

Prepared for: Marvel Ltd

Pre-Application Consultation (PAC) Report

Rhydycar West, Merthyr Tydfil

by CarneySweeney

Date: February 2023



CARNEYSWEENEY
PLANNING



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1.0 Introduction

1.1 Background

1.1.1 This Pre-Application Consultation (PAC) Report has been prepared by CarneySweeney on behalf of the Applicant, Marvel Ltd, in relation to an application for:

“Outline application for erection of a mixed leisure development comprising indoor snow centre (up to 39,200 sq m), waterpark (up to 7,500 sq m), indoor adventure centre (up to 9,000 sq m), external outdoor adventure centre, hotel accommodation (up to 418 bedrooms), woodland lodge accommodation (up to 30 units), car parking (up to 830 spaces) and associated earthworks, access, drainage, servicing and utilities connections/infrastructure.”

1.1.2 The Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016 (“the 2016 Order”) sets out the requirements to undertake pre-application consultation in respect of all planning applications for ‘major’ development. Major development is defined in Article 2 of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (DMPWO), as follows:

“major development” means development involving any one or more of the following...

(d) the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; or

(e) development carried out on a site having an area of 1 hectare or more.”

1.1.3 In line with the above definition, the application is categorised as ‘major development’ and therefore the development proposals are accompanied by this Pre-Application Consultation Report (PAC) as required by Article 2F(1) of the 2016 Order.

1.1.4 The following PAC report is structured as follows:

- **Section 2** – outlines the background to the proposals;
- **Section 3** – sets out the statutory requirements of the PAC report;
- **Section 4** – provides a summary of PAC responses and outlines how these have been addressed;
- **Section 5** – provides a summary of the PAC process and conclusions.



2.0 Background

1.1 The PAC Consultation Package

2.1.1 Article 2C of the 2016 Order requires the draft planning application to be made available for a 28-day consultation period. The documentation should include:

- All information that would be required to be submitted as part of a formal planning application. This includes all the information on the relevant planning application form, except the ownership certificates.
- Scaled plans to identify the land to which the application relates.
- All other scaled plans, drawings and information that would be required to describe the proposed development – this includes any technical documents that would be needed in order to validate any subsequent application.
- Design and Access Statement; and
- Any information that would be needed in order to comply with any local validation requirements of the relevant local planning authority.

1.1.1 In line with the above guidance, the following draft application documents were made available to the public from 26th April 2022:

- Planning Application Forms (CarneySweeney)
- Air Quality Assessment (Tetra Tech, April 2022)
- Archaeology and Heritage Baseline Assessment (EDP, April 2022)
- Archaeological and Heritage Impact Assessment (EDP, April 2022)
- ASIDOHL Assessment (EDP, April 2022)
- Combined Energy & Carbon Utilities and Sustainability Report (Hoare Lea, April 2022)
- Planning Statement (CarneySweeney, April 2022)
- Design & Access Statement (Holder Mathais Architects, April 2022)
- Gross External Area Schedule (RHDR-HMA-LE-ZZ-AS-A-03-0002 P1 – Holder Mathias Architects)
- Ecological Impact Assessment (Bioscan, January 2022)
- Flood Consequence Assessment (Tetra Tech, April 2022)
- Hydrogeology and Hydrology Assessment (Tetra Tech, February 2022)
- Landscape and Visual Appraisal (tir Collective, April 2022)
- Light Spillage Assessment (Tetra Tech, February 2022)
- Noise Assessment (Tetra Tech, April 2022)
- Phase 1 Geoenvironmental Assessment Desk Top Study and Coal Mining Risk Assessment (Tetra Tech, April 2022)
- Strategic Economic Benefits (Aecom, April 2022)
- Transport Assessment (Tetra Tech, April 2022)



- Travel Plan (Tetra Tech, April 2022)
- Tree Survey and Works Schedule (Tetra Tech, April 2022).
- Plans / Drawings:
 - Site Location Plan (RHDR HMA-LE-ZZ-DR-A-PL-001 Rev P1)
 - Existing Site Plan (RHDR HMA-LE-ZZ-DR-A-PL-002 Rev P1)
 - Site Sections Reference Plan (RHDR HMA-LE-XX-DR-A-97-0000 Rev P1)
 - Boundary Sections – Main Access Road (RHDR HMA-LE-XX-DR-A-97-0001 Rev P01)
 - Boundary Sections – Resort Road (RHDR HMA-LE-XX-DR-A-97-0003 Rev P1)
 - Boundary Sections – Spa and Snow Centre (RHDR HMA-LE-XX-DR-A-97-0002 Rev P1)
 - Combined Constraints Plan (RHDR HMA-LE-ZZ-DR-A-PL-003 Rev P1)
 - Development Parameters Plan (RHDR HMA-LE-ZZ-DR-A-PL-011 Rev P1)
 - Development Parameter Sections 1 (RHDR HMA-LE-ZZ-DR-A-PL-110 Rev P1)
 - Development Parameter Sections 2 (RHDR HMA-LE-ZZ-DR-A-PL-111 Rev P1)
 - Development Parameter Sections 3 (RHDR HMA-LE-ZZ-DR-A-PL-112 Rev P1)
 - Illustrative Masterplan Sections 1 (RHDR HMA-LE-ZZ-DR-A-PL-120 Rev P1)
 - Illustrative Masterplan Sections 2 (RHDR HMA-LE-ZZ-DR-A-PL-121 Rev P1)
 - Illustrative Masterplan (RHDR HMA-LE-ZZ-DR-A-PL-020 Rev P1)
 - Outline Masterplan (RHDR HMA-LE-ZZ-DR-A-PL-010 Rev P1)
 - Tree Constraints Plan (Tetra Tech – PRJ01-TTE-00-ZZ-DR-L-TCP1 Rev P03)
 - Tree Retention and Removal Plan (Tetra Tech – PRJ01-TTE-00-ZZ-DR-L-TPP1 Rev P03)

1.1.2 Under Part 1A Article 2D (3) of the 2016 Order indicates that where an applicant is required to consult a specialist consultee the applicant must enclose each of the documents referred to in article 2C(1)(b) or provide a link to a website on which those documents can be found. Moreover, in respect to publicity the Welsh Government Development Management Manual (DMM) advises that “developers are encouraged to use web-based material when such technology is available” (paragraph 6.4.19). As such, the relevant information listed above has been made available to view on the following website: www.rhydyarwest.com/planning

1.1.3 “In cases when the developer has made the relevant information available on a website, the location for public viewing can be a library or other public building where computer facilities are made available to the general public” (paragraph 6.4.21 DMM). In accordance with this guidance, the consultation letter confirmed where computer facilities were available to the general public in the locality i.e., at Merthyr Tydfil Library, High Street, Merthyr Tydfil, CF47 8AF between the hours of; :30-18:00 Mondays to Fridays and 08:30-14:00 Saturdays.

1.1.4 This PAC Report has been prepared in accordance with the requirements of the 2016 Order. In order to meet the statutory requirements, the following are contained within this report:



- a) copy of the site notice;
- b) a declaration that the site notice was displayed in accordance with the statutory requirements;
- 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 and the account taken of those responses by the developer.



3.0 Statutory Requirements

Site Notice

- 2.1.1 A copy of the site notice is attached at **Appendix A**, along with photos of the site notices. The 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. The site notice was posted in 11 locations on and near to the perimeter of the application site (**Appendix A**).
- 2.1.2 The notices were displayed on site from 26th April seeking comments by 28th May 2022.
- 2.1.3 Subsequently, CarneySweeney placed a notice in the press (Merthyr Express) on the 28th of April 2022 with the advert seeking comments by 28th of May 2022 (**Appendix A**).

Notice to Adjoining Occupiers/Owners

- 2.1.4 Consultation letters were sent to all adjoining owners and / or occupiers to the application. In total, two letters were sent – as set out in the schedule attached at **Appendix B**.

Notice of Community Consultees

- 2.1.5 Copies of all letters provided to Local Members are attached at **Appendix C**. Those issued with a letter are set out in the schedule below:

Community Consultee	Address	Date Letter Sent	Date Response Received
Councillor Malcolm Colbran (Mayor of Merthyr Tydfil)	c/o Democratic Services Department Merthyr Tydfil County Borough Council Civic Centre Castle Street Merthyr Tydfil CF47 8AN	26/04/2022	N/a
Councillor Brent Carter	c/o Democratic Services Department Merthyr Tydfil County Borough Council Civic Centre Castle Street Merthyr Tydfil CF47 8AN	26/04/2022	N/a



Councillor Harvey Jones	c/o Democratic Services Department Merthyr Tydfil County Borough Council Civic Centre Castle Street Merthyr Tydfil CF47 8AN	26/04/2022	N/a
Councillor Gareth Lewis	43 Anthony Grove, Abercanaid, Merthyr Tydfil, CF48 1YX	26/04/2022	N/a
Councillor David Chaplin	21 Monmouth Drive, Castle Park Merthyr Tydfil, CF48 1JA	26/04/2022	N/a
Councillor Michelle Jones	1 Coronation Terrace, Heolgerrig Merthyr Tydfil, CF48 1UG	26/04/2022	N/a
Councillor Geraint Thomas	77 Heolgerrig, Merthyr Tydfil CF48 1SB	26/04/2022	N/a

Notice of Specialist Consultees

2.1.6 Copies of all letters provided to the Specialist Consultees and other relevant departments are attached at **Appendix D**. Those issued with a letter are set out in the schedule below:

Statutory Consultee	Address	Date Letter Sent	Date Response Received
To the Appropriate Person/s	The Local Highway Authority Unit 5, Triangle Industrial Estate Pentrebach, Merthyr Tydfil, CF48 4TQ	26/04/2022	N/a
To the Appropriate Person/s	The Welsh Ministers, Cadw Plas Crew Unit 5/7 Cefn Coed, Par Nantgarw Cardiff, CF15 7QQ	26/04/2022	27/05/2022



To the Appropriate Person/s	Natural Resources Wales, Rivers House, St Mellons Business Park, St Mellons, Cardiff, CF3 0EY	26/04/2022	01/06/2022
To the Appropriate Person/s	The Coal Authority, 200 Lichfield Lane, Mansfield, Nottinghamshire, NG18 4RG	26/04/2022	26/05/2022
To the Appropriate Person/s	Dŵr Cymru Welsh Water, P.O. Box 3146, Linea, Fortran Road Cardiff, CF30 0EH	26/04/2022	18/05/2022
To the Appropriate Person/s	Health and Safety Executive Government Buildings Phase 1 Ty Glas, Cardiff, CF14 5SH	26/04/2022	27/04/2022
To the Appropriate Person/s	South East Wales Transport Alliance (SEWTA), Welsh Government, Cathays Park, Cardiff, CF10 3NQ	26/04/2022	27/05/2022
To the Appropriate Person/s	Agricultural Land Classification Welsh Government, Government Building – P6, Spa Road East Llandrindod Wells, Powys, LD1 5HA	26/04/2022	03/05/2022
To the Appropriate Person/s	South Wales Fire and Rescue Service, Business Park Forest View, Llantrisant, Ynysmaerdy, Pontyclun, CF72 8LX	26/04/2022	11/05/2022



4.0 Summary of Responses

4.1 Statutory Consultees

- 4.1.1 This section provides an overview of pre-application responses received from specialist consultees which have been appended at **Appendix E** for reference.

Cadw

- 4.1.2 A response was received from Cadw on the 27th of May 2022. The respondent has no objections to the proposed development. Cadw has advised us to consult the Historic Environment Record held by the Glamorgan-Gwent Archaeological Trust, if we have not already done so due to the potential for undesigned historic assets which could be affected by the development. Cadw conclude *“In the view of EDP these positive measures, which include considerable improvements to the physical condition of these designated heritage assets, will outweigh the indirect adverse impact to their settings. We concur with this view.”*
- 4.1.3 CS Response: We note the response which raises no adverse comments and recognises that the benefits of the development outweigh the indirect impacts. We have already consulted the Historic Environment Record, as set out at Section 3 of the Archaeology and Heritage Baseline Assessment. No further action is required.

Natural Resources Wales

- 4.1.4 A response was received from Natural Resources Wales on the 1st of June 2022. NRW raise concerns but do not object to the proposed development and request further information regarding protected sites (SSSI), European protected species, protected species, birds, land contamination and controlled waters and landscape. NRW ask the planning authority to include conditions regarding biosecurity risk, a construction environmental management plan and land contamination on any planning permission granted.
- 4.1.5 NRW's principal points are set out in the table below:

NRW Comment(s)	Response
Protected Sites: Offsite ecological management – further information to include the offsite ecological	Offsite ecological management: Beyond beneficial management of the undeveloped



management should be submitted in order for NRW to fully advise the planning authority on the potential environmental effects. Long-term management of SSSI – NRW requires more information and detail on measures being proposed and the mechanism which will guarantee the delivery of this work in the long term. Ecosystem resilience - NRW seeks further information as to how the separation of a small parcel of SSSI from the remainder will be overcome as part of the future management strategy for the wider SSSI. NRW seeks further assessment of the “potential impacts on marsh fritillary to be undertaken”. NRW requires quantification of the loss of habitat	balance of the SSSI within its control (see comments on this below), the Applicant is committed to additional off-site compensation, but is not yet able to confirm whether this will be via securing control/acquisition of land for enhancement through beneficial management, or via ‘in kind’ measures such as financial contributions to relevant nature conservation projects in the South Wales region. This information will be provided as soon as it is available. Long-term management of SSSI: The Applicant has had correspondence with NRW which has agreed the principles of beneficial management of the undeveloped balance of the SSSI within its control, to include appropriate livestock grazing, scrub control, invasive species control and visitor management. It is envisaged that these management interventions will be secured by means of a detailed management plan drawn up in collaboration with NRW and attached to a legal agreement, along with details of appropriate funding. This would thus represent an improvement on standard SSSI site management agreements. Ecosystem resilience: The Applicant appreciates NRW's concern about the logistics of managing the part of the SSSI between the Application Site and the A470 in the post-development scenario. However the Applicant considers that the challenges to accessing and managing this area are manifested in the baseline situation, and that the retention of access along the eastern edge of the Application Site into these areas for the
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to be assessed in more detail. Hydrological and hydrogeological assessment – further details and assessment is needed on the likely impact upon the current hydrological regime in the area. This should include the assessment of whether the proposals will alter the quality, quantity or nature/direction of surface/subsurface	management of livestock and other agricultural activities can and will be accommodated and should ensure the challenges are no worse than at present, and potentially lessened as a consequence of the development. Marsh fritillary: The Applicant understands NRW's concern with regard to this species to be primarily about barriers to dispersal. At present the species does not occur in the isolated tongue of SSSI between the Application Site and the A470, although there is foodplant there. The Applicant considers that this may be due to the barrier effect of the existing intervening tip that will be remodelled as well as the unsuitability of the barrier woodland habitat on and around it. In this context, it is not considered that the development will present a substantially greater dispersal barrier than the existing situation. Quantification of habitat losses: To some extent this question is answered within the text of the ES, but to the extent there remains a lack of precise per habitat breakdown figures, this is due to the complex and intergraded nature of the habitats on the site. All figures, including those the Applicant has used in running assessments through relevant metrics, will therefore be approximate. The hydrology chapter of the ES sets out how the design of surface water drainage features is intended to ensure appropriate interception, retention, biological treatment and discharge of surface water through the Application Site in order to avoid any impacts from drainage of upstream/upflow habitat features and to prevent
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flows and the likely impacts on habitats in that area. NRW seeks further detail on the nature and magnitude of the impact of the development footprint on areas of lowland heath and marshy grassland within the SSSI . Habitat Regulations Assessment – The proposal should be screened through a Habitats Regulation Assessment. Biosecurity risk – Due to the presence of Japanese Knotweed and Himalayan Balsam on the site, the NRW seek a biosecurity risk assessment.	negative changes in downstream features, including those within the tongue of SSSI between the Application Site and the A470. NRW are also aware of other recent changes to local hydrological patterns arising from interventions by Merthyr Borough Council and related to concerns over tip stability. As discussed in the Ecology Chapter of the ES, there is no impact o SSSI lowland heath habitat, and negligible direct and indirect impact on marshy (<i>Molinia</i>-dominated) grassland at the southern edge of the batter slope associated with the ski facility. The responsibility for screening the proposals for HRA rests with the determining authority (e.g. Merthyr Borough Council), but information to assist this process is provided within the ES indicating how this matter has been considered and how the Applicant considers that the proposals can be screened out. The presence of these species is acknowledged and the Applicant is committed to their appropriate control and eradication, not just on the application site as part of the construction and operation of the scheme, but also across the wider landholding, as will be secured via the management plan referred to above. The statutory requirements and obligations as regards these species are clear and it is not considered that additional assessments are required to deal with them appropriately.
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Protection of the water environment – A pre-commencement condition for the submission and approval of a detailed final Construction Environmental Management Plan (CEMP) is needed. It may be useful to provide an Outline CEMP to set out a high level strategy as part of the application. Air Quality – NRW are satisfied with the Air Quality Assessment findings that impacts on nitrogen sensitive features resulting from changes in traffic (as a result of the proposed development) are likely to be negligible Local Biodiversity – NRW refer to the local authority ecologist but note that, should there be scope to compensate for the loss of these habitats off-site, an assessment should also be undertaken to better understand the pathways for these species to colonise any new sites / areas under consideration	CEMP requirements are set out throughout the Environmental Statement in the mitigation sections of relevant chapters. No action required. This information cannot be provided at this stage pending the details of the off-site compensation package being settled. See Ecology Chapter of ES.
European Protected Species: On receipt of further information with the planning application, the European Protected Species NRW will advise on any planning conditions that may also be required. Great Crested Newts (GCN) <u>Further Information to be Provided at Planning Application Stage:</u> a revised GCN Survey Report Appendix 2 Figure 2 to: - Confirm where the 250m buffer lies around the full extent of the application site boundary; - Clarify whether any ponds other than P48 exist beyond the application site	Noted. Please see revised Figure 2 to Appendix 2 addressing these requests.



boundary within a correctly drawn 250m buffer. The submission of a detailed site-wide Great Crested Newt Conservation Plan which should include: • Detailed assessment of the potential impacts of the construction and operational phases of the scheme on great crested newts, including an assessment of the risks of incidental injury or killing; • Review of the extent, distribution and quality of GCN habitat to be removed, retained, enhanced and created: ○ GCN breeding ponds within the application site and the 250m buffer; ○ Other ponds used by GCN within the application site and the 250m buffer; ○ terrestrial habitat within 50m of ponds used by GCN; ○ terrestrial habitat within 50m-250m of ponds used by GCN; and ○ terrestrial habitat within 250m-500m of ponds used by GCN. • Ensuring habitat functionality and connectivity during and post construction; • A plan showing habitat to be removed, retained, enhanced and created which should identify the extent and location, drawn to an appropriate scale; • Details of protective measures to be taken to minimise the impacts; • Submission of further details concerning on-site and off-site GCN habitat compensatory proposals including plans, extent, access, as well as current and proposed tenure. Details shall identify areas of terrestrial and aquatic habitat to be retained, enhanced and created. In respect of aquatic habitats, pond and	The Applicant considers that due to the limited scale of impacts on this species within the Application Site, the outline status of the application and the much wider scope for significant net enhancement through targeted habitat improvement interventions across the wider landholding, as discussed in the ES, the level of detail being requested is in excess of what is required for the statutory authority or decision makers to be satisfied that the Favourable Conservation Status of the species can, through appropriate controls, be maintained and enhanced. The Applicant has committed to net enhancements for this species as part of the management plan for the wider landholding, and therefore the question in order to satisfy the test established by <u>Morge</u> is whether these are capable of being delivered. This request seems to relate to a situation where the baseline information about this species is subject to much greater uncertainty than here. There can be no doubt that in offsetting on-site pond losses with restoration and enhancement of ponds elsewhere on the landholding, the proposals will deliver net benefits for this species.
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associated infrastructure design. Submission to include details of timing, phasing and duration of construction activities and conservation measures. • Timetable for implementation demonstrating that works are aligned with the proposed phasing of the development. • Details of initial aftercare and principles of long-term maintenance • Actions to be taken in the event that a larger than anticipated GCN population is encountered during pre-construction update surveys and/or development works; • Ecological Compliance Audit, including key performance indicators; • Details of measures to prevent or reduce incidental capture or killing. Measures should be designed to prevent the accidental capture/ killing of newts (amphibians) during operational phases of the scheme. This is essentially the installation and maintenance of an amphibian friendly surface water management system that does not include gully pots (or other similar features that could trap newts). • Proposed mechanism for the long-term management of any compensation, including long term financial considerations. We advise this is likely to require both planning conditions and obligations. We suggest the mitigation strategy includes a Heads of Terms' document that specifies funding mechanisms, tenure and any changes to tenure, and provisions for updating the management plan. • Design principles of green and blue infrastructure together with ecosystem resilience. This statement to cross reference with GCN mitigation and compensation	
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measures and the long-term site management plan. • Submission of a long-term site management plan that includes defined aims and objectives; habitat management prescriptions; surveillance prescriptions based on abundance and habitat suitability; contingency measures if fish or invasive non-native species (INNS) are detected; proposals that are capable of being implemented in the event of failure to undertake or to appropriately implement identified or contingency actions; site liaison and wardening; licensing requirements for undertaking habitat management and surveillance; current and any proposed changes to tenure of the dedicated ecology areas; persons or bodies responsible for undertaking management and surveillance together with required skills and competencies; reporting requirements and proposed dates for updating or revising the management plan. Bats <u>Further Information to be Provided at Planning Application Stage:</u> Further surveys in accordance with published best practice of all structures within and adjacent to the site identified to have at least low hibernation/roost potential. An assessment of trees across the application site for their potential to support roosting bats and climbed, endoscope surveys for any considered to have moderate/high potential to support roosting bats.	Similarly, due to the timescales involved in implementation of this development, should it be consented, the relevance and utility of comprehensive cataloguing of temporary bat roost sites at this point in time and in relation to the outline status of the application is at best questionable. The surveys carried out for the ES are unusually thorough, and provide an ample basis for determining the likely requirements in respect of conditions, mitigation and compensation, for the development to be legally and policy compliant. Therefore the level of detail being sought is above and beyond what is required for robust planning determination.
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The submission of site-wide Bat Conservation Plan which should include: • Comprehensive assessment of the likely impacts of the proposed development on bats and their roosts, taking account of the results of the additional surveys advised above. • A plan showing habitat and roosts to be lost, created and retained which should identify the extent and location drawn to an appropriate scale; • Details of proposed compensatory roosts including proposed siting and design; • Details of protective measures to be taken to minimise the impacts; • Details of timing, phasing and duration of construction activities and conservation measures; • Timetable for implementation demonstrating that works are aligned with the proposed phasing of the development; • Details of initial aftercare and long-term maintenance; • Actions to be taken in event that more bat roosts are encountered during pre-construction update surveys and/or development works; • Ecological Compliance Audit, including key performance indicators; • Persons responsible for implementing the works; • Details of measures to prevent or reduce incidental capture or killing. Otters and water voles – A Phase 1 habitat map to confirm the location and distribution of habitats across the site including watercourses is required.	Notwithstanding the above, the Applicant considered that further survey work on trees would be helpful to provide additional certainty to decision makers and this has been carried out and is as presented in Appendix 14 to the Ecology Chapter of the ES.
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Birds: NRW advise that mitigation should be considered further and addressed in the planning application, ensuring that this does not conflict with the other ecological interests or mitigation and compensation proposed in relation to the SSSI and protected species.	The Applicant is unclear what further information it is expected to provide on this issue.
Land Contamination: NRW seek the submission of detailed historic mapping as part of the desk top study to ensure that no obvious sources of large scale gross contaminative sources have been missed. Geotechnical/Ground Remediation due to presence of mine workings – NRW would seek confirmation in the planning application as to the methods proposed for remediation of the underground workings associated with the site. <u>NRW provide a summary of information required as part of grouting and ground stabilisation works.</u> NRW recommends to contact CL:AIRE to discuss intended use of the re-use of the coal and iron working spoil. We do not object to the re-use of materials on site, however, as far as we are aware the code of practice cannot currently be used for mining spoil/waste.	Sources of contamination have been explored in the submitted Phase 1 Geoenvironmental Assessment & CMRA report, including analysis of historic information. The Phase 1 Geoenvironmental Assessment & CMRA report has been updated to address NRW's comments. These comments are noted and will be taken into account at the appropriate stage in the project's development. These comments are noted and the appropriate regulatory regime will be used in advance of development being carried out.



Landscape: Further information is required on how visual impacts would be minimised within the Brecon Beacons National Park. This is in regard to colours and materials used in the proposed buildings and light pollution. <u>Landscape and Visual Appraisal</u> NRW “agree with the [LVA] assessments, on the assumption that the intended mitigation would be implemented. Views from this point are panoramic views over Merthyr Tydfil and beyond, down the Taff Valley. The proposal would be seen as an additional development feature in the view, on a currently wooded slope that is unaffected by development”. <u>Light Spillage Assessment</u> NRW advise that further mitigation should also be considered to reduce the effects of internal lighting from tall buildings.	Colours and materials are a reserved matter at this outline application stage, and are something the LPA retains full control over through the Reserved Matters approval process. As such, these matters would be discussed and agreed with the LPA (who would likely consult NRW) prior to commencement of development. This comment is noted. No further action required. The lighting assessment has been updated in this regard.
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4.1.6 A full copy of NRW’s response is presented in **Appendix E**.

The Coal Authority

4.1.7 The Coal Authority responded on the 26th of May 2022. The Coal Authority states that *“the site falls within the Development High Risk Area”*. Therefore, there are coal mining features and hazards within the site and surrounding area and this needs to be considered in relation to development proposals. They state that *“In most cases it is possible to design a layout of development which is informed by the presence of recorded mine entries and avoids these features and their associated zone of influence. However, we appreciate that this is not always possible for large scale development proposals. The proposed development at Rhydyar West could be considered to fall into this category.”*

4.1.8 The Coal Authority mentioned that the Coal Mining Risk Assessment produced for the draft application *“fails to acknowledge the Coal Authority’s policy relating to building on or within the*



influencing distance of mine entries". If the Phase 1 Geoenvironmental Assessment Desk Top Study and Coal Mining Risk Assessment is submitted in its current form during the planning application, it is likely that the Coal Authority's Planning & Development Team would object the proposed development.

- 4.1.9 CS Response: We note the Coal Authority concerns, comments and recommendations. The Geoenvironmental Assessment Desk Top Study and Coal Mining Risk Assessment has been amended to address the comments received and a clear and robust methodology has also been provided which sets out how the risk posed by these features is to be addressed, including the anticipated phasing of investigation works and subsequent remedial treatment works.



Dwr Cymru Welsh Water

- 4.1.10 Dwr Cymru Welsh Water (DCWW) responded on the 18th of May 2022. The letter states that *“there are concerns with the current water supply system and a hydraulic assessment would need to be commissioned”*. Due to the absence of the hydraulic assessment, Dwr Cymru Welsh Water cannot support the proposed development.
- 4.1.11 Dwr Cymru states that the proposed development is in an area where *“the current water supply cannot accommodate any further demand from a new development and there are no improvements planned within our current Capital Investment Programme AMP5 (years 2020 to 2025)”*. In order to tackle this problem, it is necessary that developers undertake a hydraulic modelling assessment on the water supply network.
- 4.1.12 CS response: We note the response which raises concerns. CarneySweeney has contacted the relevant officer at Dwr Cymru Welsh Water in regard to hydraulic modelling assessment. Although the letter from DCWW states that a Hydraulic Modelling Assessment is required to support the application, DCWW accepted that a standard condition along the following lines would be acceptable – *“No development shall be undertaken until such time as a HMA is undertaken. The recommendations set out in the HMA (potentially requiring reinforcement works to the public network) will be carried out prior to occupation of the development”*.

Health and Safety Executive

- 4.1.13 The Health and Safety Executive (HSE) responded on the 27th of April 2022. The email states that the HSE Explosives Inspectorate has no comment to make on the application as it *“does not appear to fall within the consultation zones of an HSE licensed explosives site”*. Subsequently, there are no recommendations made by HSE.
- 4.1.14 CS response: We note the response which raises no adverse comments. No further action is required.

South Wales Trunk Road Agency (SWTRA)

- 4.1.15 South Wales Trunk Road Agency (SWTRA) responded on 27th of May 2022 and raise no objections to the proposed development. SWTRA provides comments and recommendations for the proposed development. Some of these comments and recommendations are as follows:
- Impacts assessment should be included at the strategic roundabout to the north at Cyfarthfa.
 - Active Travel connections along with public transport linkages are important in order to keep the vehicular trip rates down and maximise local connectivity to the site.



- The routes across the bridge should be audited as per Active Travel scoring.
- A link to Bike Park Wales would also help reduce private transport trips.

4.1.16 Further details of the comments and recommendations by SWTRA is presented in **Appendix E**.

4.1.17 CS response: We note SEWTA's comments and recommendations. The submitted Environmental Statement provides the additional assessment of capacity at the strategic roundabout to the north at Cyfarthfa and a Sustainable Travel Audit (including in respect of the existing bridge) is provided.

Agricultural Land Classification

4.1.18 The Agricultural Land Use & Soil Policy Advisor responded on the 3rd of May 2022 and raises no concerns or objections to the proposed development. The email from Agricultural Land Use & Soil Policy Advisor states that Agricultural Land Classification (ALC) survey is not recommended for the site and that the *"site is considered no better than ALC Grade 4 land"*.

4.1.19 CS response: We note the Agricultural Land Use & Soil Policy Advisor comments. No further action is required.

South Wales Fire and Rescue Service

4.1.20 South Wales Fire and Rescue Service replied on 11th of May 2022. The South Wales Fire and Rescue Service raises no objections to the proposed development, however they made the followings comments:

- A comprehensive fire strategy should be provided; and
- The developer should consider the need for the provision of:
 - a. Adequate water supplies on the site for firefighting purposes; and
 - b. Access for emergency firefighting appliances.

4.1.21 CS response: we note the response. A fire strategy will be provided as part of finalising the site layout at Reserved Matters stage. Adequate water supplies and access for firefighting equipment will be provided as part of the development in line with separate legislation. No further action is required.

4.2 Community Consultees

4.2.1 The community consultees contacted as part of the pre-application consultation were Councillor Malcolm Colbran, Councillor Brent Carter, Councillor Harvey Jones, Councillor Gareth Lewis, Councillor David Chaplin, Councillor Michelle Jones and Councillor Geraint



Thomas.

- 4.2.2 No response to the statutory pre-application consultation was received from the above community consultees.

4.3 Adjoining Landowners and General Public

- 4.3.1 In regard to consultation with adjoining landowners, letters were issued to all occupiers/landowners adjoining the site (as outlined in **Appendix B**), and notices were placed at the application site advising local residents of the proposals.

- 4.3.2 Below summarises the response from adjoining landowners and general public.

Alison Chaplin

- 4.3.3 Alison Chaplin made a comment on the 24th of May 2022 and is opposed to the proposed development. The reasons for her opposition are as follows:

- The development being contrary to the Local Development Plan. This has been in force less than 2 years and the Planning Inspector chose not to include the proposal at the Planning Inquiry on the plan.
- The development being contrary to a number of policies in Planning Policy Wales Edition 11.
- The development being outside of the settlement boundary in open countryside.
- The development being contrary to Welsh Governments stated reduction in the reliance on private transport/ number of car journeys contained in their latest Transport Policy.
- The impact of the development on air quality, water retention and run off from the site.
- The negative impact of the development on the settings of both a SSSI and Sites of Importance for Nature Conservation.
- We are being asked to comment on an idea which may not be delivered as the applicant is not the end owner/developer of the proposed facilities.
- The impact on the biodiversity of the whole site
- The impact on the Industrial Heritage of the site and scheduled ancient monuments.

- 4.3.4 Alison Chaplin also has *“very serious concerns that the ‘public consultation’ for this iteration of the plans is inadequate”* due to the on-line nature of the consultation, the timescales for making comments and the amount and technical nature of the information.

- 4.3.5 CS response: We note the concerns raised by Alison Chaplin, which are addressed in the



accompanying planning statement, Environmental Statement (including Non-Technical Summary) and this report. No further action is required.

Anthony Chaplin

4.3.6 Anthony Chaplin made comments on the 25th of May 2022 and raises an objection to the proposed development. The main reasons of the objection is due to the site location and the comments are as follows:

- The site is outside the defined settlement boundary in open countryside.
- The site contains the Cwmglo/Glyndyrys Site of Special Scientific Interest and the Cwmglo Site of Importance for Nature Conservation (SINC)
- There will be serious damage to unique features of nature conservation, historic/heritage interest and landscape importance.
- The loss of 30% of the Rhyddar West site is unacceptable.
- Development outside the defined settlement boundary will lead to a loss of biodiversity, historic/heritage interest and sense of place – contrary to National and Local planning policies.
- The car park of 830 spaces contradicts to National Policy which supports access by walking, cycling and public transport.
- Increase in traffic in the area on the A470.

4.3.7 CS response: We note the responses, which are addressed in the accompanying planning statement, Environmental Statement. No further action is required.

Louise Clement

4.3.8 Louise Clement made comments on the 29th of April 2022 and supports the proposed development. Ms Clement's email states: *"100% behind this application and the boast [sic.] it will give to the valleys - to the local economy, the opportunity to develop green tourism and make the valleys a true tourism destination. The ski and snowboarding looks epic! Will be amazing to have this facility on our doorstep".*

4.3.9 CS response: We note Ms Clement's support towards the proposed development. No further action is required.

Rhiannon Melysa

4.3.10 Rhinannon Melysa made comments on the 27th of April 2022. Ms Melysa states that an ice rink would be beneficial to the public and that *"an indoor ice rink will have far more sustainable*



monthly users than an outdoor water park in a relatively poor weathered country”.

- 4.3.11 CS response: We note the response from Ms Melysa, however an ice rink does not form part of the proposal. However, indoor facilities, including an indoor water park, will allow usage whatever the weather. No further action is required.

Campaign for Real Aires (UK)

- 4.3.12 A member from the Campaign for Real Aires commented on the 18th of May 2022. The member raises no objections to the proposed development and requests for a *“provision for overnight parking specifically for Motorhomes and Caravans”*. The benefit of overnight parking will benefit towards the UK and European motorhome owners.

- 4.3.13 CS response: We note the comment made by the Campaign for Real Aires. However, we have not been able to provide specific motorhome Aire.

Alun Jones

- 4.3.14 Alun Jones raises a question on the 27th of April 2022 about the ski slope length of whether the proposed ski slope is 500m or 400m.

- 4.3.15 CS response: We note Mr Jones' question and can confirm the length of the ski slope is 400m.



5.0 Conclusion

- 5.1.1 In accordance with the Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016 a pre-application consultation was undertaken from the 26th of April 2022 until 28th of May 2022.
- 5.1.2 All responses to the consultation have been recorded and reported, appropriately responded to where necessary and relevant technical and non-technical reports updated where further clarity has been requested.
- 5.1.3 It is considered that the content of this pre-application consultation report demonstrates a robust pre-application consultation process has been undertaken to ensure the content of the application is suitable. As such, the planning application can be validated and registered promptly.



APPENDIX A – Site & Press Notice

Town and Country Planning (Development Management Procedure) (Wales) Order 2012

PUBLICITY AND CONSULTATION BEFORE APPLYING FOR PLANNING PERMISSION

NOTICE UNDER ARTICLES 2C AND 2D

(to be served on owners and/or occupiers of adjoining land and community consultees; and displayed by site notice on or near the location of the proposed development)

Purpose of this notice: This notice provides the opportunity to comment directly to the developer on a proposed development prior to the submission of a planning application to the local planning authority ("LPA"). Any subsequent planning application will be publicised by the relevant LPA; any comments provided in response to this notice will not prejudice your ability to make representations to the LPA on any related planning application. You should note that any comments submitted may be placed on the public file.

Proposed development at (a): Land to the south west of the A470/A4102 roundabout at Rhydycar West, Merthyr Tydfil

I give notice that (b): Marvel Ltd

is intending to apply for planning permission to (c): Outline application for erection of a mixed leisure development comprising indoor snow centre (up to 39,200 sq m), waterpark (up to 7,500 sq m), indoor activity centre (up to 9,000 sq m), external activity areas, hotel accommodation (up to 418 bedrooms), forest lodge accommodation (up to 30 units), car parking (up to 830 spaces) and associated earthworks, access, drainage, servicing and utilities connections/infrastructure.

You may inspect copies of:

- the proposed application;
- the plans; and
- other supporting documents

online at (d) www.rhydycarwest.com/planning and computer facilities are available to view this information online at (e): Merthyr Tydfil Central Library, High Street, Merthyr Tydfil, CF47 8AF

between the hours of (f): 08:30-18:00 Mondays to Fridays and 08:30-14:00 Saturdays.

Anyone who wishes to make representations about this proposed development must write to the agent at planning@rhydycarwest.com or CarneySweeney, Brunel House, 2 Fitzalan Road, Cardiff, CF24 0EB

by (k): 28 May 2022

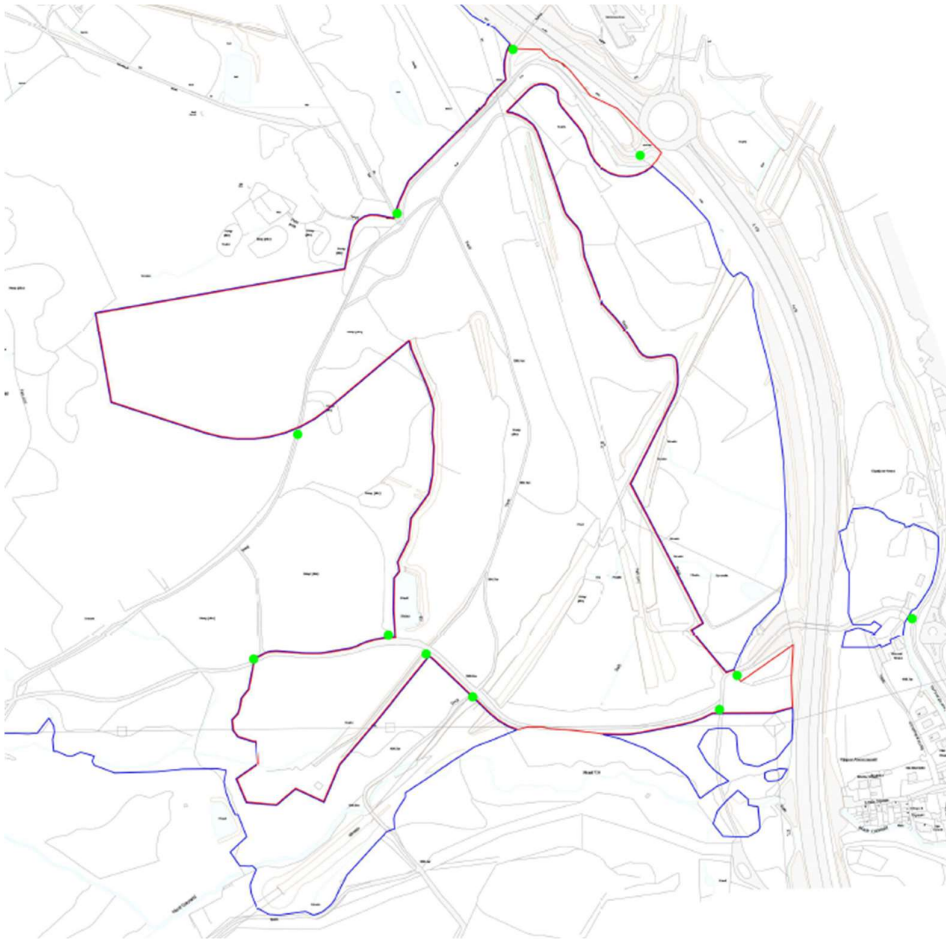
Signed:



Date: 26 April 2022



Photo of Site Notice and location map:



Press Notice:

facebook.com/WalesOnline Twitter: @WalesOnline www.walesonline.co.uk InYourArea.co.uk Thursday, April 28, 2022 £1.60

'PHARAOH' PLAY TO EM...
Lotto winners visit 65 countries: Page 3

NIGHT OUT ENDED IN TRAGEDY
INQUEST INTO DROWNING DEATH PAGES 4&5

Self-Serve online
marketplaceonline.co.uk

Merthyr Tydfil

SWEET SUCCESS FOR CHEESECAKE GUY
CRAIG Taylor first started making cheesecakes for his family and friends in December 2019. Fast-forward two years and he now has two shops and around 40,000 fans on social media and in 2020 he opened his own cheesecake and dessert business, The Cheesecake Guy.
■ Pages 6&7

SAVE 30%
WITH OUR FANTASTIC SUBSCRIPTION OFFER
DETAILS, PAGE 21

In YourArea.co.uk
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APPENDIX B – Schedule of Adjoining Occupiers/Owners

To the Appropriate Owner/Occupier	South Wales Trunk Road Agency (SWTRA) Welsh Government
To the Appropriate Owner/Occupier	The Local Highway Authority Unit 5 Triangle Industrial Estate Pentrebach Merthyr Tydfil CF48 4TQ



APPENDIX C – Copies of Letters and Notices Sent to Community Consultees

CARNEYSWEENEY

Brunel House
2 Fitzalan Road
Cardiff
CF24 0EB
planning@rhydyrcarwest.com

28 April 2022

2022 04 28 10:10:10 000000 0000 0000000000 0000000000 0000000000

Dear Sir/Madam,

**TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (WALES) ORDER 2012
AS AMENDED**

PUBLICITY UNDER ARTICLES 2C AND 2D BEFORE APPLYING FOR PLANNING PERMISSION

PROPOSED DEVELOPMENT AT RHYDYCAR WEST, MERTHYR TYDFIL

In accordance with the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 as amended, we write to give you notice that Marvel Ltd is intending to apply to Merthyr Tydfil County Borough Council for permission for the following development:

Outline application for erection of a mixed leisure development comprising indoor snow centre (up to 39,200 sq.m), waterpark (up to 7,500 sqm), indoor activity centre (up to 9,000 sq.m), external activity areas, hotel accommodation (up to 418 bedrooms), forest lodge accommodation (up to 30 units), car parking (up to 830 spaces) and associated earthworks, access, drainage, servicing and utilities connections/infrastructure

Please find enclosed the relevant notice for the above, which invites a pre-application consultation response on the proposed development to be provided to us by 28th May 2022. Your response may be sent by post to us at the address above or by email to: planning@rhydyrcarwest.com.

CarneySweeney complies with the Data Protection Act 1998 and the General Data Protection Regulation 2016 (GDPR) and is a registered Data Controller. For further information on CarneySweeney's approach to personal data, please request a copy of our Privacy Policy.

The draft planning application form, application drawings and supporting reports may be viewed online at: www.rhydyrcarwest.com/planning. Should they be required, computer facilities are available to view this information online at Merthyr Tydfil Library, High Street, Merthyr Tydfil, CF47 8AF between the hours of: 10:30-18:00 Mondays to Fridays and 08:30-14:00 Saturdays.

Yours sincerely,



Peter Waldren
CarneySweeney

www.carneysweeney.co.uk



**Town and Country Planning (Development Management Procedure)
(Wales) Order 2012**

**PUBLICITY AND CONSULTATION BEFORE APPLYING FOR
PLANNING PERMISSION**

NOTICE UNDER ARTICLES 2C AND 2D

(to be served on owners and/or occupiers of adjoining land and community consultees; and displayed by site notice on or near the location of the proposed development)

Purpose of this notice: This notice provides the opportunity to comment directly to the developer on a proposed development prior to the submission of a planning application to the local planning authority ("LPA"). Any subsequent planning application will be publicised by the relevant LPA; any comments provided in response to this notice will not prejudice your ability to make representations to the LPA on any related planning application. You should note that any comments submitted may be placed on the public file.

Proposed development at (a): [Land to the south west of the A470/A4102 roundabout at Rhydycar West, Merthyr Tydfil](#)

I give notice that (b): [Marvel Ltd](#)

is intending to apply for planning permission to (c): [Outline application for erection of a mixed leisure development comprising indoor snow centre \(up to 39,200 sq m\), waterpark \(up to 7,500 sq m\), indoor activity centre \(up to 9,000 sq m\), external activity areas, hotel accommodation \(up to 418 bedrooms\), forest lodge accommodation \(up to 30 units\), car parking \(up to 830 spaces\) and associated earthworks, access, drainage, servicing and utilities connections/infrastructure.](#)

You may inspect copies of:

- the proposed [application](#);
- the plans; and
- other supporting documents

online at (d) www.rhydycarwest.com/planning and computer facilities are available to view this information online at (e): [Merthyr Tydfil Central Library, High Street, Merthyr Tydfil, CF47 8AF](#)

between the hours of (f): [08:30-18:00 Mondays to Fridays and 08:30-14:00 Saturdays.](#)

Anyone who wishes to make representations about this proposed development must write to the agent at planning@rhydycarwest.com or CarneySweeney, Brunel House, 2 Fitzalan Road, Cardiff, CF24 0EB

by (k): [28 May 2022](#)

Signed: 

Date: [26 April 2022](#)



GORCHYMYN CYNLLUNIO GWLAD A THREF (GWEITDREFN RHEOLI DATBLYGU) (CYMRU) 2012

CYHOEDDUSRWYDD AC YMGYNGHORI CYN GWNEUD CAIS AM GANIATÂD

CYNLLUNIO HYSBYSIAD O DAN ERTHYGLAU 2C A 2D

(i'w gyflwyno i berchennog, a/neu feddianwr tir cyffwrdd ac ymgyngorai cymunedol; a'i arddangos drwy hysbysiad safle ar neu gerllaw lleoliad y datblygiad arfaethedig)

Diben yr hysbysiad hwn: Mae'r hysbysiad hwn yn rhoi'r cyfle i gyflwyno sylwadau'n uniongyrchol i'r datblygwyr ar ddatblygiad arfaethedig cyn cyflwyno cais cynllunio i'r awdurdod cynllunio lleol ("ACLL"). Bydd unrhyw cais cynllunio dilysol yn cael ei gyhoeddi gan yr ACLL perthnasol. Ni fydd unrhyw sylwadau a ddarperir mewn ymateb i'r hysbysiad hwn yn rhagfarnu eich gallu i gyflwyno sylwadau i'r ACLL ar unrhyw cais cynllunio cysylltiedig. Dylech nodi y gall unrhyw sylwadau a gyflwynir gael eu rhoi yn y ffeil gyhoeddus.

Datblygiad arfaethedig yn (a) [Tir i'r de-orllewin o gylchfan yr A470/A4102 yng Ngorllewin Rhyd-y-car, Merthyr Tudful](#).

Rwy'n rhoi rhybudd bod (b) [Marvel Ltd](#)

yn bwriadu gwneud cais am ganiatâd cynllunio i (c) [Cais amlinellol ar gyfer codi datblygiad hamdden cymysg sy'n cynnwys canolfan eira dan do \(hyd at 39,200 metr sgwâr\), parc dŵr \(hyd at 7,500 metr sgwâr\), canolfan weithgareddau dan do \(hyd at 9,000 metr sgwâr\), ardaloedd gweithgareddau allanol, llety gwesty \(hyd at 418 o ystafelloedd gwely\), llety llety coedwig \(hyd at 30 uned\), parcio ceir \(hyd at 830 o leoddd\) a chloddiau cysylltiedig, cysylltiadau/seilwaith mwnediad, draenio, gwasanaethu a chyfleustodau.](#)

Gallwch archwilio copïau o:

- y cais arfaethedig;
- y cynlluniau;
- a dogfennau ategol eraill.

ar-lein yn (d) www.rhydyrcarwest.com/planning ac mae cyfleusterau cyfrifiadurol ar gael i weld y wybodaeth hon ar-lein yn (e): [Llyfrgell Ganolog Merthyr Tudful, Stryd Fawr, Merthyr Tudful, CF47 8AF](#)

rhwng yr oriau o (f): 08:30-18:00 dydd Llun i ddydd Gwener a 08:30-14:00 dydd Sadwrn.

Rhaid i unrhyw un sy'n dymuno cyflwyno sylwadau am y datblygiad arfaethedig hwn ysgrifennu at yr ymgaisydd/asiant yn (i) planning@rhydyrcarwest.com or CarneySweeney, Brunel House, 2 Fitzalan Road, Cardiff, CF24 0EB

gan (k): 28 Mai 2022

Signed: 

Date: 26 Ebrill 2022



APPENDIX D – Copies of Letters and Notice Sent to Statutory Consultees

CARNEYSWEENEY

Brunel House
2 Fitzalan Road
Cardiff
CF24 0EB
planning@rhydyrcarwest.com

28 April 2022

TO: [Name of Consultee]
FROM: [Name of Consultant]
SUBJECT: [Subject of Notice]

Dear Sir/Madam,

**TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (WALES) ORDER 2012
AS AMENDED**

PUBLICITY UNDER ARTICLES 2C AND 2D BEFORE APPLYING FOR PLANNING PERMISSION

PROPOSED DEVELOPMENT AT RHYDYCAR WEST, MERTHYR TYDFIL

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Please find enclosed the relevant notice for the above, which invites a pre-application consultation response on the proposed development to be provided to us by 28th May 2022. Your response may be sent by post to us at the address above or by email to: planning@rhydyrcarwest.com.

CarneySweeney complies with the Data Protection Act 1998 and the General Data Protection Regulation 2016 (GDPR) and is a registered Data Controller. For further information on CarneySweeney's approach to personal data, please request a copy of our Privacy Policy.

The draft planning application form, application drawings and supporting reports may be viewed online at: www.rhydyrcarwest.com/planning. Should they be required, computer facilities are available to view this information online at Merthyr Tydfil Library, High Street, Merthyr Tydfil, CF47 8AF between the hours of: :30-18:00 Mondays to Fridays and 08:30-14:00 Saturdays.

Yours sincerely,



Peter Waldren
CarneySweeney



Statutory Consultee Notice (English and Welsh Version):

**Town and Country Planning (Development Management Procedure)
(Wales) Order 2012****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): [Land to the south west of the A470/A4102 roundabout at Rhydycar West, Merthyr Tydfil](#)

I give notice that (b): [Marvel Ltd](#)

is intending to apply for planning permission to (c): [Outline application for erection of a mixed leisure development comprising indoor snow centre \(up to 39,200 sq m\), waterpark \(up to 7,500 sqm\), indoor activity centre \(up to 9,000 sq m\), external activity areas, hotel accommodation \(up to 418 bedrooms\), forest lodge accommodation \(up to 30 units\), car parking \(up to 830 spaces\) and associated earthworks, access, drainage, servicing and utilities connections/infrastructure](#)

A copy of the proposed application; plans; and other supporting documents can be viewed online at (d): www.rhydycarwest.com/planning

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) planning@rhydycarwest.com by (f) **28 May 2022**.

Signed: 

Date: 26/04/2022



**GORCHYMYN CYNLLUNIO GWLAD A THREF (GWEITHDREFN RHEOLI DATBLYGU)
(CYMRU) 2012**

YMGYNGHORI CYN GWNEUD CAIS AM GANIATAD CYNLLUNIO

HYSBYSIAD O DAN ERTHGL 2D

(i'w addysgu) ymaswriad arddedol fel y'u diffinir gan erthygl 2(1) o Orchymyn Cynllunio Gwlad a Thref (Gweithdrefn Rheoli Datblygu) (Cymru) 2012

Diben yr hysbysiad hwn: mae'r hysbysiad hwn yn ddeisyfiad ffurfiol am ymateb i ymgynghoriad cynymgeisio o dan erthygl 2D o Orchymyn Cynllunio Gwlad a Thref (Gweithdrefn Rheoli Datblygu) (Cymru) 2012.

Datblygiad arfaethedig yn (a) Tir i'r de-orllewin o gylchfan yr A470/A4102 yng Ngorllewin Rhwy-y-car, Merthyr Tudful

Rwyf yn hysbysu bod (b) Marvel Ltd

Yn bwriadu gwneud cais am ganiatad cynllunio i (c) Cais amlinellol ar gyfer codi datblygiad hamdden cynmysg sy'n cynnwys canolfan eira dan do (hyd at 39,200 metr sewâr), parc gŵr (hyd at 7,500 metr sewâr), canolfan weithgareddau dan do (hyd at 9,000 metr sewâr), ardaloedd weithgareddau allanol, llety gwesty (hyd at 418 o ystafelloedd gwely), llety llety coedwig (hyd at 30 uned), parcio ceir (hyd at 830 o leosdd) a chloddiau cysylltiedig, cysylltiadau/seilwaith mynediad, draenio, gwasanaethu a chynffwrddau

Mae copi o'r cais arfaethedig; planiau; a dogfennau ategol eraill wedi eu hatodi/ar gael i'w harchwilio ar lein yn (d) www.rhydycarwest.com/planning

Yn unol a gofynion erthygl 2E o Orchymyn Cynllunio Gwlad a Thref (Gweithdrefn Rheoli Datblygu) (Cymru) 2012, rhaid anfon ymateb i'r ymgynghoriad at (e) planning@rhydycarwest.com erbyn (f) 28 Mai 2022.

Llofnod: 

Dyddiad: 26/04/2022



APPENDIX E - Responses

The Coal Authority



200 Lichfield Lane
Berry Hill
Mansfield
Nottinghamshire
NG18 4RG

Tel: 01623 637 119 (Planning Enquiries)

Email: planningconsultation@coal.gov.uk

Web: www.gov.uk/coalauthority

For the Attention of: Mr P. Waldren
Carney Sweeney

[By Email: planning@rhydycarwest.com]

26 May 2022

Dear Mr Waldren

PRE-APPLICATION ENQUIRY: Development at Rhydycar West

Outline application for erection of a mixed leisure development comprising Indoor snow centre (up to 39,200 sq m), waterpark (up to 7,500 sqm), Indoor activity centre (up to 9,000 sq m), external activity areas, hotel accommodation (up to 418 bedrooms), forest lodge accommodation (up to 30 units), car parking (up to 830 spaces) and associated earthworks, access, drainage, servicing and utilities connections/Infrastructure at Land to the South West of the A470/A4102 Roundabout at Rhydycar West, Merthyr Tydfil

Thank you for your consultation letter of 26 April 2022 seeking the views of the Coal Authority regarding the above matter.

The Coal Authority is a non-departmental public body sponsored by the Department of Business, Energy & Industrial Strategy. As a statutory consultee, the Coal Authority has a duty to respond to planning applications and development plans in order to protect the public and the environment in mining areas.

Having reviewed the proposed application Site Location Plan, we can confirm that the site falls within the Development High Risk Area; therefore within the site and surrounding area there are coal mining features and hazards that need to be considered in relation to development proposals.



The following provides a summary of the Coal Authority's information relating to the extensive coal mining legacy affecting the site:

- The site is within the potential zone of influence of former mine workings in 10 coal seams, including workings at shallow depth.
- There are parts of the site where historic unrecorded coal mining activity is likely to have taken place at shallow depth.
- There are 29 recorded mine entries (shafts and adits) and their associated zones of influence present within the site or within 20m of its boundary. We hold limited treatment details for two shafts and no information relating to past treatment of the remaining mining entries. Due to potential plotting inaccuracies, the actual positions of the mine entries could deviate from their plotted positions by several metres.

The identified mining legacy poses a potentially significant risk not only to surface stability but also public safety, and may give rise to the emission of mine gases.

Any planning application for the proposed development should be supported by a Coal Mining Risk Assessment. This document should demonstrate to the LPA that the site can be made, safe, stable and suitable for the proposed development.

In light of the above, we are pleased to note that coal mining legacy matters are considered in the Phase 1 Geoenvironmental Assessment Desk Top Study and Coal Mining Risk Assessment (April 2022, prepared by Tetra Tech), which has been prepared to support the application.

Based on a review of coal mining and geological information, Section 11 of the report acknowledges that the site has extensive coal and associated ironstone mining legacy including recorded and probable unrecorded mine workings and mine entries. It identifies that this legacy, poses a high risk to the proposed development.

The report advises that ground investigations will be required in order to assess the risk posed by shallow mine workings across the site, with geophysical and intrusive methods of investigation proposed to locate the recorded mine entries. It advises that the results of these investigations will inform proposals to remediate the legacy present.

The Coal Authority's Planning & Development Team welcomes the acknowledgement of the risk that coal mining legacy poses to proposed development at the site and the



broad recommendations made for the undertaking of site investigations to fully characterise the risk present and to inform further remedial works.

However, we are disappointed to note that the report fails to acknowledge the Coal Authority's policy relating to building on or within the influencing distance of mine entries. Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant safety and engineering risks and exposes all parties to potential financial liabilities. The Coal Authority has adopted a policy where, as a general precautionary principle, the building over or within the influencing distance of a mine entry should wherever possible be avoided. Our adopted policy on this matter can be found at:

www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries.

We acknowledge that the intention is to submit an application for outline planning permission for the proposed development with all matters reserved. However, the nature and scale of the development, the shape of the proposed application site and the layout of development shown on the Illustrative Masterplan, suggests that the development will take place over numerous mine entries. This matter is not explicitly addressed in the report.

In most cases it is possible to design a layout of development which is informed by the presence of recorded mine entries and avoids these features and their associated zone of influence. However, we appreciate that this is not always possible for large scale development proposals. The proposed development at Rhydyar West could be considered to fall into this category.

In those exceptional cases where development is proposed over recorded mine entries, the Coal Authority's Planning & Development Team would typically expect the features in question to be physically located, their condition assessed and clear information provided as part of the planning application to demonstrate how the risk posed by the mine entries is to be addressed in the detailed scheme of development.

We accept that the undertaking of site investigations to locate the numerous mine entries prior to securing outline planning permission may not be feasible in this case. Nevertheless, we would expect any outline planning application to set out clear justification as to why development cannot be arranged to avoid the recorded mine entries. A clear and robust methodology should also be provided which sets out how the risk posed by these features is to be addressed, including the anticipated phasing of investigation works and subsequent remedial treatment works and mitigation measures.

3

Protecting the public and the environment in mining areas



In light of the above, it is likely that the Coal Authority's Planning & Development Team would object to an outline planning application for the proposed development if accompanied by the Phase 1 Geoenvironmental Assessment Desk Top Study and Coal Mining Risk Assessment in its current form.

As alluded to in the report, there are a number of spoil tips present within the site. We take this opportunity to highlight that the Coal Authority does not provide comment upon matters relating to tips in our role as a statutory consultee. As such, in its consideration of any future planning application, the LPA would need to seek its own technical advice regarding the matter.

It should be noted that wherever coal resources or coal mine features exist at shallow depth or at the surface, there is the potential for mine gases to exist. These risks should always be considered by the LPA. The Planning & Development Team at the Coal Authority, in its role of statutory consultee in the planning process, only comments on gas issues if our data indicates that gas emissions have been recorded on the site. However, the absence of such a comment should not be interpreted to imply that there are no gas risks present. Whether or not specific emissions have been noted by the Coal Authority, LPAs should seek their own technical advice on the gas hazards that may exist, and appropriate measures to be implemented, from technically competent personnel.

Where SuDS are proposed as part of the development scheme consideration will need to be given to the implications of this in relation to the stability and public safety risks posed by coal mining legacy. The developer should seek their own advice from a technically competent person to ensure that a proper assessment has been made of the potential interaction between hydrology, the proposed drainage system and ground stability, including the implications this may have for any mine workings which may be present beneath the site.

I trust that the above comments are useful, but please do not hesitate to contact me if you wish to discuss the matters further.

Yours sincerely

James Smith

James Smith BSc (Hons), Dip.URP, MRTPI
Planning and Development Manager



The Welsh Ministers, Cadw:

		Llywodraeth Cymru Ty'r Afon Heol Bedwas Caerffili CF83 8WT 03000 256 000 cadw.llyw.cymru	Welsh Government Ty'r Afon Bedwas Road Caerphilly CF83 8WT 03000 256 000 cadw.gov.wales
Carney Sweeney By email: planning@rhydyrcarwest.com		Eich cyfeirnod Your reference Ein cyfeirnod Our reference Dyddiad Date Llinell uniongyrchol Direct line Ebost Email:	DH 27 May 2022 0300 0256004 cadwplanning@gov.wales

Dear Sir/Madam

Pre-Planning Application - Mixed leisure development and associated earthworks, access, drainage, servicing and utilities connections/infrastructure at Rhydyrcar West, Merthyr Tydfil

Thank you for your letter of 26 April 2022 inviting our comments on the pre-planning application consultation for the proposed development described above.

Advice

The following comments are based on information made available to us as part of the pre-application consultation and we will review our comments when we are consulted on the final planning application.

Having carefully considered the information provided, we have no objection to the proposed development in regard to the historic assets shown in our assessment of the application below.

The national policy and Cadw's role in the planning process is set out in Annex A.

Assessment

This statutory pre-planning application is for a mixed leisure development at Rhydyrcar West, Merthyr Tydfil.

The application will be accompanied by an archaeology and heritage impact assessment which is supported by an archaeology and heritage baseline assessment and an assessment of the impact of development on historic landscape (ASIDOHL) prepared by EDP. These works have determined that there will not be a significant impact on the registered Merthyr Tydfil landscape of outstanding historic interest. However, there would be significant adverse impacts on the settings of scheduled monuments GM606 Vale of Neath railway cutting and tunnel portal GM607 the Cwm Pit and Head of Railway; GM608 Cyfarthfa Balance Pond and Leat and SM609 Black Pins early ironstone workings along with listed building 81752 Base of Chimney at Cwm Pit. The applicant


 Llywodraeth Cymru
 Welsh Government





has therefore proposed a series of mitigation and off-setting measures to reduce this impact including conservation measures and bilingual heritage interpretation delivered via a Heritage Management Plan. In the view of EDP these positive measures, which include considerable improvements to the physical condition of these designated heritage assets, will outweigh the indirect adverse impact to their settings. We concur with this view.

Finally, there may also be undesignated historic assets that could be affected by the proposed development and, if you have not already done so, we would advise that you consult the Historic Environment Record held by the Glamorgan-Gwent Archaeological Trust www.ggat.org.uk

Yours sincerely,

Denise Harris
Policy and Protection





Annex A

Our role

Our statutory role in the planning process is to provide the local planning authority with an assessment concerned with the likely impact that the proposal will have on scheduled monuments, registered historic parks and gardens, registered historic landscapes where an Environmental Impact Assessment is required and development likely to have an impact on the outstanding universal value of a World Heritage Site. We do not provide an assessment of the likely impact of the development on listed buildings or conservation areas, as these are matters for the local authority.

It is for the local planning authority to weigh our assessment against all the other material considerations in determining whether to approve planning permission.

National Policy

Applications for planning permission are considered in light of the Welsh Government's land use planning policy and guidance contained in Planning Policy Wales (PPW), Technical Advice Notes and related guidance.

PPW [planning-policy-wales-edition-11.pdf](#) explains that it is important that the planning system looks to protect, conserve and enhance the significance of historic assets. This will include consideration of the setting of an historic asset which might extend beyond its curtilage. Any change that impacts on an historic asset or its setting should be managed in a sensitive and sustainable way.

The conservation of archaeological remains and their settings is a material consideration in determining a planning application, whether those remains are a scheduled monument or not. Where nationally important archaeological remains are likely to be affected by proposed development, there should be a presumption in favour of their physical protection in situ. It will only be in exceptional circumstances that planning permission will be granted if development would result in a direct adverse impact on a scheduled monument (or an archaeological site shown to be of national importance).

[Technical Advice Note 24: The Historic Environment](#) elaborates by explaining that when considering development proposals that affect scheduled monuments or other nationally important archaeological remains, there should be a presumption in favour of their physical preservation in situ, *i.e.* a presumption against proposals which would involve significant alteration or cause damage, or would have a significant adverse impact causing harm within the setting of the remains.

Historic Parks and Gardens

PPW also explains that local authorities should value, protect, ~~conserve~~ and enhance the special interests of parks and gardens and their settings included on the register of historic parks and gardens in Wales and that the effect of a proposed development on a registered park or garden or its setting should be a material consideration in the



determination of a planning application.



Natural Resources Wales:



Ein cyf/Our ref: CAS-187572-H2Q1
Eich cyf/Your ref: -

Rivers House,
St Mellons Business Park,
St Mellons,
Cardiff,
CF3 0EY

Carney Sweeney
Brunel House
2 Fitzalan Road
Cardiff
CF24 0EB

ebost/email:
southeastplanning@cyfoethnaturiolcymru.gov.uk

01/06/2022

Annwyl Syr/Madam / Dear Sir/Madam,

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

BWRIAD / PROPOSAL: OUTLINE APPLICATION FOR ERECTION OF A MIXED LEISURE DEVELOPMENT COMPRISING INDOOR SNOW CENTRE (UP TO 39,200 SQ M), WATERPARK (UP TO 7,500 SQM), INDOOR ACTIVITY CENTRE (UP TO 9,000 SQ M), EXTERNAL ACTIVITY AREAS, HOTEL ACCOMMODATION (UP TO 418 BEDROOMS), FOREST LODGE ACCOMMODATION (UP TO 30 UNITS), CAR PARKING (UP TO 830 SPACES) AND ASSOCIATED EARTHWORKS, ACCESS, DRAINAGE, SERVICING AND UTILITIES CONNECTIONS/INFRASTRUCTURE

LLEOLIAD / LOCATION: RHYDYCAR WEST, 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 26/04/2022.

We have concerns with the application as proposed because inadequate information has been provided. To overcome these concerns, you should provide further information in your planning application regarding protected sites (SSSI), European protected species, fully protected species, birds, land contamination and controlled waters and landscape. If this information is not provided, we may object to the planning application when formally consulted by the planning authority. Further details are provided below.

We also advise that based on the information submitted to date, we would ask the planning authority to include conditions regarding biosecurity risk, a construction environmental management plan and land contamination on any planning permission granted. Without the inclusion of these conditions by the planning authority we would be likely to object to the planning permission.

Croesewir gohebiaeth yn y Gymraeg a'r Saesneg
Correspondence welcomed in Welsh and English



Please note, the conditions above should not be considered exhaustive. If further information is provided to satisfy our concerns, it may be necessary to request further conditions to avoid, mitigate or compensate other environmental effects.

1.0 Protected Sites

The proposed application site is partially located on Cwm Glo a Glyndyrys Site of Special Scientific Interest (SSSI) and is surrounded on three sides by this SSSI. The [citation for this SSSI](#) states 'Cwm Glo a Glyndyrys is of special interest for its extensive areas of marshy grassland, species-rich neutral grassland and acid grassland, and for the association of these habitats with others including woodland and heath. It is also of special interest for its outstandingly diverse assemblage of grassland fungi, including 32 species of waxcap *Hygrocybe* spp, making it one of the best sites in Britain.'

Planning Policy Wales (Edition 11) PPW 11, 6.4.17 provides for the protection of a SSSI from development '...within or adjacent to their boundaries...' that would be damaging. It states: 'There is a presumption against development likely to damage a SSSI....'.

Local Development Plan policy EnW2 (Internationally and Nationally Protected Sites and Species) provides the local policy context for nationally protected sites. Proposals are also required to promote wider ecosystem resilience in accordance with Policy EnW1 (Nature Conservation and Ecosystem Resilience).

The Planning Statement (5.2.11) states that part of the application site includes 6ha of the SSSI. The Illustrative Masterplan indicates that the Indoor Snow Centre and associated earthworks and access road are proposed to be located within part of the SSSI to facilitate the use of the hillside topography.

This results in permanent loss of part of the SSSI. The 6ha loss of the 181ha SSSI equates to between 3%-4% of the SSSI land area. In addition, the scheme has the potential to negatively affect additional areas of the SSSI bordering the development through a range of pathways, including changes in hydrology and hydrogeology; and the impact from likely increases in public access and/or recreation.

We note the Planning Statement repeatedly states that compliance with policies EnW1 and EnW2 depend on the precise details of offsite ecological management which are yet to be firmly established. No further details have been provided on what this includes.

Therefore, further information to include the offsite ecological management should be submitted with the planning application to allow us to fully advise the planning authority on the potential environmental effects. Given there will be a need to offset the loss of SSSI land, offsite compensation for unavoidable damage, following the stepwise approach in local and national policy, should be provided. The planning application should clearly set out what mitigation and compensation measures are necessary to ensure the nature conservation value of the SSSI is preserved and enhanced.

We agree this will need to include long-term management plan(s) for habitats within and beyond the application site. The decision as to how this will be secured will require the



input of the planning authority, however we've provided comments below. In addition to the above, and having reviewed the draft application, we also advise there are areas which require further information and/or assessment to understand the impacts on the SSSI. These will also need addressing in the planning application. Where appropriate, we have highlighted potential conditions which we will be seeking, if the application is granted. These are not exhaustive, and you may wish to submit this information with the planning application.

1.1 Detailed comments on draft application

We note the draft application is supported by detailed assessments of species and habitats presented in the Ecological Impact Assessment and undertaken across the proposed development site and wider SSSI. We consider these assessments are suitable to inform the proposals and planning application determination.

The draft application seeks to demonstrate that the scheme has sought to ensure that the built development minimises the impact on Cwm Glo a Glyndyrys SSSI, both in terms of magnitude of land take and of the areas of habitat that would be affected by the scheme.

1.1.1 Long-term management of SSSI

We note the proposal to secure long-term positive management over the remainder of Cwm Glo a Glyndyrys SSSI, which is not affected by the development footprint. This is outlined in Section 5 of the Ecological Impact Assessment, detailed in 5.1.2. We would broadly agree with the suitability of the measures listed here as aspirations to secure better management of the SSSI. However, we require significantly more detail on those measures being proposed and the mechanism which will guarantee the delivery of this work in the longer term. The management commitments should last a minimum 25 years, ensuring there is sufficient financial commitment to cover the delivery and a suitable organisation / management body identified to undertake and supervise the works. This is essential in ensuring the success of any measures proposed. There will also need to be an appropriate programme of monitoring built into any scheme, so that progress can be tracked, any necessary changes identified, and alternative measures put in place.

We would expect this information to be provided as part of any future planning application. It will be important to ensure that details regarding the management of the wider SSSI are specified in a comprehensive management plan, drawn up in close consultation with Natural Resources Wales and Merthyr Tydfil County Borough Council and agreed by all parties.

1.1.2 Ecosystem resilience

The location of the development footprint would result in the separation of a relatively small parcel of the SSSI from the remainder of the designated site at its extreme south-eastern boundary. This will likely lead to potential difficulties with delivering a suitable grazing regime in this area. This situation could also – depending on the precise configuration of the development and location of elevations – present difficulties for dispersal of marsh fritillary butterflies across the site. We seek further information as to how these potential issues will be overcome as part of the future management strategy for the wider SSSI.



We are supportive of the approach to avoid impacts on ecological interests within the development footprint where possible, such as the retention of significant areas of woodland cover in the southern part of the development footprint as detailed in 4.1.2. We also note that the proposal will not affect the areas of woodland present on the site that are included on the ancient woodland inventory. You will be aware of the provision in PPW 11 for the protection of ancient woodland.

We suggest there remains significant potential for the proposal to retain important ecological features and create new habitat within the red line boundary. An example of this could be the establishment of a species-rich sward across the large earth bund supporting the snowdome structure, through retention, and redistribution of, suitable nutrient poor soils and spoil from historic mining operations on the development footprint itself. In this regard we would advise against the use of commercially available seed mixes on site in general and would advocate the retention of existing habitats / soils where possible. It should be ensured that any additional planting for landscape purposes is kept to a minimum and that only appropriate locally native varieties are used to avoid the potential for unsuitable and / or invasive species to spread into the immediately adjacent SSSI.

We note that the marsh fritillary survey undertaken in September 2020 by Sturgess Ecology identified areas of devil's bit scabious at the northern end of the development footprint which would be lost through current proposals. While no webs were found in this area in the 2020 survey, the area nonetheless has the potential to be used by the marsh fritillary butterfly. Therefore, we seek further assessment of the potential impacts on marsh fritillary to be undertaken. The 2020 survey recorded larval webs only a short distance south-west of the area in question, well within the dispersal range of this species.

While it is noted that this development will not affect the known colonies of marsh fritillary on the SSSI (as recorded in September 2020 survey), the Ecological Impact Assessment does not fully quantify the potential loss of habitat which would be brought about by the development. We would expect this aspect to be assessed in more detailed as part of any future planning application.

1.1.3 Hydrological and hydrogeological assessment

Given the proximity of the built development (specifically the ski slope and associated earthworks) to a number of marshy grassland/lowland heath communities (Abercanaid slopes) including areas of M24 mire vegetation (a particularly rare habitat type strongly associated with subsurface base-enriched groundwater flows) we seek further details and assessment regarding the likely impact upon the current hydrological regime in the area. This should assess whether the proposals will alter the quality, quantity or nature/direction of surface or subsurface flows and the likely impact on habitats in that area.

We note that the development footprint also appears to overlap areas of lowland heath and marshy grassland within the SSSI. We also seek further detail on the nature and magnitude of that impact.



1.1.4 Habitat Regulations Assessment

The Ecological Impact Assessment acknowledges a link between the marsh fritillary populations at Cwm Glo a Glyndrys SSSI and the functional landscape area of Blaen Cynon Special Area of Conservation (SAC) metapopulation (the sites being potentially linked through stepping stone habitat in the intervening landscape). As such, the proposal should be screened through a Habitats Regulations Assessment as required by the Conservation of Habitats and Species Regulations 2017 (as amended).

1.1.5 Biosecurity risk

It is also mentioned in the Ecological Impact Assessment that there is Japanese Knotweed and Himalayan Balsam present on site. As such we seek a biosecurity risk assessment from the applicant. This could be submitted with the planning application, or if required, secured through a planning condition. The assessment should include a method statement for construction, including site clearance and disposal of waste, to prevent or ensure the extent of invasive species are not spread throughout or beyond the development area and that best available techniques are utilised to deliver effective invasive species management.

1.1.6 Protection of the water environment

A comprehensive Construction Environmental Management Plan (CEMP) will be necessary to protect both the water environment and SSSI. We would seek to secure a pre-commencement condition for the submission and approval of a detailed final CEMP. It may prove useful to provide an Outline CEMP, setting out a high-level strategy – as part of your planning application. This should particularly focus on addressing and mitigating impacts from silt discharging from construction activities. This is especially important given that the Taff-Cynon stretch is a Moderate waterbody under the Water Framework Directive and is also an [Opportunity Catchment area](#).

1.1.7 Air Quality

We have considered the Air Quality Assessment, Revision 6 by Tetra Tech dated 21/04/2022. We consider the Assessment to use suitable source information and guidance to assess potential impacts on Cwm Glo y Glyndrys SSSI (for example APIS, IAQM guidance on Air Quality Impacts in Designated Nature Conservation Sites, ADMS modelling, Sennybridge Met data windrose).

The Process Contribution (PC) calculated for four ecological receptors at the SSSI indicates that one receptor (E1) exceeds the $0.4 \mu\text{g}/\text{m}^3$ threshold where changes in the annual mean NOx concentration cannot be dismissed as imperceptible. The results of the subsequent nutrient nitrogen deposition calculation for this receptor, however, did not result in an exceedance of the critical load function. This is expected given that the predicted annual background concentration of NOx plus PC together is $12.74 \mu\text{g}/\text{m}^3$, which is well below the critical level for NOx ($30 \mu\text{g}/\text{m}^3$).

We are therefore satisfied with the Air Quality Assessment findings that impacts on nitrogen sensitive features resulting from changes in traffic (as a result of the proposed development) are likely to be negligible.



We note the report concludes the same for Rhydycar West Site of Nature Conservation (SINC) despite this area receiving higher levels of pollution than Cwm Glo y Glynhydrys SSSI. We would advise the planning authority to consider the nutrient nitrogen deposition values provided in the Assessment in the context of any nitrogen sensitive biodiversity features of interest at the Rhydycar West SINC as this is not within NRW's remit.

1.1.8 Local Biodiversity

The Ecological Impact Assessment lists a number of Section 7 priority habitats and priority species [Environment (Wales) Act 2016] on the site that will be lost due to this proposal.

These habitats are of principle importance for the purpose of maintaining and enhancing biodiversity in Wales. The applicant should seek advice from the local authority ecologist on these habitats and should be aware that further mitigation/compensation (on or offsite) may be necessary, and this should not conflict with any mitigation/compensation for the SSSI or European protected species.

Similarly, should there be scope to compensate for the loss of these habitats off-site, an assessment should also be undertaken to better understand the pathways for these species to colonise any new sites / areas under consideration.

Where possible, the applicant should look to retain or enhance natural features on site to help improve biodiversity.



2.0 European Protected Species

We note the preparation of the following documents in support of the draft application:

- Drawing RHDR – HMA-LE-ZZ-DR-A-PL-001 (P01) 'Rhydycar West, Merthyr Tydfil. Site Location Plan' by Holder Mathias Architects dated 14/2/22;
- Drawing RHDR – HMA-LE-ZZ-DR-A-PL-010 (P01) 'Rhydycar West, Merthyr Tydfil. Outline Masterplan' by Holder Mathias Architects dated 14/2/22;
- 'Rhydycar West. Light Spillage Assessment' by TetraTech dated 4/2/22;
- Drawing RHDR – HMA-LE-ZZ-DR-A-PL-011 (P01) 'Rhydycar West, Merthyr Tydfil. Development Parameter Plan' by Holder Mathias Architects dated 14/2/22;
- 'Rhydycar West. Ecological Impact Assessment' by Bioscan dated January 2022 encompassing:
 - 'Cwm Glo a Glyndyrys, Merthyr Tydfil. Species Survey Report: Great Crested Newt' by Bioscan dated February 2022;
 - 'Cwm Glo a Glyndyrys, Merthyr Tydfil. Species Survey Report: Bats' by Bioscan dated February 2022;
- Drawing PRJ01 TTE 00 ZZ DR L TPP1 (P03) 'Rhydycar West, Merthyr Tydfil. Tree Retention and Removal Plan' by TetraTech dated April 2022;
- Drawing PRJ01 TTE 00 ZZ DR L TCP1 (P03) 'Rhydycar West, Merthyr Tydfil. Tree Constraints Plan' by TetraTech dated April 2022.

We note that the application site encompasses part of Cwm Glo a Glyndyrys SSSI and has been surveyed for great crested newts, bats, otters, dormice and water voles.

Great crested newts, otters, dormice and all species of British bats are European Protected Species, legally protected under The Conservation of Habitats and Species Regulations 2017 (as amended). Legal protection relates to the animals themselves and the places they use to rest and breed.

Where a European Protected Species is present and 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.

A licence may only be authorised if:

- i. The proposed works to be authorised satisfy an appropriate derogation purpose, which in the case of development are for the purposes of preserving public health or safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment;
- ii. There is no satisfactory alternative; and
- iii. The action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range.



These requirements are translated into planning policy through Planning Policy Wales (PPW) February 2021, section 6.4.22 and 6.4.23, and Technical Advice Note (TAN) 5, Nature Conservation and Planning (September 2009). Paragraph 6.3.7 of Technical Advice Note 5: Nature Conservation and Planning (TAN5) states that the planning authority should not grant planning permission without having satisfied itself that the proposed development either would not impact adversely on any European Protected Species on the site or that, in its opinion, all three conditions for the eventual grant of a licence are likely to be satisfied.

On receipt of further information with the planning application, we will be pleased to advise on any planning conditions that may also be required.

2.1 Great Crested Newts (GCN)

As the Ecological Impact Assessment (EclA) acknowledges, the application site is part of a much broader area of west Merthyr which has long supported great crested newts.

We welcome that GCN surveys were undertaken in 2021 to inform the application and that these survey results have been considered in the context of survey results from previous years for the wider landholding to give an idea of use of the landscape by GCN. With reference to the previous surveys, we note that the 2015 surveys related to the wider landholding and the 2017/18 surveys related to the eastern and southern part of the landholding as shown on Figure 1 in Appendix 1.

2.1.1 2021 survey extent

The EclA indicates that the 2021 GCN surveys focussed on the current application site boundary with a 250m buffer. However, Figure 2 (in Appendix 2) shows that in the southwest of the application site the buffer was, in places, considerably closer than 250m of the application site boundary and crossed it in two places. Whilst we can see that one pond beyond the application site boundary at this location was surveyed (P48), we seek further information including a revised Appendix 2 Figure 2 to:

- i. confirm where the 250m buffer lies around the full extent of the application site boundary;
- ii. clarify whether any ponds other than P48 exist beyond the application site boundary within a correctly drawn 250m buffer.

2.1.2 Survey results

We note that the 2021 surveys recorded GCN in P11, P29 and P48, with evidence of GCN breeding in P48. Whilst we note that none of these are located within the application site, P29 and P48 are very close to its boundary and P11 lies within the 250m buffer in the north-west.

In consideration of the survey results from the previous survey years we note that GCN have historically also been recorded as present in P15, P17 and P26 within the site boundary and P10 and P38 within the 250m site buffer.



2.1.3 Impact Assessment

Section 4.6 of the EclA considers the impacts on protected species, with sections 4.6.3 and 5.2.2 referring to great crested newts. Unfortunately, although the EclA acknowledges that the proposals will result in the loss of GCN breeding sites and terrestrial habitat, and that impacts on the species are likely to be significant, a detailed impact assessment is not included.

We therefore seek a detailed assessment of the potential impacts of the proposals on great crested newts including on:

- GCN breeding ponds within the application site and the 250m buffer;
- Other ponds known to be used by GCN within the application site and the 250m buffer;
- Terrestrial habitat within 50m of ponds used by GCN;
- Terrestrial habitat within 50m-250m of ponds used by GCN; and
- Terrestrial habitat within 250m-500m of ponds used by GCN.

2.1.4 Proposed Mitigation and Compensation

No specific details regarding proposed mitigation and/or compensation are included within the EclA, and it assumes that there is scope for such measures on the wider landholding much of which is covered by Cwm Glo a Glyndyrys SSSI.

The loss of aquatic and terrestrial habitats will require the provision of a dedicated GCN reserve in the local area, managed specifically for the conservation of GCN.

Compensatory ponds should be provided at a ratio of 2:1 (gain:loss). It is not sufficient to leave this information to a Species Protection Plan (or similar) secured by pre-commencement condition or to the EPS licensing process. A Great Crested Newt Conservation Plan setting out the mitigation and/or compensatory measures that will be put in place should be submitted in support of any planning application.

These measures should include secure long-term (in perpetuity) habitat compensation, habitat and species management and monitoring measures, set out who will be responsible for this and how it will be funded, co-ordinated and implemented. Impacts of the development and proposals for mitigation and compensation should be considered in the context of the current conservation status of GCN and the legal requirement for the proposals to demonstrate that there will be no detriment to the maintenance of the favourable conservation status of the species.

2.1.5 GCN – Summary

We consider that there is insufficient information within the draft application documents to confirm the likely impacts of the proposals on GCN and confirm that the proposals are unlikely to result in a detrimental impact to the maintenance of the favourable conservation status of the population(s) of GCN concerned.

We therefore have concerns regarding the above proposal pending the provision of further information regarding great crested newts, European protected species.



We would seek further information to allow the planning authority and NRW to be able to assess whether there is a detriment to the maintenance of the favourable conservation status of GCN. We advise that the information below is provided inform the determination of the application. We will be pleased to review our position and provide further advice when consulted by the planning authority.

Further Information to be Provided at Planning Application Stage:

A revised GCN Survey Report Figure 2 to:

- i. confirm where the 250m buffer lies around the full extent of the application site boundary;
- ii. clarify whether any ponds other than P48 exist beyond the application site boundary within a correctly drawn 250m buffer.

The submission of a detailed site-wide Great Crested Newt Conservation Plan which should include:

- Detailed assessment of the potential impacts of the construction and operational phases of the scheme on great crested newts, including an assessment of the risks of incidental injury or killing;
- Review of the extent, distribution and quality of GCN habitat to be removed, retained, enhanced and created:
 - GCN breeding ponds within the application site and the 250m buffer;
 - Other ponds used by GCN within the application site and the 250m buffer;
 - terrestrial habitat within 50m of ponds used by GCN;
 - terrestrial habitat within 50m-250m of ponds used by GCN; and
 - terrestrial habitat within 250m-500m of ponds used by GCN.
- Ensuring habitat functionality and connectivity during and post construction;
- A plan showing habitat to be removed, retained, enhanced and created which should identify the extent and location, drawn to an appropriate scale;
- Details of protective measures to be taken to minimise the impacts;
- Submission of further details concerning on-site and off-site GCN habitat compensatory proposals including plans, extent, access, as well as current and proposed tenure. Details shall identify areas of terrestrial and aquatic habitat to be retained, enhanced and created. In respect of aquatic habitats, pond and associated infrastructure design. Submission to include details of timing, phasing and duration of construction activities and conservation measures.
- Timetable for implementation demonstrating that works are aligned with the proposed phasing of the development



- Details of initial aftercare and principles of long-term maintenance
- Actions to be taken in the event that a larger than anticipated GCN population is encountered during pre-construction update surveys and/or development works;
- Ecological Compliance Audit, including key performance indicators;
- Details of measures to prevent or reduce incidental capture or killing. Measures should be designed to prevent the accidental capture/ killing of newts (amphibians) during operational phases of the scheme. This is essentially the installation and maintenance of an amphibian friendly surface water management system that does not include gully pots (or other similar features that could trap newts).
- Proposed mechanism for the long-term management of any compensation, including long term financial considerations. We advise this is likely to require both planning conditions and obligations. We suggest the mitigation strategy includes a 'Heads of Terms' document that specifies funding mechanisms, tenure and any changes to tenure, and provisions for updating the management plan.
- Design principles of green and blue infrastructure together with ecosystem resilience. This statement to cross reference with GCN mitigation and compensation measures and the long-term site management plan.
- Submission of a long-term site management plan that includes defined aims and objectives; habitat management prescriptions; surveillance prescriptions based on abundance and habitat suitability; contingency measures if fish or invasive non-native species (INNS) are detected; proposals that are capable of being implemented in the event of failure to undertake or to appropriately implement identified or contingency actions; site liaison and wardening; licensing requirements for undertaking habitat management and surveillance; current and any proposed changes to tenure of the dedicated ecology areas; persons or bodies responsible for undertaking management and surveillance together with required skills and competencies; reporting requirements and proposed dates for updating or revising the management plan.

2.2 Bats

We welcome that consideration has been given to the presence of bats on the application site and that the results of previous surveys are included to give information on historic use of the site by bats.

2.2.1 Bat roosts in structures

We note that a number of structures are present within the application site and a 250m buffer which have the potential to support roosting bats including the following:

- Within the application site:
 - B6 Stone bridge abutments with metal deck



- B7 Retaining wall
 - B8 Stone bridge
 - B20 Stone bridge
 - B21 Low stone culvert
- Within 250m of the application site boundary:
 - B1 Cyfartha canal tunnel entrance;
 - B2 Concrete wall
 - B3a Square stone structure
 - B3b Retaining wall
 - B4 Stone structure
 - B5 Paired stone retaining walls
 - B9 Stone bridge with metal deck
 - B10 Base of collapsed chimney
 - B11 Abercanaid-Aberdare tunnel
 - B12 Long stone retaining wall
 - B13 Stone wall opposite B12
 - B14 Culvert carrying northern arm of Nant Cwm Pant Bach
 - B15 Low stone culvert
 - B16 Low Stone culvert
 - B17a related small tunnel immediately south-east of B17
 - B17b Low stone bridge/culvert
 - B18 Long supporting wall
 - B19 Retaining wall
 - B22 Culvert carrying southern arm of Nant Cwm Pant Bach

We note that the above structures were visually reassessed for evidence of bats in March 2021. We also note that although most of the structures were identified to have low-high bat hibernation/roost potential, the only follow up surveys undertaken were static detector surveys on B1, B8 and B11 in the same month even though some of the structures had been confirmed roosts in previous surveys (e.g. B8, B10, B12).

We advise that the 2021 bat surveys do not fully accord with published best practice survey guidance. Visual assessments alone are not sufficient to determine bats use of structures, particularly where crevices are present which may conceal bats' presence. Structures identified to have potential to support roosting bats should be subject to further surveys at the appropriate time of year. If they are considered to have summer roost potential, they should be subject to emergence surveys in the period May-August. If they are considered to have hibernation potential then surveys over winter (November-February) will be required.

In the absence of the above information, there is insufficient information to confirm whether there are any bat roosts present within structures and immediately adjacent to the site which may be affected by the proposed development. We would seek further information in this regard to support the application.



2.2.2 Bats in trees

The EclA confirms that the 2021 preliminary tree roost assessment was based on a ground-level assessment using binoculars and focussed on an area in the north-west part of the site. It also confirms that trees outside of this area on the wider site have not yet undergone assessment and that the development boundary changed after the surveys were done and therefore some trees which were outside of the survey boundary and not previously surveyed may now fall within the application site.

Although the tree roost surveys focussed on the area of the proposed ski slope, it appears that the wider site also has trees which may also be affected by the proposals (e.g. construction of hotel, car park, water park, etc.). We advise that these should also be assessed for their potential to support roosting bats.

Of the area that has been surveyed we note that a number of trees with moderate or high potential to support roosting bats were identified as being present. We advise that these, and any others across the wider application site are subject to climbed, endoscope surveys. The results of these surveys should be submitted in support of the application.

2.2.3 Bat activity across the site

We welcome that bat activity transect surveys were undertaken in 2021, and follow on from similar surveys undertaken in 2015, 2016 and 2018 parts of which are relevant to the application site as it is now proposed.

The results of the 2021 surveys confirm that a diverse assemblage of bat species continues to use the site, including rarer species of bats (such as Lesser Horseshoe bat). That being the case we advise that a conservative approach to the lighting of the site is required to ensure that bats can continue to move around and through the developed site.

We welcome the information provided within the Light Spillage Assessment regarding the proposed lighting of the site, to include column lighting for the access roads and low level bollard lighting for the car parking area. We note that it considers the potential impacts of the proposed lighting on sensitive ecological receptors such as bats and welcome that a threshold of 1 lux is used for this purpose.

We consider that lighting matters can be dealt with through an appropriately worded planning condition. However, we take the opportunity to highlight that when the details of lighting are submitted, the following matters will also need to be considered:

- i. confirmation of the device maintenance factor used in the light spill modelling process;
- ii. provision of light spillage drawings (based on a device maintenance factor of 1 if that hasn't already been used) showing the light spill contours in relation to new and retained habitats as shown on the Illustrative Masterplan.

2.2.4 Impact Assessment

In the absence of comprehensive bat surveys of structures and trees across the site, it is not possible to full assess the likely impacts of the scheme on bats and their roosts,



although section 4.6.1 indicates the potential loss of roost sites including for rare species such as lesser horseshoe bats.

We advise that the EclA includes a comprehensive assessment of the likely impacts of the proposed development on bats and their roosts, taking account of the results of the additional surveys advised above.

2.2.5 Proposed Mitigation and Compensation

No specific details regarding proposed mitigation and/or compensation for the potential impacts on bats are included within the EclA.

It is not sufficient to leave this information to a Species Protection Plan (or similar) secured by pre-commencement condition or to the EPS licensing process. A site-wide Bat Conservation Plan setting out all the mitigation and/or compensatory measures that will be put in place should be submitted in support of any planning application. These measures should include long term (in perpetuity) habitat and species management and monitoring measures and set out who will be responsible for this and how it will be funded, co-ordinated and implemented.

Impacts of the development and proposals for mitigation and compensation should be considered in the context of the current conservation status of bats and the legal requirement for the proposals to demonstrate that there will be no detriment to the maintenance of the favourable conservation status of the species.

2.2.6 Bats - Summary

We consider that there is insufficient information with the application to confirm the likely impacts of the proposals on bats and confirm that the proposals are unlikely to result in a detrimental impact to the maintenance of the favourable conservation status of the population(s) of bats concerned.

We therefore have concerns regarding the above proposal pending the provision of further information regarding bats, European protected species.

We would seek further information to allow the planning authority and NRW to be able to assess whether there is a detriment to the maintenance of the favourable conservation status of bats. We advise that the information below is provided inform the determination of the application. We will be pleased to review our position and provide further advice when consulted by the planning authority.

Further Information to be Provided at Planning Application Stage:

Further surveys in accordance with published best practice of all structures within and adjacent to the site identified to have at least low hibernation/roost potential.

An assessment of trees across the application site for their potential to support roosting bats and climbed, endoscope surveys for any considered to have moderate/high potential to support roosting bats.



The submission of site-wide Bat Conservation Plan which should include:

- Comprehensive assessment of the likely impacts of the proposed development on bats and their roosts, taking account of the results of the additional surveys advised above.
- A plan showing habitat and roosts to be lost, created and retained which should identify the extent and location drawn to an appropriate scale;
- Details of proposed compensatory roosts including proposed siting and design;
- Details of protective measures to be taken to minimise the impacts;
- Details of timing, phasing and duration of construction activities and conservation measures;
- Timetable for implementation demonstrating that works are aligned with the proposed phasing of the development;
- Details of initial aftercare and long-term maintenance;
- Actions to be taken in event that more bat roosts are encountered during pre-construction update surveys and/or development works;
- Ecological Compliance Audit, including key performance indicators;
- Persons responsible for implementing the works;
- Details of measures to prevent or reduce incidental capture or killing.

2.3 Otters and water voles

Water voles are a fully protected species under the Wildlife and Countryside Act. We note that no evidence of these species was recorded along the watercourses running through or close to the site during the 2021 survey or the previous surveys, though we note the comments that otters may utilise the watercourses on site to move through the area.

However, there does not appear to be a Phase 1 habitat map to confirm where the watercourses are. We therefore advise the following is submitted with any planning application:

A Phase 1 habitat map to confirm the location and distribution of habitats across the site including watercourses.

2.4 Dormice

We welcome that dormouse surveys were undertaken and note that no evidence of dormice was recorded on the application site.

2.5 EPS Licence

We advise that the applicant seeks a European Protected Species licence from Natural Resources Wales under Regulation 55 of The Conservation of Habitats and Species Regulations 2017 before any works on site commence that may impact upon bats or great crested newts. Please note that the granting of planning permission does not negate the need to obtain a licence.



3.0 Birds

We consider the surveys undertaken (contained in the Ecological Impact Assessment by Bioscan dated January 2022 Report Reference E1835R7) to be sufficient to inform the planning application. We welcome that the most up to date survey covers the same area as previous surveys despite the red line application boundary being smaller.

Overall, a good assemblage of birds was found. We advise mitigation should be considered further and addressed in the planning application, ensuring that this does not conflict with the other ecological interests or mitigation and compensation proposed in relation to the SSSI and protected species. Measures should be proposed to compensate for the loss of habitat and should be aimed at maintaining and, where appropriate, improving the retained woodland for species of principal biodiversity importance identified by the surveys (e.g. Willow Tit). Given the net-loss of woodland, the package should also seek to include off-site mitigation or compensation, detailing the size and form, where it is located, how it will be secured, maintained, managed and funded'.

4.0 Land Contamination and Controlled Waters

4.1 Land Contamination

Due to the size of the site, we would seek the submission of detailed historic mapping as part of the desk top study to ensure that no obvious sources of large scale gross contaminative sources have been missed. This should be submitted with any planning application. Our advice regarding land contamination will depend on the outcome of the more detailed historic mapping. If large scale gross contaminative sources are identified, we may require a number of land contamination conditions. In any event we would request a condition relating to unsuspected land contamination.

4.2 Geotechnical / Ground Remediation due to presence of mine workings

Depending upon the methods proposed for remediation of the underground workings associated with the site, we may advise a condition to ensure protection of controlled waters associated with ground improvement / grouting works. We would seek confirmation in the planning application as to the methods proposed for remediation of the underground workings associated with the site.

For your information, we advise the following is the type of information we would require regarding grouting and ground stabilisation works:

4.2.1 Summary of information required as part of grouting and ground stabilisation works.

The following summary should be used as a guide in assessing the type of information NRW would require to be carried out and submitted as part of any proposed grouting and ground stabilisation and excavation of former mine-workings. It should be noted that additional information, not included in this summary may be required during such works.



Vulnerability Survey

- Identify all surface and groundwater features and users in the vicinity of the site including old or existing mine adits and mine-workings, drains and culverted features. In addition, all relevant historic documents held by the appropriate local planning authority should be used to identify any natural or man-made structures beneath or in the vicinity of the site.
- It is important for a walk-over survey to be carried out to validate the vulnerability survey and identify any features not included in the formal records, i.e. disused adits or mine-workings etc.
- In order to notify abstractors in case of grout break-out, licensed surface water abstractions downstream of a site need to be identified. For a main river this would typically be a few kilometres. NRW can supply this information. See also 1.4 "Management".

Procedure

- Location of the area to be grouted.
- Check area against vulnerability survey and historic land-use records.
- Nature of any structures to be grouted, cavities in the sub-strata, mine-workings etc.
- Is grouting to take place above or below the water table?
- Method of grout injection, i.e. as part of an inner/outer "curtain" or individual injection boreholes etc.
- Type of grout to be used, i.e. ratio of cement, water, other material - this should take into consideration whether grouting is to take place above or below water table.
- Thixotropy of the grout, i.e. how far will the grout extend into the cavity when injected. Again this should take into consideration whether the works are above or below water table.
- Duration of grouting works.
- How much grout is to be injected into both individual points and as a total quantity.

Monitoring

- Identification of sites grouting material could emerge, i.e. adits/drains into water courses etc.
- Proposals for monitoring such features during the work, i.e. which ones, frequency of monitoring.
- Confirm details of monitoring with NRW prior to the commencement of workings.
- Agree suitable mitigation measures with the local Environment Officer should any impact on any feature occur during the workings.



Management

Keep daily records of the following:

- Review previous days grouting operations (where grouted, how much grout used etc).
- Location of areas to be grouted.
- Boreholes used for grouting
- Times of injection into each borehole.
- Quantities of grout to be injected into each borehole (both projected and actual).
- Records if quantity of grout "lost" in a borehole.
- Pressure used in grouting at a borehole.
- Type of grout used.
- Review of monitoring.
- Details of any break-outs of any grout.
- Details of any clean-up of grout at monitoring sites.
- Reporting of information needs to be agreed with NRW prior to the commencement of workings.
- In cases of an unpredicted loss of grout, emergency procedures should be agreed with NRW to include an increase in the frequency of monitoring of any identified surface water features.
- Notification to NRW should either any outbreak or an unpredicted loss of grout occur.
- Notification of identified downstream surface water abstractors in the event of an emergency, i.e. if there was any outbreak of grout into a surface water course.

4.2.2 Materials Management

It is noted that the applicant intends to manage re-use of the coal and iron working spoil via the CL:AIRE Code of Practice. We recommend the applicant contacts CL:AIRE to discuss this intended use. We do not object to the re-use of materials on site, however, as far as we are aware the code of practice cannot currently be used for mining spoil/waste.



5.0 Landscape

Our advice relates to the potential impacts on the Brecon Beacons National Park. The proposal lies within the setting of the National Park, and is unlikely to have a substantial adverse impact on the landscape character and visual amenity of the park.

However, there would be some adverse impact, including moderate adverse impact on viewpoint 10, within the National Park. Further information is required on how visual impacts would be minimised. The colours and materials used in the buildings will be particularly important in reducing visual impact, as will proposals to minimise light pollution.

The indoor snow centre is the largest building, and follows an east-west alignment with the hillside topography at a 1:10 gradient, which reduces the visual impact on the surrounding landscape to some extent.

5.1 Landscape and Visual Appraisal

We are in general agreement with the findings of the LVA. Adverse landscape effects are largely contained to direct impacts on the site and nearby areas.

The visual study area extends 6km to the north and includes parts of the National Park, which lies approx. 2.9km to the north west, at its closest point.

The Park's Special Qualities, as outlined in the Management Plan 2015-20, include its *'sweeping grandeur and outstanding natural beauty' with... 'prominent hilltops with extensive views in all directions'.*

The tall and large-scale buildings within the development would be visible from the park. Mitigation is proposed to the north façade of the indoor snow centre, designed to reduce its visual prominence from the north through the use of muted colours and textured treatment in the elevation. The illustrations in the DAS, however, show white sections to the north elevation and pale colours to the water park and some other buildings. The use of white and pale colours on the buildings would increase their visual impact in views from the National Park. Muted colours are advised, following the principles of Environmental Colour Assessment (see attached NRW report).

The DAS describes grass roofs to all the key buildings, including the indoor snow centre, which should help to integrate the proposal with its surroundings in distant elevated views, such as those from the National Park.

The LVA notes LANDMAP Visual and Sensory Aspect Areas beyond 3km to the north, including Taff Fawr (MRTHRVS393) and Vaynor Uplands (MRTHRVS387), which have high scenic quality and unspoilt character, with panoramic views from the upland parts. These areas are evaluated as High.

The proposal is visible from Landscape Character Area 8: Talybont and Taff Reservoir Valleys, as defined in the National Park's Landscape Character Assessment. This notes that development proposals beyond the park boundary to the south can potentially affect views, particularly from high ground. The specific management guidelines advise: *'protect*



occasional long views which form the backdrop to the area' and 'plan to reduce the visual impact of existing development beyond the National Park boundary and resist applications for future development which would harm the special qualities of the area'.

The LVA assesses minor adverse effects on the landscape character of the National Park during construction and at completion, reducing to negligible at year 15.

The visual effects on viewpoint 10 (Cefn Cil-Sanws) in the National Park is assessed as moderate adverse during construction, at completion and after 15 years.

We agree with these assessments, on the assumption that the intended mitigation would be implemented. Views from this point are panoramic views over Merthyr Tydfil and beyond, down the Taff Valley. The proposal would be seen as an additional development feature in the view, on a currently wooded slope that is unaffected by development. A photowire from this viewpoint is included at Appendix A.

5.2 Light Spillage Assessment

The assessment concludes that there would be no adverse effects on dark skies; provided the appropriate lighting scheme is followed it would meet the Institute of Lighting Professionals criteria. The assessment relates to sensitive ecological and residential receptors but can be applied to landscape receptors.

The risk of lighting over 1 lux on bat corridors is considered negligible. The sky glow limit of ULR 0.0% should be complied with, with no adverse effects on dark sky landscapes. The site lies within Environmental Zone E1, which is Natural and dark. The National Park is an International Dark Sky Reserve and whilst there are views over lit areas, additional light pollution in dark landscapes in views from the park are not desirable.

The assessment advises the use of low-level lighting bollards, downward facing, shielded lighting and warm white LED lights.

The impact of internal lighting is intended to be mitigated by encouraging staff and guests to draw blinds/curtains. We advise that further mitigation should also be considered to reduce the effects of internal lighting from tall buildings. The night-time image in the DAS indicates considerable light spill from buildings.

5.3 Summary

Further information is required on how visual impacts are to be minimised with regards to colours and materials used in the proposed buildings and light pollution.



6.0 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](#).

7.0 Advice for the Developer

7.1 Tree felling

We advise that no tree clearance should take place until it is covered by an approved planning permission. It is an offence under the Forestry Act 1967 to fell more than 5 cubic metres of timber in a calendar quarter without a felling licence unless this is covered by planning permission or falls under one of the exemptions of the act.

7.2 Waste produced during construction

Waste produced during the construction phase of your development must be dealt with appropriately, and be in line with all relevant waste legislation including Duty of Care Regulations and Hazardous Waste Regulations. As part of your waste duty of care you must classify the waste produced:

- before it is collected, disposed of or recovered
- to identify the controls that apply to the movement of the waste
- to complete waste documents and records
- to identify suitably authorised waste management options
- to prevent harm to people and the environment.

Any waste removed from site will be subject to waste management controls. The links below provided information on how to classify waste and register as a waste carrier or hazardous waste producer:

<http://naturalresources.wales/permits-and-permissions/waste/?lang=en>

<http://naturalresources.wales/permits-and-permissions/waste/waste-permits/?lang=en>

Further guidance can be found on the GOV website here:

<https://www.gov.uk/managing-your-waste-an-overview/duty-of-care>



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

Yn gywir / Yours faithfully

Annabelle Evans

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



Dwr Cymru Welsh Water:

 Dwr Cymru Welsh Water	Developer Services PO Box 3146 Cardiff CF30 0EH Tel: +44 (0)800 917 2652 Fax: +44 (0)2920 740472 E-mail: developer.services@dwrcymru.com	Gwasgarnathau@dwrcymru.com PO Box 3146 Cardiff CF30 0EH Tel: +44 (0)800 917 2652 Fax: +44 (0)2920 740472 E-mail: developer.services@dwrcymru.com
Mr Peter Waldren Carney Sweeney Brunel House 2 Fitzalan Road Cardiff CF24 0EB		
Date: 18/05/2022 Our Ref: PPA0006693		
Dear Mr Waldren		
Grid Ref: 304654 204752 Site Address: Land to the southwest of the A470/A4102 roundabout at Rhydycar West Merthyr Tydfil Development: Article 2D - Outline application for erection of a mixed leisure development comprising indoor snow centre, waterpark, indoor activity centre, external activity areas, hotel accommodation (up to 418 bedrooms)		
I refer to the Schedule 1C - Article 2D notice received and your formal request for a pre-application consultation response before applying for planning permission from Dwr Cymru Welsh Water as a 'Specialist Consultee' as defined by Paragraph (y) of Schedule 4 of the Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016. It is acknowledged that the consultation request relates to a major development site and thus seeks a substantive response within 28 days from the date of the notice, 26/04/2022, as per the requirements of Article 2E. This request includes our views on the capacity of our network of assets and infrastructure to accommodate your proposed development.		
Having reviewed the details submitted we note that the proposal relates to a mixed leisure development and hotel accommodation. We would advise that there are concerns with the current water supply system and a hydraulic assessment would need to be commissioned. The finalised report will recommend solutions where necessary which shall be constructed and completed in full.		
In the absence of this hydraulic assessment, we cannot support the proposal and recommend that this assessment is commissioned prior to any planning application being submitted.		
 glas Blue Cross Community Welsh Water is owned by Cyntu - a 'not-for-profit' company. More info: www.cyntu.co.uk	We welcome correspondence in Welsh and English. Cyntu is a limited company registered in Wales no 2366777. Registered office: 100, Nelson, Merthyr Tydfil, Morgannwg CF46 6LJ.	Gwasgarnathau@dwrcymru.com Cyntu is a limited company registered in Wales no 2366777. Registered office: 100, Nelson, Merthyr Tydfil, Morgannwg CF46 6LJ.



SEWERAGE

We would advise that there are no public sewers located within the immediate vicinity of the proposed development site. Notwithstanding this, as per the Flood Consequences Assessment, we can confirm that the site is located approximately 250 metres to the east (the other side of the A470 dual carriageway), of a public sewerage system that drains to Cilfynydd Wastewater Treatment Works, and in principle sufficient capacity exists to accommodate the domestic foul flows only.

However, given that this comprises of a strategic asset in the form of an 825mm diameter public sewer, the connection can only be made via a requisition from Dwr Cymru Welsh Water under Sections 98 – 101 of the Water Industry Act 1991.

As of 07/01/2019, this proposed development is subject to Schedule 3 of the Flood and Water Management Act 2010. The development therefore requires approval of Sustainable Drainage Systems (SuDS) features, in accordance with the 'Statutory standards for sustainable drainage systems – designing, constructing, operating and maintaining surface water drainage systems'. As highlighted in these standards, the developer is required to explore and fully exhaust all surface water drainage options in accordance with a hierarchy which states that discharge to a combined sewer shall only be made as a last resort. Disposal should be made through the hierarchical approach, preferring infiltration and, where infiltration is not possible, disposal to a surface water drainage body in liaison with the Land Drainage Authority and/or Natural Resources Wales. However, we note that surface water will be discharged from the site via sustainable drainage system and an existing watercourse and, we welcome this approach as a more sustainable alternative to a public sewer.

Please note that no highway or land drainage run-off will be permitted to discharge directly or indirectly into the public sewerage system.

SEWAGE TREATMENT

No problems are envisaged with the Wastewater Treatment Works for the treatment of domestic discharges from this site.

WATER SUPPLY

The proposed development is in an area where the current water supply cannot accommodate any further demand from a new development and there are no improvements planned within our current Capital Investment Programme AMP5 (years 2020 to 2025). In order to establish what would be required to serve the site with an adequate water supply, it will be necessary for the developer to fund the undertaking of a hydraulic modelling assessment on the water supply network. For the developer to obtain a quotation for the hydraulic modelling assessment, we will require a fee of £250.00 + VAT.



Welsh Water is owned by Cwm Cymru – a 'not-for-profit' company.
 Mae Cwm Cymru yn eiddo Cwm Cymru – cwmni heb elw.

We welcome correspondence in Welsh and English.

Cyrru Cef a limited company registered in Wales no 2346777. Registered office: **Drepon Road, Felton, Tisbury, Wiltshire, SN12 6LJ**

Quelques remarques sur la notation

Căminul nr. 1, Calea Bucureștilor nr. 100, Sector 4, București
 Tel: 0211 2306777, Fax: 0211 2306777, E-mail: info@scg.ro
 Web: www.scg.ro, Magazinul Căminul nr. 1, S.C.



I trust the above information is helpful and will assist you in forming water and drainage strategies that should accompany any future planning application. I also attach copies of our water and sewer extract plans for the area, and a copy of our Planning Guidance Note which provides further information on our approach to the planning process, making connections to our systems and ensuring any existing public assets or infrastructure located within new development sites are protected.

Please note that our response is based on the information provided in your enquiry and should the information change we reserve the right to make a new representation. Should you have any queries or wish to discuss any aspect of our response please do not hesitate to contact our dedicated team of planning officers, either on 0800 917 2652 or via email at developer.services@dwrcymru.com

Please quote our reference number in all communications and correspondence.

Yours faithfully,



Owain George
Planning Liaison Manager
Developer Services

***Please Note** that demands upon the water and sewerage systems change continually; consequently, the information given above should be regarded as reliable for a maximum period of 12 months from the date of this letter.*



Welsh Water is owned by Cymru – a 'not-for-profit' company.
Mae Cymru yn parhannu'r holl arian i'r cymuned.

We welcome correspondence in
Welsh and English

Cwm Cymru Cefn a limited company registered in
Wales no 2345777. Registered office: Cwm Cymru Cefn,
Nelson, Gwynedd, LL55 2LJ

Cwm Cymru Cefn a limited company registered in
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Nelson, Gwynedd, LL55 2LJ

Cwm Cymru Cefn a limited company registered in
Wales no 2345777. Registered office: Cwm Cymru Cefn,
Nelson, Gwynedd, LL55 2LJ



Health & Safety Executive:

Dear Ms Bailey,

Thank you for your email and attached application. HSE's Explosives Inspectorate has no comment to make on this application as according to our records it does not appear to fall within the consultation zones of an HSE licensed explosives site. If you believe that this development is within the vicinity of an HSE licensed explosives site, please let me know.

Could you please ensure that prior to sending an further applications for advice to HSE's Explosives Inspectorate, you check your records and/or the [HSE Planning Advice Web App](http://www.hse.gov.uk/landuseplanning/planning-advice-web-app.htm) at <http://www.hse.gov.uk/landuseplanning/planning-advice-web-app.htm> to confirm that development falls within the safeguarding zones for a HSE licensed explosives site. Should you or your colleagues need any additional help in using the WebApp to obtain HSE's advice on a proposed development, a central support service is available at lupenquiries@hse.gov.uk or by telephoning on 0203 028 3708

If you require statutory consultation from other parts of HSE e.g. major hazards, please contact them directly using the correct email address hazsubcon.cemhd5@hse.gov.uk.

NB On 1 August 2021 HSE became a statutory consultee with regard to building safety (in particular to fire safety aspects) for planning applications that involve a relevant building.

A relevant building is defined in the planning guidance at gov.uk as:

- containing two or more dwellings or educational accommodation and
- meeting the height condition of 18m or more in height, or 7 or more storeys

There is further information on compliance with the Building Safety Bill at <https://www.gov.uk/guidance/fire-safety-and-high-rise-residential-buildings-from-1-august-2021>. HSE's team can be contacted by email via PlanningGatewayOne@hse.gov.uk

Kind Regards,



Andrew Hodge

Chemicals, Explosives and Microbiological Hazards Division - Unit 5 (CEMHD5)

1.2 Redgrave Court

Merton Road

Bootle

L20 7HS

andrew.hodge@hse.gov.uk

Tel +44(0)2030283446



South Wales Trunk Road Agency:

FAO Carney Sweeney,

Thank you for the article 2C 2D Pre-app consultation and included Transport Assessment.

With regards to the proposed access arrangement, this should be subject to detailed and DMRB compliant design with adequate environmental mitigation at the access where soft estate may be amended/removed. The access proposals would be delivered by Section 278 and would be required to be substantially complete prior to any works on site other than clearance.

Transport modelling is based on a robust worse case loading the summer and winter activities together. The strategic roundabout north at Cyfarthfa will feed through trips from the developing A465 Heads of the Valley Road (likely to pick up trips from the Midlands) along with Trago Mills and retail functions south into the Cyfarthfa site. We have previously stressed that there can be queuing at this location. For completeness, impacts at this roundabout should also be included. It is however accepted that arrival profiles would be different from the general network peak.

Active Travel connections along with public transport linkages are critical to keeping vehicular trip rates down and maximising local connectivity to the site. The routes across the bridge should be audited as per AT scoring (see AT Design Guidance) for any potential improvements and checking on factors such as parapet heights of the bridge that connects the site to the town and Taff Trail.

A connection to Dike Park Wales is understood to be challenging, however an Active Travel connection across to the site would also reduce some private transport trips. It is noted that there are comments relating to service bus connection and shuttle service. This would be essential if the 5% mode share by rail is to be realised.

For any planning consent it would be useful for a condition that major events would require an event management strategy to manage demand.

Yours faithfully,

Richard Jones
Peiriannydd Ffyrdd / Route Engineer

Is-adran Rheoli'r Rhwydwaith - Network Management Division
Trafnidiaeth / Transport
Llywodraeth Cymru / Welsh Government
Parc Cathays / Cathays Park
Caerdydd / Cardiff

Ffôn / Tel: 03000 256573



Agricultural Land Classification:

Dear Peter Waldren,

(James – for information)

SCHEDULE 1 Article 4, (4) SCHEDULE 1B Articles 2C, 2D & 2G - Proposed Development at Rhydyar West, Merthyr Tydfil.

Thank you for the formal request for a pre-application consultation response under Article 2D of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012, concerning agricultural land quality and the application of Best and Most Versatile (BMV) land policy (PPW paragraph 3.58 and 3.59). This advice relates to technical information only; not the merits or otherwise of the proposal.

1. Agricultural Land Classification (ALC) - Information.

The Department does not hold any information on detailed ALC field surveys for the site. According to the [Predictive ALC Map for Wales](#), the site is considered no better than ALC Grade 4 land.

2. Agricultural Land Classification (ALC) - Advice

The Department does not consider BMV land to be present at this site, therefore an ALC survey is not recommended as [per published guidance](#).

Should the Department be consulted by the LPA, this would be under arrangements given in [TAN6, Annex B6](#) and relate to technical advice only; not the merits or otherwise of the proposal.

Regards

Arwel Williams

Arwel Wyn Williams
Cynghorydd Polisi Pridd a Defnydd Tîr Amaethyddol / Agricultural Land Use & Soil Policy Advisor
Is-adran Tîrweiddau, Natur a Chodwigfaeth / Landscapes, Nature and Forestry Division
Uywodraeth Cymru / Welsh Government
Ffôn / Tel: 0300 025 2052
E-bost: arwel.williams@llyw.cymru / E-mail: arwel.williams@gov.wales
Ar y We / Internet: www.llyw.cymru / www.gov.wales



Sganwyd y neges hon am bob feirws hysbys wrth iddi adeil Uywodraeth Cymru. Mae Uywodraeth Cymru yn cymryd o ddifrif yr angen i ddiogelu eich data. Os cysylltwch â Uywodraeth Cymru, mae ein [hysbysiad preifatwydd](#) yn esbonio sut rydym yn defnyddio eich gwybodaeth a sut rydym yn diogelu eich preifatwydd. Rydym yn croesawu gohebiaeth yn Gymraeg. Byddwn yn anfon ateb yn Gymraeg i ohebiaeth a dderbynnir yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi. On leaving the Welsh Government this email was scanned for all known viruses. The Welsh Government takes the protection of your data seriously. If you contact the Welsh Government then our [Privacy Notice](#) explains how we use your information and the ways in which we protect your privacy. We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.



South Wales Fire and Rescue Services:



Gwasanaeth Tân ac Achub
De Cymru



South Wales
Fire and Rescue Service

Carney Sweeney
Brunel House
2 Fitzalan Road
Cardiff
CF24 0EB
planning@rhydycarwest.com

Our Ref: BD/99-15042 (BR13)
Your Ref:
Date: 11 May 2022
Contact: Station Manager B. Dickinson
Tel: 07887 632355
E-mail: firesafety@southwales-fire.gov.uk

Dear Sir/Madam,

TOWN AND COUNTRY PLANNING ACT 1990
PROPOSAL: ERECTION OF A MIXED LEISURE CENTRE DEVELOPMENT
COMPRISING INDOOR SNOW CENTRE, WATER PARK, INDOOR ACTIVITY
CENTRE, EXTERNAL ACTIVITY AREAS, HOTEL ACCOMMODATION, FOREST
LODGE ACCOMMODATION, CAR PARKING AND ASSOCIATED
EARTHWORKS, ACCESS, DRAINAGE, SERVICING AND UTILITIES
CONNECTIONS / INFRASTRUCTURE
LOCATION: LAND TO THE SOUTH WEST OF THE A470 / A4102 ROUNABOUT
AT RHYDYCAR WEST, MERTHYR TYDFIL

I acknowledge receipt of the notification to the South Wales Fire and Rescue Authority in relation to the above application.

The proposed site plan in relation to the above has been examined and the Fire and Rescue Authority wish the following comments to be brought to the attention of the committee/applicant. It is important that these matters are dealt with in the early stages of any proposed development.

Changes to our climate and weather patterns will have a significant impact on the well-being of both current and future generations. In line with the **Well-being of Future Generations (Wales) Act 2015** and the **Future Wales – the national plan 2040 framework document**, the following areas should be considered early in the planning process:

The climate emergency is likely to increase the risk of flooding as a result of sea-level rises, more frequent severe weather systems and more intense rainfall. Planning authorities should adopt a precautionary approach of positive avoidance of building developments in areas of flooding from the sea or from rivers. Surface water flooding will affect the choice of location and the layout and design of schemes and these factors should be considered at an early stage in formulating any development proposals.

Pencodlys Gwasanaeth Tân ac Achub De Cymru,
Parc Busnes Forest View, Uantrisant, Pont-y-clun, CF72 8UX.
Ffôn 01443 232000 • Ffacs 01443 232180
www.decymru-tan.gov.uk

Rydym yn croeso i'r gobeithioeth yn y gymraeg a'r saesneg - byddwn yn ymateb yn gyflwr i'r ddau ac yn ateb yn eich dewis iaith heb oedi.

CODI YMWHYBYDDIAETH • LLEIHAU PERYGL

South Wales Fire and Rescue Service Headquarters,
Forest View Business Park, Uantrisant, Pontyclun, CF72 8UX.
Telephone 01443 232000 • Fax 01443 232180
www.southwales-fire.gov.uk

We welcome correspondence in Welsh and English - we will respond equally to both and will reply in your language of choice without delay.

RAISING AWARENESS - REDUCING RISK



Wildfires are a significant potential threat particularly in populated areas adjoining green spaces such as mountains or forestry. Therefore, it is critical that new developments are designed with this in mind. Where a new development is proposed in an area which is at risk of a wildfire, consideration should be given on how to mitigate the spread of wildfires. For example, sustainable land management could assist with prevention measures.

The site plan/s of the above proposal has been examined and the Fire and Rescue Authority would wish the following comments to be brought to the attention of the planning committee/applicant. It is important that these matters are dealt with early on in any proposed development:

- The following concerns are identified, in relation to the proposed developments, together with suggestions as to how these can be addressed.

A comprehensive fire strategy should be provided which indicates the package of fire safety measures that are proposed to satisfy The Building Regulations and should address any variations to current guidelines.

The developer should consider the need for the provision of:-

- a. adequate water supplies on the site for firefighting purposes; and
- b. access for emergency firefighting appliances.

Should the applicant require further information in relation to these matters they should contact the above named fire safety officer.

Yours faithfully,

Duly signed and authorised by



For Assistant Chief Fire Officer

Cc: WATERGEN@southwales-fire.gov.uk

Enc: BR13 Appendix



Appendix

1.0 Access For Fire Appliances

Typical vehicle access route requirements:

Appliance Type	Min Width Road	Min Width Gate	Min Turning Circle between Kerb
Pump	3.7m	3.1m	16.8m
Aerial Appliance	3.7m	3.1m	26.9m
Min Turning between Wall	Min Height Clearance	Min Capacity Tonnes	
19.2	3.7m	12.5	
29.0	4.0m	23	

Pedestrian Priority

Pedestrian schemes must take into account the need for permanent and unobstructed access for firefighting appliances. The siting of ornamental structures such as flower beds, must take account, not only of the access requirements of the fire appliances but the need to be able to site them in strategic positions; in particular, account must be taken of the working space requirements for aerial appliances. Consultation must take place with the Fire Authority during the earliest planning stages of any development to ensure adequate access for fire appliances, their siting and use.

2.0 Water Supplies for Firefighting

The existing output of the statutory water supply network may need to be upgraded in certain parts of the local plan area to cater for firefighting needs of new developments. It is recommended that this provision be a condition of planning consent.

Access to Open Water Supplies

Where development of water front sites takes place, the need for permanent and unobstructed access for firefighting appliances to the water should be made a condition of any planning consent.

Consultation must take place with the Fire Authority during the earliest planning stages of any development to ensure access for fire pumping appliances is satisfactory.



2.1 Housing

Minimum main size 100mm. Housing developments with units of detached or semi-detached houses of not more than two floors should have a water supply capable of delivering a minimum of eight litres per second through any hydrant on the development.

Housing developments with units of more than two floors should have a water supply capable of delivering a minimum of 20 to 35 litres per second through any hydrant on the development.

2.2 Transportation

Lorry/Coach Parks - Multi-Storey Car Parks-Service Stations

Minimum main size 100mm. All of these amenities should have a water supply capable of delivering a minimum of 25 litres per second through any hydrant on the development or within a vehicular distance of 90 metres from the complex.

2.3 Industry

In order that an adequate supply of water is available for use by the Fire Authority in case of fire, it is recommended that the water supply infrastructure to any Industrial estate is as follows:

Light Industrial

Minimum Main Size 100mm
Up to one hectare, 20 litres per second

Commercial/Industrial

Up to two hectares, 35 litres per second - Minimum Main Size 150mm

High Risk Industrial

Two to three hectares 50 litres per second - Minimum Main Size 150mm.
Over three hectares, 75 litres per second.

In rural areas it may not be possible to provide sufficient mains water. To overcome this, static or river supplies would be considered on site at the above flow rates for at least one hour.

The Fire Authority should be consulted at the outline planning stage of any proposed projects to ascertain the exact requirements, as high risk units may require a greater flow.



2.4 Shopping, Health and Community Facilities

Village Halls

Should have a water supply capable of delivering a minimum of 15 litres per second through any hydrant on the development or within a vehicular distance of 100 metres from the complex.

Primary Schools and single storey Health Centres

Should have a water supply capable of delivering a minimum of 20 litres per second through any hydrant on the development or within a vehicular distance of 70 metres from the complex.

Secondary Schools, Colleges, Large Health and Community Facilities

Should have a water supply capable of delivering a minimum of 35 litres per second through any hydrant on the development or within a vehicular distance of 70 metres from the complex.

2.6 Distances Between Fire Hydrants

The distance between fire hydrants should not exceed the following:

Residential areas	-	200 metres
Industrial Estates (Subject to operational needs)	-	150 metres
Town centre areas	-	90 metres
Commercial (Offices & Shops)	-	100 metres
Residential Hotels	-	Adjacent to access
Hotels	-	Adjacent to access
Institutional (Hospitals & Old Persons Homes)	-	Adjacent to access
Old Persons Homes	-	Adjacent to access
Educational (Schools & Colleges)	-	Adjacent to access

2.7 Conclusion

Developers should hold joint discussion with Dwr Cymru - Welsh Water or the National Rivers Authority and the Fire Authority to ensure that adequate water supplies are available in case of fire. the Fire Authority reserve the right to ask for static water supplies for firefighting on site as a condition of planning consent, if the supply infrastructure is inadequate for any given risk.

