

Ein cyf/Our ref: CAS-237034-V7Z4
Eich cyf/Your ref: P/23/0208

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

Dyddiad/Date: 28 September 2023

Annwyl Syr/Madam/Dear Sir/Madam,

BWRIAD/PROPOSAL: CONSTRUCTION OF MOUNTAIN BIKE TRAILS, ACCESS TRAILS AND UPLIFT TRACK EXTENSION AND AMENDMENTS.

LLEOLIAD/LOCATION: BIKE PARK WALES, ABERCANAID, MERTHYR TYDFIL, CF48 1YZ

Thank you for consulting Cyfoeth Naturiol Cymru (CNC)/Natural Resources Wales (NRW) about the above, which we received on 13 September 2023.

We have concerns with the application as submitted. However, we are satisfied these concerns can be overcome by attaching the following condition to any planning permission granted and including the following documents in the approved plans and documents condition on the decision notice:

Conditions 1: Construction Environmental Management Plan

Documents to be included:

- **'Design and Access Statement and Business Case for Trail Development', 4th May 2023, prepared by Bike Park Wales**

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

We previously received a statutory pre application consultation notice for this proposal under Article 2D of the Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2012. We provided a substantive response to that consultation on 08/08/2023, with a follow-on response on the 11/08/2023. A copy of our first response to the statutory pre-application consultation is contained in Appendix 7.1 of the pre-application consultation report submitted with the application. A copy of both letters are attached for your convenience.

European Protected Species

We previously noted the known presence of great crested newts in pools to the north of the proposed development. We observe that since our pre-application consultation response, the design of the scheme has been altered to omit the northern-most track, and the plans now show that the nearest proposed track is located circa 470m away from the known GCN pond, thereby reducing the risk posed by the proposals to newts.

Nevertheless, we advise that Reasonable Avoidance Measures (RAMs) are devised to minimise impact on GCN and their habitats during works. These measures should include sensitive habitat clearance measures, and a contingency for the unlikely event that GCN are discovered during works. We advise that these measures are set out within a Construction Environmental Management Plan (CEMP), secured via a condition if planning permission is granted.

Pollution Prevention

The proposed additional trails and tracks have potential to cause pollution to the watercourses in the area during and post construction. We advise that measures are secured to prevent pollution of nearby watercourses and we advise that these measures are set out within a CEMP, secured via a condition if planning permission is granted.

Condition 1:

No 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 shall include:

- 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.
- Biodiversity Management: details of sensitive habitat clearance and contingency measures in the event that great crested newt(s) are discovered during construction.
- 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 and implemented for the protection of the environment during construction.

Approved document

Silt runoff from the proposed development also has potential to impact on nearby watercourses. We advise that rainwater run-off and collection areas identified should be regularly inspected and maintained to ensure that there are no blockages from silts or stones and that there is no over spill away from designated areas. We note that these measures are set out in section 8 (Water Control) of the submitted Design and Access Statement. We advise that the Design and Access Statement is listed in the approved plans and documents condition, as listed above.

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.

Advice for the Developer

We advise that a record of rainwater runoff and collection area inspections are kept, to include locations and times of inspection/maintenance. We also advise the applicant should include some site monitoring to ensure the local watercourses are not being impacted by the site activities. Any pollution incidents as a result of site activities should be immediately reported to NRW.

If you have any queries on the above, please do not hesitate to contact us.

Yn gywir / Yours faithfully

Gail Parkhouse

Cynghorydd - Cynllunio Datblygu/Advisor - Development Planning
Cyfoeth Naturiol Cymru/Natural Resources Wales

E-bost/E-mail: southeastplanning@cyfoethnaturiolcymru.gov.uk
Ffôn/Phone: 03000 65 3549

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.