

Our Ref: CAS-309207-F8F2

Your Ref: 26/0241

Newport City Council
Civic Centre
Newport
NP20 4UR

Dyddiad/Date: 09 June 2026

Annwyl Syr/Madam/Dear Sir/Madam,

Bwriad/Proposal: engineering works to raise ground levels surrounding the existing ai/data processing building to approximately 9.75m AOD, including the importation of fill material, formation of raised access and circulation areas, associated ramp and surfacing works.

Lleoliad/Location: Liberty Steel, Newport, NP19 4XE.

Thank you for re consulting Cyfoeth Naturiol Cymru/Natural Resources Wales (NRW) about the above, which we received on 21 May 2026.

We have continue to have **concerns** with the application as submitted because inadequate information has been provided in support of the proposal. To overcome these concerns, you should seek further information from the applicant regarding **flood risk**. If this information is not provided, we would object to this planning application. Further details are provided below.

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

Flood Risk

In our previous response (dated 05 May 2026, reference CAS-305301-J6P5) we advised that the applicant considers the possible impacts on conveyance routes because of the proposed land raising.

We have reviewed the FCA Supporting Note Appendix 2, by Egniol, reference ECL.10544.R05.002 Rev 1. The proposal is for external ground level raising to approximately 9.75m Above Ordnance Datum (AOD), which is the flood level for the 1 in 200 year plus climate change event, to form a platform around the building to exclude flood water.

By introducing this mitigation, the supporting note states that it would significantly improve flood protection for the proposed facility when compared to maintaining existing surrounding ground levels at approximately 8m AOD. Whilst we do not disagree with this statement, we have concerns that raising the site, in areas by 1.75m, may alter flow routes and flood risk elsewhere.

The section of the Supporting Note titled “Consideration of Overland Flow Routes” of the note states that the

“intended raised platform around the proposed AI facility to exclude flood water will not materially affect the characteristics of the remainder of the site during any flooding event. The only material change will be that the AI facility is protected from flooding. All other existing conveyance routes across the remainder of the site will not be affected during a flood event by the introduction of this small flood protection platform.”

However, the supporting note does not provide detailed assessment to support this conclusion. Therefore, the comments in our previous response (dated 05 May 2026, reference CAS-305301-J6P5) are still applicable.

The note also states that

“In line with discussions with Natural Resources Wales, it is proposed that: Detailed hydraulic modelling and assessment of floodplain displacement is undertaken during later design stages”.

However, we are not aware of any engagement with the consultant regarding modelling and we do not agree that displacement assessment should be taken in the later design stages.

We would expect any necessary assessments to take place prior to the approval of any planning application in case such mitigation cannot be achieved post approval.

River Usk Special Area of Conservation (SAC)

The application is located within approximately 90 km from the River Usk (SAC). We have concerns that an adverse effect from the proposed development on the SAC cannot be ruled out.

We have reviewed the Habitat Regulations Assessment (HRA) screening report (by Egniol) submitted in support of the application. The report identifies and assesses possible impact pathways to the River Usk SAC such as air quality, noise, lighting, and water quality. However, there is a potential impact to the SAC during construction from run-off or dust generation.

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 those conditions, we do not consider that it will adversely affect the integrity of the SAC.

Condition

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 and the conservation of dark skies.
- Resource Management: details of fuel and chemical storage and containment; details of waste generation and its management; details of water consumption, wastewater and energy use
- 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 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, 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.

River Usk Site of Special Scientific Interest (SSSI)

We consider the proposed development has the potential to damage the River Usk. Providing the impact pathways referenced above for the Special Area of Conservation (SAC) are adequately addressed, NRW consider the notified features of the SSSI will also be adequately safeguarded.

Land Contamination

There is potential for land contamination from the existing and historical land uses at the site. We therefore advise that the following condition is 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 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 the water environment, 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.

Advice for the developer

Land contamination

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.

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

Yn gywir / Yours faithfully,

K Murphy

Cynghorydd - Cynllunio Datblygu/Advisor - Development Planning
Cyfoeth Naturiol Cymru/Natural Resources Wales

E-bost/E-mail: southeastplanning@cyfoethnaturiolcymru.gov.uk

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.