

Ein cyf/Our ref: CAS-298001-N0G2
Eich cyf/Your ref: 25/1071

Newport City Council
Civic Centre
Newport
NP20 4UR

Dyddiad/Date: 12 February 2026

Annwyl Syr/Madam/Dear Sir/Madam,

BWRIAD/PROPOSAL: INSTALLATION OF AN UNDERGROUND CABLE CONNECTION FROM 132KV SUBSTATION TO A DATA CENTRE.

LLEOLIAD/LOCATION: LAND IN THE VICINITY OF DYFFRYN LANE, IMPERIAL PARK, NEWPORT.

Thank you for re-consulting Cyfoeth Naturiol Cymru (CNC)/Natural Resources Wales (NRW) about the above, which we received on 22 January 2026.

We 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 protected species and protected sites. 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 should be attached to any planning permission granted and the documents identified below should be included in the approved plans and documents condition on the decision notice. Without the inclusion of this condition and documents we would object to this planning application.

- Imperial Park Cable Connection – Design And Access Note By DWD, Undated
- Imperial Park Cable Route - Preliminary Ecological Appraisal By RPS, Dated December 2025
- Imperial Park Cable Route - Otter, Water Vole And Great Crested Newt Survey By RPS, Dated October 2025
- Drawing Number 0596-BPS-XX-XX-DR-EAS-2101 Titled IMPERIAL PARK Cable Connection Red Line Boundary Plan By Unknown, Revision P04 Dated 03.10.25

Protected Species

Dormice

The site consists of existing highways and hardstanding, as well as greenfield land with three reens. Habitat suitable for dormice is present within the development site, and surveys undertaken for previous planning applications in the area have confirmed the presence of the species within the site and in the wider vicinity.

The working methods include open-cut trenching, and a shorter section of directional drilling under reens. The worst-case scenario would see the proposals resulting in the loss of approximately 0.45 ha of potential dormouse habitat, consisting mainly of scrub.

Dormouse is a European Protected Species, legally protected under The Conservation of Habitats and Species Regulations 2017 (as amended). Legal protection relates to the animals themselves and the places they use to rest and breed.

Where a European Protected Species is present and development proposal is likely to contravene the legal protection they are afforded, the development may only proceed under licence issued by Natural Resources Wales, having satisfied the three requirements set out in the legislation. One of these requires that the development authorised will 'not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status (FCS) in their natural range'.

These requirements are translated into planning policy through Planning Policy Wales (PPW) February 2024, and Technical Advice Note (TAN) 5, Nature Conservation and Planning (September 2009). The planning authority should take them into account when considering development proposals where a European Protected Species is present.

The proposals include outline mitigation/ compensation proposals for the loss of habitat suitable for dormice, including hazel planting and installation of dormouse boxes. The Preliminary Ecological Appraisal (by RPS, dated December 2025) recommends that a European Protected Species licence in respect of dormice is obtained from Natural Resources Wales to cover vegetation clearance works, and notes that the method statement must set out precautionary working measures and compensatory planting proposals.

We have reviewed the following new information submitted in support of the application:

- *'Imperial Park Cable Route - Dormouse Conservation Strategy'* by RPS Group Plc, dated January 2026
- Email titled *'RE: 25/1071'* by Newport City Council's Ecology Officer, dated 2 February 2026

Vegetation Clearance

We support your ecologist's comments regarding vegetation clearance during core dormouse breeding season. In this instance, we would not licence habitat clearance works between June-August (inclusive), unless it is part of a two-stage process. We advise that either two-stage clearance is undertaken (vegetation is cut down during hibernation season, then grubbed up in May); or single-stage clearance under strict ecological supervision is undertaken in May or September.

Compensation Planting

Your ecologist recommends that the applicant provide assurance that the compensation planting planned along the Road to Nature is compatible with any future plans for the road and will not cause a conflict with Highways management. We support this recommendation and advise that the potential impact of this aspect of the proposals is clarified with your Highways Team. Where any potential conflict is identified, we advise that the compensation and enhancement strategy is appropriately amended.

Habitat Creation Proposals

We advocate that habitat creation proposals are delivered at a ratio of 2:1 ratio (habitat creation: habitat loss). We advise that the proposals are revised to deliver additional compensatory habitat for permanent habitat loss.

Proposals for the enhancement of habitats likely already in use by breeding, commuting and foraging dormice is vague. We advise that clarification is sought on dormouse habitat enhancement measures to be undertaken, and on how the measures are likely to increase the carrying capacity of those habitats in relation to their existing state.

Dormouse Conservation Strategy

The Dormouse Conservation Strategy contains numerous instances of unenforceable language, e.g. *"No more than 150m of habitat should be cleared in a day"*; *"The ecologist would undertake a hand search of all areas of scrub to be cleared to check for hazel dormouse presence prior to vegetation clearance"*. We advise that the document is revised to replace "should" and "would" with "will/ shall".

Our previous advice in relation to Protected sites and flood risk is repeated below for ease of reference.

Protected Sites

The red line boundary of the application site is located partially within the Gwent Levels - St Brides Site of Special Scientific Interest (SSSI). The SSSI is notified for its range of aquatic plants and invertebrates associated with the interconnected reens and ditches of the drainage system. In summary, the special interests of the SSSI are dependent on the water quality, water quantity, the existence of the drainage system and its continued management. Any development which has an adverse impact on any of these factors will have an adverse impact on the wildlife for which the area was notified.

The decision as to whether the proposed development's location partially within a SSSI is justified, is entirely a matter for your Authority, having followed the step-wise approach in PPW. Our advice provided below focuses on the likelihood and significance of impacts on the notified features of the SSSI from the proposed development.

Habitats

The proposed development lies mostly within areas of hardstanding and bare ground. The Preliminary Ecological Appraisal (PEA) (by RPS, dated October 25, reference ECO22022) states that habitat loss will be restricted to scrub, bare ground, and hardstanding. A loss of up to 0.44ha of scrub is expected. Planting of hazel scrub is proposed to replace this loss

of bramble scrub. Some areas proposed for planting within the SSSI fall within marshy grassland and neutral grassland (as highlighted in figure 3 in the PEA). The shrill carder bee, a feature of the Gwent Levels SSSIs, has been recorded in these areas. We therefore advise that planting hazel within these habitats is avoided.

The applicant should therefore provide alternative compensatory hazel planting outside of the SSSI, but within suitable areas of the development's red line boundary, ensuring it is meaningfully connected to existing functional dormouse habitats.

In line with the stepwise approach set out in Planning Policy Wales, loss of SSSI habitat should be avoided. Where this loss is unavoidable, there must be adequate mitigation or compensation. The PEA states that the development would seek to provide a Net Benefit for Biodiversity, with enhancement of surrounding grassland (outside of the SSSI) proposed. We note that section 5.2.9 states that final measures must be agreed and discussed with the local planning authority's ecologist and set out in a detailed Biodiversity Strategy (or Landscape and Ecological Management Plan) and that long term implementation will be secured as a condition of successful planning consent. We agree with this approach and advise that this is secured via a condition.

Grassland enhancement is proposed outside of the SSSI. We would welcome consultation on any management plans and planting list. We advise that seed mixes should be of UK provenance and suitable for the SSSI. Our preference is for locally sourced seed. For seeding within the SSSI, our preference would be for the applicant to source the seed from Great Traston (Solutia) Gwent Wildlife Trust reserve.

Shrill Carder Bee

The PEA concludes that an adverse effect on shrill carder bee is unlikely with horizontal directional drilling (HDD) techniques implemented, and we welcome that the PAC report confirms that prior to vegetation removal a check for shrill carder bee and their nests (depending on the time of year) will be undertaken.

Reen and Ditch Network

The proposed cabling crosses multiple reens and ditches and we note that HDD is proposed to be used on sections which cross watercourses. This should reduce the likelihood of adverse impact to the reen and ditch network of the SSSI.

To protect the SSSI, buffer zones of a minimum of 7m from works to the top of the ditch bank, and 12.5m to the top of the reen bank should be implemented in the Gwent Levels and we welcome that the PAC report has confirmed that these will be maintained and incorporated into the Construction Environmental Management Plan (CEMP) when submitted.

Where possible there should not be any storage of materials including soil piles or fuel storage within these buffer zones. This is to ensure that contamination of reens and impacts on the interest features of the SSSI are avoided.

Construction Environmental Management Plan

We welcome that a construction environmental management plan (CEMP) will be produced, and this will need to set out pollution prevention measures to be implemented to

avoid any adverse impact to the SSSI. However, this has yet to be produced and must be in place before any site clearance and construction works can take place.

Condition

No development or phase of 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, containment 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. GPP5 Works and maintenance in or near water is relevant for this development.
- Details of the persons and bodies responsible for activities associated with the CEMP and emergency contact details.
- Biodiversity Management: details of tree and hedgerow protection; invasive species management; species and habitats protection, avoidance 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.

Justification: A CEMP should be submitted to ensure necessary management measures are agreed prior to construction and implemented for the protection of the environment during construction.

Flood Risk

The planning application proposes less vulnerable development. The Flood Map for Planning identifies the application site to be at risk of flooding and within Flood Zones 2 and 3 (Rivers and Sea).

Given the nature of the proposed development (below ground cable), we consider the proposals could be acceptable, subject to the developer being made aware of the potential flood risks and consequences. We would also expect the developer to take the opportunity to incorporate flood resilient design where feasible.

Guidance on resilient design can be found in Chapter 13 of Technical Advice Note 15: Development, flooding and coastal erosion, dated 2025, which references advice from

Construction Industry Research and Information Association, including a Code of Practice and Guidance for Property Flood Resilience.

We provide advice on our website [Natural Resources Wales / Preparing for a flood](#) which may be useful for the developer or occupant of the proposal.

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

Internal Drainage District (IDD)

The proposal runs adjacent to and crosses an Internal Drainage District (IDD) maintained watercourses (The Nantymoor and SDR East Reen). Therefore, a Land Drainage Consent (LDC) will need to be applied for. Please see link below.

[Natural Resources Wales / Apply for land drainage consent](#)

Please note that a LDC is independent of planning approval and is required for permanent and temporary works.

Ditch management

Ditch restoration is proposed within the PEA. For any works which do not form part of this planning permission, assent will be required from NRW for works which fall within the SSSI. Please contact emma.sharp@cyfoethnaturiolcymru.gov.uk for further discussion on any proposed ditch management or restoration work.

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

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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.