

Ein cyf/Our ref: CAS-302197-S9G0
Eich cyf/Your ref: 26/0123

Newport City Council
Civic Centre
Newport
NP20 4UR

Date: 23 March 2026

Dear Sir/Madam,

PROPOSAL: PROPOSED RE-DEVELOPMENT OF THE FORMER TRANSPORT YARD CORPORATION ROAD NEWPORT, PHASE 2 COMPRISING OF 14 RESIDENTIAL UNITS WITH ACCESS ARRANGEMENTS, PARKING AND ASSOCIATED WORKS.

LOCATION: Land And Building Forming Part Of Former Robert Price Transport Yard, Corporation Road, Newport.

Thank you for consulting Natural Resources Wales (NRW) about the above, which we received on 03 March 2026.

We continue to have concerns with the application as submitted and provide the following advice with regards to flood risk for your consideration. Further details are provided below.

We also advise that based on the information submitted to date, conditions regarding European protected species, protected sites and land contamination should be attached to any planning permission granted. Without the inclusion of these conditions we would object to this planning application.

Flood Risk

The planning application proposes highly vulnerable development (14 residential dwellings). The Flood Map for Planning identifies the application site to be at risk of flooding and within Flood Zone 3 (Sea) and Technical Advice Note 15 (TAN 15) Defended Zone.

Further to our previous statutory pre-application consultation response (ref: CAS-287460-R4D1, dated 3rd October 2025), we have reviewed the updated Flood Consequence Assessment (FCA) by JBA dated November 2025, Version 4 ref: JYV-JBAU-XX-XX-RP-Z-0001-S3-P04, as well as the comments made with regards to our previous response within Section 5.3 of the submitted Pre-Application Consultation (PAC) Report by LRM Planning Ltd, dated November 2025.

The residential blocks will have a ground floor finished floor level (FFL) of 9.80m AOD. The proposed car park will be raised to between 9.10 to 9.50m AOD with a gradual decline in levels from east to west. To facilitate a connection to the existing highway, a ramp is proposed which will decrease site levels from 9.5m AOD to 8.24m AOD. The bin storage area will have a FFL of 7.8m AOD to provide level access to street level. These details remain the same as set out in our previous response.

Flood Data

Updated flood data for the 0.5% (1 in 200 year) event plus CCA and the 0.1% (1 in 1000 year) event plus CCA has been provided within the updated FCA. The flood levels shown are slightly higher than outlined in our previous response to the statutory pre-application consultation, as the consultant has applied the updated model tide peaks from 2123 to 2125. We have summarised the findings below:

Figure 5 of Tan 15 - 0.5% (1 in 200 year) event plus CCA:

- Residential dwellings predicted to be flood free;
- Car Park Flood Depths: up to 0.34m
- Ramp Access Flood Depths: up to 1.18m
- Bin Storage Flood Depths: up to 1.64m

We acknowledge the residential dwellings themselves are predicted to be flood free during this event, however the entire site is not predicted to be flood free and therefore does not accord with Figure 5 of TAN 15 (2025).

Figure 6 of TAN 15 - 0.1% (1 in 1000 year) event plus CCA:

- Residential dwelling predicated to be flood free;
- Car Park Flood Depths: up to 0.65m
- Ramp Access Flood Depths: up to 1.49m
- Bin Storage Flood Depths: up to 1.95m

The residential element of the development is predicted to be flood free in this event and the car parking will be within the tolerable limits in TAN 15 (2025), however, the other elements of the proposal are predicted to flood to depths in excess of the limits set out in Figure 6 of TAN 15 (2025).

It should be noted that

The FCA has used the predicted water levels in the River Usk adjacent to the site. These water levels represent a precautionary worst-case scenario, as they do not account for reductions in water levels as landforms and flood defences are overtopped. Flood levels within the defended event in this area is expected to be less (8.84m AOD) and therefore the associated flood depths are also predicted to be less.

Breach Assessment

Our previous response noted that the FCA had not considered a breach assessment or provided justification as to why this was not required during the 0.5% (1 in 200 year) event plus climate change allowance (CCA).

Information provided within the updated FCA (Section 5.2) provides an explanation of why a breach assessment is not considered necessary. We are satisfied with this justification based on the location of the defences and the precautionary flood data provided.

Summary

The FCA has demonstrated that the proposed residential dwellings will remain flood free in the 0.5% (1 in 200 year) event plus CCA and the 0.1% (1 in 1000 year) event plus CCA. However the wider site (within the red line boundary) is predicted to flood during these events. Therefore, as the site is not entirely flood free in the 0.5% (1 in 200 year) event plus CCA and certain areas of the site exceed the tolerable thresholds of Figure 6 of TAN 15 (2025) during the 0.1% (1 in 1000 year) plus CCA, the site does not accord with Figure 5 or 6 of TAN 15 (2025).

The FCA provides justification as to why these elements cannot be raised to eliminate the risk of flooding, which include limiting any third-party impacts and tying into existing infrastructure. It is for your authority to be satisfied the predicted flooding consequences, as outlined above, are acceptable.

We are satisfied with the justification with regards to the breach assessment.

The FCA recommends residents sign up for NRW flood warnings, which will typically provide advance warning of tidal flooding 48 hours in advance of flooding and prepare a Flood Response Plan. Given the proposed flood mitigation measures, the site will provide dry refuge to residents. This is a matter for your authority to consider.

The FCA states that flooding will be short-lived, with overtopping of the flood defences and landforms lasting no longer than 1 hour, after which the tidal level will very rapidly recede. We do not comment on whether safe access and egress can be achieved to and from a site as this is a matter for your authority and other professionals such as emergency planners to determine.

European Protected Species (EPS) & Protected Sites

The proposal lies adjacent to the River Usk, which at this location is designated as a Special Area of Conservation (SAC) and Special Site of Scientific Interest (SSSI). The otter is a feature of both the SAC and SSSI.

We note that an updated walkover survey was undertaken in July 2025 which is detailed in the Ecology Summary Note, by Soltys Brewster, dated July 2025. Although no evidence of otter (a EPS and designated feature of the SAC) was found during the walkover survey, adjacent habitats are considered suitable for use by commuting otter and they are known to inhabit the nearby area.

Given the potential for the proposed development to impact protected species through lighting during construction and operation, a lighting strategy should be submitted. This should demonstrate how lighting will be designed (during construction and operation) to avoid illumination of the river corridor and any scrub habitat for retention.

Condition 1:

Prior to its installation, full details of lighting shall be submitted to and agreed in writing by the Local Planning Authority. The Lighting Plan should include:

- Details of the siting and type of external lighting to be used
- Drawings setting out light spillage in key sensitive areas
- Details of lighting to be used both during construction and/or operation
- Measures to monitor light spillage once development is operational

The lighting shall be installed and retained as approved. during construction and operation.

Justification: A lighting plan should be submitted to ensure lighting details are agreed prior to installation and to reduce the impacts of lighting in the interest of protected species and protected sites.

Conditions 2 and 3:

We note that the Ecology Summary Note recommends timings for construction works near the inlet to be timed to avoid the period around sunrise and sunset (one hour prior and post respectively) to avoid times when Otters are most likely to be active.

In addition to this, any piling within 30 metres of the riverbank (mean high tide level) should be timed to avoid the shad migration period (March to June inclusive). Where piling cannot be avoided during the shad migration period (March to June inclusive) and is within 30 meters of the mean high tide level, non-percussive piling methods should be used and must only take place on a falling tide from 1 hour after high tide to 1 hour before low tide. Please note that this is separate from condition 5 below relating to land contamination.

We therefore advise that construction timings and non-percussive piling methods are secured by an appropriately worded planning condition to any planning permission granted.

Condition 4:

Given the sensitive nature of the SAC/SSSI and potential pollution pathways between the proposed site and protected sites, we would advise the following Construction Environmental Management Plan condition is attached to any planning permission granted:

No development including site clearance, shall commence until a 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.

- Biodiversity Management: details of tree and hedgerow protection; invasive species management; species and habitats protection, avoidance and mitigation measures.
- Soil Management: details of topsoil strip, storage and amelioration for re-use.
- CEMP Masterplan: details of the extent and phasing of development; location of landscape and environmental resources; design proposals and objectives for integration and mitigation measures.
- Control of Nuisances: details of restrictions to be applied during construction including timing, duration and frequency of works; details of measures to minimise noise and vibration from piling activities, for example acoustic barriers; details of dust control measures; measures to control light spill.
- Resource Management: details of fuel and chemical storage and containment; details of waste generation and its management; details of water consumption and waste water.
- Traffic Management: details of site deliveries, plant on site, 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.
- Landscape/ecological clerk of works to ensure construction compliance with approved plans and environmental regulations.

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.

Best practices regarding pollution prevention can be found in the GPP documents: [Guidance for Pollution Prevention \(GPP\) documents | NetRegs | Environmental guidance for your business](#).

Overall, we have concerns that an adverse effect from the proposed development on the River Usk SAC cannot be ruled out. To secure appropriate mitigation measures, we advise that the conditions listed above should be attached to any planning permission granted for this proposed development. Provided the development is carried out in accordance with these conditions, we do not consider that it will adversely affect the integrity of the SAC.

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, 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.

Land Contamination

It is understood that the site comprises previously developed land, historically used as a tip and as a builder's yard. It is understood that contaminated land conditions were placed on outline application 18/0973 (Condition 3), for which this phase 2 site was included within the red line boundary and therefore subject to assessment.

It is understood that remedial works with respect to controlled waters comprised quarterly groundwater monitoring. Some aspects of the Condition (for example verification of remediation – part d of Condition 3) still remain associated with that outline application. It is therefore considered that contaminated land aspects at this site have been managed under outline application 18/0973.

It is unknown if piling will be required for this proposal. Therefore, due to the risks associated with the potential creation of new pathways at the site, should a piled foundation solution be required, then we would request a piling works risk assessment to be undertaken.

It is understood from the SAB Compliance Report (Quad Consult, Revised August 2025) that surface water from the proposed development will not be discharged via infiltration to ground. Due to the historical land uses at the site and the potential for contamination to be present, infiltration of surface water would potentially give risk to mobilisation of contamination. At this stage, formal drainage plans do not appear to have been confirmed, therefore depending on the plans submitted with any future application, a condition to manage infiltration of surface water may or may not be required.

We therefore advise that the following conditions are attached to any planning permission granted.

Condition 5:

No development or phase of 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.

Condition 6:

No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Justification: To prevent both new and existing development from contributing to or being put at unacceptable risk from or being adversely affected by unacceptable levels of water pollution.

Condition 7:

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.

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 on the above, please do not hesitate to contact us.

Yn gywir / Yours faithfully,

Eleanor Sullivan

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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.