

From: Michael Rees <michaelrees@lrmpplanning.com>

Sent: 19 February 2026 16:29

To: Roberts, Geraint (Principal Planning Officer) <GeraintN.Roberts@newport.gov.uk>

Cc: Peter Page <peter.page@hedyn.wales>

Subject: RE: 25.0784 - LDCE - Spytty Pill - Newport - Tai Hedyn

Hi Geraint, I hope you are well? Apologies for the delay, we have only just received the Stantec (now Hydrock) interim verification report.

In terms of point 1, the legal advice that NCH (at that time) had was that Malvern Hills was the minimal necessary and that we should go further if we can. As the relevant conditions were discharged, the operations went a step further with the excavation of the top 100mm of material (the area was then formed into a temporary haul route).

I note the following:

1. The profile boards in our view are a stronger start than Malvern Hills as they reflect good "modern" practice and are the first step in actually proceeding to lay out the road where operational works are needed (they weren't needed in the case of Malvern Hills as no work was undertaken). I note:
 - They provide a physical, secure reference for construction of a road (including excavation and in future laying kerbs and shaping road surfaces).
 - They were placed 3m away from the line of the approved road to ensure they were not disturbed during construction and provided a constant reference point when surveying.
 - The control point is a fixed survey station that future surveys / work can all be located back to, this allows all future work and surveys to correlate to each other and allow setting to be located via OS coordinates via a GPS system – this is a far more accurate approach than in Malvern Hills and reflects the digital / survey linked approach in modern construction.
2. As noted in the case of Malvern Hills no further work was undertaken. However, the start works on the Crescent site went beyond this, using the fixed reference point provided by the off set boards to clear the vegetation and then excavate material to a depth of 100mm. Excavated material has been stored on site.

These actions combined, in our view represent a clear lawful start on site that goes well beyond the minimum works necessary under Malvern Hill firstly with the setting out via the offset profile boards and secondly through the excavation of the top 100mm of material which is the next step in forming the access.

On Point 2, I note in the first instance that we are distinct from Hart Aggregates as that related to a condition that was not discharged. All of the relevant pre-commencement conditions have been discharged in our case. As such, the key consideration is whether we are compliant with the discharged information. As per your request, Hedyn appointed Stantec (previously Hydrock) to prepare the attached interim verification report. They conclude that the works undertaken are compliant with the remediation strategy, whilst the works are minimal they do amount to a start in the construction of the road. Stantec are to be retained throughout the process to carry out the monitoring (and future verification reports). Happy to meet to chat through (and we can ensure Stantec are there to answer any technical queries).

Kind regards

Michael



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From: Roberts, Geraint (Principal Planning Officer) <GeraintN.Roberts@newport.gov.uk>
Sent: 05 February 2026 11:29
To: Michael Rees <michaelrees@lrmplanning.com>
Subject: RE: 25.0784 - LDCE - Spytty Pill - Newport - Tai Hedyd

Noted – thank you.

From: Michael Rees <michaelrees@lrmplanning.com>
Sent: 04 February 2026 10:13
To: Roberts, Geraint (Principal Planning Officer) <GeraintN.Roberts@newport.gov.uk>
Subject: RE: 25.0784 - LDCE - Spytty Pill - Newport - Tai Hedyd

Hi Geraint, apologies for the delay in getting back to you – so that you are aware Hedyd have commissioned the intermediate technical note requested and we are just awaiting this in order to submit to you. It has taken a bit longer than expected due to Hydrock's capacity and them visiting site which they have only just done. I am hoping it will be with you over the next week or so.

Kind regards

Michael



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From: Roberts, Geraint (Principal Planning Officer) <GeraintN.Roberts@newport.gov.uk>

Sent: 06 January 2026 11:26

To: Michael Rees <michaelrees@lrmp planning.com>

Subject: 25.0784 - LDCE - Spytty Pill - Newport - Tai Hedyd

Hello Michael

Thank you for the additional information provided, however we are not in a position to issue the LDCE.

There are two issues here:

1. Do the profile boards represent a good commencement under Malvern Hills, we would welcome a comment on this since on their face these were lesser works than Malvern Hills and not directly analogous to the pegging out exercise undertaken in MH.
2. Whether the operational development carried out in breach of the decontamination condition amounted to good commencement under Hart principles.

We note that approval 24/0445 agreed to the methodology set out in the *Remediation Strategy and Verification Plan* (October 2024). In terms of the verification plan paragraph 7.3 of that report states:

7.3 Verification Report

A verification report is required to show that the site is suitable for use.

It is recognised that visits to assess the completed works will be undertaken on a phased basis and are unlikely to be undertaken in one visit. The reporting will be completed once all verification visits are complete, however, interim technical notes of site visits can be provided if required.

The verification report shall include the following;

- *Assessment of long-term groundwater monitoring results to determine impact on the controlled waters receptor.*

- *Assessment of chemical properties on requisite frequency for all identified sources of imported materials;*
- *Assessment of geotechnical suitability on requisite frequency as per the Earthworks Specification for the site (to be completed);*
- *Consignment notes for all imported topsoil and sub-soil materials provided by the groundworker (to be included in final development summary report).*
- *A written summary of works verified.*
- *Cover thickness verification, supported by a photographic record of each verification location.*
- *A written statement that the supervising consultant believes remedial works were undertaken in accordance with this RS&VP.*

8. Reuse of Soils and Materials Management

At the time of writing, it is considered that all cut materials are to be disposed of off-site and the upfilling is to be completed with imported clean naturally occurring soils. As such an MMP is not considered necessary. If this changes an MMP may be require prior to any excavation on site.

In our view for us to accept that the operational development is good under Hart that we will need an intermediate 'Technical Note' as described above addressing the Verification Report bullet points and confirming materials management was as per Section 8 of the report.

Please contact me as necessary.

Geraint N. Roberts

Prif Swyddog Cynllunio / Principal Planning Officer

Tîm yr Dwyrain / East Team

Adfywio a Datblygu Economaidd / Regeneration and Economic Development

Cyngor Dinas Casnewydd / Newport City Council

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