

Ein cyf/Our ref: CAS-288580-Y2V0
Eich cyf/Your ref: 25/0747

Newport City Council
Civic Centre
Newport
NP20 4UR

Dyddiad/Date: 28 October 2025

Annwyl Syr/Madam/Dear Sir/Madam,

BWRIAD/PROPOSAL: PARTIAL DISCHARGE OF CONDITION 5 (LEMP), CONDITION 7 (CONTAMINATION), CONDITION 9a (CEMP), CONDITION 12 (HABITAT MANAGEMENT PLAN) OF 24/0747 FOR CONSTRUCTION OF AN ELECTRICITY SUBSTATION COMPOUND COMPRISING TRANSFORMERS, SWITCHGEARS AND ELECTRICAL EQUIPMENT, SURFACE WATER DRAINAGE, MEANS OF ACCESS, LANDSCAPING, THE INSTALLATION OF BURIED ELECTRICITY TRANSMISSION CIRCUITS, CREATION OF A HABITAT COMPENSATION SITE AND ASSOCIATED WORKS.

LLEOLIAD/LOCATION: Celtic Technology Centre, Celtic Way, Celtic Lakes, Newport, NP10 8BE.

Thank you for consulting Cyfoeth Naturiol Cymru (CNC)/Natural Resources Wales (NRW) about the above, which we received on 17 September 2025.

We have concerns with the application as submitted. We do not recommend your Authority discharges condition 5 or condition 12 for the following reasons.

Condition 5 (Landscape Ecological Management Plan) and Condition 12 (Habitat Management Plan)

We have reviewed the following documents submitted in support of the application:

- Cover letter by AtkinsRéalis, dated 20 August 2025
- *Landscape and Ecological Management Plan - Vantage Data Centers* by AtkinsRéalis, dated July 2025

We note from the above cover letter that the Landscape and Ecological Management Plan (LEMP) document is intended to cover the requirements of both condition 5 (LEMP) and 12 (Habitat Management Plan). Both conditions include a stipulation for the details of management and maintenance responsibilities.

Landscape Ecological Management Plan (LEMP)

General comments:

- 1) We recommend dividing the site into management units or compartments, named or numbered for clarity of reporting. We advise you consider whether management targets should relate to specific compartments or to the specified habitat resource as a whole. Whilst targets may apply to the habitats as a whole, the habitat structure may vary between management units across the site.
- 2) The wording in multiple sections of the LEMP is not enforceable in its current form, as it contains recommendations ("*ecologist should be appointed*", "*the advice of a specialist contractor should be sought*", "*Fertiliser should not be applied*") rather than requirements. We advise this is rectified in an amended LEMP.
- 3) Dormouse habitat creation on the compensation site seems to comprise native hedge and mixed scrub only. We advise that some of the mixed scrub is replaced by woodland planting, incorporating suitable canopy tree species and ground flora into the mix.

Detailed comments:

- 1) Section 1.1: We note this section indicates that "*Any trees, shrubs or grass areas that are planted or retained as part of the development that die, become seriously damaged, destroyed or diseased within five years from completion of the development shall be replaced...*" We advise that this is increased to 10 years, with the species planted or the exact planting location to be revised, should multiple failures occur at the given location.
- 2) Section 1.2: We note that the LEMP is intended to be read in conjunction with planning drawings and reports listed in this section. These documents have not been submitted in support of this application.
- 3) Section 1.3: One of the purposes of the LEMP is given as "*To help in the allocation of site resources and funding for the landscape maintenance*". However, it appears that funding mechanisms have not been stipulated anywhere in the submitted information. We advise this information is submitted to the LPA.
- 4) Section 4: This section contains the following passage: "*A suitably qualified ecologist should be appointed by the client (or their successor) and / or their contractor to undertake the ecological monitoring detailed in this LEMP. At this stage Vantage Data Centers cannot confirm who will be responsible for undertaken [sic] the management and monitoring prescriptions set out in this LEMP. This can be confirmed at a later stage by planning condition.*" We observe that the current application seeks to discharge conditions; there appears to be no means of imposing further planning conditions on an application to discharge conditions. Therefore we advise that this information is provided at this juncture.
- 5) Section 5.1: Table 5-1 - *Landscape and ecology management objectives and targets* notes the target to "*Provide short-term nesting opportunities by installing seven hazel dormouse nest boxes in the Development Site and 20 in the Compensation Site*". We advise that the provision of nest boxes should not be considered to be a short-term nesting opportunity, but a long-term one maintained throughout the management and monitoring period, with long term commitment to replace when required.
- 6) Section 5.2: Table 5-2 – *Target conditions of retained and created habitats* contains the following proposed criteria:

- a. Mixed scrub:
 - i. *"At least 80% of scrub is native"*. We advise this is increased to a minimum of 95%.
 - ii. *"There are at least three native woody species"*. Table 6-5 - *Mixed scrub in the Compensation Site specification* indicates that at least eight scrubby species are proposed to be planted within the compensation site mixed scrub areas. We therefore advise the target is increased to at least six.
 - iii. *"Medium structural complexity with a diverse age structure of woody species are present"* – please define "medium structural complexity within the document in measurable descriptions.
 - iv. *"species indicative of suboptimal condition make up less than 5% of ground cover"* – please list these species.
- b. Native species-rich hedgerow:
 - i. Desired condition is stipulated as *"Good (no more than 2 failures in total, excluding the compulsory bold criteria)"*. It is unclear whether the "failures" refers to failing any one of the ten criteria set for this habitat type. If so, even a single failure of many of the non-compulsory criteria would render this habitat less than optimal for dormice. We advise this is revised.
 - ii. *"Plant species indicative of nutrient enrichment of soils dominate <20% cover of the area of undisturbed ground."* – please include a list of these plant species.
 - iii. There are a number of references to "canopy". Even if standard trees are present within the hedgerow, this habitat type is unlikely to have a canopy. We advise that references to canopy are removed and the section appropriately revised.
 - iv. *"90% of the hedgerow and undisturbed ground is free of invasive non-native plant species (including those listed on Schedule 9 of WCA) and recently introduced species"*. We advise this is increased to 95% for retained/ enhanced hedgerows, and 100% in newly created hedgerow habitats.
 - v. *"High species diversity"* is stipulated. Please clarify what this looks like on the ground in measurable descriptions.
 - vi. *"Created hedgerow will have medium structural complexity, retained and enhanced hedgerow will have high structure complexity"* – please define these terms within the document in measurable descriptions.
- c. Wet woodland:
 - i. *"Three age classes of tree present."* – please define age classes of trees within the document.
 - ii. *"There is no significant browsing damage evident in the woodland."* – please clarify in measurable terms what is intended by "significant browsing damage". Please also include a commitment to deliver fencing to prevent grazing by deer or fly-grazing by domestic livestock, and to monitor the condition of the fencing present.
 - iii. *"There are five or more native tree or shrub species found across the woodland parcel."* We advise this is increased to six.
 - iv. *">80% of canopy trees and >80% of understorey shrubs are native"*. We advise this is increased to a minimum of 95%.
 - v. *"Recognisable NVC plant community at ground layer present."* – please define which community/ list desired species.

- vi. *“Three or more stories across all survey plots. There is high structural complexity”* – please provide map of plots and define “high structural complexity” within the document in measurable descriptions.
- 7) Section 6.1: Table 6-3 - *Hedgerow in the Development Site specification* indicates that hazel is intended to constitute 10% of the hedgerow. Table 6-6 - *Hedgerow in Compensation Site specification* indicates that hazel is intended to constitute 20% of the hedgerow. We advise that both are increased to a minimum of 30%.
- 8) Section 7 (containing Table 7-1 - *Landscape and ecological management prescriptions*):
 - a. All planted areas:
 - i. *“Re-planting to be undertaken in the next following planting season or as agreed with client.”* We advise that “or as agreed with the client” is deleted.
 - ii. *“Check all landscaped areas for unwanted or invasive species i.e. bramble (excessive coverage), ground ivy and nettles. Reduce/ clear by hand and remove from site.”* Dense bramble is a highly valued nesting resource for dormice, and we would not advocate bramble removal unless essential. We advise “excessive coverage” is clearly defined, ensuring that some areas of bramble are retained particularly on the development site, and a stipulation is included to ensure that any bramble removal is undertaken under ecological supervision due to the risk of finding dormice at any time of year.
 - b. Retained scrub and existing woodland and hedgerows:
 - i. *“Only a third of each hedgerow will be cut in any one year (between November and March), rather than all. This creates a diverse hedgerow structure and ensures there is adequate food for hazel dormice.”* We advise a plan showing each hedgerow clearly named/ numbered is submitted to the LPA.
 - ii. We note that some new hedges, as well as those of significant age, may benefit from laying. Please include this as a management option.
 - iii. *“The woodland will be adaptively managed to ensure it does not become a close canopy woodland and has a regenerative understorey.”* There appear to be no percentage targets for canopy cover. We advise these are stipulated on the amended LEMP. Please note these may vary between different management parcels of the same type of habitat.
 - c. Species-rich hedgerow planting:
 - i. *“Once hedgerows are established (first five years) they will be maintained for the benefit of hazel dormice by raising the cutting height and width subjecting them to a three-year trimming regime.”* Target hedgerow height appears not to have been defined beyond Table 5-2 stating that *“...the average height of woody growth estimated from base of stem to the top of the shoots... ..exceeds >1.5 m average along length”*. We advise target height and width of hedgerows is specified. A target of 2m width and 3m height is advised.
 - d. Mixed scrub planting:
 - i. *“Cut back all stems to the nearest bud to a height approximately 200mm above ground level to encourage and promote new growth stem colour.”* This appears to stipulate that all newly planted scrub material is to be cut down to 20cm every year between years 2 and 5. We advise this is appropriately revised.

- ii. *“Confirm root growth is well established and remove shelters, stakes and ties from thicket whips and transplants – to avoid damage, cut shelters away then remove stakes.”* We advise this is undertaken under ecological supervision, as dormice are known to build nests within tree guards.
- iii. *“Thinning and coppicing will be undertaken on rotation (maximum 20% every 5 years to year 30, if determined appropriate through monitoring), cutting patches in a sequence that encourages new coppice adjacent to old, permitting access to hazel crops and easy recolonisation by dormice and to ensure diverse age structure of the woodland and letting light in for ground flora.”* We advise that a map with numbered/ named coppicing coupes is produced and submitted to the LPA. We advise that the LEMP is amended to stipulate that no more than 20% of the total area of habitat will be coppiced in any given 5 year period, and that coppice rotation is no shorter than 20 years.

9) Section 8 (containing Table 8-1 - *Monitoring the landscape and ecological objectives plan*): This section indicates that dormouse nest box survey is proposed to be undertaken in March, May, and September/ October in years 1, 3, and 5. We advise that nest box monitoring is extended to year 30 alongside habitat monitoring.

In summary, we advise that the LEMP is amended to include a confirmation of the financial mechanism ensuring management and monitoring is undertaken. We advise the LEMP is written in an enforceable manner, containing stipulations for action rather than recommendations. In addition, we advise that the amended LEMP addresses the above points regarding habitat management objectives, targets and measures, and extends monitoring of dormouse nest boxes to the length of the management plan.

We therefore recommend that you do not discharge conditions 5 and 12 until the above issues have been addressed.

Condition 9a (Construction Environment Management Plan)

We note that the application relates to the partial discharge of condition 9a, only relating to site clearance. We confirm we have no objection to the partial discharge of condition 9a from a pollution prevention perspective, however we advise the submitted Method Statement should make reference to according with the approved LEMP (discussed above). Please note, we have requested some changes to the LEMP with regards to site clearance, specifically with regards to bramble removal.

Condition 7 (Contamination)

We confirm we have no objection to the discharge of condition 7.

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

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.