



**Cyfoeth
Naturiol
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Natural
Resources
Wales**

Ein cyf/Our ref: CAS-118018-F4M4
Eich cyf/Your ref: Stat Pre-App

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20/07/2020

Annwyl Syr/Madam / Dear Sir/Madam,

STATUTORY PRE-APPLICATION CONSULTATION - TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (WALES) ORDER 2012 AS AMENDED.

BWRIAD / PROPOSAL: Residential and associated works

LLEOLIAD / LOCATION: Land off Elm Tree Grove, Twynyrodyn, Merthyr Tydfil

Thank you for providing a requisite notice to us under Article 2D of the above Order. We received a copy of your proposed application on 29/06/2020.

Based on the information provided, we have significant concerns with the proposed development. To overcome these concerns, we would recommend to the planning authority that they should only grant permission if the conditions listed below are attached to the permission.

Conditions: 1-4 Land Contamination

Land Contamination

We have reviewed the following submitted information:

- Twynyrodyn, Mountain Hare, Merthyr Tydfil, Site Investigations Report, 9913/GNS/08
- Site Location Plan, SL-03, 12-12-2019
- Twynyrodyn, Merthyl Tydfil, Drainage Strategy, March 2020
- Tree survey, Categorisation and Constraints Report at Twynyrodyn, Merthyr Tydfil, March 2020
- Site Plan – Draft-Twynyrodyn, Merthyl Tydfil, Phase 1m Persimmon Homes, 12-12-2019

We understand that the site is a former mining site and therefore has the potential for contaminants. We note from the submitted site investigation report that some area of the site could not be accessed due to dense and fenced off vegetation and underground services and therefore the risks to all receptors have not been fully assessed.

In addition, we understand that surface water will drain to the existing watercourse that runs through the site however, no further details have been provided. Given the potential for contaminants at the site, we would advise the local authority to include the following conditions on any permission they are minded to grant.

Condition 1 - Land affected by contamination

No development shall commence until the following components of a scheme to deal with the risks associated with contamination at the site, have been submitted to and approved in writing by the Local Planning Authority.

1. A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. The remediation strategy and its relevant components shall be carried out in accordance with the approved details.

Justification:

To ensure the risks associated with contamination at the site have been fully considered prior to commencement of development as controlled waters are of high environmental sensitivity; and where necessary remediation measures and long-term monitoring are implemented to prevent unacceptable risks from contamination.

Condition 2 – Unsuspected 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.

Condition 3 - Surface water drainage

No infiltration of surface water drainage into the ground at the Twynyrodyn is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Justification:

To prevent both new and existing development from contributing to or being put at unacceptable risk from or being adversely affected by unacceptable levels of water pollution.

Condition 4 - Piling

No development or phase of development shall commence at the proposed Twynyrodyn development site until details of piling or any other foundation designs using penetrative methods sufficient to demonstrate that there is no unacceptable risk to groundwater have been submitted to and approved in writing by the Local Planning Authority. The foundation designs shall be implemented in accordance with the approved details.

Justification:

Foundation details should be submitted to ensure there is no unacceptable risk to groundwater during both construction and operation and methods/design are agreed prior to the commencement of development or phase of development.

Notwithstanding the above, we have the following comments to make regarding European Protected Species.

European Protected Species (EPS)

We have reviewed the following submitted information:

- 'Reptile Survey Report' prepared by TerrAqua Ecological Services dated June 2019.
- 'Bat Activity Survey Report' prepared by TerrAqua Ecological Services dated November 2019.

We note that the site contains no water bodies and although no specific Great Crested Newt (GCN) survey was undertaken, the reptile survey did not record any GCN or any newt species during refugia inspections on the site. In addition, we note that no buildings or trees with any notable bat roosting potential are present within or adjacent to the site.

The bat activity survey report states that all tree lines and hedgerows around the perimeter of the site should be retained and that appropriate lighting for the site should be considered early on to maintain dark corridors. We advise that the Local Authorities ecologist is consulted on whether sufficient bat foraging/ commuting habitat is proposed for retention.

Therefore, based on the submitted information we do not object to the proposals from an EPS perspective.

Other Matters

Please note, if further information is prepared to support an application, it may be necessary for us to change our advice in line with the new information.

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.

In addition to planning permission, you are advised to ensure all other permits/consents/licences relevant to the development are secured. Please refer to our [website](#) for further details.

Further advice on the above matters could be provided prior to your planning application being submitted, however there would be a charge for this service. Additional details are available on our [website](#).

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

Yn gywir / Yours faithfully

Lindy Marshall

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