

Ein cyf/Our ref: CAS-291103-X5S8
Eich cyf/Your ref: 25/0875

Newport City Council
Civic Centre
Newport
NP20 4UR

Dyddiad/Date: 13 November 2025

Annwyl Syr/Madam/Dear Sir/Madam,

BWRIAD/PROPOSAL: S73 APPLICATION TO VARY CONDITIONS 1 (PLANS), 6 (BIODIVERSITY ENHANCEMENT) AND 10 (FCA) OF PLANNING PERMISSION 22/0952 DEMOLITION OF EXISTING BUILDINGS AND STRUCTURES AND THE ERECTION OF A NEW HGV GATEHOUSE, ALTERATIONS TO THE EXISTING SITE ACCESS AND ASSOCIATED WORKS

LLEOLIAD/LOCATION: Marshalls, Eastern Dry Dock, Corporation Road, Newport, NP19 4RE

Thank you for consulting Cyfoeth Naturiol Cymru (CNC)/Natural Resources Wales (NRW) about the above, which we received on 22 October 2025.

We have concerns with the application as submitted. Your authority should consider the following flood risk advice in determining the application.

We also advise that based on the information submitted to date, a condition regarding protected sites (CEMP) should be attached to any planning permission granted. Without the inclusion of this condition, we would object to this planning application.

Flood Risk

The planning application proposes industrial development. Our Flood Risk Map confirms the site to be within Zone C1 of the Development Advice Map (DAM) contained in Technical Advice Note 15: development and flood risk (TAN15). The Flood Map for Planning (FMfP) identifies the application site to be at risk of flooding and falls into Flood Zone 3 (Sea). The site also falls within the Recorded Flood Extents, Newport December 1981.

Summary of our previous advice

We refer to our previous advice dated 26 October 2022 (reference: CAS-200517-M8C1), 16th February 2023 (reference: CAS-205844-S1C7), 30th May 2023 (reference: CAS-218090-H1K0) and 06 July (reference: CAS-220143-K0W0) where we raised concerns in regard to flood risk.

The FCA stated that the maximum predicted flood depths at the site could reach up to 1.92m in the 0.5% plus climate change event. The gatehouse building was proposed to set the finished floor level (FFL) to 9.34m Above Ordnance Datum (AOD) with undercroft space below which would be able to flood during the extreme events. We do not encourage the use for silts and voids.

The FCA aimed to provide additional freeboard above the 0.5% (1 in 200 year) plus climate change flood level. The FCA confirmed that 300mm demountable barriers at the access and egress points of the building were to be used to help mitigate against uncertainty or reduce the impact of wave action. It was noted that all other potential ingress points to the building (air bricks etc.) were proposed to be set at least 300mm above the 9.34m AOD flood level to ensure that the freeboard is consistent across the entire perimeter of the building. Given the nature of the barrier (reliance on being installed effectively), we raised concerns from a technical flood perspective as it has not been demonstrated that the building would be flood free in the 0.5% plus climate change event.

Updated Summary

We note that a revised FCA (prepared by Tetra Tech, reference: 784-A069428-4, dated November 2022) has been submitted in regard to SAB.

We therefore advise that our previous concerns remain relevant, and we refer you to our previous response letters for more detailed advice.

We understand that an existing Flood Evacuation Management Plan (FEMP) is in place for the site and this will be updated to reflect the new development and would be actioned in the event of a Flood Warning being issued by NRW. The updated FEMP will include contact details of the relevant staff at NRW managing the closure of the flood gate to ensure that there are no people trapped within the Marshals site as a result of the closure of the flood gate.

As it is for your Authority to determine whether the risks and consequences of flooding can be managed in accordance with TAN15, we recommend you consider consulting other professional advisors on matters such as emergency plans, procedures and measures to address structural damage that may result from flooding. Please note, we do not normally comment on the adequacy of flood emergency response plans and procedures accompanying development proposals, as we do not carry out these roles during a flood. Our involvement during a flood emergency would be limited to delivering flood warnings to occupants/users.

Protected Sites

The development site is approximately 145m from the River Usk, which is designated as a Special Areas of Conservation (SAC) and a Site of Special Scientific Interest (SSSI). In order to ensure the protection of controlled watercourses and the River Usk SAC and SSSI, we recommend that a suitably worded condition is included to ensure the submission and approval of a Construction Environmental Management Plan (CEMP) for the development. The CEMP should include:

- 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.

- 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.

We also note that insufficient information has been provided on the drainage strategy for the site.

The developer should provide further information on site drainage for both foul and clean run-off which must also include information on discharge points.

Further information on the use of a system such as an interceptor to prevent the release of vehicle fluids, such as hydrocarbons, into surface water must also be included.

Further Advice

We note from the Landscaping plans that there is a tree planting and hedge planting proposed for the site. We welcome the species shown on the '*Proposed Landscape plan*' dated 8/12/2022 and the '*Soft Landscape 5-year Management Plan including Biodiversity enhancements*' dated 2/10/2025 which are native to the area. The plants introduced to the site should also be of UK provenance and grown in British nurseries. These will be better able to support biodiversity on site. Plants grown in British nurseries remove the risks of importing diseases that our plants have no resistance to and spreading pests that have no natural predators in the UK. This is of particular importance near designated sites and because of the Wales wide habitat connectivity planning work being undertaken through Resilient Ecological Networks (RENs) via NRW and partners.

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](#).

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.

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

Yn gywir / Yours faithfully,

Gemma James

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.