

Ein cyf/Our ref: CAS-288465-R9C8
Eich cyf/Your ref: 25/0736

Newport City Council
Civic Centre
Newport
NP20 4UR

Dyddiad/Date: 22 October 2025

Annwyl Syr/Madam/Dear Sir/Madam,

**BWRIAD/PROPOSAL: INSTALLATION OF BELOW GROUND CABLES,
ALTERATIONS TO ELECTRICAL BANKING COMPOUND INCLUDING RAISING
GROUND LEVELS, ADDITIONAL ACCESS AND FENCING, AND ALL ASSOCIATED
WORKS**

**LLEOLIAD/LOCATION: LAND AT USKMOUTH POWER STATION WEST NASH ROAD
NASH NEWPORT NP18 2BZ**

Thank you for consulting Cyfoeth Naturiol Cymru (CNC)/Natural Resources Wales (NRW) about the above, which we received on 16 September 2025.

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:

Condition 1: Construction Environmental Management Plan

Condition 2: Land Contamination

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

Protected Sites

The application site is situated approximately 100m from the River Usk Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI) and Newport Wetlands SSSI and National Nature Reserve. It is also approximately 380m from the Severn Estuary designations of SSSI, SAC, Special Protection Area (SPA) and Ramsar site.

We note proposal include earth works to lay cables and new access tracks. Such works have the potential to mobilise suspended solids which could enter drainage channels as well as the risk of oil/chemical spills from plant used for the works. This has the potential for impact to protected sites via run off. Currently there are no pollution prevention or mitigation measures proposed/submitted. We advise a Construction Environmental Management Plan (CEMP) be submitted or conditioned as part of any planning permission granted to ensure that there are adequate measures in place to minimise the risk to designated sites from pollution / contaminated run-off.

We refer the applicant to the following guidance with regards to pollution prevention and mitigation measures: [Guidance for Pollution Prevention \(GPP\) documents | NetRegs | Environmental guidance for your business in Northern Ireland & Scotland](#).

We advise otters are known to be present in the wider area and therefore there is potential for disturbance if artificial lighting is to be used on site. We advise that if lighting is to be used during construction, then mitigation should be in place to avoid disturbance to otter and other sensitive species. This needs to be included in the CEMP.

We advise there is potential of the proposal during construction to disturb the wintering waterbird features of the Severn Estuary SPA and Ramsar site; these birds may be located within the site boundaries or utilising functionally linked habitat outside the SPA and Ramsar. We note SPA / Ramsar features were recorded using the large attenuation pond at the site, during winter surveys in 2022 and 2023. As such likely timings and duration of the works should be considered and covered within the CEMP.

Due to the proximity and pathways to the River Usk and Severn Estuary protected sites, we advise that the proposal will need to be considered under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended).

We have concerns that harm from the proposed development on the above protected sites cannot be ruled out due to potential to disturb the wintering waterbird features of the Severn Estuary SPA and Ramsar site and adverse impacts on water quality during construction as detailed above.

To secure appropriate mitigation measures, we advise that the condition set out below should be attached to any planning permission for this development. Provided the development is carried out in accordance with this condition, we do not consider that it will adversely affect the integrity of the River Usk SAC and SSSI; Newport Wetlands SSSI and National Nature Reserve; and the Severn Estuary SSSI, SAC, SPA and Ramsar site.

Condition

No development, including site clearance, shall commence until a site wide Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP should include: Construction methods: details of materials, how waste generated will be managed;

- General Site Management: details of the construction programme including timetable, details of site clearance; details of site construction drainage, containments areas, appropriately sized buffer zones between storage areas (of spoil, oils, fuels, concrete mixing and washing areas) and any watercourse or surface drain.
- Control of Nuisances and biodiversity management: details of restrictions to be applied during construction including timing, duration and frequency of works; details of dust control measures; and measures to control light spill.
- Resource Management: details of fuel and chemical storage and containment; details of waste generation and its management; details of wastewater.
- Traffic Management: wheel wash facilities
- Pollution Prevention: demonstrate how relevant Guidelines for Pollution Prevention and best practice will be implemented, including details of emergency spill procedures and incident response plan.
- Details of the persons and bodies responsible for activities associated with the CEMP and emergency contact details

The CEMP shall be implemented as approved during the site preparation and construction phases of the development.

Justification: A CEMP should be submitted to ensure necessary management measures are agreed prior to commencement of development and implemented for the protection of the environment during construction.

As the competent authority under the Conservation of Habitats and Species Regulations 2017 (as amended), your authority must, before deciding to give consent for a project which is likely to have a significant effect on a SAC/SPA/Ramsar site, either alone or in combination with other plans or projects, make an appropriate assessment of the implications of the project for that site in view of its conservation objectives. You must for the purposes of the assessment consult NRW and have regard to any representations we make within such reasonable time as you specify. In the absence of that assessment, NRW cannot advise that the proposals would not result in an adverse effect upon the SAC/SPA/Ramsar site.

Land Contamination

Given the wider development of the site, we note site has previously been affected by historical contamination and remediated. Therefore, we request the following condition be attached to any planning permission granted.

Condition

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.

Informative/ advice to applicant

The treatment and disposal of contaminated soils and groundwater is regulated by waste legislation and requires an environmental permit.

Excavated materials that are recovered via a treatment operation can be re-used on-site under the [CL:AIRE Definition of Waste: Development Industry Code of Practice](#). This voluntary Code of Practice provides a framework for determining whether or not excavated material arising from site during remediation and/or land development works are waste.

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on site operations are clear. If in doubt, Natural Resources Wales should be contacted for advice at an early stage to avoid any delays.

Flood Risk

The planning application proposes installation of below ground cables, alterations to electrical banking compound including raising ground levels, additional access and fencing, and all associated works. The Flood Map for Planning identifies the application site to be at risk of flooding and within Flood Zone 2 and 3 (Sea) and part TAN15 Defended.

Given the nature of the proposed development (and in the absence of a flood consequences assessment) we consider the proposals could be acceptable, subject to the developer being made aware of the potential flood risks and consequences. We would also expect the developer to take the opportunity to incorporate flood resilient design where feasible.

Guidance on resilient design can be found in Chapter 13 of Technical Advice Note 15: Development, flooding and coastal erosion, dated 2025, which references advice from Construction Industry Research and Information Association, including a Code of Practice and Guidance for Property Flood Resilience.

We provide advice on our website [Natural Resources Wales / Preparing for a flood](#) which may be useful for the developer or occupant of the proposal.

European and Fully Protected Species

We refer you to your inhouse ecological advisor for advice.

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

In addition to the planning conditions, Environmental Permits from NRW may be required (during construction and operation). We recommend early consultation with the relevant permitting teams to ensure all permits are in place prior to commencement of development.

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
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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.