

Ein cyf/Our ref: CAS- 297004-D1B9
Eich cyf/Your ref: 25/0991

Newport City Council
Civic Centre
Newport
NP20 4UR

Dyddiad/Date: 28 January 2026

Annwyl Syr/Madam/Dear Sir/Madam,

BWRIAD/PROPOSAL: PROPOSED NEW BATTERY ENERGY STORAGE SYSTEM (BESS), TRENCHING FOR UNDERGROUND CABLING ASSOCIATED WITH THE SOLAR DEVELOPMENT APPROVED UNDER 23/0989 TOGETHER WITH ASSOCIATED WORKS

LLEOLIAD/LOCATION: LAND SOUTH OF DOCKS WAY DISPOSAL SITE DOCKS WAY NEWPORT SOUTH WALES

Thank you for re-consulting Cyfoeth Naturiol Cymru (CNC)/Natural Resources Wales (NRW) about the above, which we received on 12 January 2026.

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 1: Land Affected by Contamination

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

Condition 1

No development shall commence until the following components of a scheme to deal with the risks associated with contamination at the site, has been submitted to and approved in writing by the Local Planning Authority.

1. A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site

2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The remediation strategy and its relevant components shall be carried out in accordance with the approved details.

Justification:

To ensure the risks associated with contamination at the site have been fully considered prior to commencement of development as controlled waters are of high environmental sensitivity; and where necessary remediation measures and long-term monitoring are implemented to prevent unacceptable risks from contamination.

Land Affected by Contamination

We note that the applicant states that no excavation works will be carried out in the landfill area. The applicant has also confirmed their agreement to a pre-commencement condition to secure the submission and approval of a pollution prevention plan. This is welcomed. Further information on working in areas that have been used for the deposition of waste material and pollution prevention is provided in the section on Advice for the Developer below.

The applicant has advised that it intends to appoint Stantec to prepare a supplementary technical note to confirm that there will be no issues regarding stability and that the proposed BESS can be located on existing hardstanding. We refer to our previous comments dated 10.12.2025 (Ref. CAS-293863-Q0G4) regarding proposed BESS development on legacy landfill and the containment of fire-fighting waters.

The applicant's intention to re-use excavated materials to backfill the proposed cable trench and that works will be carried out in accordance with the Definition of Waste Code of Practice ([DoW:CoP](#)) is noted. Further information on environmental management and best practice is provided in the section on Advice for the Developer below.

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.

Advice for the Developer

Landfill

According to our records the proposed development site is located near to land that is, or has been, used for the deposition of waste material. We would therefore advise you to consult with the local authority's Environmental Health and Building Control Departments, as they may hold detailed records, and may wish to make appropriate recommendations in respect of landfill gas investigation/remedial work. The developers should be made aware of the existence of the landfill site(s) so that they can decide whether or not to make their own investigations into the presence of landfill gas. It should also be noted that Waste Management Paper 27 states "It has been found that many sites which have taken only supposedly 'inert' waste have produced gas".

Pollution Prevention

During the construction phase you should take any precaution to prevent contamination of surface water drains and local watercourses. Oils and chemicals should be stored in bunded areas and spill kits should be readily available in case of accidental spillages. For further guidance please refer to Guidance for Pollution Prevention (GPP) 5: Works and maintenance in or near water, and GPP 6: Working on construction and demolition sites, which are available on the [NetRegs website](#).

Environmental Management

All works at the site must be carried out in accordance with Pollution Prevention Guidelines 6: Working at construction and demolition sites, which is available on the [NetRegs website](#).

The activity of importing waste into the site for use as, for example hardcore, must be registered with Natural Resources Wales as an exempt/permittable activity under the Environmental Permitting Regulations 2016. The developer should contact Natural Resources Wales to discuss the necessity for an exemption/permit for any material imported to and exported from the site.

If during construction/excavation works any contaminated material is revealed, then the movement of such material either on or off site should be done in consultation with Natural Resources Wales. Any waste excavation material or building waste generated in the course of the development must be disposed of satisfactorily and in accordance with Section 34 of the Environmental Protection Act 1990. Carriers transporting waste from the site must be registered waste carriers and movement of any Hazardous Waste from the site must be accompanied by Hazardous waste consignment notes.

Model Procedures and good practice

Natural Resources Wales recommends 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 the Environment Agency's '[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 the [Environment Agency's \(2017\) 'Approach to Groundwater Protection'](#)

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

Yn gywir / Yours faithfully,

Jessica Jones

Jessica Jones

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

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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.