

Mr Alun Pitt  
ARUP  
4 Pierhead Street  
Capital Waterside  
Cardiff  
CF10 4QP

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By email: [m4newport@arup.com](mailto:m4newport@arup.com)

Dear Mr Pitt

**M4 CORRIDOR AROUND NEWPORT – NATURAL RESOURCES WALES’ RESPONSE TO THE DRAFT PLAN SUBJECT TO PUBLIC CONSULTATION BETWEEN 23 SEPTEMBER 2013 AND 16 DECEMBER 2013**

Thank you for giving Cyfoeth Naturiol Cymru / Natural Resources Wales the opportunity to respond to the Welsh Government’s consultation on the draft Plan “*M4 Corridor around Newport*”, (“*the draft Plan*”) as part of the public consultation between 23 September 2013 and 16 December 2013. Our purpose is to ensure that the natural resources of Wales are sustainably maintained, used and enhanced, now and in the future.

This letter is in response to the consultation on the draft Plan which, if implemented, would lead to a new motorway or dual-carriageway being built to the south of urban Newport, with the aim of addressing congestion issues on the existing M4 through Newport.

The Governance Directorate of Natural Resources Wales will be responding separately to the consultation on the Strategic Environmental Assessment (SEA) Environmental Report and the work to inform a Habitats Regulations Assessment (HRA). Natural Resources Wales will not be responding to the Health Impact Assessment or Equality Impact Assessment.

**1. Summary of Natural Resources Wales’ Position**

**Natural Resources Wales notes that the draft Plan Consultation Document states that the M4 Motorway between Magor and Castleton does not meet modern motorway design standards and that there are issues with traffic congestion which worsen at times of peak travel and as the number of users on the network has increased.**

However, we recommend that the Welsh Government should consider whether the adoption of this draft Plan, which would lead to the construction of the preferred Black Route or either of the two alternatives (the Red or Purple Route), is the most sustainable solution to ease the traffic congestion issues.

This view is given for a number of reasons and in the expectation that the Welsh Government would wish to demonstrate an exemplar approach to its Sustainable Development duty:

- it is unclear how earlier policy initiatives and statutory processes have been concluded, including the Corridor Enhancement Measures (CEM);
- the need to consider how wider ongoing transport policy initiatives would affect the apparent need for such a road scheme;
- the construction and operation of a new road, as envisaged in the draft Plan, would lead to a wide range of adverse environmental impacts. We are unable to advise, given the level of detail provided at this strategic level of consultation, whether all of these impacts could be fully avoided, reduced, mitigated or compensated, in accordance with statutory requirements. These concerns are raised with respect to impacts in relation to designated sites, Water Framework Directive, historic and active landfill sites, protected species and landscape; and
- proposals should be considered in light of the full scale of likely environmental impacts, which would arise from the carrying out of one of the draft road scheme options (the Black, Red or Purple Route), as there is no consideration, within the draft Plan consultation, of wider associated and ancillary development, including junctions.

Further detail on these and other points is given below:

## 2. Draft Plan Overview

Our understanding is that the main element of the draft Plan is the provision of a section of three lane motorway between Junctions 23 and 29 through south Newport. It is shown as the Black Route and would also include the following Complementary Measures:

- Re-classify existing M4 between Magor and Castleton;

- M48 – B4245 Link;
- Provide cycle friendly infrastructure; and
- Provide walking friendly infrastructure.

This consultation document also provides information on what are described as two reasonable alternatives to the draft Plan. They are the Red Route, which is a dual carriageway and the Purple Route, which is a three lane motorway. Both routes would also have complementary measures. Both the Red Route and the Purple Route differ from the Black Route for less than half of their overall lengths, with the key differences, from a Natural Resources Wales perspective, being slightly different crossing points of the River Usk, differing routes over Docksway Landfill site, and slightly differing routes through the Gwent Levels: St Brides SSSI. A Do Minimum scenario considers the consequences of doing nothing above what is already planned, ie recent network modifications (such as the Junction 24 improvement, the Variable Speed Limit system, and the Steelworks Access Road) and any committed schemes (such as the Junction 28/Bassaleg Roundabout/Pont Ebbw Roundabout improvement).

The draft Plan does not consider ancillary or associated development, for example developments associated with any junction. Such proposals are likely to result in wider adverse environmental impacts. These impacts could be significant enough to alter the results of the appraisal and increase the overall adverse impacts on the environment. These additional impacts are likely to arise within the Gwent Levels SSSIs, an area also subject to flood risk and with requirements to fulfil Water Framework Directive (WFD) objectives.

The draft Plan notes that discussions and consultations have occurred with us and other relevant bodies. However, it is unclear how our previous advice has been taken into account in producing the draft Plan. We therefore recommend that an explanation of how such advice has been taken into account in the development of the draft Plan should be published as a supporting document with commentary.

### **3. History of Work on the M4 Corridor around Newport**

It is unclear to us how the Welsh Government took the decision to move to considering new road options before the apparent conclusion of the preceding CEM work.

Prior to the creation of Natural Resources Wales, the Countryside Council for Wales (CCW) and Environment Agency Wales (EAW), were providing input to the CEM work and its accompanying SEA and HRA.

As stated in the legacy EAW body response (dated 10 December 2012, ref: SE/2012/115973/02-L01) to the SEA Environmental Report of the CEM, we would expect to see an explanation of how the SEA has informed the M4 CEM Strategy and Options and a decision on the Preferred Strategy and final Option. We, as Natural Resources Wales, are not clear how that work was concluded as we have not been party to any subsequent decision making.

We are aware that both the M4 CEM WelTAG Appraisal Report (Stage 1 Strategy) and the M4 Corridor around Newport WelTAG Stage 1 (Strategy Level) Appraisal Report have commented that a road scheme south of Newport should be appraised further. However, we advise that whilst the WelTAG approach is an internal Welsh Government appraisal tool, this approach does not negate the need for the statutory SEA and HRA processes. The SEA process should inform the development of the final plan or programme, as part of an iterative process.

It therefore appears that there is a gap in statutory processes and no clear policy rationale for pursuing a new M4 road scheme option. We therefore recommend that a clear statement is made showing how the SEA process to date, as well as linkages to wider Welsh Government Strategic Transport Policy (including the National Transport Plan and the Wales Infrastructure Investment Plan), has influenced the options set out in the draft Plan.

We advise that this is done in order to provide clarity on how the SEA process has influenced the Options set out in the draft Plan that is the subject of the current consultation.

#### **4. Sustainable Development Perspective**

##### Legislative Changes

We recommend that in taking an exemplar approach, and in the context and spirit of new legislative directions, the Welsh Government should consider its wider duties, including those related to sustainable development, when developing the current proposals.

The Welsh Government is currently developing legislation including the Environment Bill, the Planning Reform Bill and the Future Generations Bill. The Active Travel Act has recently been given Royal Assent. One of the likely outcomes of the Environment Bill

will be to enable Natural Resources Wales and others to manage Wales' natural resources in an integrated way, a process known as the Ecosystems Approach. Our view is that it would be beneficial for the spirit of these Bills to be applied to the draft Plan, as any project level proposals for changes to the M4 Corridor in Newport would be taken forward in the context of these new Acts.

### Relationship to Wider Ongoing Transport Policy Initiatives – South East Wales Metro System

The draft Plan states that appraisal of public transport measures has been omitted because the Welsh Government has commissioned a separate study and report on proposals to develop a metro system for South East Wales, which focuses on a rail and tram integrated network. We draw your attention to comments made in the report “A Metro for Wales’ Capital City Region connecting Cardiff, Newport and the Valleys” produced by Mark Barry, Cardiff Business Partnership. This report identifies a survey undertaken by Cardiff County Council in 2009. This survey estimated that in a working day there are approximately 360,000 car based passenger journeys to/ from/in Cardiff during a 12 hour period for all journey purposes. In contrast only 40,000 train based journeys were counted. The analysis indicates a car to train ratio of nearly 10:1. One of the identified benefits of a metro system is the delivery of a modal shift ratio of perhaps 4:1 (car to train use). We therefore suggest that such findings may influence the evidence presented relating to problems, aims and goals for the M4 around Newport consultations and inform decisions made on sustainable options.

We also consider that transport measures, aimed at reducing traffic use of the M4 in South East Wales, should be looked at in a wider context than simply a South East Wales Metro system, with consideration broadened to include initiatives to transfer road freight to rail, buses, existing rail and car share schemes.

### Sustainable Options

As mentioned above, it is unclear, without the conclusion of the earlier statutory assessments for the broader suite of measures, how this proposal has been determined to be the most sustainable option. We believe that the most sustainable solution for the M4 corridor issues can only come from a coordinated assessment of a range of potential measures including sustainable transport options.

It is unclear from the draft Plan, how the different aspects of sustainability (economic, social and environmental) have been considered in an integrated way, an intrinsic



requirement of sustainable decision making. The undertaking of a (non-statutory) Sustainability Appraisal would have provided the framework to set out this consideration.

The draft Plan consultation refers to how the existing M4 contributes to poor air quality arising from congestion. This section also states “*for a significant number of journeys, there are no convenient public transport alternatives to the car*”. Whilst this may be the case, given current available transport infrastructure, Natural Resources Wales would have expected proposals which addressed the M4 corridor issues to include a modal shift to sustainable transport options. This would align to wider WG policies and legislation, such as the Climate Change Strategy for Wales (2010) and the Active Travel Act (2013).

We also note the reference to “*a perception that traffic congestion is a constraint to economic development in South East Wales*”. We believe that it is essential that the Welsh Government develops evidence-based policies and plans.

## **7. Problems, Aims and Goals**

We note that this section describes problems, aims and goals identified through stakeholder engagement as part of the M4 CEM Programme process. We note and welcome the aspiration to produce positive effects overall on people and the environment; and some of the environmental type goals, for example: to improve air quality in areas next to the M4 around Newport; reduced disturbance to people from high noise levels from all transport modes and traffic within the M4 Corridor; and reduced greenhouse gas emissions per vehicle and/or person kilometre. However, we would also expect the aims and goals of any M4 Corridor around Newport Plan to include aims and goals relating to improvements to landscape and townscape, biodiversity, tranquillity, flood risk, soil and the water environment, alongside overall improvements to greenhouse emissions from carrying out the project as a whole – both during the construction and operational phase.

## **8. Appraisal Criteria**

We acknowledge that the Black, Red and Purple Options score highly against economic and social objectives and against the WeITAG criteria and goals of the M4 Corridor. Such findings may alter should development proposals progress and as they become better informed by evidence. Subsequently the amended appraisal could alter Natural Resources Wales’ position. We also reiterate our earlier comment that the WeITAG

process should not be seen as a substitute for the statutory requirements of SEA and HRA. We also recommend that the proposals are assessed in accordance with wider policy and legislative aims and duties, such as the Tackling Poverty and Climate Change Strategy, as well as the developing Future Generations Bill, Environment Bill, and Planning Reform Bill, and the Active Travel Act.

## 8.1 Greenhouse Gas Emissions

We note that the appraisal states that there would be an overall reduction in greenhouse gas emissions, due to reduced congestion, from any of the schemes. We note that the text also states “*However, it is not clear whether the additional road capacity would lead to an overall increase in emissions in the longer term.*” We suggest that this is a key uncertainty which should be investigated further, looking at evidence from equivalent road schemes; to ensure that there is clarity about the impacts of the scheme on greenhouse gas emissions. In addition we would recommend that any consideration of greenhouse gas emissions should consider the overall greenhouse gas emissions from the scheme as a whole – including all emissions arising during the construction phase. This may change the appraisal rating overall for all three road scheme options.

Overall we note that there appears to have been no consideration of climate change factors, including minimising factors which contribute to climate change and adapting to climate change impacts. We recommend that this is corrected to include consideration of how any road scheme would adapt to the impacts of climate change, including:

- making transport infrastructure climate proof;
- increasing flood defences where necessary; and
- raising awareness about its effects.

This approach is a key long term outcome of the Wales Transport Strategy and delivered through the National Transport Plan.

## 8.2 Landscape and Townscape

We would agree with the appraisal of adverse effects on landscape and townscape for all three routes, but would query why the Red Route has been given a *moderate adverse* appraisal when the other two have been given a *large adverse* appraisal, as no evidence is presented to justify the difference in appraisal rating. We request further detail as to how these differing assessment results were arrived at.

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### 8.3 Biodiversity

We agree with the appraisal of biodiversity impacts as being *large adverse* (that is, the most significant adverse) for all three new road options. As previously noted, the fact that ancillary and associated development has not been included in the appraisal to date means that the scale of biodiversity impacts would only increase.

With respect to the Gwent Levels SSSIs the Red Route is the “least worst” of the three new road alternatives. This view is given as it would lead to the least severance of the existing drainage system of the Gwent Levels: St Brides SSSI and as a dual carriageway would have a slightly smaller permanent footprint than a three-lane motorway. Its alignment to the north of the railway line would also be preferable.

However, for the majority of the length of all three options the alignments are exactly the same and therefore would have a similar level of adverse effect on the suite of Gwent Levels SSSIs. We are therefore of the view, from the strategic level of information provided at this stage, that all three alignments would have significant adverse effects on the Gwent Levels SSSIs.

We welcome the fact that in figure 10 the route alignments are shown on the same plan as the relevant SSSI boundaries. However we draw your attention to the omission of the Gwlyptiroedd Casnewydd/Newport Wetlands SSSI boundary from figure 10 and therefore the requirement to consider potential impacts on this site in your overall considerations

We would query the quoted direct loss of Gwent Levels SSSI hectareage and request detail as to how these have been derived. Our view is that these figures are likely to have been underestimated. In addition, impacts to these SSSIs will not just arise from direct area loss, falling within any road footprint. Indirect effects, on both water quantity and water quality could arise as the entire drainage system of the Caldicot Level and Wentlooge Level respectively is hydrologically linked.

We remind the Welsh Government, as the statutory undertaker with respect to any M4 related road scheme around Newport, of its responsibility, under the Wildlife and Countryside Act 1981 (as amended) and carried through into Welsh policy through Planning Policy Wales and Technical Advice Note (TAN) 5 on Nature Conservation and Planning, to ensure that effects on SSSIs are avoided, or at least minimised and that in addition, reasonable steps should be taken to further the conservation and enhancement of SSSIs.



These will be crucial considerations should a road scheme be promoted, in any detailed routing and design phase, but we recommend that these principles are considered now, given the appraisal of biodiversity impacts being *large adverse*.

Whilst we acknowledge that other, much smaller scale developments have been allowed to proceed within the Gwent Levels SSSIs, the levels of mitigation and compensation which would be required in taking forward any of the three new road alignment cases is unprecedented. We are therefore unable to advise at this stage whether sufficient mitigation or compensatory measures could be provided to satisfy us with respect to adverse impacts on the Gwent Levels SSSIs. We would also point out that it will be necessary to first consider steps to avoid and reduce impacts to the SSSIs prior to considering mitigation, and then finally compensation.

These points are also of relevance to the River Usk, both a SSSI and a Special Area of Conservation (SAC). The SAC designation also brings a requirement to undertake HRA, on any plan, programme or project likely to have a significant effect on a European site. We therefore refer you to Natural Resources Wales' separate response, sent from our Governance Directorate, in relation to your HRA work. Please also refer to Natural Resources Wales' comments with respect to the HRA work on other European designated sites in the vicinity of the draft Plan road scheme options.

Wider biodiversity considerations include protected species. At this strategic level, no detail has been provided with respect to protected species. We cannot therefore advise on the significance of likely impacts on protected species of the carrying out of a road scheme in this locality. However species likely to be affected include those protected at a European level (otters, great crested newts, bats and dormice) and those protected at a national level (badgers, watervoles and breeding birds).

For advice with respect to local biodiversity considerations, we refer you to both Newport City Council and Monmouthshire County Council.

#### **8.4 Heritage**

Our comments here are restricted to the historic landscape. We refer you to Cadw and the Glamorgan Gwent Archaeological Trust (GGAT) for advice with respect to listed buildings, scheduled ancient monuments and archaeology.

We would query the *moderate adverse* appraisal for all three road schemes with respect

to historic landscape, given that all three routes pass through the Registered *Gwent Levels Landscape of Outstanding Historic Interest in Wales* for much of their length, and therefore a material consideration in any planning decision, through Planning Policy Wales. The area represents one of the very few reclaimed landscapes in Europe that still retains much of its traditional character and elements. The Gwent Levels result from historic land reclamation and drainage and this culturally constructed landscape forms the basis and origin of the nationally significant ecosystem.

We recommend that the appraisal conclusion should be *large adverse* for all three route options.

## 8.5 Water Environment

### 8.5.1 Water Framework Directive

We advise that any project level road scheme in this area would need to seek to manage the water environment as a whole, in the context of the WFD, the aim of which is to achieve an integrated system of water protection, improvement and sustainable use. We recommend that appraisal at this strategic level should therefore be undertaken in the context of WFD requirements.

In this context all aspects of water, including water quality, quantity and flow (surface and groundwater), water supply and capacity, wastewater treatment and flood risk; and their impacts, for example, on biodiversity interests are relevant. This is particularly pertinent in the context of this draft Plan due to its location on the Gwent Levels, River Usk and River Ebbw and close proximity to the Severn Estuary.

Changes to both hydrological and hydrogeological regimes would need to be monitored as part of any scheme development. We would request that changes and risks are considered and quantified in future appraisals. The risk of changes in the hydrological regime from a low flow perspective and potential sedimentation impacts should also be considered as potential effects in your Appraisal.

Transport schemes may produce priority hazardous substances such as cadmium, zinc, copper, mineral oils and organic pollutants. The requirements of the WFD seek to prevent the deterioration in the status of water bodies. All bodies of surface water and groundwater are to achieve good status by 2015; and discharges of priority hazardous substances (the most toxic substances discharged to waters) must cease by 2020. The Severn River Basin Management Plan (RBMP) requires the restoration and



enhancement of water bodies to prevent deterioration and to promote recovery of water bodies. The baseline condition for 'Water Quality' should include both surface and ground waters.

Were this draft Plan to proceed to any project for a new road, appraisal in the context of WFD would be required, and we can provide further detail at the appropriate time. We point out that, as with designated sites, it will be a project requirement to deliver enhancements with respect to the water environment and overall to not lead to a detrimental effect on the status of any affected water body.

In the appraisal, reference has been made to catchments through which the road passes. We recommend that the section relating to the River Usk is expanded. The River Usk (tidally influenced) is of moderate ecological status and it is envisaged that this river will achieve good ecological status by 2027. You should also be aware that a stretch of the Monks Ditch fails WFD standards. Any adverse impacts from surface water runoff, which enters the ree system, must be offset. Currently, the groundwater bodies are classified as being good chemical and quantitative status.

We recommend that impacts on other relevant Main Rivers are also considered, including the River Ebbw. Although this watercourse is not designated as a protected ecological site it is classified as a Main River, and the potential effects on the River Ebbw and other watercourses should be considered further. Main Rivers are defined as watercourses marked as such on a Main River map and are the watercourses where Natural Resources Wales has the power to undertake flood risk management works and are the consenting body for others proposed works.

Where plans propose projects that are likely to cause deterioration or failure to meet Good Ecological Status/Good Ecological Potential (GES/GEP) then this effect should be identified. Alternative options or mitigation should also be considered to avoid impacts to WFD objectives.

### **8.5.2 Water Resources and Water Features**

We recommend that the local water authorities are consulted on the proposals to ensure the proposals will not impact on public water supplies. It is possible that unlicensed abstractions exist within the vicinity, particularly for domestic and/or agricultural use, which we may not be aware of. It is the responsibility of the applicant to locate these abstractions. The locations of private domestic sources may be held by a local authority.

### 8.5.3 Flood Risk Management

We agree with the Appraisal findings that the draft Plan options could lead to adverse effects on flood plains and areas of flood risk. There would therefore need to be a significant level of appraisal if any road scheme were to be progressed. However at this stage you will need to assure yourself that you would be able to demonstrate that the risks and consequences of flooding - to people, property natural heritage and the road scheme itself - are acceptable over the lifetime of the development (also noting our earlier comments with respect to climate change), as part of a Flood Consequence Assessment (FCA). The FCA must be compliant with Planning Policy Wales, Technical Advice Note (TAN) 14 and TAN 15 and demonstrate that there are no unacceptable risks to third parties, through increased flood risk elsewhere. We recommend that you seek further advice from ourselves on assessment and modeling requirements, if a road scheme option is taken forward.

We suggest that with regard to tidal flood risk, existing infrastructure, mainly south of the Newport area is protected against tidal inundation. In assessing the risks and consequences of flooding, to people, property and natural heritage the application of climate change factors may result in tidal breach/overtopping of the sea defences. In proposing a new motorway and associated works, the risks of flooding must be assessed using breach/failure of the existing defences, which mainly comprise embankments and wave return walls in certain exposed areas, including on the Caldicot Levels. This could also have an impact on the effective conveyance of fluvial flood flows from the north that discharge into the extensive ree network on the Caldicot Levels (south of the proposed route), which ultimately discharge into the Severn Estuary.

We also refer to a report by the Environment Agency “*Managing Flood Risk on the Severn Estuary – South East Wales*” dated January 2011. This “aspires” to maintain the existing flood defences along the coastline over the next 100 years to keep pace with climate change. It is important that these sea defences are not relied upon in any Scheme design because it cannot be guaranteed that the aspirations in this Strategy will be implemented in the future. Such aspirations are dependent on the economy, our priorities for providing flood defence infrastructure throughout Wales and future funding available to construct such schemes.

It is possible that any new road option could be designed to act as a secondary scheme to alleviate the risks and consequences of flooding – if this were to be possible, the Black route would provide this additional protection to a larger area of eastern Newport

(to the East of the River Usk). As previously mentioned, any design would need to be subject to FCA and be able to demonstrate that flood risk is not increased elsewhere.

We point out that any works that affect statutory Main Rivers, including the River Usk, River Ebbw and Monk's Ditch would require Flood Defence Consent from NRW under Section 109 of the Water Resources Act 1991.

We also recommend that further advice with respect to flood risk and drainage is sought from the lead local flood authorities and the Caldicot and Wentlooge Levels Internal Drainage Board.

#### **8.5.4 Drainage**

While the appraisal considers changes to the hydrology of catchments through which the road passes, the potential impact of additional hard-standing and drainage systems on local watercourses and drainage reens could also have been identified. We note and welcome that the effect of increased flood risk as a result of run off has been identified in the appraisal. However, in accordance with best practice we would expect the draft Plan to identify that, were a road scheme to be progressed, surface water run off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management ( known as SUDS).

### **8.6 Soils**

#### **8.6.1 Contamination**

The appraisal in relation to soils does not include consideration of potential impacts arising from the crossing of Docks Way Landfill site. We recommend that the appraisal is amended to include this consideration, as there are likely to be significant issues arising from any road crossing of the landfill sites.

This landfill is regulated by Natural Resources Wales under two Environmental Permits, one for the closed landfill area immediately to the south of the existing A48 Southern Distributor Road and the other for the operational landfill further south and bordering the River Ebbw. Variations to these Environmental Permits would be required if any road scheme were to be taken forward which crossed either of the site boundaries.

We have previously recommended a detailed study of the potential impact of carrying out a new road scheme on the Docks Way Landfill sites. Likely issues to arise include,

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but are not limited to, landfill gas collection and use, leachate retention and collection, stability of the existing landfill cells, contamination of local groundwater and the long term impact upon continued operation of the installation or the managed closure.

At this strategic stage, and therefore in the absence of this detailed technical study, we are unable to advise whether adverse environmental impacts on controlled waters, designated sites, protected species and wider biodiversity issues could be avoided or acceptably managed. We would be pleased to provide further advice at the appropriate time.

In addition, there are other sites with potential soil contamination, which would need to be considered during any further studies:

- areas of landfilling to the south of Llanwern Steelworks;
- historic Landfills in the area around Newport Docks and the banks of the River Usk;
- historic Landfill (the Sloblands) at the Alphasteel site on the east of the Usk;
- SIMS metals operations in the Docks; and
- Llanwern Southside of Queensway Landfill.

### **8.6.2 Waste Management**

The draft Plan makes no reference to the management of waste during any construction phase. We recommend that further advice is sought from us, were any scheme to be progressed. At this strategic stage we would note that, due to historic land contamination, significant volumes of material would be unsuitable for reuse and therefore a strategy would be required to ensure the safe disposal or treatment of these wastes on or offsite.

## **9. Next Steps**

We note from the consultation that once the draft Plan consultation has ended, a Participation Report will be prepared and Welsh Government will then decide whether to adopt the draft Plan, with or without amendments.

Without prejudice both to Welsh Government's decision on whether to adopt the draft Plan and to Natural Resources Wales' view on the draft Plan, we would welcome early dialogue on the extent and scope of environmental surveys.

Natural Resources Wales has already recommended that surveys required as part of any project level assessment should be identified and programmed early, given that much of this work would need to be undertaken over more than one year. This would need to include updated ecological, water features and fisheries surveys. The undertaking of such surveys and assessment work should be considered in the context of a potential conflict between timescales to gather the required survey information and the likely overall timescales should a project be progressed. We have offered early support in developing a survey programme, without prejudice to the Welsh Government's decision on whether to adopt the draft Plan.

Our advice and comments may alter as more details become available and we reserve the right to amend our position. Please be aware that any advice and comments made by Natural Resources Wales within the consultation process should only be considered in the context of the regime within which they fall and should not be construed as having any bearing or binding effect on other regulatory processes.

We trust our advice and comments are of assistance and will be taken into account in your decision making. Please do not hesitate to contact Jessica Poole in the first instance if you wish to discuss our response.

Yours sincerely



**Graham Hillier**  
**Executive Director for Operations South**