT ON LOCAL POPULATION
- 5.10.1 The principal impacts will be via traffic generation, visual impacts and potential curtailment of valued recreational routes particularly during construction. These should be assessed. Other impacts during the construction process have been identified by the Environmental Health Section in relation to construction activities (noise, vibration, dust, vehicle movements). These should be considered as part of any EIA
- 5.11 ECOLOGY AND NATURE CONSERVATION
- 5.11.1 The site is adjacent to the River Usk which is designated as a Site of Special Scientific Interest (SSSI) and as a Special Area of Conservation (SAC). Protected species are known to use the River and its bank as habitat and for transit. Particular concerns will relate to the fish and otter populations of the river. Advice should be sought from Cyfoeth Naturiol Cymru / Natural Resources Wales.
- 5.12 TRAFFIC AND AIR QUALITY
- 5.12.1 There are Air Quality Management Areas on two parts of Caerleon Road (Caerleon Road and Saint Julians) and Chepstow Road (including the lower reaches of Caerleon Road close to the Caerleon Road / Turner Street junction). Consideration should be given to the impact of traffic generation from the proposal on air quality in these sensitive areas.
- 5.12.2 An assessment will need to be made of the impact of the development on the Air Quality Management Areas in Clarence Place / Chepstow Road and Caerleon Road. It should be noted that Environmental Standards in these areas are already exceeded and additional exceedances should be avoided or mitigated.
- 5.13 OTHER LOCAL FACILITIES
- 5.13.1 The proposal will increase the local population and increase the demand on local facilities in the vicinity of the site. There is no indication these will be incapable of being supported in what is a sustainable urban location.
- 5.14 RECREATIONAL ROUTES
- 5.14.1 The Public Right of Way along the river front is an important recreational route in the local area and it must be incorporated with no reduced amenity.

Views across the River Usk Special Landscape Area should be preserved and as much as possible the route be enhanced by appropriate landscaping.

5.15 ARCHAEOLOGY

5.15.1 GGAT report there is unlikely to be any effects on the archaeological resource.

I hope the above information is of use to you. Please contact me as necessary.

Yours sincerely

Geraint N. Roberts

Geraint N. Roberts

Prif Swyddog Cynllunio / Principal Planning Officer

Tîm yr Dwyrain / East Team

Adfywio, Buddsoddi a Thai / Regeneration, Investment and Housing

Cyngor Dinas Casnewydd / Newport City Council

NOTE TO APPLICANT

01 This decision relates to the following documents:

- Drawing 3073(03)01A – Sketch Plan North Site
- Drawing 'Phasing' Revision H
- Drawing 3073 (00)02D – Site Location
- Asbri Letter Reference 17.104 dated 17 January 2017

Enclosed / Attached

- Scoping Opinion 12/1012

From: Keith Leslie (Environmental Health Officer)
Sent: 02 February 2017 12:17
To: Geraint Roberts (Principal Planning Officer)
Cc: Planning
Subject: Land To South Of Glan Usk Primary School - P/17/00011

Geraint

PRE-APPLICATION PLANNING CONSULTATION FOR THE RE-PLAN OF PHASES 2,3 AND 4 OF THE RESIDENTIAL DEVELOPMENT GRANTED BY PLANNING PERMISSION 13/1279

P/17/00011
17/00821/CPRPAE

I have produced the conditions the Environmental Protection Team will look to impose on this proposed development.

Given the proximity of the elevated M4 motorway and the elevated B4042 and the road network near the site a road traffic noise assessment will be needed.

Road Traffic Noise - Internal

No development, other than demolition, shall commence until a scheme has been submitted to and approved in writing by the Local Planning Authority to provide that all habitable rooms exposed to external road traffic noise in excess of 55 dBA Leq 16 hour [free field] during the day [07.00 to 23.00 hours] or 45 dBA Leq 8 hour [free field] at night [23.00 to 07.00 hours] shall be subject to sound insulation measures to ensure that all such rooms achieve an internal noise level of 35 dBA Leq 16 hour during the day and 30 dBA Leq 8 hour at night. The submitted scheme shall ensure that habitable rooms subject to sound insulation measures shall be able to be effectively ventilated without opening windows. No dwelling shall be occupied until the approved sound insulation and ventilation measures have been installed to that property in accordance with the approved details. The approved measures shall be retained thereafter in perpetuity.

Reason: To ensure that the amenities of future occupiers are protected.

Road Traffic Noise - External

No development, other than demolition, shall commence until a scheme has been submitted to and approved in writing by the Local Planning Authority to provide that the maximum day time noise level in outdoor living areas exposed to external road traffic noise shall not exceed 50 dBA Leq 16 hour [free field]. The scheme of noise mitigation as approved shall be constructed in its entirety prior to the first occupation of any dwelling and shall be retained thereafter in perpetuity.

Reason: To ensure that the amenities of future occupiers are protected.

Given the proximity of the railway line to the site a railway noise assessment will be needed.

Railway Noise - Internal

No development, other than demolition, shall commence until a scheme has been submitted to and approved in writing by the Local Planning Authority to provide that all habitable rooms exposed to external railway noise in excess of 55 dBA Leq 16 hour (free field) during the day (07.00 to 23.00 hours) or 45 dBA Leq 8 hour (free field) at night (23.00 to 07.00 hours) shall be subject to sound insulation measures to ensure that all such rooms achieve an internal noise level of 35 dBA Leq 16 hour during the day and 30 dBA Leq 8 hour at night. The submitted scheme shall ensure that habitable rooms subject to sound insulation measures shall be able to be effectively ventilated without opening windows. No dwelling shall be occupied until the approved sound insulation and ventilation measures have been installed to that property in accordance with the approved details. The approved measures shall be retained thereafter in perpetuity.

Reason: To ensure that the amenities of future occupiers are protected.

Railway Noise - External

No development, other than demolition, shall commence until a scheme has been submitted to and approved in writing by the Local Planning Authority to provide that the maximum day time noise level in outdoor living areas exposed to external railway noise shall not exceed 50 dBA Leq 16 hour [free field]. The scheme of noise mitigation as approved shall be constructed in its entirety prior to the first occupation of any dwelling and shall be retained thereafter in perpetuity.

Reason: To ensure that the amenities of future occupiers are protected.

Railway Vibration

No development, other than demolition shall commence until a scheme has been submitted to and approved in writing by the Local Planning Authority to provide that the dwellings are designed and constructed so as to ensure that vibration dose values do not exceed 0.4m/s^{1.75} between 07.00 and 23.00 hours, and 0.26m/s^{1.75} between 23.00 and 07.00 hours, as calculated in accordance with BS 6472-1:2008, entitled "Guide to Evaluation of Human Exposure to Vibration in Buildings", [1Hz to 80Hz]. The dwellings shall be constructed in accordance with the approved scheme.

Reason: To ensure that the amenities of future occupiers are protected.

Given the proximity of industrial and commercial activity to the site an assessment of the impact of the noise on the proposed residential development arising from these sources will be needed.

Industrial Noise

The impact of industrial noise on the proposed residential development shall be assessed using BS4142 and a report produced to show the likely impact and mitigation measured to be used to reduce any impact. The scheme produced shall be submitted to and approved in writing by the Local Planning Authority prior to approval being granted.

Reason: To ensure that the amenities of future occupiers are protected.

Construction Environmental Management Plan (CEMP)

Prior to the commencement of development, to include demolition, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority.

The Construction Environmental Management Plan (CEMP) shall identify the steps and procedures that will be implemented during development resulting from the site preparation, groundwork and construction phases of the development regarding:

- air quality, having regard to The Institute of Air Quality Management <http://iaqm.co.uk/guidance/>
- management of vehicles, particularly Heavy Goods Vehicle (HGV), access to the site avoiding Air Quality Management Areas and vehicle idling
- noise mitigation measures - to minimise the creation and impact of noise;
- vibration;
- dust suppression measures, having regard to BRE guide 'Control of Dust from Construction and Demolition, February 2003;
- wheel wash facilities;
- details of temporary lighting;
- waste disposal;
- details of enclosure of working areas;
- details of contractor parking areas and construction site accesses;

Development works shall be implemented in accordance with the approved CEMP.

The approved Construction Environmental Management Plan shall be adhered to at all times, unless otherwise first agreed in writing with the Local Planning Authority.

Reason: To protect the amenities of nearby residents and in the interests of highway safety.

Kind regards

Keith Leslie

Swyddog Iechyd yr Amgylchedd / Environmental Health Officer

Y Gyfraith a Rheoleiddio / Law & Regulation

Cyngor Dinas Casnewydd / Newport City Council

01633414799

keith.leslie@newport.gov.uk



From: Peter Mackintosh (Senior Scientific Officer)

Sent: 27 January 2017 15:33

To: Geraint Roberts (Principal Planning Officer)

Cc: Planning

Subject: P/17/00011 PRE-APPLICATION PLANNING ENQUIRY FOR THE RE-PLAN OF PHASES 2,3 AND 4 OF THE RESIDENTIAL DEVELOPMENT GRANTED BY PLANNING PERMISSION 13/1279

Having reviewed the above application I have the following comments to make:

Air Quality

I reiterate my comments regarding the EIA appraisal for air quality:

Having reviewed information submitted it is clear the main access to the site is via Herbert Road. There are no alternative route to access Herbert Road other than via Caerleon Road / Clarence Place. Both Caerleon Road and Clarence Place have been designated as an Air quality management area (AQMA) because they have been proven to breach the air quality standards. The increase in traffic caused by the proposed development on these routes will contribute more air pollution, compounding the impact on the health of local residents.

Therefore it is the opinion of Environmental Health that the development would meet the criteria for an EIA. However it should be made clear the air quality aspects should focus on the traffic to and from the site impacting the AQMAs, rather than detailing the suitability of the air quality at the site for human occupation. Any and all mitigation measures to help reduce the number of fossil fuel based vehicle trips to and from the site, for both construction phase and operational phase, should be explored in full.

Contaminated Land

Contaminated Land

The site been identified through the councils contaminated land strategy as an area of likely contamination. As such a full site investigation and risk assessment should be carried out to ensure there is no risk to future site users. I recommend the standard contaminated land conditions are imposed on this application.

() No development, (other than demolition) shall commence until:

- a) An appropriate Desk-Study of the site has been carried out, to include a conceptual model and a preliminary risk assessment, and the results of that study have been submitted to and approved in writing by the Local Planning Authority.
- b) If potential contamination is identified then an appropriate intrusive site investigation shall be undertaken and a Site Investigation Report to (BS10175/2011), containing the results of any intrusive investigation, shall be submitted and approved in writing by the Local Planning Authority.
- c) Unless otherwise agreed in writing by the Local Planning Authority as unnecessary, a Remediation Strategy, including Method statement and full Risk Assessment shall be submitted to and approved in writing by the Local Planning Authority.

No part of the development hereby permitted shall be occupied until:

- d) Following remediation a Completion/Verification Report, confirming the remediation has been carried out in accordance with the approved details, shall be submitted to, and approved in writing by, the Local Planning Authority.
- e) Any additional or unforeseen contamination encountered during the development shall be notified to the Local Planning Authority as soon as is practicable. Suitable revision of the remediation strategy shall be submitted to and approved in writing by the Local Planning Authority and the revised strategy shall be fully implemented prior to further works continuing.

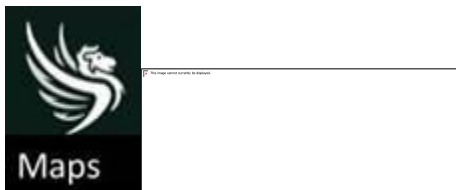
Peter Mackintosh
Uwch Swyddog Gwyddonol / Senior Scientific Officer
Y Gyfraith a Rheoleiddio / Law & Regulation
Cyngor Dinas Casnewydd / Newport City Council

Tel: **01633210850**

Mob: **07976 975454**

Email: Peter.Mackintosh@Newport.gov.uk

Web: <http://www.newport.gov.uk/en/Home.aspx>



Latest Air Quality Headlines:

[Air Pollution linked to Dementia](#)

[London Breaches Annual Air Quality Standards in 5 Days](#)

[Diesel cars are 10 times more toxic than turcks and buses](#)

[Owners Claim for compensation over emissions](#)

[Paris Vehicle Pollution Sticker Scheme](#)

[Reduced Motorway Speed Limit Proposed to Combat Air Quality](#)

From: Sally Davies (Strategy & Development Manager)

Sent: 15 February 2017 15:43

To: Geraint Roberts (Principal Planning Officer); Alun Lowe (Planning Contributions Manager)

Cc: Lindsay Christian (Senior Planning Officer (Policy))

Subject: PS/17/00011

Hi Geraint with regard to the confidential pre application enquiry relating to Herbert Road in St Julian's, I can confirm that Pobl are working in partnership with Newport City Council to deliver the site. The original application had an agreement for 15% affordable housing as part of the land disposal by NCC, which is below that which is now required within the LDP. Pobl have confirmed that they will be delivering market housing on site, as well as the appropriate provision of affordable housing, including accommodation for over 55's and a small learning disability scheme as part of the learning disability provision required by social services. The current discussions with regard to provision for the site are fully supported by the housing department.

Apologies for the delay in getting this response to you.

Many thanks

sally

Sally Davies (Mrs)

Rheolwr Strategaeth a Datblygu / Strategy & Development Manager

Adfywio, Buddsoddi a Thai / Regeneration Investment & Housing

Cyngor Dinas Casnewydd / Newport City Council

Tel. 01633 233590



**Cyfoeth
Naturiol
Cymru**
**Natural
Resources
Wales**

Ein cyf/Our ref: **CAS-28670-S5X9**
Eich cyf/Your ref: **CONEX/17/0037**

Rivers House
St Mellons Business Park
Fortran Road
Cardiff
CF3 0EY

Ebost/Email:
southeastplanning@cyfoethnaturiolcymru.gov.uk
Ffôn/Phone: 03000 653 091

FAO: Geraint Roberts

Newport City Council
Regeneration, Investment and Housing
Civic Centre
Godfrey Road
Newport
NP20 4UR

14 February 2017

Annwyl Syr/Madam / Dear Sir/Madam,

REQUEST FOR A SCOPING OPINION UNDER REGULATION 10 OF THE TOWN & COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) (ENGLAND AND WALES) REGULATIONS (AS AMENDED) FOR THE CONSTRUCTION OF 195NO. RESIDENTIAL UNITS, ESTATE ROADS, PARKING, LANDSCAPING AND ASSOCIATED WORKS.

Thank you for referring us to the scoping opinion request for the above application, which we received on the 23 January 2017. We have reviewed the EIA scoping letter prepared by Asbri Planning dated 17 January 2017. We are in generally agreement with their approach and specifically advise that the following likely significant effects are assessed by the applicant in an Environmental Statement (ES).

Designated Sites

The application site is located within close proximity to the River Usk Special Area of Conservation (SAC), and the River Usk Site of Scientific Interest (SSSI). We recommend impacts on the river is fully considered as part of the Environmental Statement. Impacts on the designated sites from any discharges to water during both construction and operation should be fully assessed. The submission will need to detail all of the measures that will be put in place to offset the anticipated impacts of the development.

We also advise your Authority of your duties under Regulation 61 of the Conservation of Habitats and Species Regulations 2010. You will be required to assess the implications of

the proposed development with respect to the conservation objectives of the River Usk SAC. The conclusions of your Habitat Regulations Assessment should enable your Authority to ascertain whether or not the proposed development would adversely affect the integrity of the SAC in combination with other developments in the vicinity.

For further information regarding the assessment please contact Angela Hunt on angela.hunt@cyfoethnaturiolcymru.gov.uk.

Groundwater and Contaminated Land

We consider that the controlled waters at this site are of high environmental sensitivity due to proximity of the SAC/SSSI. Contamination is strongly suspected at the site due to historical contaminative uses. The impact on the water environment as a result of any contamination found at the site should be assessed and, if necessary mitigation measures provided, in the Environmental Statement.

We recommend that developers should:

1. Follow the risk management framework provided in CLR11, Model Procedures for the Management of Land Contamination, when dealing with land affected by contamination.
2. Refer to Environment Agency document 'Guiding Principles for Land Contamination' for the type of information that we require in order to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, such as human health.
3. Refer to Groundwater protection: Principles and practice (GP3).

Flood Risk and Surface Water Quality

Flood Risk

We note from the EIA scoping letter that Flood Risk will be considered in Chapter 9. The proposed site is within Zone C1 as defined by the Development Advice Map (DAM) referred to under Technical Advice Note 15: Development and Flood Risk (TAN15) (July 2004). Our Flood Map information, which is updated on a quarterly basis, confirms the site to be within the 0.5% (1 in 200 year) and 0.1% (1 in 1000 year) annual probability tidal flood outlines of the River Usk, which is a designated main river.

We advise a Flood Consequences Assessment (FCA) needs to be undertaken in line with the guidance set out in Technical Advice Note 15: Development and Flood Risk (TAN15) (July 2004).

Water supply

If a mains water supply is proposed, the applicant should contact Dwr Cymru Welsh Water (DCWW). Please note, any proposal other than mains supply must be discussed with Natural Resources Wales.

Water Resources

We note that there are no licenced abstractions located within the vicinity of the proposed development. However, consideration will need to be given to any abstractions outside the

site boundary that have the potential to be impacted. If more than 20 cubic metres of water is to be abstracted per day from a surface water source (e.g. stream or drain) or from underground strata (via borehole or well) for any particular purpose then an abstraction licence from Natural Resources Wales is likely to be required. There is no guarantee that a licence will be granted as this is dependent on available water resources and existing protected rights.

Ecology and Biodiversity

The presence of a protected species is a material consideration in the planning process. Therefore we advise that the site should be comprehensively assessed for its potential to support protected species, with surveys as appropriate to provide a full assessment of the likely impacts of the proposal on such species. Surveys should be undertaken by qualified, experienced and, where necessary, licensed ecologists, and in accordance with published guidance where this exists, and best practice. We welcome the intention to scope in Ecology and Nature Conservation in Chapter 7 and agree this should be considered as part of the Environmental Statement.

Other Matters

Our advice is made without prejudice to comments we may subsequently wish to make when consulted on any planning application, the submission of more detailed information or an Environmental Statement.

Our comments above only relate specifically to matters that are included on our checklist Natural Resources Wales and Planning Consultations (March 2015) which is published on our website at this link (<https://naturalresources.wales/planning-and-development/planning-and-development/?lang=en>). We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests, including environmental interests of local importance. The applicant should be advised that, in addition to planning permission, it is their responsibility to ensure that they secure all other permits/consents relevant to their development.

If you have any further queries, please do not hesitate to contact us.

Yn gywir / Yours faithfully

Lindy Barratt

Ymgynghorydd Cynllunio Datblygu/ Development Planning Advisor
Cyfoeth Naturiol Cymru / Natural Resources Wales

Emma Harding

From: Geraint Roberts (Principal Planning Officer) <GeraintN.Roberts@newport.gov.uk>
Sent: 14 February 2017 10:47
To: Emma Harding
Subject: FW: EIA Scoping: 17/0037

For information

From: Morgan Barbara [<mailto:Barbara.Morgan@networkrail.co.uk>]
Sent: 13 February 2017 15:16
To: Planning
Subject: FW: EIA Scoping: 17/0037

Network Rail
1st Floor
Bristol Temple Point
Bristol
BS1 6NL

Ask for : Barbara Morgan
Tel : 0117 3721125

My Ref : P/TP17/0074/BM
Your Ref : 17/0037

Date : 13th February 2017

Dear Sir/Madam

**EIA SCOPING OPINION FOR THE CONSTRUCTION OF 195NO. RESIDENTIAL UNITS,
ESTATE ROADS, PARKING, LANDSCAPING AND ASSOCIATED WORKS.
Land to South of Glan Usk Primary School, Herbert Road, Newport**

Thank you for inviting Network Rail to comment on this EIA Scoping request.

Network Rail owns, operates, maintains and develops the main rail network. This includes the railway tracks, stations, signalling systems, bridges, tunnels, level crossings and viaducts. The protection of existing and proposed assets is an important consideration.

We would draw the applicants' attention to the following which need to be taken into consideration prior to a planning application being submitted.

Network Rail has signals in close proximity to the application site and we request details of the type of boundary fencing to be erected and the height.

We have a culvert which is shown in their site plans; we require confirmation that they are not planning any extra flow into the culvert.

The overbridge to the north of the site (St. Julians) has a 7t weight restriction on it, this will need to be taken into consideration during construction.

Notwithstanding the above, I give below my comments and requirements for the safe operation of the railway and the protection of Network Rail's adjoining land

FENCING

If not already in place, the Developer/applicant must provide at their expense a suitable trespass proof fence (of at least 1.8m in height) adjacent to Network Rail's boundary and make provision for its future maintenance and renewal without encroachment upon Network Rail land. Network Rail's existing fencing / wall must not be removed or damaged and at no point either during construction or after works are completed on site should the foundations of the fencing or wall or any embankment therein be damaged, undermined or compromised in any way. Any vegetation on Network Rail land and within Network Rail's boundary must also not be disturbed.

FOUNDATIONS

Network Rail offers no right of support to the development. Where foundation works penetrate Network Rail's support zone or ground displacement techniques are used the works will require specific approval and careful monitoring by Network Rail. There should be no additional loading placed on the cutting and no deep continuous excavations parallel to the boundary without prior approval.

DRAINAGE

All surface water drainage should be directed away from Network Rail's land to the public mains system. Soakaways are not acceptable where the following apply:

- Where excavations which could undermine Network Rail's structural support zone or adversely affect the bearing capacity of the ground
- Where there is any risk of accidents or other acts leading to potential pollution of Network Rail's property/infrastructure
- Where the works could adversely affect the water table in the vicinity of Network Rail's structures or earthworks.

GROUND DISTURBANCE

The works involve disturbing the ground on or adjacent to Network Rail's land it is likely/possible that the Network Rail and the utility companies have buried services in the area in which there is a need to excavate. Network Rail's ground disturbance regulations applies. The developer should seek specific advice from Network Rail on any significant raising or lowering of the levels of the site.

ACCESS POINTS

Where Network Rail has defined access points, these must be maintained to Network Rail's satisfaction.

SITE LAYOUT

It is recommended that all buildings be situated at least 2 metres from the boundary fence, to allow construction and any future maintenance work to be carried out without involving entry onto Network Rail's infrastructure. Where trees exist on Network Rail land the design of foundations close to the boundary must take into account the effects of root penetration in accordance with the Building Research Establishment's guidelines.

CHILDRENS PLAY AREAS/OPEN SPACES/AMENITIES

Children's play areas, open spaces and amenity areas must be protected by a secure fence along the boundary of one of the following kinds, concrete post and panel, iron railing, steel palisade or such other fence approved by the Local Planning Authority acting in consultation with the railway undertaker to a minimum height of 2 metres and the fence should be not able to be climbed.

PILING

Where vibro-compaction/displacement piling plant is to be used in development, details of the use of such machinery and a method statement should be submitted for the approval of Network Rail's Asset Protection Engineer prior to the commencement of works and the works shall only be carried out in accordance with the approved method statement.

EXCAVATIONS/EARTHWORKS

All excavations / earthworks carried out in the vicinity of Network Rail's property / structures must be designed and executed such that no interference with the integrity of that property / structure can occur. If temporary compounds are to be located adjacent to the operational railway, these should be included in a method statement for approval by Network Rail. Prior to commencement of works, full details of excavations and earthworks to be carried out near the railway undertaker's boundary fence should be submitted for approval of the Local Planning Authority acting in consultation with the railway undertaker and the works shall only be carried out in accordance with the approved details. Where development may affect the railway, consultation with the Asset Protection Engineer should be undertaken.

SIGNALLING

The proposal must not interfere with or obscure any signals that may be in the area.

ENVIRONMENTAL ISSUES

The design and siting of buildings should take into account the possible effects of noise and vibration and the generation of airborne dust resulting from the operation of the railway.

LANDSCAPING

It is recommended no trees are planted closer than 1.5 times their mature height to the boundary fence. The developer should adhere to Network Rail's advice guide on acceptable tree/plant species. Any tree felling works where there is a risk of the trees or branches falling across the boundary fence will require railway supervision.

PLANT, SCAFFOLDING AND CRANES

Any scaffold which is to be constructed adjacent to the railway must be erected in such a manner that, at no time will any poles or cranes over-sail or fall onto the railway. All plant and scaffolding must be positioned, that in the event of failure, it will not fall on to Network Rail land.

LIGHTING

Any lighting associated with the development (including vehicle lights) must not interfere with the sighting of signalling apparatus and/or train drivers vision on approaching trains. The location and colour of lights must not give rise to the potential for confusion with the signalling arrangements on the railway. Following occupation of the development, if within three months Network Rail or a Train Operating Company has identified that lighting from the development is interfering with driver's vision, signal sighting, alteration/mitigation will be required to remove the conflict at the applicant's expense.

SAFETY BARRIER

Where new roads, turning spaces or parking areas are to be situated adjacent to the railway; which is at or below the level of the development, suitable crash barriers or high kerbs should be provided to prevent vehicles accidentally driving or rolling onto the railway or damaging the lineside fencing.

BRIDGE STRIKES

Applications that are likely to generate an increase in trips under railway bridges may be of concern to Network Rail where there is potential for an increase in 'Bridge strikes'. Vehicles hitting railway bridges cause significant disruption and delay to rail users. Consultation with Network Rail's Asset Protection Engineers is necessary to understand if there is a problem. Developers may be asked to pay for bridge protection barriers.

ABNORMAL LOADS

From the information supplied, it is not clear if any abnormal loads will be using routes that include any Network Rail assets (e.g. bridges, level crossings). We would have serious reservations if during the construction or operation of the site, abnormal loads will use routes that include Network Rail assets. Network Rail would request that the applicant contacts our Asset Protection Engineers to confirm that any proposed route is viable and to agree a strategy to protect our assets from any potential damage caused by abnormal loads. I would also advise that where any damage, injury or delay to the rail network is caused by an abnormal load (related to the application site), the applicant or developer will incur full liability.

The initial point of contact is assetprotectionwales@networkrail.co.uk. The department will provide all necessary Engineering support subject to a Basic Asset Protection Agreement.

In order to mitigate the risks detailed above, the Developer should contact the Network Rail's Asset Protection Wales Team well in advance of mobilising on site or commencing any works.

Please feel free to get in contact if you have any questions.

Yours sincerely,

Barbara Morgan
Town Planning Technician (Western)

www.networkrail.co.uk/property

Please send all Notifications and Consultations to townplanningwestern@networkrail.co.uk or by post to Network Rail, Town Planning, 1st Floor, Bristol Temple Point, Redcliffe Way, Bristol BS1 6NL.

The content of this email (and any attachment) is confidential. It may also be legally privileged or otherwise protected from disclosure.

This email should not be used by anyone who is not an original intended recipient, nor may it be copied or disclosed to anyone who is not an original intended recipient.

If you have received this email by mistake please notify us by emailing the sender, and then delete the email and any copies from your system.

Liability cannot be accepted for statements made which are clearly the sender's own and not made on behalf of Network Rail.

Network Rail Infrastructure Limited registered in England and Wales No. 2904587, registered office Network Rail, 2nd Floor, One Eversholt Street, London, NW1 2DN

Mae'r Cyngor yn croesawu gohebiaeth yn Gymraeg, Saesneg neu yn y ddwy iaith. Byddwn yn cyfathrebu â chi yn ôl eich dewis. Ni fydd gohebu yn Gymraeg yn arwain at oedi.

The Council welcomes correspondence in English or Welsh or both, and will respond to you according to your preference. Corresponding in Welsh will not lead to delay.

Disclaimer/Ymwadiad

This email contains information intended for the addressee only and may be confidential, the subject of legal or professional privilege, or be otherwise protected from disclosure. If you are not the intended recipient of this message, please notify the sender immediately and do not disclose, distribute or copy the email to any other party. This email and any attached file are the property of Newport City Council.

When you email Newport City Council, you consent to the Council monitoring and reading any such emails for the purposes of security and legislative compliance. For the full disclaimer please access <http://www.newport.gov.uk/disclaimer>.

Mae'r e-bost hwn yn cynnwys gwybodaeth y bwriedir ar gyfer y derbynnydd yn unig a gall fod yn gyfrinachol, yn destun ragorffraint gyfreithiol neu broffesiynol, neu fel arall wedi'i diogelu rhag cael ei rhyddhau. Os nad chi yw derbynnydd bwriadedig y neges hon, a fyddech cystal â rhoi gwybod i'r anfonwr

ar unwaith a pheidio â datgelu, dosbarthu neu gopïo'r e-bost i unrhyw barti arall. Mae'r e-bost hon ac unrhyw ffeiliau atodedig yn eiddo i Gyngor Dinas Casnewydd.

Pan fyddwch yn anfon e-bost at Gyngor Dinas Casnewydd, rydych yn cydsynio i'r Cyngor fonitro a darllen unrhyw e-byst o'r fath at ddibenion cydymffurfio â diogelwch ac â deddfwriaeth. I weld yr ymwadiad llawn ewch i <http://www.newport.gov.uk/ymwadiad>

Checked for spam and viruses
<http://www.canit.akauk.net/>