

Ein cyf/Our ref: CAS-275587-L1H3
Eich cyf/Your ref: P/25/0044

Merthyr Tydfil County Borough Council
Unit 5 Triangle Business Park
Pentrebach
CF48 4TQ

Dyddiad/Date: 25 March 2025

Annwyl Syr/Madam/Dear Sir/Madam,

BWRIAD/PROPOSAL: Solar Farm and associated equipment and cabling

LLEOLIAD/LOCATION: Pen Y Dre High School, Goitre Lane, Gurnos

Thank you for consulting Cyfoeth Naturiol Cymru (CNC)/Natural Resources Wales (NRW) about the above, which we received on 26 February 2025.

We previously provided Statutory Pre-Application advice (our reference: CAS-269850-Z9X4), dated 07 January 2025.

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

- **Unsuspected Land Contamination**
- **Construction Environmental Management Plan**

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

Land Contamination

We note in our statutory pre-application advice that we did not comment on potential land contamination. On review of this application we have identified that part of the proposed development is sited on a historical landfill site, we suspect that there are several isolated pockets present in the surrounding area of the proposed development site. It is possible that proposed buried cabling excavations could disrupt local ground materials which may also include unsuspected contamination.

Therefore, we recommend the following condition is applied to any grant of planning permission.

Condition – Unsuspected Land Contamination

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) 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.

Pollution Prevention

We note that a watercourse runs through the site and the Nant Morlais is within 150 metres of the site. We note that the watercourse is culverted at the downstream site boundary.

Due to the proximity of the site to watercourses, there is potential for pollutants to enter the watercourse during construction phase.

The PV Array Drainage Strategy aims to deal with surface water runoff once the project is complete, but due to the likelihood of silt leaving site via the watercourse during the construction phase, a Construction Environmental Management Plan (CEMP) should be submitted as part of the planning proposal.

A CEMP should be submitted prior to commencement of the development so the following conditions be included on any permission granted.

Condition: Construction Environmental Management Plan

No development, including site clearance, shall commence until a site wide 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.
- Control of Nuisances: details of restrictions to be applied during construction including timing, duration and frequency of works.
- Resource Management: details of fuel and chemical storage and containment.
- 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.

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 prior to commencement of development or phase of development or specified activity and implemented for the protection of the environment during construction.

Further Advice

Pollution Prevention Guidance

All works at the site must be carried out in accordance with Guidance for Pollution Prevention (GPP) 5: Works and maintenance in or near water, and GPP 6: Working on construction and demolition sites, which are available on the [NetRegs website](#).

European Protected Species

We note the submitted Bat and Tree Survey Report, prepared by Ecological Services, dated November 2024.

The report states that a group of goat willows (G8) and an additional tree (A) have potential roost features for bats.

Although Section 1.6 of the 'Biodiversity Strategy' states that 'both trees will be retained during the proposed development works and therefore no further work has been recommended', that contradicts what is shown on the various drawings.

We advise you consult your in-house ecologist regarding the contents of this document including the survey and assessment undertaken and the need for any further survey.

Landscape

Due to location/context, distance from Bannau Brycheiniog National Park (BBNP) and nature of development (panels facing south), the development is unlikely to materially impact on the purposes of the National Park designation.

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,

Gemma James

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.