



Pengarnddu Service Reservoir

Pre-application Consultation Report

September 2020

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Pengarnddu Service Reservoir

Pre-application Consultation Report

September 2020

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1 Introduction

1.1 Background

Mott MacDonald Bentley (MMB) has been appointed by Welsh Water (WW) to secure consent for undertaking works for the construction of a New Service Reservoir and associated works at Pengarnddu Service Reservoir, Merthyr Tydfil (referred to hereafter as “the Scheme”). This Pre-application consultation report (PAC Report) has been produced in support of a planning application for the Scheme. The purpose of this document is to outline the community and stakeholder engagement that has taken place for the Scheme.

An increase in the storage capacity of the existing Pengarnddu Service Reservoir (PSRv) is required to address a regulatory notice served by the Drinking Water Inspectorate (DWI). The carrying out of a manned internal inspection is also required to address the outstanding requirements of a notice served by the DWI in 2010.

The chosen solution to address both of the DWI's requirements is to construct a new 9ML (operational capacity) 2-cell Reservoir (approximately 61m x 50m) with abutting embankment and one-story concrete valve house adjacent to the existing Pengarnddu Service Reservoir. This New Service Reservoir (NSR) will provide the required additional storage capacity required and will enable a manned internal inspection of the existing PSRv to be carried out.

The existing boundary of PSRv will be extended to include the NSR, extension to existing access road, and footpaths that will be provided. Both the additional land and the land within the existing boundary of the PRSv site (referred to hereafter as “the Site”) will be enclosed with secure fencing.

1.2 Site and Surrounding Area

The Site is located at Pengarnddu, an area to the North East of Merthyr Tydfil that predominately consists of industrial land uses. The Site is adjacent to Pengarnddu Industrial Estate to the East and is North of a retail park. The land adjacent to the Sites to its North and West is Common Land. The Brecon Beacons National Park is located to the North.

The Site contains land within the boundary of the PSRV and Common Land. It is located at national grid reference SO 07500 08900. The location of the Site is displayed at the Location Plan (ref: B10237-123532-ZZ-XX-PL-ZA-PN0067) submitted as part of this application.

The Site is not within the boundary of any statutory designations but is within the boundary of two non-statutory designations.

The Site is wholly within the Merthyr Tydfil Landscape of Outstanding Historic Interest. The site is also partially within the Blaenmorlais Site of Importance for Nature Conservation (SINC).

Merthyr Tydfil contains seventy-nine distinct Historic Character Areas (HCA), including Merthyr Common North (HCA041), which the Site is located within. HCA041 is one of the largest HCAs within the landscape, and comprises open common land, used for grazing, with evidence of post-medieval extraction and water management.

1.3 Scheme Description

The preferred solution at PSRv is to construct a new 2-cell reservoir and associated works for use alongside the existing SRv.

The proposed Scheme will consist of the following components:

- 9ML (operational capacity) 2-cell Reservoir (61m x 50m);
- New overflow pipework;
- One story concrete valve house;
- Footpaths;
- Extension of the site access road; and
- Secure fencing.

1.4 Need for the Scheme

Following a loss of supply event in February/March 2018, the Drinking Water Inspectorate (DWI) served regulatory notice to WW for the provision of additional 9ML storage at the site. As expansion of the existing SRv is not possible, construction of the Scheme is necessary in order for WW to meet this requirement.

Construction of the Scheme will also enable WW to meet the outstanding requirements of a DWI notice served in 2010 which required the existing SRv to be by-passed, internally inspected and cleaned. A by-pass has been installed and cleaning and review has taken place by a Remotely Operated Vehicle, no manned inspection has been possible due to the criticality of the existing SRv within the supply network. The construction of the Scheme will enable the outstanding internal inspection to take place by providing the additional storage capacity required to allow the existing SRv to be drained for inspection.

2 Policy Context

2.1 National guidance

In March 2016, key elements of the Planning (Wales) Act 2015 were implemented, including a need for developers to carry out statutory pre-application consultation on planning applications for major developments in Wales. The Act requires that developers carry out statutory pre-application consultation for major development schemes in Wales from 1 August 2016 onwards. The Act also requires developers to demonstrate how they have adhered to the new consultation requirements as part of their planning submissions.

In November 2017 Welsh Government published Pre-Application Community Consultation: Best Practise for Developers. The best practise guidance note was prepared for use by developers and provides high level advice and detail for carrying out consultation on major development schemes.

The best practise guidance note recognises the need for community involvement to occur at a when it is meaningful and can influence the scheme, rather than after important decisions have been made. It also recognises that the public is an essential stakeholder in the planning process, and that it is important that public views are seen as integral to the process.

Planning Policy Wales (PPW) 2018 emphasizes the importance of consultation with relevant bodies in order to achieve sustainable placemaking outcomes.

2.1.1 The Planning Applications (Temporary Modifications and Disapplication (Wales) Coronavirus) Order 2020 (“the Amendment Order”)

The Planning Applications (Temporary Modifications and Disapplication (Wales) Coronavirus) Order 2020 (“the Amendment Order”) came into force at midnight 19th May 2020. The Amendment Order sets out the changes made to the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (“DMPWO”) in response to the challenges presented by COVID-19.

The Amendment Order stated that the requirement to make information available for inspection at a location in the vicinity of the proposed development is temporarily replaced with a requirement to make all information available on a website, and for hard copies of all documents to be sent to any person who requests it.

The pre-application consultation carried out for the Scheme has been undertaken in accordance with the Amendment Order.

2.1.2 Compliance with Guidance on pre-application Consultation

Annex 1 of the Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016 provides guidance on pre-application consultation, including guidance on the preparation of PAC reports. The guidance lists the items the PAC report must contain:

- a) a copy of the site notice;
- b) a declaration that the site notice was displayed in accordance with the statutory requirements, i.e. in at least one place on or near the development site for no less than 28 days;
- c) a copy of the notice given to owners and occupiers of adjoining land;

- d) copies of all notices provided to councillors, town and community councils, and specialist consultees;
- e) a summary of all issues raised in response to the statutory publicity (i.e. site notice and letters to owners, occupiers) – the developer must confirm whether the issues raised have been addressed and, if so, how they have been addressed; and
- f) copies of all responses received from specialist consultees with an explanation of how each response has been addressed by the developer.

In accordance with the Amendment Order the consultation was undertaken by use of a website. A site notice was not erected due to the COVID-19 related restrictions on unnecessary travel that were in place during the consultation period. As such, this PAC Report does not include items that satisfy requirements a), b) and c) as listed above.

2.2 Local guidance

Merthyr Tydfil County Borough Council (MTCBC) do not have specific local guidance available. However, during the pre-application meeting held between MMB and MTCBC on 27th February 2020 MTCBC confirmed that pre-application consultation and the subsequent production of a PAC report were required in support of the Scheme.

3 Engagement Strategy

3.1 Introduction

This section details the approach to stakeholder engagement with the following:

- Local residents and business owners directly affected by the proposed Scheme;
- Landowners;
- Statutory consultees; and
- Local interest groups and non-statutory consultees.

3.2 Engagement Objectives

The primary objective of the pre-application consultation was to identify any modifications to the Scheme that were required in order to make the Scheme acceptable to stakeholders.

3.3 Engagement Strategy

MMB have undertaken the pre-application consultation for the Scheme in line with relevant adopted legislation and guidance. Details of this legislation and guidance are set out at section 2.1 of this document.

As required by the Amendment Order that came into effect on 19th May 2020, the pre-application consultation has been undertaken by use of a webpage. Details of the webpage and its use are set at section 3.1.1 below.

3.3.1 Pre-application consultation webpage

A specific webpage for the Scheme was created to enable digital consultation of the Scheme. The webpage was available for 44 days from 24th July 2020 to 4th September 2020 at www.dwrcymru.com/Pengarnddu. A pdf of the webpage is available at Appendix A of this document.

With the exception of this PAC Report, draft versions of the full suite of documents to be submitted as part of the planning application for the Scheme were available for review on the webpage. The full list of documents available on the webpage is as follows:

- Planning Statement;
- Heritage Assessment;
- Landscape and Visual impact Assessment;
- Preliminary Ecological Appraisal;
- Construction Management Plan;
- Location Plan;
- Existing Site Plan;
- Proposed Site Plan;
- Site Sections; and
- Landscape Master Plan.

3.4 Engagement Undertaken

3.4.1 Statutory consultees

The following statutory consultees were notified of the consultation by email:

- Natural Resource Wales; and
- Coal Authority.

Consultees were requested to respond to the consultation by the email address provided. A copy of this email is available at Appendix B of this document.

3.4.2 Non-statutory consultees

The following non-statutory consultees were notified of the consultation by email:

- Glamorgan Gwent Archaeological Trust; and
- 4 members of MTCBC.

Approximately 800 local properties were also notified of the consultation by letter drop.

Both consultees contacted by email and by letter drop were requested to respond to the consultation by the email address provided. A copy of this letter is available at Appendix B of this document.

4 Feedback

4.1 Responses to consultation

The consultation webpage was viewed during 88 times whilst it was live.

Details of all consultation responses received are set out at table 4.1 below. The responses are available in full at Appendix C of this document.

Table 4.1: Consultation responses

Consultee	Date	Summary of response
The Coal Authority	28/07/2020	Consultee confirmed that whilst the proposed development site falls within the coalfield, it is located just outside the defined Development High Risk Area meaning that there are no recorded coal mining legacy hazards at shallow depth that could pose a risk to land stability. Accordingly, there is no requirement to submit a Coal Mining Risk Assessment in support of a planning application for the redevelopment of this site and / or for the Local Planning Authority to consult the Coal Authority on any planning application for this site.
Natural Resource Wales (NRW)	27/08/2020	Consultee stated that they had significant concerns with the proposed development, and that the following requirement should be met before planning permission is granted: <i>Requirement: European Protected Species – further information is required to ensure the proposal will not be detrimental to the maintenance of the favourable conservation status of Great Crested Newt.</i> The consultee also provided comments on the following: - Protected sites – <i>We consider that the proposed development is not likely to damage the features for which Cwm Taf Fechan SSSI is of special interest.</i> - Landscape - <i>The viewpoint appears to be just outside of the ZTV, however we do not anticipate adverse visual effects at this distance. We are of the opinion there would be no adverse landscape or visual impacts on the National Park. We note the reservoir roof would be gravel covered. We would recommend a dark-coloured gravel finish to the reservoir roof surface to minimise any potential adverse visual effects from high ground.</i> - European Protected Species – <i>In addition to the eDNA survey undertaken thus far, we require a further GCN survey of Pond 1, adjacent to the site, to be undertaken employing traditional survey methods (i.e. bottle trapping, torching, egg searches), and the results submitted to the LPA as part of any future planning application.....We would be willing to accept a conservation strategy for GCN incorporating avoidance, biosecurity and conservation measures, in lieu of further surveys.</i>

4.2 Response to consultee comments

Of the comments received only NRW's required a response.

4.2.1 Response to NRW's comments

MMB has exchanged correspondence with NRW regarding their comments. As a result of these discussions, NRW withdrew their request for further Great Crested Newt Surveys.

A record of this correspondence is set out at Table 4.2 below.

Sender	Date	Summary of correspondence
MMB	01/09/2020	MMB requested that NRW review their request for further surveys of Great Crested Newts in light of the following: - Environmental DNA (eDNA) surveys were undertaken on 12th June 2019 on three waterbodies in accordance with published best practice guidance, and the samples were analysed by Nature Metrics. - All samples of all waterbodies were 'negative' so no further surveys were required for the project. - Therefore, MMB consider the request for further traditional survey to be outside the scope of existing best practice survey guidance, and to not be necessary for this particular project. MMB advised NRW that they would be happy to arrange a meeting on site between the project lead, an MMB ecologist and an NRW officer to help inform NRW's response.
NRW	11/09/2020	NRW withdrew their objection to the proposal and provided an additional comment: <i>We are aware this area of Merthyr Tydfil does support GCN. Therefore, we would welcome an approach from the Applicant which seeks to enhance the quality of potential habitats for GCN associated with this application.</i>

4.3 Amendments to proposed Scheme following pre-application consultation

Following the conclusion of the public consultation and the comments received from NRW, MMB have sought to provide post-construction enhancements for amphibians (including great crested newts).

The Scheme has been amended to include the creation of two hibernacula on the southern edge of the Site using concrete, soil and vegetation. The hibernacula will follow the design in the Great Crested Newt Mitigation Guidelines (Page 42) [1] and provide suitable habitat for amphibians and reptiles.

4.3.1 Proposed enhancement measures for Great Crested Newts

It should also be noted that enhancement measures planned prior to the consultation will also benefit newts. These measures are as follows:

- The areas of land which have been topsoil stripped during construction will be reinstated with an appropriate species-rich grassland mix. The proposed site fencing will exclude grazing animals and will be mown once/twice a year in line with habitat in the north of the existing site. Managed in this way the grassland will provide suitable habitat for ground nesting birds, reptiles, amphibians and invertebrates, as well as improving the quality of the acid grassland within Blaenmorlais SINC;
- Two brash piles will be created on the northern edge of the Site using material from the vegetation clearance. The brash piles will be designed to suitable habitat for reptiles and nesting birds; however, they may also be utilised by amphibians; and
- The Site will undergo an ecological site walkover in the first summer following completion of the works. The purpose of the walkover will be to check that the re-instated habitat has established and is being correctly managed.

The two hibernacula the Scheme has been amended to include will be delivered in addition to the enhancement measures listed above.

5 Conclusion

MMB has been commissioned by WW to prepare this PAC Report to support the planning application for the proposed New Service Reservoir and associated works at Pengarnddu Service Reservoir, Merthyr Tydfil.

The pre-application consultation undertaken has been done so in accordance with relevant legislation and this PAC Report has been prepared in accordance with relevant guidance.

This PAC Report demonstrates that relevant stakeholders have been given the opportunity to comment upon and where practical influence the Scheme. The Scheme has been amended to reflect responses from stakeholders where possible.

The following consultation methods have been undertaken for the proposed Scheme:

- Online consultation with statutory and non-statutory consultees; and
- Pre-application discussions with MTCBC.

The following statutory consultees were consulted regarding the proposal:

- Natural Resource Wales; and
- Coal Authority.

The following non-statutory consultees were consulted regarding the proposal:

- Glamorgan Gwent Archaeological Trust; and
- 4 members of MTCBC.

Approximately 800 local properties were also notified of the consultation by letter drop.

Following conclusion of the consultation period, the Scheme was amended to address the issues and concerns raised by stakeholders where appropriate.

This PAC Report is submitted to MTCBC in support of the application for full planning permission for the proposed Scheme.

Appendix A. Consultation webpage

Pengarnddu Service Reservoir

We know that our customers expect a high level of reliability in relation to their supply of water. That's why we're proposing to make some improvements to our Pengarnddu Service Reservoir to ensure we continue to meet the high standards set by the Drinking Water Inspectorate (DWI).

Pengarnddu Service Reservoir, Merthyr Tydfil

The DWI have indicated that improvements to our water storage are required at our Pengarnddu Service Reservoir to reduce the likelihood of interruptions to supply and the associated water quality impact. To address this need, we are proposing to construct an additional service reservoir at Pengarnddu which will be used in addition to the existing reservoir.

Before we continue with our planning application, we want to give you the opportunity to have a look at our plans and share your feedback with us. Unfortunately, due to the current Covid-19 restrictions in place we are unable to host a public information event for the local community. However, we would still welcome your thoughts and feedback on our proposed work.

What are we planning on doing?

The current Pengarnddu Service Reservoir is located in the village of Pengarnddu, Merthyr Tydfil. It can be found next to Pengarnddu Industrial Estate and currently serves more than 10,000 customers with a fresh supply of drinking water.

Need help?

To ensure that we continue to meet the high standards set by the DWI, we need to

provide additional storage that will help continue deliver a first-class service to our customers. To do this, we are proposing on constructing a new service reservoir alongside the original Pengarnddu Service Reservoir. This proposed reservoir will be built to the west of the existing service reservoir. Our proposed work will involve:

- Constructing a reservoir of 61m x 50m within the landscape
- New pipework to connect the new reservoir into the existing network
- Building a one-storey valve house
- Create footpaths to provide access to the new reservoir and surrounding chambers
- Extend the site access road
- Replacing part of the existing site boundary with new, secure fencing
- Constructing a new pumping station and motor control centre located inside the kiosk. Both will be located adjacent to the existing reservoir.

The proposed development will include a temporary area of land which will be used as our site compound. Once the construction has been completed, this area of land will be reinstated and returned as common land.

As long as everything goes to plan, we will be aiming to carry out our excavation work throughout Spring 2021 and Summer 2021, prior to construction of the new service reservoir getting underway. We anticipate the construction and commissioning of the new service reservoir to last approximately one year.

Have your say

We welcome any feedback that you would like to share regarding our proposed work. Please get in touch by emailing our Project Leader, Stephen Campbell, at Stephen.campbell@mottmac.com

Useful Information

Planning statement

[Download](#) 93.9kB, PDF

Need help?

Proposed site plan

[Download](#) 480.2kB, PDF

Landscaping and planting general arrangement

[Download](#) 385.5kB, PDF

Proposed sections

[Download](#) 180kB, PDF

Ecological Impact Assessment Report

[Download](#) 9.8MB, PDF

Heritage

[Download](#) 2.8MB, PDF

Site location plan

[Download](#) 404.9kB, PDF

Existing site plan

[Download](#) 381.5kB, PDF

Contract Management Plan Rev B

[Download](#) 2.2MB, PDF

Need help?



[Download](#)

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Need help?

Appendix B. Notifications of consultation

Isabel Brumwell

From: Stephen Campbell
Sent: 24 July 2020 10:25
To: [REDACTED]
Cc: Isabel Brumwell
Subject: RE: Pengarnddu Service Reservoir - planning application

Dear Sir/Madam,

On behalf of Welsh Water, Mott MacDonald Bentley have prepared a draft planning application for the new Service Reservoir and associated works at Pengarnddu Service Reservoir, Merthyr Tydfil.

In accordance with Welsh Governments requirements for Pre-application Community Consultation, we are notifying you that the 28 day consultation period for this application has now commenced. We are undertaking this consultation online only to accord with current restrictions in place due to Covid-19.

We ask that you please review the draft documents available at the following webpage:

www.dwrcymru.com/Pengarnddu

If you wish to comment on this application you may do so via the webpage before the end of the 28 consultation period on 21/08/2020.

Many thanks,
Stephen

Stephen Campbell

MSc, BEng(Hons)
Project Leader - Civil Engineer



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This is not a circular

Owner/Occupier

24 July 2020

Ref: Cap/DT/Pengarnddu/240720

Hello

Our proposed work at Pengarnddu Service Reservoir

Pengarnddu Service Reservoir plays an important part in supplying fresh clean water to people in south Wales. To ensure it continues to do so for many years to come, we're proposing to make some improvements and we want to give you the opportunity to share your feedback with us.

Our proposed work

To ensure we continue to meet the high standards set by the Drinking Water Inspectorate (DWI), we are proposing to construct an additional service reservoir in Pengarnddu which will be used in addition to the existing reservoir. By doing this, we will be able to increase the storage capacity in our network and reduce the likelihood of interruptions to our customers' supply.

This proposed reservoir will be built to the west of the existing service reservoir, and will involve:

- Constructing a reservoir of 61m x 50m within the landscape
- New pipework to connect the new reservoir into the existing network
- Building a one-storey valve house
- Creating footpaths to provide access to the new reservoir and surrounding chambers
- Extending the site access road
- Replacing part of the existing site boundary with new, secure fencing
- Constructing a new pumping station and motor control centre located inside the kiosk. Both will be located adjacent to the existing reservoir.

As long as everything goes to plan, we will be aiming to carry out our excavation work throughout Spring 2021 and Summer 2021, prior to construction of the new service reservoir getting underway. We anticipate the construction and commissioning of the new service reservoir to last approximately one year.

Share your feedback

Unfortunately, due to the current Covid-19 restrictions in place we are unable to host a public information event for the local community. However, we would still welcome your feedback on our proposed work.

If you would like to find out more, please visit www.dwrcymru.com/Pengarnddu and read through some of our plans. This website page will be live until the end of August 2020. Any feedback that you would like to share can be submitted by emailing our Project Leader, Stephen Campbell, at stephen.campbell@mottmac.com

And finally

We hope we have given you enough information about our proposed work, but if you would like to find out more please call the number at the top of this letter and ask to speak to Danielle Thomas.

Yours sincerely



Danielle Thomas
Community Engagement Manager

Nid cylchlythyr yw hwn

Y Perchennog/Deiliad

24 Gorffennaf 2020

Cyf: Cap/DT/Pengarnddu/240720

Helo

Y gwaith y bwriadwn ei wneud yng Nghronfa Wasanaeth Pengarnddu

Mae Cronfa Wasanaeth Pengarnddu yn chwarae rhan bwysig yn cyflenwi dŵr glân, ffres i bobl yn ne Cymru. Er mwyn sicrhau y bydd yn dal i wneud hynny am flynyddoedd lawer, bwriadwn wneud tipyn o welliannau a hoffem roi'r cyfle i chi rannu'ch ymateb iddynt gyda ni.

Y gwaith y bwriadwn ei wneud

Er mwyn sicrhau ein bod yn dal i gyrraedd y safonau uchel a bennir gan yr Arolygiaeth Dŵr Yfed (DWI), bwriadwn adeiladu cronfa wasanaeth ychwanegol ym Mhengarnddu i'w defnyddio yn ogystal â'r gronfa bresennol. Trwy wneud hyn, bydd mwy o le i storio dŵr yn ein rhwydwaith a bydd ein cwsmeriaid yn llai tebygol o gael toriadau yn eu cyflenwad.

Caiff y gronfa newydd ei hadeiladu ar ochr orllewinol y gronfa wasanaeth bresennol a bydd y gwaith yn cynnwys:

- Adeiladu cronfa ddŵr 61m x 50m yn y dirwedd
- Gosod pibellau newydd i gysylltu'r gronfa newydd â'r rhwydwaith presennol
- Adeiladu cwt falfiau unllawr
- Creu llwybrau troed fel y gellir mynd at y gronfa newydd a'r siambrau o'i chwmpas
- Ymestyn ffordd fynediad y safle
- Symud rhan o derfyn y safle presennol a chodi ffensys newydd, diogel ar ei hyd
- Adeiladu gorsaf bwmpio newydd a chanolfan rheoli moduron y tu mewn i'r ciosg. Bydd y ddau beth ger y gronfa bresennol.

Os aiff popeth yn iawn, y nod yw gwneud gwaith cloddio yng ngwanwyn a haf 2021, cyn dechrau adeiladu'r gronfa wasanaeth newydd. Disgwylwn y bydd gwaith adeiladu a chomisiynu'r gronfa wasanaeth newydd yn para tua blwyddyn.

Cyfle i rannu eich ymateb

Gwaetha'r modd, oherwydd cyfyngiadau presennol COVID-19, ni fyddwn yn gallu cynnal sesiwn wybodaeth ar gyfer y gymuned leol. Fodd bynnag, byddem yn dal i groesawu'ch ymateb i'r hyn y bwriadwn ei wneud.

Os hoffech wybod mwy, ewch i www.dwrcymru.com/Pengarnddu a darllen trwy rai o'n planiau. Bydd y dudalen hon yn fyw ar y wefan tan ddiwedd Awst 2020. Gallwch gyflwyno'ch ymateb trwy ebostio Arweinydd y Prosiect, Stephen Campbell, ar stephen.campbell@mottmac.com

Ac yn olaf

Gobeithio ein bod wedi rhoi digon o wybodaeth i chi am y gwaith y bwriadwn ei wneud, ond os hoffech fwy o wybodaeth gallwch ffonio'r rhif ar frig y llythyr hwn a gofyn am gael siarad â Danielle Thomas.

Yn gywir



Danielle Thomas

Rheolwr Ymgysylltu â'r Gymuned

CONSULTATION BEFORE APPLYING FOR PLANNING PERMISSION
NOTICE UNDER ARTICLE 2D

(to be served on specialist consultees, as defined by article 2(1) of the Town and Country Planning
(Development Management Procedure) (Wales) Order 2012

Purpose of this notice : this notice comprises a formal request for a pre-application consultation
response under article 2D of the Town and Country Planning (Development Management
Procedure) (Wales) Order 2012.

Proposed development at (a) Pengarnddu Service Reservoir

I give notice that (b) Mott MacDonald Bentley (on behalf of Welsh Water)

is intending to apply for planning permission to (c): construct a new service reservoir

A copy of the proposed application; plans; and other supporting documents are attached/can be
viewed online at (d) www.dwrcymru.com/Pengarnddu

In accordance with the requirements of article 2E of the Town and Country Planning
(Development Management Procedure) (Wales) Order 2012, a consultation response must be sent
to (e) by (f).

Stephen Campbell

Signed:

Date: 06/08/2020

Insert:

- a) address or location of the proposed development
- b) applicant's name
- c) description of the proposed development
- d) address of website
- e) e-mail address of the applicant/agent
- f) date giving a period of 28 days, beginning with the date of service and publication

Appendix C. Consultation responses

For the attention of: Mr Stephen Campbell – Project Leader
Mott MacDonald Bentley

[By email: stephen.campbell@mottmac.com]

28 July 2020

Dear Mr Campbell

Schedule 1C Article 2D - Consultation before applying for planning permission

Town and Country Planning (Development Management Procedure) (Wales) Order 2012 as amended by The Planning Applications (Temporary Modifications and Disapplication) (Wales) (Coronavirus) Order 2020

Proposed Service Reservoir and associated works at Pengarnddu Service Reservoir, Merthyr Tydfil

Thank you for your notification of 24 July 2020 seeking the pre-application views of the Coal Authority on the above.

I have checked the site location plan against our coal mining information and can confirm that, whilst the proposed development site falls within the coalfield, it is located just outside the defined Development High Risk Area meaning that there are no recorded coal mining legacy hazards at shallow depth that could pose a risk to land stability.

Accordingly, there is no requirement to submit a Coal Mining Risk Assessment in support of a planning application for the redevelopment of this site and / or for the Local Planning Authority to consult the Coal Authority on any planning application for this site.

Please do not hesitate to contact me if you would like to discuss this matter further.

Yours sincerely

D Roberts

Deb Roberts *M.Sc. MRTPI*

Planning and Development Manager

Disclaimer

The above consultation response is provided by The Coal Authority as a Statutory Consultee and is based upon the latest available data on the date of the response, and electronic consultation records held by The Coal Authority since 1 April 2013. The comments made are also based upon only the information provided to The Coal Authority by the Local Planning Authority and/or has been published on the Council's website for consultation purposes in relation to this specific planning application. The views and conclusions contained in this response may be subject to review and amendment by The Coal Authority if additional or new data/information (such as a revised Coal Mining Risk Assessment) is provided by the Local Planning Authority or the Applicant for consultation purposes.

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St Mellons Business Park,
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27/08/2020

Annwyl Syr/Madam / Dear Sir/Madam,

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

BWRIAD / PROPOSAL: CONSTRUCTION OF A NEW 2-CELL SERVICE RESERVOIR AND ASSOCIATED WORKS.

LLEOLIAD / LOCATION: PENGARNDDU SERVICE RESERVOIR, PENGARNDDU INDUSTRIAL ESTATE, PENGARNDDU, MERTHYR TYDFIL, CF48 2TA.

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 6 August 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 the following requirement should be met before permission is granted. Otherwise, we would object to the planning application.

Requirement: European Protected Species – further information is required to ensure the proposal will not be detrimental to the maintenance of the favourable conservation status of Great Crested Newt.

European Protected Species

We have reviewed the following documents prepared by Capital Delivery Alliance:

- Pengarnddu Service Reservoir Ecological Impact Assessment Report dated 19 June 2020 (including Pengarnddu SRV Baseline Ecological Survey Report prepared by Arcadis, dated November 2019;

- Landscaping and Planting General Arrangement drawing dated 25.06.20, drawing number B10237-123532-XX-XX-DR-LA-DI9003.

The Habitat Suitability Index assessment of water bodies within 250 metres of the proposed development has shown good suitability for Great Crested Newt (GCN) in Pond 1, and below average suitability for GCN in Ponds 2 and 3. eDNA results of the ponds were negative. However, no further surveys, utilising traditional GCN survey methods (i.e. bottle trapping, torching, egg searches), appear to have been completed to date.

GCN are a European Protected Species (EPS), legally protected under The Conservation of Habitats and Species Regulations 2017. Legal protection relates to the animals themselves and the places they use to rest and breed. Where an EPS is present and a development proposal is likely to contravene the legal protection they are afforded, the development may only proceed under licence issued by Natural Resources Wales, having satisfied the three requirements set out in the legislation. One of these requires that the development authorised will 'not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status (FCS) in their natural range'. These requirements are translated into planning policy through Planning Policy Wales (PPW) December 2018, and Technical Advice Note (TAN) 5, Nature Conservation and Planning.

In addition to the eDNA survey undertaken thus far, we require further GCN survey of Pond 1, adjacent to the site, to be undertaken employing traditional survey methods (i.e. bottle trapping, torching, egg searches), and the results submitted to the LPA as part of any future planning application. The survey should follow best practice guidelines.

We welcome the intention to compensate for habitat loss for other species found to be present on site, including reptiles and birds. We recommend any compensation/mitigation/enhancement scheme sufficiently considers the potential presence of GCN on site, in addition to the species which surveys have thus far shown to be present.

If evidence of GCN presence in the pond is confirmed through traditional survey, we would require a GCN mitigation/compensation scheme to be prepared and submitted to the LPA as part of any future planning application. Any GCN mitigation/compensation scheme should include, but not be limited to:

- A biodiversity risk assessment in relation to GCN;
- Details and assessment of the impacts (direct and indirect) of the scheme on GCN;
- The extent and distribution and quality of GCN habitat to be removed, retained and, if relevant, any new habitat to be created;
- Principles of the vegetation clearance strategy to be followed; and,
- The principles of appropriate long-term management and monitoring commitments to ensure the ongoing suitability of habitats on site for GCN, and the mechanism to implement long term commitments.

We would be willing to accept a conservation strategy for GCN incorporating avoidance, biosecurity and conservation measures, in lieu of further survey.

Landscape

The proposed development lies approximately 1.9km from the boundary of Brecon Beacons National Park, within upland moorland that extends northwards across Merthyr Common towards the National Park.

Given the distance from the National Park and the low-lying nature of the development, it would be scarcely visible from high ground within the park. The submitted Landscape and Visual Impact Assessment prepared by Mott Macdonald, revision 01, dated July 2020, concludes negligible adverse effects from Viewpoint 6, Castell-y-nos, within the National Park. The viewpoint appears to be just outside the ZTV, however we do not anticipate adverse visual effects at this distance. We are of the opinion there would be no adverse landscape or visual impacts on the National Park.

We note the reservoir roof would be gravel covered. We would recommend a dark-coloured gravel finish to the reservoir roof surface to minimise any potential adverse visual effects from high ground.

Protected Sites

The proposed development is approximately 1.9km from the Cwm Taf Fechan Woodlands Site of Special Scientific Interest (SSSI). We have considered the information submitted in support of the above proposal. We consider that the proposed development is not likely to damage the features for which Cwm Taf Fechan SSSI is of special interest.

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

Sarah Lund

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

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11/09/2020

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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 6 August 2020.

Based on the information provided, we would have no objection to the proposed development and provide the following advice.

European Protected Species

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negative. We accept this as sufficient evidence of absence at this site and have no adverse comments to make on the application as submitted in this regard.

We are aware this area of Merthyr Tydfil does support GCN. Therefore, we would welcome an approach from the Applicant which seeks to enhance the quality of potential habitats for GCN associated with this application.

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The proposed development lies approximately 1.9km from the boundary of Brecon Beacons National Park, within upland moorland that extends northwards across Merthyr Common towards the National Park.

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