

Ein cyf/Our ref: CAS-276303-Y0Q3
Eich cyf/Your ref: P/25/0062

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

Dyddiad/Date: 26 March 2025

Annwyl Syr/Madam/Dear Sir/Madam,

BWRIAD/PROPOSAL: NEW STORAGE UNIT WITH OFFICE

**LLEOLIAD/LOCATION: WILLOW WORKS, ABERCANAID INDUSTRIAL ESTATE,
ABERCANAID, MERTHYR TYDFIL, CF48 1YF**

Thank you for consulting Cyfoeth Naturiol Cymru (CNC)/Natural Resources Wales (NRW) about the above, which we received on 10 March 2025.

We have concerns with the application as submitted. However, we are satisfied these concerns can be overcome by attaching conditions for land contamination and controlled waters to any planning permission granted.

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

Land Contamination and Controlled Waters

We understand the application site is part of the former Unigate Dairies site. Therefore, the proposal will result in development on land with a previously contaminated use and poses a risk to controlled waters. We advise you attach the following conditions to any planning permission granted.

We recommend these conditions as we are satisfied there are generic remedial options available to deal with the risks to controlled waters posed by contamination at this site. However, further details will be required to ensure risks are appropriately addressed prior to development commencing.

Condition 1: No development shall commence until the following components of a scheme to deal with the risks associated with contamination at the site, has 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 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 conducted 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: Prior to the occupation of the development a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring conducted in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include a long-term monitoring and maintenance plan for longer-term monitoring of pollutant linkages, maintenance, and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be conducted in accordance with the approved details.

Justification: To ensure the methods identified in the verification plan have been implemented and completed and the risk associated with the contamination at the site has been remediated prior to occupation or operation, to minimise risk to both future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

Condition 3: Prior to the occupation of the development, a long term monitoring plan for land contamination shall be submitted and approved in writing by the Local Planning Authority. The long term monitoring plan should include:

- Details of the methods and triggers for action to be undertaken;
- Timescales for the long term monitoring and curtailment mechanisms, e.g. a scheme of monitoring for 3 years unless the monitoring reports indicate that subsequent monitoring is or is not required;
- Timescales for submission of monitoring reports to the LPA, e.g. annually;
- Details of any necessary contingency and remedial actions and timescales for actions;

- Details confirming the contingency and remedial actions have been conducted.

The monitoring plan shall be conducted in accordance with the approved details, within the agreed timescales.

Justification: A land contamination long term monitoring plan should be submitted prior to occupation or operation, to ensure necessary monitoring measures are approved to manage any potential adverse impacts because of development on water quality.

Condition 4: 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 conducted 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 conducted safely without unacceptable risks.

Flood Risk

Our Flood Risk Map confirms the application site lies entirely within Zone C2 of the Development Advice Maps (DAM) as contained in Technical Advice Note (TAN) 15: Development and Flood Risk (2004). The Flood Map for Planning identifies the application site to be at risk of flooding and falls into Flood Zone 2 and 3 (Rivers).

The existing plans show there are existing containers on site used as an office and for storage. Therefore, given the scale of the proposed development (and in the absence of a flood consequences assessment), we consider the proposals could be acceptable, subject to the developer being made aware of the potential flood risks and advised to install flood-proofing measures as part of the development.

In areas at risk of flooding, we recommend that consideration be given to the incorporation of flood resistance/resilience measures into the design and construction of the development. These could include flood barriers on ground floor doors, windows and access points, implementation of suitable flood proofing measures to the internal fabric of the ground floor and locating electrical sockets/components at a higher level above possible flood levels.

We refer the applicant to our [website](#) for further advice and guidance is available. Additional guidance including the leaflet “Prepare your Property for flooding” can be found [here](#).

The developer can also access advice and information on protection from flooding from the ODPM publication ‘Preparing for Floods: Interim Guidance for Improving the Flood Resistance of Domestic and Small Business Properties’, can be found [here](#).

Protected Sites

The application site is located within 350 metres of Cwm Glo a Glyndyrys Site of Special Scientific Interest (SSSI). We have considered the information submitted in support of the above application. We consider the proposed development is not likely to damage the features for which the SSSI is of special interest.

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

Pollution Prevention

The application site is located within ten metres of the River Taff. Due to the proximity of the site to watercourse, 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](#).

During the construction phase you should take any precaution to prevent contamination of surface water drains and local watercourses. Oils and chemicals should be stored in bunded areas and spill kits should be readily available in case of accidental spillages.

Flood Risk Activity Permit

A Flood Risk Activity Permit (FRAP) (Environmental Permitting Regulations England & Wales, 2016) may be required for any works in, over, under or within 8 m of a fluvial main river (including any defences on that main river) or within a flood plain. This includes the construction of any structure associated with the drainage of runoff from the site into the main river, or river crossings. See our website for further information: [Natural Resources Wales / Flood risk activity permits](#).

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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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.