



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

Ein cyf/Our ref: SE/2015/119016/01-L01

Eich cyf/Your ref: CONEX/15/0408

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22 May 2015

Annwyl Mr Roberts/Dear Mr Roberts

PARTIAL DISCHARGE OF CONDITIONS 05 (REMEDICATION STRATEGY TO SAFEGUARD THE AQUATIC ENVIRONMENT) AND 06 (REMEDICATION STRATEGY TO SAFEGUARD RESIDENTIAL AMENITIES) OF PLANNING PERMISSION 00/0768 FOR REPLACEMENT PRIMARY SCHOOL, ALL WEATHER PITCH, SOFT AND HARD PLAY AREAS AND RESIDENTIAL DEVELOPMENT LAND TO SOUTH OF AND INCLUDING GLEBELANDS STADIUM, BANK STREET, NEWPORT

Thank you for consulting Cyfoeth Naturiol Cymru/Natural Resources Wales about the above, which was received on 23 April 2015.

We refer you to your e-mail dated 21 May 2015. We understand that this application is related to planning permission 00/0768. The school part of this development came forward and was completed while residential part hasn't yet begun. The conditions for the school were allowed to be discharged in a phased way. This application is to discharge the conditions as listed in the description above to allow filling works to commence on the land earmarked for residential development in application 00/0768.

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

- Remediation Strategy - Proposed Residential Development, Herbert Road, Newport, Prepared by Terra Firma (Wales) Ltd, dated March 2015, Job No 12032/RS

We recommend that you do not partially discharge conditions 5 and 6 as listed in the description above for the following reasons.

We are in broad agreement with the proposals made within the remediation strategy, however the following information was missing from the report:

Reference is made to the installation of 6 additional groundwater monitoring boreholes. The locations of these boreholes and their position in relation to existing monitoring points has not been provided. Additionally, it has not been clarified if all existing (previously sampled) monitoring points are to be sampled in the future.

The report suggests that 3 rounds of groundwater monitoring will be carried out "during and immediately after" site works. Without a more detailed programme of works/sampling, we are unable to comment on whether the proposals are adequate (in particular post works).

Should the monitoring locations and duration be considered to be inadequate then Natural Resources Wales may not be in a position to accept any verification report submitted. Therefore we recommend that this information be submitted before these conditions are discharged.

Other advice

Piling

If any piling works are needed then please see the advice below.

The applicant should be aware of the need to protect the aquatic environment, especially migrating fish, from noise and disturbance (e.g. from vibration) during any construction works. This will need to be fully investigated.

The River Usk is a Special Area of Conservation and a precautionary principle must be adhered to. If there is an intention to carry out piling in close proximity to the River Usk during the shad migration season (March to June inclusive), then the onus is on the applicant to demonstrate that their operations will have no effect on the migrating fish.

If it is not clearly demonstrated that the piling works will not disturb the shad, then the work can only go ahead outside of the shad migration season (March to June inclusive)

Or

Investigations should indicate how far the vibration will travel. If, for example, it is shown that vibration from piling will be of enough magnitude to disturb shad only within a 10m radius, then it will be acceptable to carry out that work more than 10m from the water-level.

Or

The above works could go ahead during the falling tide of the river, as shad generally only migrate upstream with the rising tide. We will accept work going ahead between high tide plus one hour and low tide minus one hour. Tide-tables are available to allow you to programme this in.

Also In order to cause the least disturbance to migrating salmonid fish (Atlantic Salmon and Sea Trout) and shad, any works **within** the water of the River Usk can only take place during the window of January to March (inclusive) and July and August (inclusive), when these fish are least likely to be migrating in the river.

We trust our advice is clear. If you have any queries, please do not hesitate to get in touch.

Yn gywir/Yours faithfully

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