

Ein cyf/Our ref: CAS-256878-Z2H5
Eich cyf/Your ref: 24/0278

Newport City Council
Civic Centre
Newport
NP20 4UR

Dyddiad/Date: 12 June 2024

Annwyl Syr/Madam/Dear Sir/Madam,

BWRIAD/PROPOSAL: DEMOLITION OF EXISTING PETROL FILLING STATION AND CAR WASH, AND CONSTRUCTION OF A REPLACEMENT PETROL FILLING STATION, INCLUDING A NEW KIOSK BUILDING, 4 PUMP ISLANDS, FORECOURT CANOPY, 2 NO. JET WASH BAYS, LANDSCAPING AND CAR PARKING ARRANGEMENTS

LLEOLIAD/LOCATION: 71 CARDIFF ROAD, NEWPORT, NP20 2EN.

Thank you for re-consulting Cyfoeth Naturiol Cymru (CNC)/Natural Resources Wales (NRW) about the above, which we received on 23 May 2024.

We continue to have concerns with the application as submitted. However, we are satisfied that these concerns can be overcome by attaching the following condition to any planning permission granted:

Condition: Unsuspected Contamination

Please note, without the inclusion of this condition we would object to this planning application. Further details are provided below.

In our previous response to this application, dated 30 April 2024, reference CAS-253530-C8Y1 we raised concerns regarding the installation of new tanks and the potential for land contamination from the previous use of the site as a petrol filling station.

We have considered the following information submitted in support of the application:

1. Phase I / II Contaminated Land Site Assessment - Newport Garage, 71 Cardiff Road, Newport. Geo2, Report ref. 24/1492.2.1, March 2024.
2. Drawing title– Below ground tank section, Job ID: 1884 Dwg 22, dated 01/05/24.

Underground Storage Tanks

We previously requested details on the design of the new tanks to be installed on site, their location, depth to water table and design with consideration of the position statement within the guidance “Approach to Groundwater Protection”. We have taken the details of the depth to water table from the above referenced report, and it appears the tanks will be

sub-water table (based on the new tank design), which would require extra protection from leaks in the design. We note, the double skinned with leak detection tanks will be encased in concrete as defined in drawing 22 (referenced above). This information has satisfactorily addressed our concerns on underground storage tanks.

However, we strongly recommend to the applicant that the existing tanks are removed (even if already filled with concrete). This will remove a potential source of pollution and allow inspection of the old tank pits to ensure there is no contamination present or allow clean up (remediation) if contamination is found.

Land Contamination

We have reviewed the submitted Contaminated Land Assessment Report. The site investigation used new sampling points and existing monitoring wells. The sampling identified low levels of contamination across the site with some elevated hydrocarbons in the groundwater in a monitoring well close to the existing underground storage tanks. Based on these findings, we request the following condition and informative be imposed on 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 both future users of the land and neighbouring land, and to ensure that the development can be carried out safely without unacceptable risks.

Informative/ advice to applicant

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.

Other Matters

Our comments above only relate specifically to matters included on our checklist, *Development Planning Advisory Service: Consultation Topics* (September 2018), which is published on our [website](#). We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests.

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

Claire McCorkindale

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.