

## Compliance Assessment Report CAR\_NRW0050100

**Permit being assessed:** CB3596FE

For: De Clare Gardens, held by Redrow Plc

At: Hendredenny Drive, Hendredenny, Caerphilly, Caerphilly CBC, CF83 2UQ.

**Type of assessment carried out:** Site Inspection, Reason: Incident Response (Incident number: 2510724).

On 04/12/2025, between 11:30 and 12:30.

Parts of permit assessed: Site Operations

**NRW Lead Officer:** Gavin Dodd.

**Report sent to:** Osian Phillips, Site Manager , on 17/12/2025.

### 1. Summary of our findings (full details in section 4)

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
WQ-C1 - Water Quality - Emissions and monitoring - Emissions to water	C2 Significant	3.1.2 Emissions to water- The limits given in schedule 3 shall not be exceeded.
WQ-D3 - Water Quality - Information - Notifications	C1 Major	4.3.1 Notifications- Natural Resources Wales shall be notified without delay following the detection of: (a) any malfunction, breakdown or failure of equipment or techniques, accident, or emission of a substance not controlled by an emission limit which has caused, is causing or may cause significant pollution; (b) the breach of a limit specified in the permit; or (c) any significant adverse environmental effects.

Result types are explained in more detail in the 'Important Information' section below.

### 2. What action is required?

Criteria	Action needed	Complete by
WQ-C1	1.) Investigate the cause(s) of the breach and provide the	31/01/2026

Criteria	Action needed	Complete by
	findings to NRW. 2.) From these findings, produce a plan to improve efficacy of silt treatment prior to discharge from discharge point 3	
WQ-D3	Ensure that any future breaches of permit conditions are reported to NRW's Incident Communications Centre immediately. Undertake more regular inspections of discharge points	Already completed

Action criteria codes are listed in the 'Important information' section below.

### 3. What will happen next?

Any non-compliance we have identified and recorded on this form is an offence. It can result in criminal prosecution and/or suspension or revocation of your permit.

**You are non-compliant with your permit.**

**We are currently considering taking enforcement action against you for the non-compliance recorded above. We will contact you in due course.**

### 4. Details of our assessment

As part of responding to an incident of silt pollution (Incident ref 2510724), I (Officer Gavin Dodd) attended the Redrow site at De Clare Gardens on Thursday 4th December 2025.

The site holds an active permit (CB3596FE) for the discharge of trade effluent consisting of site drainage, discharging to unnamed tributaries of the Nant Yr Aber. The limits for this discharge are:

- Maximum rate of discharge: Between 5-30 l/s
- Suspended solids: 50mg/l
- pH: 6 to 9
- Visible oil or grease: No significant trace present

At the time of the visit, construction works were ongoing.

#### **Incident Details**

NRW received a report of a silt discharge from the Redrow De Clare Gardens site on the 3rd December; the incident was substantiated by photographs taken at the time of the incident which was approximately 2nd December at 13:00. The silt-laden, contaminated water was confirmed to impact an unnamed tributary of the Nant Yr Aber and then the Nant Yr Aber itself.

The discharge had ceased by the time of attendance by NRW on Thursday 4th December. While the exact cause of the discharge could not be determined at the time, the issue is believed to have arose from Discharge point 3 at ST 13506 88302. During the visit, there was no discharge from point 3 and all other discharge points were running clear.

The silt discharge from the site on 2nd December was in breach of it's permit conditions. In addition to discharging beyond the 50mg/l limit for suspended solids, Redrow also failed to notify NRW that an unauthorised discharge has occurred.



Fig1: Discharge from point 3 to unnamed tributary of the Nant Yr Aber



Fig2: Discharge from tributary entering Nant Yr Aber



Fig3: Impact to the Nant Yr Aber from silt discharge

**Breaches of permit condition**

- 1.) **3.1.2 Emissions to water-** The limits given in schedule 3 shall not be exceeded.

**Justification-** Photos of the incident show that the discharge from point 3 was in breach of the 50mg/l suspended solids limit.

**2.) 4.3.1 Notifications-** Natural Resources Wales shall be notified without delay following the detection of:

(a) any malfunction, breakdown or failure of equipment or techniques, accident, or emission of a substance not controlled by an emission limit which has caused, is causing or may cause significant pollution;

(b) the breach of a limit specified in the permit; or

(c) any significant adverse environmental effects.

**Justification-** NRW was not notified by Redrow that a breach impacting the environment had occurred.

**Actions required by date specified**

1.) Investigate the cause(s) of the breach and provide the findings to NRW.

2.) From these findings, produce a plan to improve efficacy of silt treatment prior to discharge from discharge point 3

3.) Ensure that any future breaches of permit conditions are reported to NRW's Incident Communications Centre immediately & perform more recent inspections of discharge points.

**The deadline for the above actions is 31<sup>st</sup> January 2026**

**Contact details**

If you have any queries regarding this CAR form or to provide an update on any actions above, please contact me using the following details: Gavin Dodd, Environment Officer, gavin.dodd@naturalresourceswales.gov.uk, 03000 65 3193.

If we do not receive the information requested within specified deadline and have not been informed as to why there is a delay then we may serve a Regulation 60 Notice requiring the information under Environmental Permitting (England and Wales) Regulations 2016.

If you have any queries about this report, or to discuss completion of any actions, please contact the NRW Officer named above.

## Important information

### Legal status of this report

Your permit is issued to you under the Environmental Permitting Regulations. You have a responsibility to comply with the conditions of your permit and prevent pollution/harm to the environment. You must also ensure that you comply with any other relevant legislation that may apply to your site's operations.

This report explains the findings of our assessment and any action you are required to take. We categorise non-compliance using our guidance for assessing non-compliance at regulated sites.

When we find potential non-compliance/s we will normally give you advice on how to maintain compliance.

To correct non-compliance, we may:

- require you to take specific actions
- issue a notice
- review the conditions of your permit.

Any advice and guidance we give will be without prejudice to any other enforcement response that we consider may be required.

### Assessment results and non-compliance categories (used in section 1):

Assessment result	Description
Assessed (A)	Assessed or assessed in part, no evidence of non-compliance found
Action only (X)	Action only relating to the activity assessment
Ongoing (O)	Ongoing non-compliance, not scored

Non-compliance category	Description
C1 Major	Potential to have a major, serious, persistent and/or extensive impact or effect on the environment, people and/or property
C2 Significant	Potential to have a significant impact or effect on the environment, people and/or property
C3 Minor	Potential to have a minor or minimal impact or effect on the environment, people and/or property
C4 No environmental impact	Non-compliance at a regulated site that cannot foreseeably have any impact on the environment, people and/or property

### If your assessment result in Section 1 is suspended, what does this mean?

In line with our guidance, we may suspend non-compliance for up to six months to allow time for remedial action to be taken. These will be re-instated if the action is not completed.

**Full list of water quality action criteria (used in section 1 and 2):****WQ A: Management**

- WQ-A1 General management

**WQ B: Operations**

- WQ-B1 Permitted activities
- WQ-B2 The site
- WQ-B3 Operating techniques
- WQ-B4 Improvement programme
- WQ-B5 Pre-operational conditions

**WQ C: Emissions and monitoring**

- WQ-C1 Emissions to water
- WQ-C2 Emissions to land
- WQ-C3 Emissions of substances not controlled by emission limits
- WQ-C4 Installation of monitoring boreholes

**WQ D: Information**

- WQ-D1 Records
- WQ-D2 Reporting
- WQ-D3 Notifications

**Enforcement response**

Any permit condition non-compliance is an offence and we may take legal action against you. Action we take can include prosecution, serving a notice on you and/or suspension or revocation of your permit. See our Enforcement and Sanctions Guidance for further information.

**Data protection notice**

You should make sure that anyone named in this report knows that the information it contains will be processed by Natural Resources Wales to fulfil its regulatory and monitoring functions and to maintain the relevant public register(s).

We may also use and/or disclose the report in connection with:

- offering or providing you with our literature or services relating to environmental matters
- consulting with the public, public bodies and other organisations (e.g. Health and Safety Executive, local authorities) on environmental issues
- carrying out statistical analysis, research and development on environmental issues
- providing public register information to enquirers
- investigating possible breaches of environmental law
- assessing customer service satisfaction and improving our service
- Freedom of Information Act or Environmental Information Regulations requests.

We may also pass it on to our agents or representatives to do these things on our behalf.

**Disclosure of information – this report will be available to view on-line**

If you think this report contains commercially confidential information that should not be placed on our public register, you must contact your local Natural Resources Wales office within **fifteen working days** of receiving this report, using the contact details in the accompanying email or letter. You must give a full explanation of why it should not be

added to our public register, including specifying which information is commercially confidential. We will assess your request and respond to you within 20 working days to let you know if we agree to your request.

**What do I do if I disagree with the report or have a complaint?**

If you disagree with this compliance assessment report, you should contact the lead officer without delay to discuss your concerns.

If you are unable to resolve the issue with the lead officer or their line manager you should contact our Customer Contact team on 0300 065 3000 (Monday to Friday 08:00 – 18:00), or email [enquiries@naturalresourceswales.gov.uk](mailto:enquiries@naturalresourceswales.gov.uk) for details of how to raise your dispute further through our Complaints and Commendations procedure.

If you are dissatisfied with our response, you can contact the Public Services Ombudsman for Wales by phone on 0300 7900203 or by email at [ask@ombudsman.wales](mailto:ask@ombudsman.wales)

**Welsh Language Standards**

We are committed to establishing Natural Resources Wales as a naturally bilingual organisation. We will provide compliance reports in your preferred language.