

Ein cyf/Our ref: CAS-263161-Z2K8
Eich cyf/Your ref: 24/0678

Newport City Council
Civic Centre
Newport
NP20 4UR

Dyddiad/Date: 20 September 2024

Annwyl Syr/Madam/Dear Sir/Madam,

**BWRIAD/PROPOSAL: PROPOSED DEVELOPMENT OF 42 NO. DWELLINGS,
LANDSCAPE PLANTING AND ASSOCIATED WORKS**

LLEOLIAD/LOCATION: MONBANK DEVELOPMENT SITE, CARDIFF ROAD, NEWPORT

Thank you for consulting Cyfoeth Naturiol Cymru (CNC)/Natural Resources Wales (NRW) about the above, which we received on 23 August 2024.

We received a statutory pre application consultation notice for this proposal under Article 2D of the Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2012. We provided a substantive response to that consultation on 08 July 2024. A copy of our response to the statutory pre-application consultation is attached for your convenience.

There appears to be no pre-application consultation report available to support the planning application. The only additional document identified relevant to NRW is a site investigation report. However, if there are other documents/changes to the proposals since statutory preapplication consultation which are relevant to NRW's remit please reconsult us advising what these are.

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

Summary of Conditions

Conditions 1-2: Land contamination and controlled waters

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

Land Contamination and Controlled Waters

We note the submission of the Site Investigation Report (Integral Geotechnique, November 2023). Having regard to this document we update our pre-application advice, including request for conditions.

We advise we do not consider that the controlled waters at this site are of the highest environmental sensitivity, due to the presence of the underlying superficial deposits designated as an unproductive aquifer and an absence of significant surface waters within close proximity. However, due to the sites former land use it is considered that there is potential for contamination, therefore we recommend that the following conditions are attached to any planning permission granted:

Condition 1

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be carried out as approved.

Justification: To ensure the risks associated with previously unsuspected contamination at the site are dealt with through a remediation strategy, to minimise the risk to both future users of the land and neighbouring land, and to ensure that the development can be carried out safely without unacceptable risks.

Condition 2

No development shall commence until details of piling or any other foundation designs using penetrative methods sufficient to demonstrate that there is no unacceptable risk to groundwater have been submitted to and approved in writing by the Local Planning Authority. The piling/foundation designs shall be implemented in accordance with the approved details.

Justification: Piling/foundation details should be submitted to ensure there is no unacceptable risk to groundwater during construction and methods/design are agreed prior to the commencement of development or phase of development.

European Protected Species

No new information appears to have been submitted with regards to European Protected Species, therefore we reiterate our pre-application advice:

'We note the findings of the Preliminary Ecological Appraisal by Ecological Services Limited, dated 22nd December 2023. We recommend you seek the advice of the Local Authority's Ecologist to establish whether further information, including species-specific surveys, are needed in relation to European Protected Species to inform the determination of the application. Any species-specific survey should be carried out in accordance with best practice guidelines. The planning authority will consult us again if any species-specific survey undertaken finds EPS are present at the site, and they require further advice from us.'

Designated and Protected Sites

No new information appears to have been submitted with regards to Designated and Protected Sites, therefore we reiterate our pre-application advice:

'The site is located within 1.3km of the River Usk Special Area of Conservation (SAC) and within 1.3km of the River Usk (Lower Usk) Site of Special Scientific Interest (SSSI). We have identified pollution as a potential impact pathway to features of these sites. However, we would consider the above pathway would not result in an adverse effect if the developer adhered to standard pollution prevention guidelines. Further information on standard

pollution prevention guidelines is provided under the 'Advice for the developer' section below.'

Other Matters

Our comments above only relate specifically to matters included on our checklist, *Development Planning Advisory Service: Consultation Topics* (September 2018), which is published on our [website](#). We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests.

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

We reiterate our pre-application advice:

'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.'

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

Yn gywir / Yours faithfully

Annabelle Evans

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.