

Rhydycar West Leisure Resort

Planning Statement

Rhydycar West, Merthyr Tydfil

by CarneySweeney

Date: March 2023



CARNEYSWEENEY
PLANNING



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1.0 Introduction

- 1.1.1 This Planning Statement has been prepared on behalf of Marvel Ltd (“the applicant”) in support of an outline planning application for the following 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 sq m), Indoor Activity Centre (up to 9,000 sq m), External Activity Areas, 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 This application is made following detailed discussions with officers and Councillors of Merthyr Tydfil County Borough Council (MTCBC), statutory consultees, local interest groups, local businesses (including Trago Mills and Bike Park Wales) and members of the public. The application has been the subject of statutory Pre Application Consultation (PAC). All consultation is set out in the accompanying PAC Report.

- 1.1.3 An Environmental Impact Assessment Scoping Report was submitted to the LPA in accordance with Regulation 14 of the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017 in order to request its Scoping Opinion which was subsequently received on 16th July 2021 confirming the following scoping requirements. An Environmental Statement forms part of the Application submission.

- Socio-Economics;
- Greenhouse Gas Emissions and Climate Change;
- Ground Conditions;
- Ecology and Nature Conservation;
- Transportation and Movement;
- Archaeology and Cultural Heritage;
- Hydrology and Hydrogeology;
- Landscape and Visual Impact Assessment;
- Water, Drainage and Flooding;
- Noise;
- Air Quality;
- Lighting;
- Human Health
- Utilities.



- 1.1.4 As will be outlined in Section 2 of this statement, the Site has been subject of previous planning applications which were called in by the Welsh Government and refused permission. The current proposal is both smaller in scale/extent and described in more detail than the previous schemes. Importantly, the proposal has the backing of a number of relevant organisations including Snowsport Cymru Wales and GB Snowsport.
- 1.1.5 In addition to this Planning Statement a number of other documents and plans accompany this submission comprising the following;
- Application Forms and Certificates
 - Site Locations Plan
 - Illustrative Masterplan
 - Illustrative Sections
 - Parameters Plan
 - Combined Constraints Plan drawing
 - Schedule of floorspace
 - Pre-Application Consultation Report
 - Design and Access Statement
 - Strategic Economic Benefits report
 - Sustainability Strategy
 - Energy Strategy
 - Heads of Terms for a Conservation Management Plan
 - Arboricultural Impact Assessment
- 1.1.6 The following documents form part of the Environmental Statement as Technical Appendices:
- Construction Methodology
 - Geo-Environmental Assessment (including Coal Mining Risk Assessment)
 - Ecological Impact Assessment (incorporating Extended Phase 1 Habitat Survey and Phase 2 Surveys)
 - Transport Assessment
 - Travel Plan
 - Archaeology and Heritage Baseline Assessment
 - ASIDOHL2 Assessment
 - Hydrology and Hydrogeological Desktop Assessment
 - Flood Consequences Assessment and Drainage Strategy
 - Noise Assessment
 - Air Quality Assessment
 - Lighting Assessment



- 1.1.7 It is anticipated that a Section 106 Agreement will be available prior to the application being determined by the LPA.

1.2 Structure

- 1.2.1 This report assesses the requirements of both local and national planning policy relevant to the site location and the proposals. The report is structured as follows:

Section 2 (The Site & Surroundings) – describes the application site, surroundings and the relevant planning history of the site;

Section 3 (Proposed Development) - describes the proposed development, the parameters set out in the application and anticipated use of the development;

Section 4 (Planning Policy) – provides a summary of the local and national planning policy context;

Section 5 (Key Considerations) – addresses the key considerations material to the proposals, summarising and drawing from other supporting information submitted with the application.



2.0 The Site & Surroundings

2.1 The Application Site

- 2.1.1 The applicant is the owner of c.223 hectares of land at Rhydycar West, Merthyr Tydfil. The application site represents less than 14% of the land under ownership by the applicant.
- 2.1.2 The application site subject of this planning application is formed of 30.4 ha of land located south west of the A470 and A4102 roundabout, to the north west of Abercanaid and south west of the town of Merthyr Tydfil in the South Wales Valleys (see site location plan at Appendix 1). The site comprises an extensive area of woodland/grassland on predominantly east and south-east facing slopes. The southern area of the site encompasses an enclosed woodland area. The Blaen-Canaid Valley lies to the south adjacent to Gethin Wood.
- 2.1.3 A very small part of the red line boundary encompasses land under ownership by the highways authority, trunk road authority and unregistered land.
- 2.1.4 The site and surrounding area were historically used for coal and ironstone mining utilised to supply and operate the Cyfarthfa Iron Works. Large volumes of spoil are present on parts of the site, associated with this mining legacy as well as the construction of the A470, understood to have been originally constructed in the 1970s, with the Merthyr bypass constructed in the 1990s.
- 2.1.5 The application site is subject to various historical and environmental designations / attributes, of particular note being the Cwm Glo a Glyndrys Site of Special Scientific Interest (SSSI), Rhydycar Gorllewin/ Rhydycar West Site of Importance for Nature Conservation (SINC) and various Scheduled Monuments (SM) within and surrounding the site. The Cyfarthfa Balance Pond and Leat SM is situated along the western boundary of the application site while the Cwm Pit Head of Railway SM straddles the site's southern boundary. Woodland in the west and south west of the site is covered by a woodland TPO.
- 2.1.6 In terms of existing accessibility, the main access into the site is taken from the A470/A4102 roundabout. A secondary vehicular (and pedestrian) access is available via an underpass from Abercanaid Industrial Estate in the far south-east of the site. Pedestrian access is available over the A470 adjacent to the northern boundary and via a number of public rights of way recently established as a result of an application to modify the definitive map and a positive dialogue and collaboration between the landowners and MTCBC.



2.2 Surroundings

- 2.2.1 The application site is highly accessible and strategically located on the A470, which links the site to Cardiff (south) and Brecon Beacons National Park (north). The planned A465 dualling project will further improve the overall highways connectivity of the application site.
- 2.2.2 Regular train services currently operate out of Merthyr Tydfil railway station along the Merthyr Line to Cardiff, with the existing station expected to benefit from Core Valleys Lines infrastructure investment to create a 'fit-for-purpose, modern, high quality gateway station'. The recently completed replacement bus interchange being positioned closer to the train station has improved overall connectivity between travel modes. From the bus interchange several destinations are available including services to local towns and villages and more strategic services to Cardiff, Brynmawr, Abergavenny, Newtown, Llandrindod Wells, Builth Wells and Brecon. An existing bus stop is located 1.2 km from the application site within the grounds of the Merthyr Tydfil Leisure Village and provides links to the local bus network. Merthyr Tydfil town centre and the high-quality supplementary retail and leisure provision at Trago Mills and Cyfarthfa Retail Park, collectively provide an extensive range of shops, services and facilities to residents and visitors. In terms of accessibility by foot and cycle, the application site is well connected to the wider cycle network within around Merthyr Tydfil and to National Cycle Route 8 / The Taff Trail.
- 2.2.3 The application site benefits from the presence of a wide range of existing recreational, leisure and natural assets in the surroundings including BikePark Wales, Zip World (Rhigos), Rock UK Summit Centre, Cyfarthfa Heritage Area and Brecon Beacons National Park.
- 2.2.4 Key local employers include Merthyr (South Wales) Ltd, OP Chocolate and Stephens and George. The transport connectivity of Merthyr Tydfil, combined with lower than average house prices and a high quality natural environment, has seen Merthyr Tydfil develop into a growing commuter location in South Wales. With regard to continued future development and investment in Merthyr Tydfil, MTCBC has recently acquired St Tydfil shopping centre and are looking to incorporate the site as an integral part of the 15-year town centre 2035 strategic regeneration masterplan.

2.3 Socio Economics

- 2.3.1 62% of Merthyr Tydfil's residents are at working age (16-64), slightly above the Welsh average of 61.1%. However, within the working age population Merthyr Tydfil and the wider Merthyr Tydfil Travel To Work Area (TTWA) have a lower proportion of residents within the 16-24 age bracket, at 9.9% and 9.7% respectively, compared with the Cardiff Capital Region (11.5%)



and the Welsh average (10.9%). This reflects anecdotal evidence that young people often move away to access employment and educational opportunities, only to return in later working life.

- 2.3.2 The employment rate in Merthyr Tydfil is 65.4% and the Merthyr Tydfil TTWA is 63.5% which is lower than for the Cardiff Capital Region (71.8%) and Wales (73.2%). These high levels of economic inactivity in Merthyr Tydfil and the wider TTWA identify a high proportion that are long-term sick or disabled, 9.6% and 12.9% respectively, compared with the Welsh average of 7.0%. As such, just 16.5% of the economically inactive population in Merthyr Tydfil want a job – falling even lower to 13.3% across the wider TTWA – compared with the Cardiff Capital Region (19.6%) and Wales (20.6%).
- 2.3.3 Earnings data shows that Merthyr Tydfil has lower average earnings than the wider geographies. In 2021 the median gross weekly earnings stood at £520, lower than the average across Wales (£542). The county has been consistently lower over the last 10 years.
- 2.3.4 Merthyr Tydfil is also subject to acute challenges in relation to health, with the Welsh Index of Multiple Deprivation highlighting that 10 LSOAs fall within the 10% most deprived for health outcomes across Wales. Merthyr Tydfil has the highest prevalence of childhood obesity across all local authorities in Wales, with 20.7% of children classified as obese. This is more than double that of the local authority areas with the lowest prevalence – the Vale of Glamorgan and Monmouthshire at 8.6% and Ceredigion at 8.8%. Furthermore, the National Survey for Wales found that 48% of adults recorded less than 30 minutes of physical activity during the previous week, compared with the Welsh average of 33%. Such poor health lifestyles are reflected in the average life expectancy in Merthyr Tydfil, with the average life expectancy of males (76.8) and females (80.7) falling well below the national average of for males (78.5) and females (82.3). Indeed, Merthyr Tydfil is the second worst performing local authority area in Wales in terms of average life expectancy.

2.4 Planning History

- 2.4.1 A search for any relevant planning applications related to the site was conducted on Merthyr Tydfil County Borough Council's online planning portal. This search has revealed that, since c.1998, the site has been subject to several planning proposals which included the redevelopment of the site.
- 2.4.2 There have been several on-site planning applications in the immediate surrounding area of the site the most relevant of which are set out below.

P/02/0060 2003 Reclamation and landscape restoration of 83 hectares out of 224



hectares of derelict and despoiled land including tip reprofiling and coal recovery from selected spoil tips Called in and Refused

P/02/0260 2003 Comprehensive development scheme to provide retail, leisure, offices, hotel, football stadium, country park and residential uses with associated access, servicing, parking, and landscaping Called in and Refused

P/07/0524 2007 Residential Development Refused

2.4.3 The first two of the three references above are collectively known as the “Merthyr Village scheme” which is considered further in section 5, below.



3.0 Proposed Development

3.1 Introduction

- 3.1.1 The Rhydycar West development proposals seek to create the flagship indoor leisure resort in Wales – for “all year round”. It will be an exemplary and internationally recognised, sports, leisure and tourism destination able to offer a unique experience to both the people of South Wales and the UK as a whole.
- 3.1.2 Indoor snow sports are one of the anchor attractions at Rhydycar West. It will host the Welsh & UK training headquarters, creating a National Centre of Excellence for snow sports as well as offering world-class recreational facilities. The resort will be home to a wide variety of indoor and outdoor pursuits including an Indoor Tropical Waterpark and an Indoor & Outdoor Activity Centre. These facilities will be supported by a wide range of associated accommodation from the Luxury Spa and the Sport and Value hotel wings to the Woodland Lodges – catering for the long and short stay visitor.
- 3.1.3 The resort will also complement and enhance the existing sport, leisure and tourism offer currently thriving in the South Wales Valleys and Brecon Beacons such as BikePark Wales and Zip World. Ideally situated and extremely well connected the development will strengthen Merthyr Tydfil’s regeneration and position as both a destination of choice in its own right and the gateway to the Brecon Beacons.
- 3.1.4 The proposal is the carefully considered outcome of a period of several years of engagement and understanding of the local and regional economy, ecology, history and heritage. Further detail regarding the formulation of the scheme, the design process and the final submission is set out in full in the accompanying Design and Access Statement. The outline masterplan is enclosed at Appendix 2.
- 3.1.5 In respect of creating a National Centre of Excellence; the site will be the home and national training headquarters for the Welsh and UK national, Olympic and Paralympic teams. As the national governing body for Snowsports in Wales, Snowsport Cymru Wales have campaigned for this facility for nearly a decade. The Indoor Snow Centre will conform to International Ski Federation (FIS) and international standards. Key aspects and benefits of the Indoor Snow Centre include:
- The largest and longest Indoor Snow Centre in the UK and the only one in the UK capable of meeting international standards.
 - World class facilities – the first and only one of its kind in the UK.



- Provision for events (from local to international competitions) to be delivered across the different disciplines of snow sport.
- A venue for the development of Welsh and UK Olympic and Paralympic skiers and snowboarders.
- Ability to deliver significant parts of Wales and the UK's out of winter season training within the UK bringing about huge opportunities for potential future snow sport athletes.
- Potential for significant benefits to the development of snow sports from grass roots participation through to international excellence.
- Significant increase in participation in snow sports at both a local and national level.
- Huge opportunities to develop school sport activities.
- Club development and training programmes (recreational and competition).
- Grass roots schools and local competitions, national championships and international events
- Year round national and regional training.
- Year-round coach and instructor training opportunities, creating long term employment.

3.1.6 When fully operational, the resort is intended to be a UK premier destination and “basecamp” for the region; facilitating longer stays, providing much needed quality accommodation and being the catalyst for new local and regional economic opportunity and job creation. Importantly, the development will offer a weather-proof guaranteed “all year round” destination for holiday visitors while underpinning the notion of the Valleys region developing as the epicentre for UK wide adventure and activity led tourism.

3.1.7 The topography of the site and the transport connectivity makes this an ideal location at the “heads of the valleys” for a strategic transformational destination. The World class facilities of the Indoor Snow Centre, being the largest such facility in the UK, elevate the development to be one of national significance in Welsh and UK terms.



3.2 Resort Elements

Indoor Snow Centre

- 3.2.1 The proposals include a world-class snow centre, which will be the longest indoor multi-run snow centre in the UK and amongst the longest in the world at c.400m. The facility is supported by GB Snowsport and Snowsport Cymru Wales to establish the UK National Centre of Snowsport excellence and home and training base for the Welsh and GB national and Olympic and Paralympic snowsport teams and elite athletes.

- 3.2.2 Victoria Gosling OBE, CEO GB Snowsport | Chief Strategy Officer Auden NED British Olympic Association has commented (see letter at Appendix 3):

“We are all extremely excited about the development of a national centre of excellence for Snowsports in Merthyr Tydfil, South Wales.

In order for GB to grow and develop in snow sport on the world stage we need to put the best possible foundations in place to make sure that we give our talent the right platform and support to perform. This includes ensuring they have access to world class facilities all year round.

As well as providing for our elite athletes, the national centre will help generate more opportunities for participation at grassroots level, opening up snow sport to a whole new audience.”

- 3.2.3 Pat Sharples, GB Snowsport Head Coach, also commented (see letter at Appendix 3):

“GB Snowsport are extremely excited of the potential development of a national centre of excellence for Snowsports based in Merthyr Tydfil, South Wales. Over the last 4 years, we’ve expanded Snowsports in the UK hugely and we now see more British athletes on international podiums including the World championships, Olympics and Paralympics than ever before, however UK based training is still our biggest challenge. We still often use our UK based snow centre and dry slopes, however we’re limited on what we can do on these and often have to travel abroad to use Snow centre’s that can facilitate the quality of the training we need. And this brings its challenges including financial and now also the limited days we get in Europe to train due to Brexit. Having a centre of this spec in the UK would be a game changer not just for our World class snowsport athletes, but also for the future development of our youth. We see so many opportunities for training, but also to host international events across many different disciplines.”



- 3.2.4 Likewise, Robin Kellen, Chief Executive Snowsport Cymru Wales, has commented (see letter at Appendix 3):

“Snowsport Cymru Wales fully support the development of a centre of excellence for Snowsports at Rhydycar West, South Wales.

Conforming to international standards for events to be delivered across the different disciplines of Snowsport this development will be game changing for our Olympic and Para skiers and snowboarders. To be able to deliver significant parts of our out of training within the UK will bring about huge opportunities for potential future Snowsport athletes.

As the national governing body for Snowsports in Wales we have campaigned for this facility for nearly a decade. The development offers significant benefits to the development of Snowsports from grass roots participation through to international excellence. With these world class facilities, we anticipate delivering the following benefits,

- *Significant increase in participation in Snowsports at both a local and national level.*
- *Huge potential to develop school sport activities.*
- *Club development and training programmes (recreational and competition)*
- *Grass roots schools and local competitions*
- *National championships*
- *International events*
- *Regular national and regional training sessions.*
- *Regular coach and instructor training opportunities, creating long term employment.*
The development of a Snowsports centre of excellence in Wales creates a game changing opportunity for Snowsports in Wales.”

- 3.2.5 Appendix 3 contains letters of support not only from GB Snowsport and Snowsport Cymru Wales and Victoria Gosling OBE, but also Cardiff Capital Region, SnowWorld, Tydfil Training and Morlais Castle Golf Club.

- 3.2.6 The Indoor Snow Centre will be built to FIS (International Ski Federation) specification, enabling the venue to host regional, national, and international competitions together with international team training.



- 3.2.7 It will also nurture home grown talent and maintain and facilitate access for all abilities to simply enjoy being on the snow. Providing a family friendly safe environment with guaranteed perfect piste conditions and visibility 365 days of the year. This longer and larger facility with adjacent leisure elements will be revolutionary for snow tourism in the UK, as the resort will provide everything that is sought after from skiers and boarders, without the need for international travel and unpredictable weather and snow conditions.
- 3.2.8 Snowsports Cymru Wales and its clubs travel several times a year to Landgraaf in The Netherlands to train, taking around 30-40 children plus coaches each time, usually training for four days, 2-4 times per year. The proposed development would result in Snowsport Cymru Wales organising training at each school holiday period as well as most weekends and not having to travel overseas to do so – in increase in training opportunities and a decrease in travel (and associated carbon) to do so. Other uses will also have the opportunity to ski without having to travel overseas, something which is likely to be a popular alternative as environmental awareness and the cost of living increases.
- 3.2.9 The UK is home to a number of much smaller indoor ski centres such as Castleford, Manchester, Tamworth, Milton Keynes, Hemel Hempstead and the forthcoming scheme in Swindon - the longest of which is only c.180m. Rhydycar West would be among a small number of the world's longest indoor snow slopes at c. 400m.
- 3.2.10 The development will harness the most up to date and emerging technologies available. Adjacent leisure elements allow efficient energy operational transfer (Indoor Snow Centre and Indoor Waterpark) driving greater sustainability.
- 3.2.11 This world class facility has the capability of re-defining the UK School ski trip, de-risked with affordable access and tuition, guaranteed snow conditions and significant aligned historic educational opportunities, active adventure options and discovering Wales at an early age. The development represents a significant commercial opportunity with job creation prospects and positive utilisation of the world class facilities.
- 3.2.12 This will be the first Indoor Snow Centre in the UK to meet Federation of Ski standards (FIS). Having a FIS approved slope in the UK will fuel people's desire to train as an elite snow sports athlete, encourage diversity in the sector, remove barriers to the sport and provides greater opportunities for training.

Indoor Waterpark

- 3.2.13 Waterparks have been the backbone attraction for immensely successful UK resorts, most notably, Centre Parcs and Bluestone. The Rhydycar West Indoor Waterpark will offer a whole



host of the very latest attractions which will include thrilling rides and experiences such as slides, tubes, whitewater kayaking, lazy river, a standing wave and surf simulators. This signature element will attract both day visitors and tourists from further afield offering adventurous and family fun for all ages. A guaranteed weather beating tropical environment for “all year round” is a holiday must have for many. The scheme’s architects and masterplanners (HMA) have designed a number of flagship waterparks for e.g. Centre Parcs. The Indoor Waterpark at Rhydycar West is designed with the same vision – to create a key centre point and anchor family attraction for leisure visitors that has been so successful in other leisure resorts. The ability of the development to boost the staycation market, encouraging UK based holidays with all the tourism, economic development, income generation, jobs and sustainability benefits is a key positive aspect of the scheme.

Indoor and Outdoor Activity Centre

- 3.2.14 This element will provide dynamic, multi-faceted and immersive indoor and outdoor experiences with the emphasis on activity.
- 3.2.15 Activities under consideration include adrenalin fuelled powered zip wires, climbing / high ropes and immersive thrill-based experiences. Wales has established a strong reputation for adventure tourism which has been built on the success of Welsh based businesses such as Zip World and BikePark Wales. Rhydycar West seeks to compliment and build on these success stories by developing a range of complimentary activities to attract more adventure tourism to Wales and develop the nation as a hub in this respect. The applicant’s hope is not only to attract visitors to the site but for the development to create a catalyst for more visitors to Wales that also visit a wide range of other leisure attractions. With this in mind, the applicant is working with local and national entrepreneurs who have already established high profile businesses in this sector.

Resort Hotel, Spa and Conferencing Centre

- 3.2.16 The resort will offer the following three distinct hotel wings to cater for different visitor preferences and budgets. The accommodation offerings will serve as a hub and basecamp for visitors to explore the region and attract all types of visitors from short breaks to longer:
- 3.2.17 The Resort Wing containing up to 198 bedrooms. Ancillary facilities include resort reception, food and beverage, conference facilities, co-working and other guest facilities.
- 3.2.18 The Luxury Spa Wing containing up to 100 bedrooms. Ancillary facilities include indoor and outdoor fitness and spa facilities.



3.2.19 The Sport & Value Wing with up to 120 Bedrooms providing value, comfort, and a more casual and relaxed offering. This will be designed to ensure it appeals to and caters for groups, schools and visiting teams competing or training.

3.2.20 Each of the three offers will include ancillary food and beverage facilities, as well as back-of-house and plant areas.

Woodland Lodges

3.2.21 Up to 30 free-standing, single-storey Woodland Lodges are proposed in the south of the site. Providing privacy and a close to nature ambience while still sleeping in comfort. These are located in existing woodland creating the perfect setting, set away from the main resort area to provide woodland environment but just a short distance and connected by walking and biking paths to provide easy access to all the leisure activities.

3.2.22 The above elements will provide economic growth in the area by attracting visitors that will support existing local businesses and attractions (see accompanying Strategic Economic Benefits report and section 5, below). The recent marketing drive 'This is Winter – This is Wales' which is designed to ensure a sustained tourist trade throughout the winter months is a strategy to which this project can add significant value. Skiing and snowboarding are seen as a winter pursuit and will provide a draw to South Wales and a reason for people to stay longer in the area during the winter season.

3.2.23 Wales is fast becoming a major destination for those seeking beauty, outdoor activity and adrenaline fuelled pursuits following yearly themed marketing by Visit Wales ('Adventure' in 2016, 'Legends' in 2017, 'The Sea' in 2018, 'Discovery' in 2019, 'Outdoors' in 2020 and 'Trails' in 2023). The Visit Wales website confirms *"The thematic years assist in our long-term ambition to grow a stronger and more defined brand for tourism in Wales and give us the opportunity to focus on investment and innovation in tourism while driving an increase in visitor volume and value each year."* The proposed development will help to fuel this image, building on and contributing to the success of these campaigns.

3.2.24 The development also aligns and supports all of the Welsh Government's "Welcome to Wales" priorities for the visitor economy 2020-2025, namely:

- Great products and places
- Outstanding visitor experiences
- An innovative Cymru Wales brand



- An agile and responsive Visit Wales
- Improved routes to market
- A focus on special interest products
- Commercial partnerships

3.3 Quantitative Description / Parameters

- 3.3.1 The application is submitted in outline, with all matters reserved other than means of access. The description of development is as follows:

“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), Woodland lodge accommodation (up to 80 units), car parking (up to 830 spaces) and associated earthworks, access, drainage, servicing and utilities connections/infrastructure.”

- 3.3.2 The proposals include the provision of all cut and fill, slope engineering operations, roads, parking, landscape, drainage, servicing and utilities connections/infrastructure and all other associated development necessary to deliver the above elements. The physical characteristics of the proposals are set out on the Outline Masterplan (**Appendix 2**) and Development Parameters Plan provided at **Appendix 4**.



3.3.3 A quantitative description in is set out below:

	Use Class	Site Area (ha)	Gross Floorspace /Area (m ²)	Max/Min Length (m)	Max/Min Width (m)	Max/Min Height (m)
Indoor Snow Centre	D2	2.76	39,200	400-424	90-93.5	283.5-287.5m AOD 15m-17m (general height along its length)
Indoor Waterpark	D2	0.49	7,500	91.3-97.1	57.2-61.3	203-213m AOD (localised high point for ride tower up to 218m AOD)
Family Resort Wing (c.198 beds)	C1	0.49	15,500	154.8-161.6	25.2-28.5	217.0-224.5m AOD
Luxury Spa Wing (c.100 beds)	C1	0.127	7,000	39.8-42.8	27-40.3	223.4-231.9m AOD
Sport & Value Wing (c.120 beds)	C1	0.14	4,900	58.7-61.7	31.5-37.3	209.8-214.8m AOD
Indoor Activity Centre	D2	0.58	8,700	129.6-134.5	47.5-54.7	206.5-212.5m AOD (with localised high point for rides of 220m AOD)
Outdoor Activity Centre	D2	1.5	-	-	-	20m max height of zip wire/high ropes poles
Woodland Lodge Accommodation (up to 30)	C1	3.2	2,300	7.5-13	8	3.5-4.5
Lodge Welcome / Management Buildings:	C1	Included in above	Included in above	15.5-23	12-16.5	4-7
Surface Car Parking (c.650 spaces)	-	1.85	-	-	-	-
Covered Car Parking (c.180 spaces)	-	1.9	8,500	53.5	50.5	201-206m AOD
Piazza and landscape approach	n/a	8.9	-	-	-	-
Red line site area	-	30.4	-	-	-	-
Total built area (roads and buildings)	-	-	11	-	-	-
Total built area (incl. banks/ponds etc)	-	-	17.3	-	-	-
SSSI included in site area	-	6.1	-	-	-	-
SINC included in site area	-	30.4	-	-	-	-



4.0 Planning Policy

4.1 Introduction

- 4.1.1 Section 70(2) of the Town and Country Planning Act 1990 stipulates in respect of the determination of planning applications:

“In dealing with such an application the authority shall have regard to the provisions of the Development Plan, so far as material to the application and to other material considerations”.

- 4.1.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that:

“If regard is to be had to the Development Plan for any purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the Plan unless material considerations indicate otherwise”.

- 4.1.3 Section 38 (4) of the PCPA 2004 (as amended) states that:

“For the purposes of any area in Wales the development plan is: (a) The National Development Framework for Wales, (b) The strategic development plan for any strategic planning area that includes all of part of that area, and (c) the local development plan for that area”.

- 4.1.4 The National Development Framework comprises “Future Wales: The National Plan 2040” (published February 2021). No strategic development plan exists for the area and the Merthyr Tydfil Replacement Local Development Plan 2016-2031 was adopted in January 2020. The Development Plan for the application site, therefore, comprises Future Wales and the Replacement LDP.

- 4.1.5 Key material considerations include national policy and guidance in the form of the Planning Policy Wales (Edition 11), as well as Technical Advice Notes and local Supplementary Planning Guidance.

4.2 The Development Plan

Future Wales: The National Plan 2040

- 4.2.1 Future Wales was adopted in February 2021 and sets the framework and direction of development in Wales for the next 20 years. Policies of particular relevance to the application site and proposals are summarised below:



- 4.2.2 Policy 1: 'Where Wales will grow' indicates the Welsh Government supports sustainable growth in all parts of Wales. National Growth Areas are identified where growth in employment, housing and investment in infrastructure will be located. These areas are: Cardiff, Newport and the Valleys; Swansea Bay and Llanelli; and Wrexham and Deeside. Merthyr Tydfil is identified as part of the Valleys.
- 4.2.3 The development will bring forward a significant leisure scheme within the Cardiff, Newport and the Valleys National Growth Area. The proposals will provide new employment – enabling inward investment and the creation of employment opportunities that will positively benefit prosperity in the Valleys. It is therefore considered the development is in accordance with Policy 1.
- 4.2.4 Policy 2: notes urban growth and regeneration should be based on the following strategic placemaking principles (inter alia):
- creating a rich mix of uses;
 - building places at a walkable scale, with homes, local facilities and public transport within walking distance of each other;
 - increasing population density, with development built at urban densities that can support public transport and local facilities;
 - integrating green infrastructure, informed by the planning authority's Green Infrastructure Assessment.
- 4.2.5 The proposed development incorporates a mix of tourism and leisure uses to create a year-round leisure destination with easy connection to homes, the town centre and public transport facilities. The development would be built at an appropriate high density and would have a significant customer draw which will help to support public transport services. The site's setting and the design of the development itself makes the most of the green infrastructure, utilising it for recreation, wellbeing, amenity and biodiversity functions. It is therefore considered the development is in accordance with Policy 2.
- 4.2.6 Policy 6 'Town Centre First' requires that significant new commercial and leisure facilities be located within town and city centres. They should have good access by public transport to and from the whole town or city and, where appropriate, the wider region. A sequential approach must be used to inform the identification of the best location for these developments and they should be identified in Strategic and Local Development Plans. The development aims to attract over 1 million visitors every year with a large number staying at the hotels and lodges



for short breaks as well as longer stays. This would create significant new tourism and these tourists would visit Merthyr town centre and the various shops, restaurants and other amenities and attractions significantly increasing footfall, business and income for the town centre and associated businesses and attractions.

- 4.2.7 Future Wales postdates the LDP and the LPD makes no specific leisure allocations. Furthermore, for a town centre site to comply with the sequential approach, it would have to be suitable for the development proposed, allowing for a reasonable degree of flexibility (see section 5.7, below). There is no requirement for disaggregation. Even taking a very flexible approach there are no sites which could accommodate even the core elements of the proposed development (leaving aside necessary parking, servicing and landscaping etc). The Indoor Snow Centre, Indoor Waterpark, Indoor Activity Centre and hotel accommodation alone have a footprint of over 4.5 hectares – an area approximately twice the size of the Tesco Extra on Tramroadside or approximately 10% of the area covered by Merthyr Town Centre. No such site exists. Furthermore, the site would have to be suitable for the nature and form of the development which, even allowing for flexibility, would have to accommodate the slope required for the FIS standard snow centre and provide an appropriate natural environment for the outdoor leisure and lodges. All this being the case, no suitable viable and available sequentially preferable site exists and it is therefore considered the development is in accordance with Policy 6.
- 4.2.8 Policy 9 ‘Resilient Ecological Networks and Green Infrastructure’ sets out the Welsh Government’s objectives in respect of enhancement of biodiversity, the resilience of ecosystems and the provision of green infrastructure. The policy notes that the Welsh Government will work with key partners to identify opportunities where existing and potential green infrastructure could be maximised as part of placemaking, requiring the use of nature-based solutions as a key mechanism for securing sustainable growth, ecological connectivity, social equality and well-being. Action towards securing the maintenance and enhancement of biodiversity (to provide a net benefit), the resilience of ecosystems and green infrastructure assets must be demonstrated as part of development proposals through innovative, nature-based approaches to site planning and the design of the built environment.
- 4.2.9 The proposed development maximises the opportunities afforded by existing and proposed green infrastructure to provide sustainable growth, ecological connectivity, social equality and well-being. The development will seek to achieve biodiversity mitigation sufficient that the negative impacts on the SSSI could be outweighed, or at least arguably outweighed, in both technical and policy terms. Investigations into the delivery mechanisms of such additional measures are ongoing, with acquisition or lease of land to be secured for conservation purposes currently favoured over less direct means such as financial contributions towards



established and ecologically relevant conservation initiatives, but it has been determined already that a range of relevant and viable options to offset the on-site impacts are available. The development will also provide recreational access to the site and the surroundings via footpaths and heritage/nature trails and interpretation as well as increasing participation for all in sport in a green infrastructure setting, all to the benefit of users' well-being. It is therefore considered the development is in accordance with Policy 9.

- 4.2.10 Policy 11 'National Connectivity' sets out the Government's priority to encourage longer distance trips to be made by public transport, while also making longer journeys possible by electric vehicles. The policy notes that planning authorities must ensure that, where appropriate, new development contributes towards the improvement and development of the National Cycle Network and key links to and from it. Policy 12 'Regional Connectivity' prioritises walking, cycling and active travel and supports the roll out of ultra-low emission vehicles.
- 4.2.11 The proposed development will be accessible by walking, cycling and public transport. Links to adjacent rights of way and the adjacent National Cycle Route 8 will be provided and a shuttle bus between the site and the rail station will also be provided. The scheme will also incorporate at least 10% electric vehicle charging spaces. It is therefore considered the development is in accordance with Policies 11 and 12.
- 4.2.12 Policy 16 states that large-scale mixed-use development should, where feasible, have a heat network with a renewable / low carbon or waste heat energy source. Planning applications for such development should prepare an Energy Masterplan to establish whether a heat network is the most effective energy supply option and, for feasible projects, a plan for its implementation. This is addressed in the Environmental Statement which confirms that an on-site heat sharing network will make use of the waste heat generated in cooling the ski slope to heat the hotel accommodation and site-wide hot water (including heated swimming pools). This will significantly reduce the heat waste and operational energy emissions of the development. A feasibility assessment of integrating low and zero carbon energy systems has been undertaken which found that Air Source Heat Pumps (ASHP) and Photovoltaic (PV) panels would be the most suitable options. It is proposed that heat pump technology will be utilised to provide all space heating, cooling and domestic hot water. Overall, it is anticipated that the proposed development could achieve approximately a c.54% reduction in CO₂ emissions beyond the 'gas boiler baseline' (a c.74% reduction when the decarbonisation of the grid is taken into account). It is therefore considered the development is in accordance with Policy 16.



- 4.2.13 Policy 33 identifies 'that Cardiff, Newport and the Valleys will be the main focus for growth and investment in the South East region. The Valleys area, which included Merthyr Tydfil, is a priority area for the Welsh Government and regeneration and investment to improve well-being, increase prosperity and address social inequalities is supported. The development is in accordance with Policy 33.

Merthyr Tydfil Replacement Local Development Plan 2016-2031 (adopted January 2020)

- 4.2.14 The Merthyr Tydfil Replacement LDP sets out the vision for MTCBC up to 2031. The vision is to strengthen Merthyr Tydfil's position as the regional centre for the Heads of the Valleys within the Cardiff Capital Region, to encourage a sustainable level of population growth and be a place to be proud of where:

- People learn and develop skills to fulfil their ambitions;
- People live, work, have a safe, healthy and fulfilled life; and
- People visit, enjoy and return.

- 4.2.15 The LDP likewise sets out a number of objectives, which of particular relevance include:

LDP Objective 15 (Leisure, Recreation and Tourism) - To support sustainable tourism, leisure and recreation developments and encourage an all year-round tourism industry.

- 4.2.16 In respect of the improving economic well-being objectives, the Plan indicates that it "... *seeks to complement the Destination Management Plan by supporting high quality sustainable tourist, leisure and recreation facilities*" (paragraph 4.38). The following policies are of key relevance to the proposed development and associated key considerations are discussed further in Chapter 5:

- 4.2.17 **Policy SW4 (Settlement Boundaries)** - Indicates that settlement boundaries are defined to encourage development within urban areas, support the re-use of previously developed land, and to protect and support the functioning of our rural economy and the countryside. The policy indicates Merthyr Tydfil as a Primary Growth Area, alongside Trefechan. Outside the defined settlement boundaries, proposals will be regarded as 'countryside' development and will not be permitted unless the development, *inter alia*; is for tourism, recreation or leisure facilities or complementary development where the need for a countryside location is fully justified. Where 'countryside development' is acceptable in principle, the proposals must also satisfy other relevant plan policies.



- 4.2.18 Paragraph 6.4.30 states; *"Whilst recognising the general presumption of protection of the Countryside, we also understand that a working countryside can provide a thriving and diverse local economy where agriculture-related activities are complemented by sustainable tourism and other forms of economic development. This could include tourism, recreation, leisure facilities or complementary development where the need for the countryside location has been fully justified and it has been demonstrated that the proposal would satisfy all other policy requirements. Complementary tourism, leisure and recreation development could include, for example, visitor accommodation and new access"* (our underlining);
- 4.2.19 The proposed development comprises tourism, recreation and leisure facilities, including visitor accommodation, all of which comprises 'economic development'. The countryside location has been central to the vision to create a flagship Welsh and UK leisure resort and the need for a natural slope for the Indoor Snow Centre and the size of the development has also precluded an 'in-settlement' and in centre location.
- 4.2.20 **Policy SW10 (Protecting and Improving Open Spaces)** - Advises that development proposals that improve the quality, quantity or access to open space will generally be supported. The proposed development will facilitate well designed and maintained access to areas of open space within Marvel's wider area of ownership. Connecting routes north and south of the site, and creation of a heritage trail within the site will all increase access and well-being opportunities to the surrounding population.
- 4.2.21 **Policy SW11 (Sustainable Design & Placemaking)** - Emphasises that development must contribute to the creation of attractive and sustainable places through high quality, sustainable and inclusive design and sets out criteria that new development will be required to adhere to. Of particular relevance to the proposals is the requirement to:
2. integrate effectively with adjacent spaces, the public realm and historic environment;
 3. not result in an unacceptable impact on local amenity, loss of light or privacy, or visual impact, and incorporate a good standard of landscape design;
 4. Ensure that the County Borough's network of green infrastructure is accessible and connected;
 5. allow access for the widest range of people possible;
 8. minimise the demand for energy and utilise renewable energy resources;
 9. provide and protect relevant utility services and infrastructure without causing any unacceptable environmental impacts;
 10. incorporate measures to improve ground and surface water quality wherever possible; and
 12. promote the creation of healthy and active environments and reduce the opportunity for crime and anti-social behaviour.



- 4.2.22 This policy and its criteria are considered in greater detail within the submitted Design and Access Statement, however, each of the above referenced policy requirements is demonstrated by the proposed development which accords with a placemaking approach.
- 4.2.23 **Policy SW12 (Improving the Transport Network)** - Indicates development that encourages a modal shift towards sustainable transport will be supported, including the enhancement of pedestrian, cycle, rail and bus facilities, in addition to any necessary road improvements. Development proposals will be expected to demonstrate how they reduce the need to travel and encourage the use of sustainable transport. This requirement is fully met, as described in the accompanying Transport Statement and framework Travel Plan.
- 4.2.24 **Policy CW1 (The Historic Environment)** - Requires that the integrity of historic environment assets will be conserved and enhanced. Development proposals will only be permitted where it can be demonstrated they would preserve or enhance the architectural quality, character or the historic or cultural importance of our designated historic environment assets. Likewise, development affecting undesignated historic environment assets including, *inter alia* Landscapes of Outstanding Historic Interest in Wales and Archaeologically Sensitive Areas should have regard to their special character and archaeological importance. Both the accompanying heritage assessment and ASIDOHL confirm that the construction phase has identified potential for significant beneficial effects to four designated historic assets, albeit with non-significant residual adverse effects to ten non-designated historic assets, beneficial effects to one non-designated asset and the loss of non-designated remains with the development's footprint. A beneficial effect is assessed to a single non-designated historic asset. Setting changes during operation, including effects related to enhanced public access to some assets and opportunities for their interpretation, result in significant beneficial effects to three scheduled monuments, significant adverse effects to two scheduled monuments, and non-significant adverse effects to a scheduled monument, a Grade II* Historic Park and Garden and a conservation area. The major benefits of conservation/interpretation will have a more profound positive impact on the historic environment at the site than the lesser impacts on archaeology (which can be partially mitigated) and changes to settings. The historic landscape effect is only Minor Adverse, the majority of the landscape will be unaffected and overall the historic landscape will retain its industrial archaeology and character. Heads of Terms for a Conservation Management Plan are included as part of this application. Policy CW1 is complied with.
- 4.2.25 **Policy EnW1 (Nature Conservation and Ecosystem Resilience)** - Advises that development proposals will be required to promote the resilience of ecosystems. In particular, proposals will be required to maintain and enhance biodiversity interests unless it can be demonstrated that: 1. The need for the development clearly outweighs the biodiversity value of the site; and



2. The impacts of the development can be satisfactorily mitigated and acceptably managed through future management regimes.

4.2.26 The Design and Access Statement discusses how the siting of the proposed development has been determined in order to reduce biodiversity impact as far as possible and limiting SSSI land take as far as possible (3% of the total designated area). The submitted ecology reports show the site to have ecological importance, but that there is scope for a combination of secured management of the balance of the SSSI and additional compensatory enhancement of other off-site land to substantially offset the impacts from the losses of SSSI and SINC land, in both technical and policy terms. Investigations into the delivery mechanisms of such additional measures are ongoing, with acquisition or lease of land to be secured for conservation purposes currently favoured over less direct means such as financial contributions towards established and ecologically relevant conservation initiatives, but it has been determined already that a range of relevant and viable options to offset the on-site impacts are available. Once settled, the detail of the on and off-site compensation package will be fed into the application process as appropriate, for example as Further Environmental Information, along with quantitative measures of the balance of loss versus gain in terms of biodiversity. In the fall-back position where no such detail is available prior to determination, the applicant undertakes to commit a proportionate financial contribution to a suitable and relevant project or organisation to ensure a measurable offset is delivered. Suitable repositories for such contributions might include initiatives by Butterfly Conservation to expand and enhance marsh fritillary habitat (and by extension marshy grassland, including purple moor grass and rhos pastures) in the South Wales valleys region. Accordingly, policy EnW1 is capable of being complied with.

4.2.27 **Policy EnW2 (Internationally & Nationally Protected Sites and Species)** - Highlights that development likely to have an adverse effect either directly or indirectly on the conservation value of an internationally or nationally designated site, including the area, structure and function of designated features, will only be permitted where it is demonstrated that it meets the following criteria.

1. There is no suitable alternative to the proposed development; and
2. It can be demonstrated that the benefits from the development clearly outweigh the special interest of the site; and
3. Appropriate compensatory measures are secured; or
4. The proposal contributes to the protection, enhancement and positive management of the site.



- 4.2.28 Alternatives to the proposed development are considered in the Environmental Statement and, in respect of the sequential test, in section 5, below. No suitable alternative to the proposed development has been identified. Furthermore, as set out in the conclusions below, the benefits from the development clearly outweigh the harm to the special interest of the site. Management will be secured for the balance of the SSSI. Furthermore, additional compensatory enhancement of other off-site land to substantially offset the impacts from the losses of SSSI land, and associated impacts on attendant habitat and species resources is being investigated. The precise magnitude of such offset, and whether it delivers an outcome approaching or exceeding neutral in terms of overall net change, is contingent on the precise details of the off-site measures that will be submitted in support of the application in due course as further environmental information.
- 4.2.29 The policy likewise sets out criteria for development proposals likely to affect protected species, including that the population size, range, distribution and long-term prospects of the species will not be significantly adversely impacted (which the ecology reports confirm to be the case here).
- 4.2.30 Accordingly, policy EnW2 is capable of being complied with, depending on the precise details of the off-site measures that will be submitted in support of the application in due course as further environmental information.
- 4.2.31 **Policy EnW3 (Regionally Important Geological Sites, Sites of Importance for Nature Conservation, Local Nature Reserves and Priority Habitats and Species)** – Indicates that development proposals likely to have an adverse impact on the abovementioned designations will only be permitted where similar criteria to that set out above can be met.
- 4.2.32 **Policy EnW4 (Environmental Protection)** – Advises that development proposals will be required to demonstrate they will not result in an unacceptable impact on people, residential amenity, property and / or the natural environment. The policy indicates that development proposals will be required to incorporate measures to improve water quality where opportunities exist and with regard to flood risk, the policy indicates that new developments will be expected to avoid unnecessary flood risk and meet the requirements of TAN 15.
- 4.2.33 The proposed development will have no unacceptable impact on people, residential amenity, property and / or the natural environment, as set out in the suite of assessments accompanying the application. With the development incorporating SuDS drainage it will meet the required water quality and amenity requirements of that legislation. Apart from pluvial flood risk, there is no risk of flooding to or from the proposed development from any flood sources (see Flood Consequences Assessment). Any potential pluvial flood risk to or from the proposed development will be mitigated using the measures detailed in the FCA;



watercourses will be rerouted subject to appropriate consents and approvals, and a SuDS compliant drainage scheme will be implemented. Furthermore, the proposed development will add betterment in terms of surface water runoff rates for all events greater than Qbar. Accordingly, the development is compliant with this Policy.

- 4.2.34 **Policy EnW5 (Landscape Protection)** – The application site is located within SLA 3: Merthyr West Flank. With regard to landscape protection, Policy EnW5 indicates that development proposals will be permitted where it can be satisfactorily demonstrated that the proposals meet with set criteria. The proposed development has been assessed in a Landscape and Visual Appraisal which concludes that there is an opportunity to accommodate the proposed development at the site. It is concluded the proposed development would not result in an unacceptable adverse impact on landscape character and visual amenity experienced within the surrounding landscape. Furthermore, there is no satisfactory alternative and the benefits associated with the development can be demonstrated to outweigh the harm.
- 4.2.35 **Policy EcW3 (Retail Hierarchy - Supporting Retailing Provision)** - Indicates that Merthyr Tydfil town centre is the favoured location for retail, leisure, and other complementary development. Outside the designated centres, proposals will be subject to an assessment of need and a strict application of the sequential test. Proposals will then only be permitted where they avoid causing harm to town/local centre vitality and viability. This matter is considered in further detail in section 5, below, where it is concluded policy EcW3 and national policy are complied with. The development would aim to attract over 1 million visitors every year with a large number staying at the hotels and lodges for short breaks as well as longer stays. This would create significant new tourism. These tourists would be customers for existing retail and leisure in the Borough significantly increasing footfall, business and income for existing businesses as well as creating new retail and business opportunities locally.
- 4.2.36 **Policy EcW7 (Tourism, Leisure and Recreation Development)** states that low-impact tourism, leisure and recreation development outside settlement boundaries will be favoured provided the need for a 'countryside location' is fully justified, the proposal minimises environmental and amenity impacts, maximises positive effects on the local community, economy and environment and is of an appropriate scale to its surroundings.
- 4.2.37 The supporting text notes that Merthyr's location, its environment and distinctive natural and built heritage assets, together with the development of its activity tourism offer and traditional day visits, provide opportunities to build our reputation as a welcoming 365 day visitor destination. The Plan supports the delivery of the Council's 'Destination Management Plan' by supporting a variety of high quality tourist, leisure and recreation facilities and complementary leisure, tourism and recreation uses, such as visitor accommodation.



- 4.2.38 Low-impact tourism, leisure and recreation development is described as “development that, through its low environmental impact, either enhances or does not significantly diminish environmental quality. It should directly benefit local communities and be respectful to wildlife.... Appropriate proposals should therefore minimise environmental and landscape impacts whilst maximising positive effects on the local community, economy, and environment.”
- 4.2.39 The proposed development does not diminish and, indeed, enhances many aspects of environmental quality, as set out in the accompanying reports. The design of the development, including the bund adjacent to the southern elevation of the Indoor Snow Centre minimise environmental and landscape impacts. Positive effects on the local community, economy and environment will be maximised by the operation and management of the development, including through mechanisms secured by planning condition and planning obligations.
- 4.2.40 Further, through Bike Park Wales, Merthyr has established a strong reputation for being a Welsh destination for adventure tourism. New developments such as the new Zip World attractions at Rhigos (just c.9 miles from the application site) help create a hub for adventure tourism in the region. Rhydycar West seeks to compliment and build on these success stories by cementing Merthyr as a base-camp for adventure tourism in South Wales and the gateway to explore the Brecon Beacons National Park. The c.1 million visitors a year to Rhydycar West will create new and increased business for existing tourism, leisure and heritage attractions in the Borough.
- 4.2.41 **Policy EcW8 (Renewable Energy)** notes that the use of renewable energy as a tangible means of reducing our local carbon footprint, where appropriate to do so, will be supported. The proposed development includes roof mounted PV panels in order to reduce carbon, increasing sustainability of the proposal and complying with this policy.
- 4.2.42 **Policy EcW9 (District Heating)** notes that the use of combined heat and power (CHP), combined cooling, heat and power (CCHP) and district heating will be encouraged. The proposed development includes the combined heating and cooling, as set out further in section 5.
- 4.2.43 As can be seen, subject to compliance with policy EnW1 and EnW2 (which depend on the precise details of offsite ecological management, yet to be firmly established) the proposed development complies with the provisions of the development plan and thus has the weight of s38(6) of the Planning and Compulsory Purchase Act behind it, requiring the application to be approved unless material considerations indicate otherwise.



4.3 Other Material Considerations

Wellbeing of Future Generations (Wales) Act 2015

- 4.3.1 The Wellbeing of Future Generations (Wales) Act 2015 seeks to improve the economic, social, cultural and environmental wellbeing of Wales. The Act puts in place seven wellbeing goals to ensure we are all working towards achieving the shared vision.



- 4.3.2 The proposed development will generate jobs and wealth, results in biodiversity gain, provides recreational and leisure facilities and provides access to greenspace. The proposal will an



attractive facility be open to all and will show case the site's heritage and history, improving the economic, social, environmental and cultural well-being of Wales. The proposal is considered to accord with the well-being goals.

- 4.3.3 The Act places a legal duty on public bodies to adopt the sustainable development principle when setting wellbeing objectives and in taking steps to meet those objectives. In the Act, the sustainable development principle is exemplified by the five ways of working.



- 4.3.4 The development has been developed and formulated in accordance with these ways of working. The long term need for a home for GB Snowsport's and Snowsport Cymru Wales' training and development, within the UK, will boost the nation's performance at events such as the winter Olympics at the same time as providing a long term boost to the local area. Helping to prevent the decline in health seen locally, this collaboration between MTCBC, Snowsport Cymru Wales, Welsh Government and Visit Wales will assist each of these bodies in meeting their objectives. Furthermore, the consultation with and involvement of local people and community groups described in the Statement of Community Involvement ensures that a diverse range of local views have been heard and taken into account.



- 4.3.5 As part of the wellbeing duty under the Wellbeing of Future Generations (Wales) Act, MTCBC published its wellbeing objectives in July 2017 and has since refocused and streamlined them to ensure greater focus on delivery and accountability. The current wellbeing goals of MTCBC are:

Best Start to Life Children and young people get the best start to life and are equipped with the skills they need to be successful learners and confident individuals.

Working Life People feel supported to develop the skills required to meet the needs of businesses, with a developing, safe infrastructure that establishes Merthyr Tydfil as an attractive destination.

Environmental Wellbeing Communities protect, enhance and promote our environment and countryside.

Living Well People are empowered to live independently within their communities, where they are safe and enjoy good physical and mental health.

Planning Policy Wales (Edition 11)

- 4.3.6 Planning Policy Wales (PPW) Edition 11 (February 2021) sets out the land use planning policies of the Welsh Government. The primary objective of the latest version of PPW is to ensure that the planning system contributes to the delivery of sustainable development and improves the social, economic, environmental and cultural wellbeing of Wales, as required by the Planning (Wales) Act 2015, the Well-being of Future Generations (Wales) Act 2015 and other key legislation.
- 4.3.7 Paragraph 2.12 relates to the interaction between the Well-being and Future Generations (Wales) Act 2015 and PPW, it states:
- 4.3.8 “The planning system is a very important policy, decision making and delivery mechanism. It should seek to maximise delivery of outcomes against all aspects of well-being/sustainable development, thus seeking to maximise contributions towards all of the goals of the Well-being of Future Generations Act. This can be achieved by adopting a placemaking approach”.
- 4.3.9 PPW sets out “What is Placemaking?” at Section 2, which defined as:
- “...a holistic approach to planning and design of development and spaces, focussed on positive outcomes. It draws upon an area’s potential to create high quality development and public spaces that promote people’s prosperity, health, happiness, and well-being in the widest sense.



- 4.3.10 Placemaking considers the context, function and relationships between a development site and its wider surroundings. This will be true for major developments creating new places as well as small developments created within a wider place.
- 4.3.11 The five-key sustainable placemaking outcomes are outlined at Figure 4 of PPW 11, which should be used to inform the assessment of development proposals. Figure 5 sets out the National Sustainable Placemaking Outcomes which should be used to develop and assess proposals. These are:
- Growing the economy in a sustainable manner;
 - Making best use of resources;
 - Facilitating accessible and healthy environments;
 - Creating and sustaining communities; and
 - Maximising environmental protection and limiting environmental impact.
- 4.3.12 Paragraph 3.60 of PPW states that development within the countryside should be located within and adjacent to those settlements where it can be best accommodated in terms of infrastructure, access, habitat and landscape conservation.
- 4.3.13 The definition of previously developed land is set out on p.37 of PPW. Excluded from the definition is land where the remains of any structure or activity have blended into the landscape over time so that they can reasonably be considered part of the natural surroundings and land which is species rich and biodiverse and may qualify as section 7 habitat or be identified as having nature conservation value. As such, the site cannot be considered a previously developed or derelict land.
- 4.3.14 Section 5 of PPW Productive and Enterprising Places includes the development of land necessary for economic activity, including tourist related proposals.
- 4.3.15 Paragraph 5.4.2 states that the Welsh Government seeks to maximise opportunities to strengthen the foundational economy, particularly the (inter alia) tourism sector which plays such a prominent role throughout Wales; the planning system should be supportive of this aim. This is further supported at paragraph 5.4.4 which states that wherever possible, planning authorities should encourage and support developments which generate economic prosperity and regeneration.



- 4.3.16 Paragraph 5.5 states that tourism involves a wide range of activities, facilities and types of development and is vital to economic prosperity and job creation in many parts of Wales. Tourism can be a catalyst for regeneration, improvement of the built environment and environmental protection. In addition to supporting existing tourist areas, appropriate tourism-related development in new destinations is encouraged. In rural areas, tourism related development is an essential element in providing for a healthy and diverse economy. In addition to more traditional forms of rural tourism, planning authorities should plan positively for active, green and cultural tourism where they are appropriate. Development should be sympathetic in nature and scale to the local environment.
- 4.3.17 Paragraph 6.3.3 references landscape considerations and states that all the landscapes of Wales are valued for their intrinsic contribution to a sense of place, and local authorities should protect and enhance their special characteristics, whilst paying due regard to the social, economic, environmental and cultural benefits they provide, and to their role in creating valued places. Considering landscape at the outset of formulating strategies and policies in development plans and when proposing development is key to sustaining and enhancing their special qualities and delivering the maximum well-being benefits for present and future generations as well as helping to deliver an effective and integrated approach to natural resource management over the long term.
- 4.3.18 In terms of biodiversity, Paragraph 6.4.4 states that it is important that biodiversity and resilience considerations are taken into account at an early stage in both development plan preparation and when proposing or considering development proposals. Since these considerations are not confined by administrative boundaries they must be addressed strategically through consultation and collaboration with adjoining planning authorities and other bodies such as NRW and the third sector. All reasonable steps must be taken to maintain and enhance biodiversity and promote the resilience of ecosystems and these should be balanced with the wider economic and social needs of business and local communities.
- 4.3.19 In terms of locating development, Paragraph 3.46 of PPW highlights that: “Locational and site choices will also need to be made within the context of an understanding of both economic and market conditions... locational choices will also be underpinned by various detailed elements of policy contained throughout this document and will include the making of resilient locational choices which embed considerations of climate change, biodiversity and ecological resilience, sustainable use of resources and protecting the health, amenity and wellbeing of communities” (para 3.43).
- 4.3.20 The application site is located within a ‘sensitive area’ as defined in regulation 2(1) as it includes land notified under s28 of the Wildlife and Countryside Act 1981 (a SSSI) and



includes scheduled monuments within the meaning of the Ancient Monuments and Archaeological Areas Act 1979.

- 4.3.21 Paragraph 6.4.17 states SSSIs are of national importance. The Wildlife and Countryside Act 1981, as amended by the Countryside and Rights of Way Act 2000, places a duty on all public bodies, including planning authorities, to take reasonable steps, consistent with the proper exercise of their functions, to further the conservation and enhancement of the features by reason of which a SSSI is of special interest. SSSIs can be damaged by developments within or adjacent to their boundaries, and in some cases, by development some distance away. There is a presumption against development likely to damage a SSSI and this presumption should be appropriately reflected in development plans and development management decisions. In particular, before authorising development likely to damage any of the notified features of a SSSI, planning authorities must give notice of the proposed operations to NRW, and must take its advice into account in deciding whether to grant planning permission and in attaching planning conditions.

Technical Advice Notes

- 4.3.22 The following relevant Technical Advice Notes (TANs) supplement national planning policy with regard to the consideration of the proposals.

TAN 4 (Retail and Commercial Development) – November 2016
TAN 5 (Nature Conservation and Planning) – September 2009
TAN 10 (Tree Preservation Orders) – October 1997
TAN 11 (Noise) – October 1997
TAN 12 (Design) – March 2016
TAN 13 (Tourism) – October 1997
TAN 15 (Development, Flooding and Coastal Erosion) - The coming into force of the new TAN 15 and Flood Map for Planning on 1 December 2021 has been suspended until 1 June 2023. Further information regarding TAN 15 and the development will be provided on publication of the updated TAN 15 document.
TAN 16 (Sport, Recreation and Open Space) – January 2009
TAN 18 (Transport) – May 2007
TAN 23 (Economic Development) – February 2014
TAN 24 (The Historic Environment) – May 2017



Supplementary Planning Guidance

4.3.23 Although largely superseded by more recently adopted and published national policy, due regard has been paid to the following Supplementary Guidance Notes in the preparation of this planning application:

- Supplementary Guidance Note No. 4 - Sustainable Design (July 2013)
- Supplementary Guidance Note No. 5 - Nature and Development (May 2015)

Merthyr Tydfil County Borough Destination Management Plan 2015-2018

4.3.24 The tourism sector has become a priority within Merthyr Tydfil CBC, concentrating on developing its products further and upgrading the existing tourism product. Whilst the document itself is now somewhat outdated, the aspirations of the Destination Management Plan remain, which are to improve the County Borough as a key visitor destination in Wales.

4.3.25 The 2020 vision statement for Merthyr Tydfil is 'To strengthen our position as the Regional Centre for the Heads of the Valleys area, and be a place to be proud where:

- People want to live, work and have a healthy fulfilled life.
- People want to visit, enjoy and return.
- People want to learn and develop skills to fulfil their ambitions.'

4.3.26 More specifically for tourism sector, Merthyr Tydfil's Tourism Service Aims to:

- Maximise the opportunities afforded through tourism.
- Establish an ethos of high quality in all tourism provisions in terms of facilities, events, infrastructure and services.
- Maximise the effective use of the County Borough's tourism marketing resources.
- Highlight and prioritise key sectors/areas with the potential for tourism development and growth.
- Facilitate continual research into tourism activities, satisfaction methodologies and market trends in order to stay ahead of competitors.
- Instil an effective networking mindset amongst the various stakeholders in the County Borough which includes tourism sector businesses, MTCBC Officers, community members and other tourism bodies.



4.3.27 The management plan itself references Activity Tourism: “The importance of activity tourism to the local economy has grown immensely over the last three years with the construction of Bike Park Wales and evolution of Rock UK Summit Centre, Parkwood Outdoors Dolygaer and the substantial trail infrastructure development. The region is fast becoming a hub for activity tourism and is recognised as being one of the most desirable regions in Wales in terms of adventure tourism. ... The DMP will look to develop the sector further, working directly with attractions and recreational organisations in a collaborative manner with a view to progressing activity tourism-based campaigns and assisting stakeholders with the pursuit of bringing nationally and internationally recognised events to the region.

4.3.28 The SWOT analysis within the document notes the following:

- **Strengths:** Unique cultural heritage offer, Strong activity tourism component;
- **Weaknesses:** No major high quality hotel in the area, Few large-scale indoor attractions;
- **Opportunities:** Increasing number of overnight stays in the region linked to activity tourism; Potential to develop year-round tourism in the region;
- **Threats:** Competition from other regions

4.3.29 In terms of the Action Plan itself, the following points are of particular relevance:

2. Activity Tourism Development:

- 2.1 Broaden the development of activity tourism attractions and outdoor providers to enhance the region’s offer.
- 2.2 Explore new opportunities to develop new and emerging activity products.
- 2.4 Exploration of potential of hosting large-scale events in the region
- 2.5 Ensure the Rights of Way, NCN, tracks and trails are managed effectively.

3. Cultural Heritage Tourism Development:

- 3.1 Continue to support the preservation, maintenance and development of key heritage sites across the County Borough

4. Development of Merthyr Tydfil’s Business Infrastructure:

- 4.1 Promote the strengths of the region in terms of encouraging inward investment into the area.

6. Tackling Perceptions:

- 6.1 Develop a concise communication protocol with all press and marketing materials to improve coverage of Merthyr Tydfil

7. Broaden the Quality of Accommodation Businesses:

- 7.4 Investigate the potential of developing a high quality large hotel in the County Borough

8. Events:



- 8.1 Further exploration of staging major events in Merthyr Tydfil
- 8.2 Continue to support a coordinated approach to delivering a sustainable events programme with key stakeholders.
- 11. Training & Volunteering:**
 - 11.1 Promote the continued support of all training opportunities for businesses and residents with key stakeholders.
- 4.3.30 The proposed development addresses the identified weaknesses by providing high quality hotels and significant indoor attractions and complements the identified strengths by providing a strong tourism draw and providing access to and interpretation of the site's heritage features. Indeed, the development would meet each of the above action points, helping MTCBC to meet their destination management objectives.



5.0 Key Considerations

5.1 Wellbeing of Future Generations Act

5.1.1 The Act defines “sustainable development” as the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the well-being goals. As such, sustainable development is a way of doing things rather than an end in itself.

5.1.2 The sustainable development principle is made up of five ways of working:

Looking to the **long term** so that we do not compromise the ability of future generations to meet their own needs;

Taking an **integrated** approach looking at all the well-being goals;

Involving a diversity of the population in the decisions that affect them;

Working with others in a **collaborative** way to find shared sustainable solutions;

Understanding the root causes of issues to **prevent** them from occurring.

5.1.3 The applicant has applied the sustainable development principle when compiling the development scheme by:

Long term: Marvel Ltd have balanced short term needs with the need to safeguard the ability to meet long term needs through ensuring that the development provides a valuable facility for current generations while avoiding, limiting and mitigating impacts as far as possible. The development provides economic stimulus, job creation, training opportunities, access to green space, access to sport and recreation facilities while developing the least environmentally sensitive part of the site (subject to the constraint of the ski run length and access into the site) and leaving the majority of the land within the applicant’s ownership undeveloped and, indeed, under positive management. The management of offsite land will be for the long term.

Integration: The seven well-being goals have been considered throughout and an integrated approach has been taken.

A prosperous Wales: A resource efficient development with low embodied carbon facilities operation has been designed, developing the local economy and the skills of the local population. The wealth and economic prosperity of Merthyr Tydfil will be improved as a result of the development.



A resilient Wales: The development would maintain a biodiverse natural environment and healthy functioning ecosystems while also supporting social and economic resilience through the degree of job creation and economic opportunity.

A healthier Wales: The community's physical and mental health will be improved with increased access to natural greenspace, access to physical activities and pastimes and the creation of jobs in a location accessible by active travel modes.

A more equal Wales: The construction of Rhydycar West will boost 'Gross Value Added' by c.£317 million, which will be a significant boost to the local area and the community, helping people fulfil their potential, no matter what their background or circumstances.

A Wales of cohesive communities: The development will provide an attractive, viable, safe and well connected development which can be enjoyed by all members of the community, providing an opportunity to come together in common purpose.

A Wales of vibrant culture and thriving Welsh language: The development has been designed to safeguard and enhance the important cultural heritage and historic interest of the site, providing open and managed access to Scheduled Monuments and allowing them to be enjoyed as part of the proposed heritage trail. Resort signage and historic interpretation material will be bi-lingual in order to promote the Welsh language. Sport and recreation is at the heart of the proposals, encouraging participation by visitors and the local community (including schools and socially deprived communities and including preferential rates and tariffs).

A globally responsible Wales: Throughout the design development the applicant has considered whether the proposal will make a positive contribution to global wellbeing and the capacity to adapt to change (including climate change). By providing a local year-round, weather-proof leisure facility, including an indoor snow sport facility large enough for the Welsh and UK national teams, including Olympic and Paralympic teams, to use as a training base and centre of excellence, the development will provide an opportunity to holiday, recreate and train within the UK, thus reducing the need to travel abroad and promoting staycations. The site's proximity to public transport and commitments made in respect of Travel Plan measures to encourage sustainable transport choices further add to the globally responsible nature of the development.

Involvement: The importance of involving people in decisions that affect them has been recognised from the start – this has spanned a number of years. A multi-stakeholder process has been carried out over many years, involving traditional and digital public relations campaigns aimed at the whole borough of Merthyr Tydfil. Active PR and public consultation



events assembling local people in-person and online through live-streamed conference meetings have received thousands of feedback submissions from individuals in the CF47 and CF48 postcodes.

Collaboration: The design team have collaborated with stakeholders that have been involved throughout the design development. Regular meetings have taken place with various local and national stakeholders, local businesses and other interested parties including Welsh Government, Cardiff and Capital Regions City Deal, GB Snowsport, Snowsport Cymru Wales, Visit Wales, Cadw (in respect to the unopposed scheduling of the monuments and subsequent management of them), local heritage groups, GGAT, MTCBC (various departments over the years including planning, economic development and regeneration, legal, rights of way, ecology and others), NRW and the Coal Authority. The design team has collaborated with GB Snowsport, Snowsport Cymru Wales and experienced existing operators to ensure the development is capable of meeting their aspirations. The development proposed has evolved and undoubtedly benefitted as a result.

Prevention: Understanding the underlying causes of the problems people and communities face can help us find different solutions, intervene early and prevent problems from getting worse or arising in the future. The accompanying reports note the social and health challenges facing Merthyr Tydfil and recognise the hitherto unauthorised use of the site by walkers. The proposed development seeks to address these issues and, in so doing, contribute to the prevention of these challenges increasing over time. On a national and international level, the challenge of climate change is recognised and addressed through the development's approach to achieve net zero carbon for both embodied and operational energy emissions.

- 5.1.4 The formulation of the proposed development has sought to achieve the well-being goals and improve the economic, social, environmental and cultural well-being of Wales by taking action in accordance with the sustainable development principle. It can be seen, therefore, the formulation of the proposed development has conformed to the “sustainable development” process and can therefore be considered as sustainable development.

5.2 Planning History

- 5.2.1 Two planning applications submitted in 2002 are of particular relevance to the determination of the current application:

Application Ref 020060 was submitted on 26 February 2002 for “*reclamation and landscape restoration of 83 ha out of 224 ha of derelict and despoiled land, including tip re-profiling and coal washing from selected spoil tips*”; and



Application Ref 020260 was dated 3 July 2002 and proposed “*comprehensive development scheme to provide retail, leisure, offices, hotel, football stadium, country park and residential uses with associated access, servicing, parking and landscaping (see attached schedule)*”.

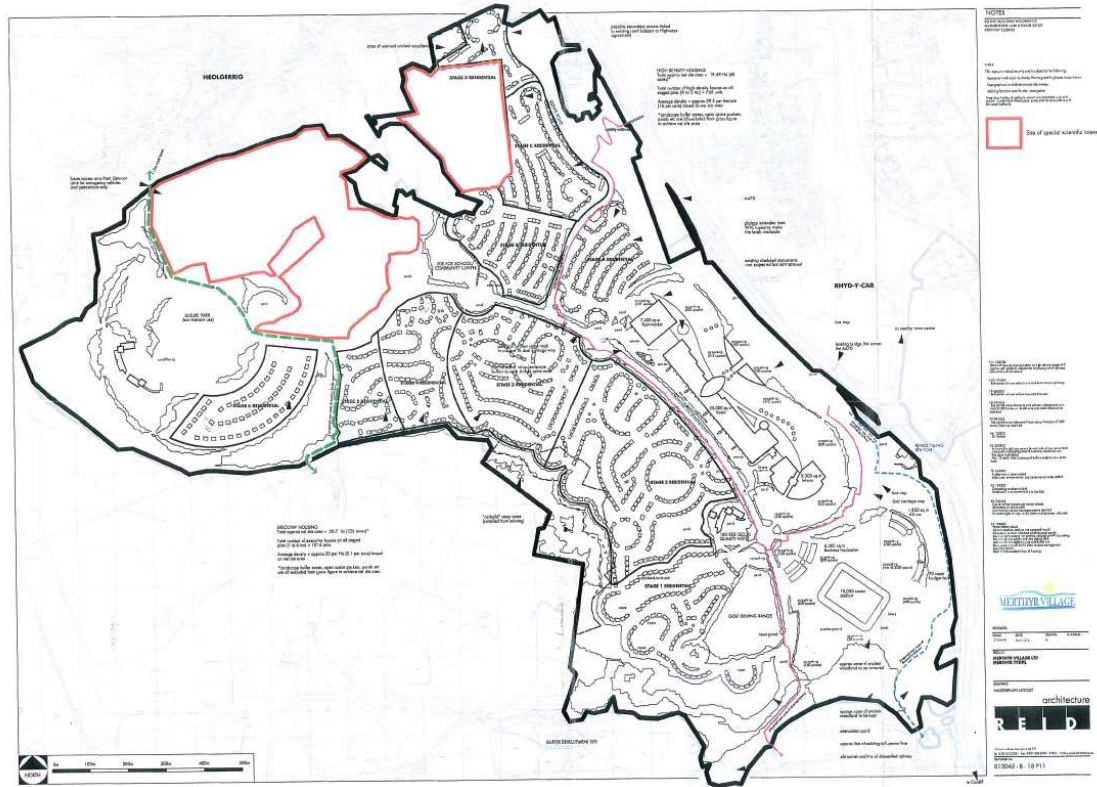
- 5.2.2 Both applications were called in for decision by the National Assembly for Wales because “*the proposed development raises planning issues of more than local importance particularly as they may involve conflict with national planning policies, could have undue effects beyond the immediate locality, and are likely to significantly affect sites of scientific, nature conservation or historic interest, or areas of landscape importance*”.
- 5.2.3 Despite being submitted as two separate applications, the applications were just elements of a proposed phased development of the site.
- 5.2.4 Both applications were dismissed in September 2006.
- 5.2.5 There are, however, significant differences to the development now proposed. The most significant difference is that the 2002 development related to a 224ha site area, with phase 1 essentially comprises the reprofiling of substantial parts of that site by the re-grading and spreading of various spoil tip areas. As part of the spoil moving operations a full scale open cast coal recovery operation was proposed. The total area of spoil excavation was estimated by the applicant at the time as comprising about 67 ha. It was estimated that approximately 200,000 tonnes of coal could have been extracted.
- 5.2.6 The current application site measures just 30.4ha, over seven times smaller. The reprofiling now proposed involves just 16.4ha of land, just under a quarter of that previously proposed. No coal recovery is proposed whatsoever. The level of intervention and the resultant impact is simply of a different order of magnitude.
- 5.2.7 The phase 2 development, again relating to the 224ha site, proposed the following:
 - 32,400m² non-food retail;
 - 9,300 m² leisure uses;
 - 10,000 seater stadium with associated practice ground;
 - 1,850 m² Class A3 floorspace;
 - 6,500 m² business units;
 - 70 bed hotel;
 - 100 Bed Hotel;
 - Golf Driving Range;
 - Phased Residential Development (around 1750 units) to include 1,014 3 and 4 bedroom houses and 768 1 and 2 bed flats and 2 and 3 bedroom terraced and



detached housing;

- Site for school/community facility;
- Area for low-key recreational amenity use.

5.2.8 The masterplan then proposed is shown below (the areas outlined in red being the 29ha Cwm Glo SSSI designation which existed at that time).



5.2.9 Again, the extent of proposed development is of a different order of magnitude to that previously proposed. No out of centre retail is now proposed (beyond limited ancillary facilities associated with the hotel and leisure uses). Furthermore, no out of settlement residential development is now proposed, resulting in no *prima facie* conflict with locational planning policy.

5.2.10 The current application site remains outside of the settlement boundary, contains Scheduled Monuments, one listed building and remains part of the Merthyr Tydfil Landscape of Outstanding Historical Importance and largely covered by a landscape protection designation. However, the extent and detail of the development now proposed is entirely different, such that the conflicts previously raised are now appropriately addressed.

5.2.11 Previously, 29ha of the site was designated as SSSI and 34ha as SINC with extensive parts



of the remaining site then being under consideration for SINC status. The SSSI was extended to 181ha in 2008. The current application site comprises just 6ha of SSSI and a similar area (30.4ha) of SINC. While it is recognised that development previously was excluded from the SSSI, while the current proposal results in 6ha loss, the Inspector noted that the increased residential development proposed close to its boundary would increase its vulnerability. The current proposals mitigate for the loss.

- 5.2.12 The Inspector's report recommending refusal of the previous applications notes the following at section 15:

"The phase 1 proposals (application 020060) would involve the wholesale alteration of large areas of the existing landform [c67ha], together with the removal of extensive areas of existing woodland including significant areas of protected trees... The development would have an unduly harmful impact in visual/landscape terms on semi-wooded slopes which provide an attractive countryside setting to this part of the town." The very significantly reduced scale of development now proposed results in an entirely different assessment, with the landscape and visual assessment concluding that the proposed development would not result in an unacceptable adverse impact on landscape character and visual amenity experienced within the surrounding landscape (see below).

"Because of the inherent nature and scale of the phase 1 and phase 2 proposals the retention of some areas of habitat value within and around areas of built development, supplemented by translocation of species/habitats where retention in situ is not possible, provides insufficient protection to the biodiversity and nature conservation interest of the site even though secured by the section 106 agreement." The significantly changed and reduced nature and scale of development now proposed, with the site comprising just 30ha out of an ownership of 223ha, results in a significantly different consideration. As set out below, the ecological assessment concludes that there is scope for a combination of secured management of the balance of the SSSI and additional compensatory enhancement of other off-site land to substantially offset the impacts from the losses of SSSI and SINC land, and associated impacts on attendant habitat and species resources.

"Although the development proposals have been amended to avoid direct impact upon the SSSI, the increased residential development close to its boundary would increase its vulnerability." Notwithstanding the direct loss of 6ha of SSSI, the proposed development would not result in increased vulnerability due to a resident population as no dwellings are proposed. Visitor access would be managed and channelled onto proposed paths and trails.

- 5.2.13 *"The scale, location and nature of the phase 1 operations and the scale and broad form of development proposed by phase 2 would result in largescale loss or burial of archaeological*



features on the site, seriously compromising its historic interest and character. As presented, the development would directly affect the Cyfarthfa Canal Level SAM and destroy its setting, whilst the setting of the Cwmdau Air Shaft and Fan SAM would also be adversely affected. “Overall, the phase 1 and indicative phase 2 proposals show no meaningful attempt to preserve the coherence of the historic features of the landscape within the framework of the development.” The previous site was found to contain approximately 483 archaeological artifacts. The much-reduced scale of the current development proposal, coupled with the careful consideration given to heritage matters over many years of consultation with Cadw and relevant local groups, has resulted in the preservation and enhancement of many heritage features on site. With mitigation, either through the design of the Proposed Development, through compensatory conservation measures or through archaeological recording, completed or in place, the construction phase assessment has identified significant beneficial effects to four designated historic assets, comprising three scheduled monuments and one Grade II listed building. Following archaeological mitigation, the assessment has identified eleven non-significant adverse effects to non-designated historic assets located within the Application Site.

“Both the phase 1 and the phase 2 proposals are fundamentally in conflict with the provisions of the development plan. The phase 1 proposals are far more extensive than envisaged by the local plan and do not satisfy the development plan requirement to take into account the nature conservation, historic or industrial archaeological features of the site. The range of developments proposed by phase 2 conflict in almost every respect with the locational policies governing such developments, and fall outside the restricted range of uses identified as acceptable in principle in the countryside beyond the settlement boundary.” As set out in section 4, above, the proposed development is capable of complying with the provisions of the development plan (subject to offsite ecology mitigation) and thus has the weight of s38(6) of the Planning and Compulsory Purchase Act behind it.

“The phase 2 development would represent a major injection of investment into the Merthyr area, which would plainly bring significant benefits in terms of housing, economic activity and employment, and increasing the range of leisure, community and shopping facilities available. However, this would be at the expense of the other key sustainability principles identified, which are not adequately taken into account. The development proposals do not accord with the overall thrust of national planning policy guidance.” As set out below, the current proposal will bring about much more significant economic, long term employment and leisure benefits for the local area. Set against the policy compliant nature of the development and the positive findings of the various assessments, the planning balance for the current scheme falls heavily in favour of development.



- 5.2.14 It is clear that, while the determination of the 2002 development proposals is material to the consideration of the current application, the significant difference in the scheme proposed and the level of information and assessment which supports the application, mean that entirely different considerations and conclusions now apply and so the previous determination should be viewed in that light.

5.3 Need for Development

- 5.3.1 The development would provide an extensive range of leisure, tourism, activity and sporting facilities within a resort complex. The c.400m Indoor Snow Centre will serve the training HQ and national centre of excellence requirements of GB Snowsport and Snowsport Cymru Wales located in Merthyr in the heart of the Welsh Valleys. Support from these organisations and others is set out in correspondence at Appendix 3. The Indoor Snow Centre itself is estimated to generate c.750,000 visitors per annum and will comprise the UK's largest multi-slope and freestyle snow park (including extensive beginners' slopes and children's fun play area).
- 5.3.2 Notwithstanding the existing provision of snowdomes across the UK including Glasgow, Castleford, Manchester, Tamworth, Milton Keynes, Hemel Hempstead and the forthcoming scheme in Swindon, there is no suitable existing provision to accommodate GB Snowsport and Snowsport Cymru Wales training requirements. All the existing UK snow centres are too short to serve as training or competition venues as they do not meet FIS requirements.
- 5.3.3 As part of Snowsport Cymru Wales 'Vision for Snowsport 2024', a document that shapes and communicates the organisation's vision for the future of snow sports in Wales, they are keen to set out facility development for snow sports that will meet the needs of the sport for the next 25 years. As such the development of an indoor snow facility that provides for participation development as well as long term athlete development is an integral part of this aspiration. The objectives of such a facility are to:

To provide up to date snow sport facility development that will meet the needs of the sport for the next 25 years.

To provide local training opportunities for Welsh snow sports at the highest level.

To provide opportunities to increase participation in snow sports.

To provide a national training centre for Wales.

To provide an international and national competition venue.

To provide a Team GB National training centre.



- 5.3.4 Snowsports Cymru Wales have been seeking such a development for the past 10 years (see appendix 3). In 2014 at a meeting with SEWDERG (South East Wales Directors for Economic ReGeneration) a presentation was given stating that a Centre of Excellence for Snowsports was a viable and desirable development in the South Wales region. Four local authorities responded offering a number of sites across South Wales. The location, access and potential slope length of three of them was evaluated but the Rhydycar West site presented the best option, factoring in location, connectivity/accessibility, topography and landowner engagement as well as the ability to achieve FIS standards. It was following the identification of the Rhydycar West site as the ideal location that the CEO of Snowsports Cymru Wales was introduced to the site owners by the Head of Economic Development of MTCBC.
- 5.3.5 In accordance with Future Wales - The National Plan 2040, the Valleys is one of the three National Growth Areas where there will be growth in employment and housing opportunities and investment in infrastructure. Likewise, the MTCBC Replacement LDP (2016 -2031), identifies Merthyr Tydfil as the Primary Growth Area within the County Borough. The strategy seeks to locate the majority of future development close to where existing services and facilities are located and in areas which are already serviced by good public transport and strategic highways. The strategy is noted as being consistent with 'Turning Heads - A Strategy for the Heads of the Valleys 2020'.
- 5.3.6 LDP Policy SW4 (Settlement Boundaries) confirms that 'Outside defined settlement boundaries, proposals will be regarded as 'countryside development' and will not be permitted unless the development:... is for tourism, recreation or leisure facilities or complementary development where the need for a countryside location is fully justified'. As noted in section 3, above, the proposed development comprises sustainable tourism, recreation and leisure facilities, including visitor accommodation. The need for a natural slope for the Indoor Snow Centre and the size of the snow centre required to provide a FIS standard facility has precluded an 'in-settlement' or in centre location. Snowsports Cymru Wales have been seeking a site for a centre of excellence for snowsports for a decade, with no appropriate in-centre/in-settlement sites identified. While in an out of settlement location, the site has good accessibility and connectivity to public transport, with that accessibility able to be further improved via Travel Plan initiatives. Furthermore, the countryside location has been central to the vision to create a UK snow and leisure resort including woodland lodges and high quality hotels to accommodate the visitor numbers envisaged. The co-location of the other leisure facilities and accommodation options with the Indoor Snow Centre is necessary to provide critical mass and generate the visitor numbers required to support the operation. The proposal is considered to be fully justified in respect of policy SW4.



5.4 Sustainability

- 5.4.1 The Applicant, in response to the climate emergency, seeks an approach to achieve net zero carbon for the Proposed Development for both embodied and operational emissions. Suitable methodologies will be reviewed further during the detailed design and adopted, where appropriate, to achieve this.
- 5.4.2 An Energy Strategy has been produced, providing recommendations regarding the approach to reducing carbon dioxide (CO₂) emissions and optimising energy efficiency within the development. The Energy Strategy has been developed using a 'fabric first' approach, following the 'Be Lean', 'Be Clean', 'Be Green' energy hierarchy, prioritising savings made to passive design and energy efficiency prior to consideration of low and zero carbon technologies. The calculations presented in the Energy Strategy have been benchmarked using existing gas boiler baseline project energy use data for similar buildings where available. The appraisals within this statement are based on Part L calculation methodology.
- 5.4.3 As part of the 'Be Lean' approach 'passive design' measures will be employed. Passive measures are those that can bring a real benefit to the energy consumption of development without requiring active actions. Such measures include high performance for the façade (high u-values and optimised g-values), heat recovery from the mechanical ventilation system, bespoke external shading elements to reduce the solar gains during summer, bespoke fenestration design balancing thermal needs and daylighting opportunities. In conjunction with a passive design approach, energy efficiency measures will provide the cornerstone to the energy demand and CO₂ emission reduction achieved for the Proposed Development. An all-electric on-site strategy is also proposed with an embedded energy sharing network to recover the waste heat (generated in the cooling of the ski slope) to provide heat to the facilities located on the Site (including heated swimming pools). This will significantly reduce the heat waste and operational energy emissions of the Proposed Development. The Proposed Development is anticipated to achieve up to an 8.9% reduction in CO₂ emissions beyond the calculated baseline as a result of passive measures.
- 5.4.4 As part of the 'Be Clean' approach, opportunities to deploy both a traditional heat network and an ambient loop network, to share energy between areas requiring heating and cooling, have been explored. Analysing the typical energy demand for the entire Site, a site-wide ambient loop network is proposed. This innovative technology enables the various buildings to be connected and to share the energy, creating a proper connected environment able to share resources. This will further reduce the heating and cooling demand and will help to reduce the Site's energy demand and carbon emissions.



- 5.4.5 As part of the 'Be Green' approach, a feasibility assessment focused on exploring the integration of low and zero carbon energy technologies has been undertaken. The analysis has demonstrated that the inclusion of Air Source Heat Pumps (ASHP) and Photovoltaic (PV) panels would be the most suitable options. It is estimated that the indicative PV area identified (approx. 18,000m² panel area) could provide 2,700 MWh/yr. of green energy alone which is approximately 10% of the annual regulated energy demand for the site. Together with the recognised capacity of reducing the energy demand, heat pumps are integral to the proposed site-wide ambient loop network technology and are perfectly integrated with the heat recovery strategy. The developed design will be able to meet space heating, cooling and hot water demand for the entire site creating a site without any local emissions arising from the regulated energy demand. The development will utilise a verified green tariff so that zero emissions are achieved from day-1 of operation.
- 5.4.6 Inclusive of all measures recommended in the Energy Strategy, consisting of fabric first and passive design, an all-electric site-wide ambient loop to meet heating demand and provision for solar photovoltaic systems, it is anticipated that the Proposed Development could achieve approximately an 83% reduction in CO₂ emissions beyond the 'gas boiler baseline' with the measures recommended and included in the calculations presented in the energy report.
- 5.4.7 This strategy has shown that the Proposed Development would benefit from a highly energy efficient, combustion free, low-carbon scheme which utilises minimises waste energy and heat on-site. Efficient thermal envelopes, on-site heat sharing networks and the implementation of low and zero carbon (LZC) technologies will minimise the energy usage of the Proposed Development. Through the measures outlined in this Energy Strategy, it is anticipated that overall, approximately a ~92% reduction in CO₂ emissions could be achieved beyond the 'gas boiler baseline', inclusive of all measures Placemaking.
- 5.4.8 Sustainable places are the goal of the land use planning system in Wales, "sustainable places which are attractive, sociable, accessible, active, secure, welcoming, healthy and friendly. Development proposals should create the conditions to bring people together, making them want to live, work and play in areas with a sense of place and well-being, creating prosperity for all" (PPW para 2.3). The placemaking process is inclusive, involving all of those with a professional or personal interest in the built and natural environment.
- 5.4.9 PPW defines placemaking as follows:

"Placemaking" is a holistic approach to the planning and design of development and spaces, focused on positive outcomes. It draws upon an area's potential to create high quality development and public spaces that promote people's prosperity, health, happiness, and well being in the widest sense.



Placemaking considers the context, function and relationships between a development site and its wider surroundings. This will be true for major developments creating new places as well as small developments created within a wider place.

Placemaking should not add additional cost to a development, but will require smart, multi-dimensional and innovative thinking to implement and should be considered at the earliest possible stage. Placemaking adds social, economic, environmental and cultural value to development proposals resulting in benefits which go beyond a physical development boundary and embed wider resilience into planning decisions."

- 5.4.10 The accompanying Design and Access Statement sets out the design approach followed leading up to the submission of this application. Multiple design iterations have resulted in the development proposal very largely occupying land outside the SSSI designation, limiting the land take from the SSSI to some 3% of the total designated area. Furthermore, the parts of the SSSI affected by the proposed development do not directly contain or support the primary features of special habitat or interest underpinning the designation. Accordingly, the loss of SSSI land to the development will have little or no impact on the national and international importance of the SSSI. These design iterations and the pre-eminence of reducing ecological impact to the absolute minimum are set out at length in the Design and Access Statement and have been an essential component of the placemaking approach which has been followed.
- 5.4.11 While the environmental/ecological designations at the site have been at the forefront of design development, a truly holistic approach has been followed. Consultation with the community and local stakeholder groups has been ongoing from the very start. A multi-stakeholder process has been carried out involving traditional and digital public relations campaigns aimed at the whole borough of Merthyr Tydfil. Active PR and public consultation events assembling local people in-person and online through live-streamed conference meetings have received thousands of feedback submissions from across the community. This, coupled with various local and national stakeholders, local businesses and other interested parties including Welsh Government, Cardiff and Capital Regions City Deal, GB Snowsport, Snowsport Cymru Wales, Visit Wales, Cadw, local heritage groups, GGAT, MTCBC (various departments over the years including planning, economic development and regeneration, legal, rights of way, ecology and others), NRW and the Coal Authority has ensured a truly inclusive approach. Support from a number of these organisations and others is set out in correspondence at Appendix 3.
- 5.4.12 The drive to create a high quality place is clearly set out in the DAS for the development. GB Snowsport and Snowsport Cymru Wales have fed into the design of the Indoor Snow Centre to ensure it is fit for purpose. Environmental and technical constraints and opportunities, as



set out in the Environmental Statement have all been considered over many years, showing the smart, multi-dimensional and innovative thinking required of the placemaking approach.

- 5.4.13 LDP Policy SW11, requires proposals to create attractive and sustainable places. The proposal is appropriate to its local context and integrates effectively with the historic environment. There will be no unacceptable impact on amenity and visual impact, while the development will help connect the site to the Borough's network of green infrastructure. The site will be accessible and based on inclusive design. Demand for energy has been minimised through layout and innovative use of technology. Utility services can be accessed without causing any unacceptable environmental impacts. The proposal will see the creation of a healthy and active environment in a safe and secure setting. In short, the application fully accords with the placemaking process and LDP Policy SW11 in particular.

5.5 Socio Economics

- 5.5.1 The proposed development presents an opportunity to secure a major leisure-oriented development in Merthyr Tydfil, with the ability to contribute to the wider regeneration of the local area through the provision of progressive employment opportunities and the attraction of visitors. This is of paramount importance in order to address persistent challenges in relation to low economic activity rates, pockets of high deprivation, significant skills challenges and lower-than-average wages (as set out in section 2.3, above and the accompanying Strategic Economic Report).
- 5.5.2 The proposal clearly aligns with local policy priorities as outlined in Welsh Government's Economic Resilience and Reconstruction Mission, acting to boost the foundational economy and protect and enable skills and employment; as well as the objectives of the Cardiff Capital Region City Deal Strategic Business Plan (see letter of support at Appendix 3) and Merthyr Tydfil Economic Growth Strategy. Moreover, the project aligns with Visit Wales' Priorities for the Visitor Economy through its ability to stimulate investment in Wales's adventure offer, generate activity during off-peak periods and drive prosperity in South East Wales, thereby contributing more to Wales's 'Gross Value Added' (GVA).
- 5.5.3 The analysis undertaken and reported in the accompanying Strategic Economic Benefits report has highlighted the scale of the economic impact associated with this significant development:
- Rhydyar West would result in c.1,414 gross direct employment opportunities (c. 1,549 net) over the construction period; with c.1,113 (c.1,219 net) of these expected to come from the local labour catchment area.



- The construction of Rhydycar West would also involve contracting with a number of suppliers (such as haulage, aggregates, and general building materials), who in turn purchase from their suppliers through the supply chain, as well as local expenditure from workers directly engaged by Rhydycar West and within the supply chain. This activity would support a further 488 indirect and induced employment opportunities.
- The construction of Rhydycar West would boost GVA by c.£317.6 million over the duration of the construction period.
- The proposed development will support high levels of employment in the operational phase, generating c.842 gross direct jobs (c.755 net) of which c.663 (c.594 net) are expected to be come from the local labour catchment area. Rhydycar West therefore contributes strongly to the local, regional and national objectives for employment and economic growth that are related to the scheme.
- The Rhydycar West project will contribute c.£38.1m in GVA to the economy per annum. This compares favourably to the turnover related spend (GVA) generated by the Principality Stadium in Cardiff which stood at £19.5m in 2017-18.
- Additional off-site expenditure driven by Rhydycar West could total c.£3.2m per annum.
- The above positive impacts of the scheme will be further targeted towards the local Merthyr economy by the
- developer's additional mitigation commitments, which will be secured through the Section 106 agreement. As outlined in the Strategic Economic Report, these will target training and local employment by working alongside Partner Organisations. This is to be imbedded through legally binding obligations to secure recruitment and training opportunities for local residents. Though these impacts have not been quantified, the Section 106 obligations ensure that the positive socioeconomic impacts of the scheme are targeted towards the local economy.

5.5.4 Furthermore, the development could result in a number of additional benefits such as:

- Rhydycar West's year-round offer and proximity to Merthyr Tydfil town centre and wider retail assets will support the long-term regeneration of the town, with visitors staying, shopping and socialising in Merthyr Tydfil driving expenditure and footfall, thereby supporting the viability of established businesses. For example, BikePark Wales, Morlais Castle Golf Club, Merthyr Clay Pigeon Shooting Club, Merthyr Tydfil



Leisure Village (Merthyr Tydfil Leisure Centre and playing fields, skate park, restaurants (Nando's, Subway, Frankie and Benny's, Harvester, McDonald's), Superbowl, Travelodge, Vue Cinema), The View Camping and Bunkhouse Ty Wern (rental lodge) all lie within 1km of the Rhydycar West site and stand to benefit from the high number of visitors expected at Rhydycar West. Furthermore, this could encourage further investment/new business ventures to tap into increased demand in the local economy driven by the development.

- A reputation for sporting excellence in Merthyr Tydfil, linked to the international-quality facilities on offer and support of stakeholders such as Snowsport Cymru Wales and GB Snowsport, which plans to utilise the facility as its National Centre of Excellence and training headquarters (see Letters of Support included in Appendix 3). These key partners, and the activities they support, present the opportunity for Rhydycar West to place Merthyr Tydfil at the forefront of snow sports, both domestically and internationally.
- The development of the area as a destination, with Rhydycar West acting as an anchor attraction which links to other leisure-oriented attractions in the surrounding area such as Bike Track Wales, Zip World Tower, Rock UK Summit Centre, the Taff Trail and the Brecon Beacons, as well as the wider retail and heritage offer nearby, including Merthyr's "Cyfarthfa Plan" project.

5.5.5 In order to ensure the proposal has the maximum positive effect in terms of social value, the applicant will enter into the following legally binding obligations to secure recruitment and training opportunities:

- Prior to the commencement of development, the Developer shall submit a schedule of likely employment and training opportunities at the Site and a list of appropriate Partner Organisations to be consulted on each opportunity (such as the Council, the local Job Centre Plus, Local Schools, Colleges and Training providers, Careers Wales).
- The Developer will work in partnership with the appropriate approved Partner Organisations in the recruitment of Local Candidates to employment and training opportunities arising at the Site by using reasonable endeavours to take the following steps:-
 - supplying to the appropriate approved Partner Organisations a job description and person specification in relation to any employment opportunity and a training description in relation to any training opportunity advertised generally



at the Site;

- not advertise generally any employment opportunity or training opportunity in relation to the Site unless the appropriate approved Partnership Organisations have been given the chance to nominate Local Candidates for the opportunity;

- Interviewing those Local Candidates identified by the appropriate approved Partnership Organisations that the Developer considers to be job or training ready and who meet the requirements of the person specification and the job description;
- Providing feedback to the appropriate approved Partnership Organisations in relation to Local Candidates who were interviewed and were unsuccessful or who were trained and were not successful in obtaining employment with the Developer.

5.5.6 The socio economic benefits of the proposed development, and the ability of the development to tackle the persistent challenges of low economic activity rates, high deprivation, skills challenges and lower-than-average wages which persist in the MTCBC area, are significant material considerations in favour of the proposed development.

5.6 Sequential Site Location

5.6.1 In respect of retail policy, the proposal will only contain retail which is incidental to the hotel and leisure components. TAN 4 notes at paragraph 10.6 that *“Shops may be proposed as ancillary to other development such as, petrol stations, motorway service areas, airport terminals, industrial/employment areas, railway stations, sports stadia or other leisure, tourist and recreational facilities this is by no means an exhaustive list. Local planning authorities should ensure that in such cases the retail element is limited in scale and genuinely ancillary to the main development.”* As ancillary elements, any such retail will not comprise a primary use and thus do not feature in the description of development. There is no requirement to carry out a need assessment or a retail impact assessment (which is only required for retail proposals of 2,500 sqm or more).

5.6.2 However, national policy requires a sequential site search to be undertaken for retail *“and all other uses complementary to retail and commercial centres. Other complementary uses include, for example, financial and professional services (A2), food and drink (A3), offices (B1), hotels (C1), educational and other non-residential establishments (D1), leisure (D2) and certain other uses such as launderettes and theatres.”*

5.6.3 The general requirements of the sequential approach to site selection are set out in PPW as



previously outlined. In summary, the sequential approach requires that all potential suitable and available town centre options, and then edge of centre options, are thoroughly assessed before out-of-centre sites are considered for key town centre uses. The approach requires pragmatism and flexibility from local planning authorities, developers and developers alike.

5.6.4 Key considerations in carrying out the sequential test on each potential site include:

- The likelihood of the site becoming available within a reasonable period of time;
- Suitability of the site for the proposed development; and
- Viability for the proposed use.

5.6.5 It is important to consider relevant appeal precedents and case law in the application of the sequential approach, as follows:

For a sequentially preferable site to be suitable, it must be *“suitable for the development proposed by the applicant.”* The *“whole exercise is directed to what the developer is proposing, not some other proposal which the planning authority might seek to substitute for it which is for something less than that sought by the developer.”* (Dundee¹, paras 24 and 38);

“to refuse an out-of-centre planning consent on the ground that an admittedly smaller site is available within the town centre may be to take an entirely inappropriate business decision on behalf of the developer.” (Dundee, para 28). The relevant question to ask is *“whether an alternative site is suitable for the proposed development, not whether the proposed development can be altered or reduced so that it can be made to fit an alternative site.”* (Dundee, para 29). Accordingly, the application of the sequential test is *“for use in the real world in which developers wish to operate, not some artificial world in which they have no interest doing so.”* (Dundee, para 38);

“The policy concerning the sequential approach... must be applied in a manner which complies with the legally binding case law on the meaning of the sequential approach. Plainly the case in question (Dundee) is of seminal importance” (Rushden Lakes², para 8.44);

“There is no longer any such [disaggregation] requirement stated in the NPPF. [The NPPF] cannot be read so as to imply that a major, and extremely controversial, part of previously stated national policy lives on by implication in the NPPF. Had the Government intended to retain disaggregation as a requirement it would and should have explicitly stated this in the NPPF.”

¹ Tesco Stores Ltd v. Dundee City Council [2012] UKSC13

² APP/G2815/V/12/2190175 - LXB RP (Rushden) Limited v East Northamptonshire Council, June 2014



(Rushden Lakes, para 8.47). “there is no requirement to disaggregate” (SoS decision letter for Rushden Lakes, para 16);

“both applicants and local planning authorities are expected to ‘demonstrate flexibility on issues such as format and scale’. What bounds can reasonably be set on an applicant’s preference and intentions as to ‘format and scale’ in any individual case will always, and necessarily, depend on the facts and circumstances of that particular case. The policy in paragraph 24 of the NPPF should not be seen as prescriptive in this respect. It plainly is not”. (Warners Retail High Court judgement³, para 30)

“In carrying out the sequential test it is acknowledged that whilst Framework paragraph 24 indicates that applicants should demonstrate flexibility on issues such as format and scale, it does not require the applicant to disaggregate the scheme. The sequential test seeks to see if the application, i.e. what is proposed, can be accommodated on a town centre site or on sequentially preferable sites. There is nothing in the evidence before me to suggest that the applicant has pitched the scale of the scheme so that would be impossible to identify a town centre site” (para 11.7 of Inspector’s Report, Scotch Corner called-in application⁴). The SoS specifically agreed with the Inspector at IR11.7 (para 11 of his decision letter).

- 5.6.6 The ‘Budenny’ appeal⁵ in England considered further a number of salient points with regard to the sequential approach. In it the Inspector reiterated the Dundee judgement’s findings. The Inspector also found: *“The Council claims that the recently published draft National Planning Practice Guidance (NPPG), which represents the most up-to-date exposition of policy and refers to “suitability” in terms of the need or demand which the proposal is intended to meet is intended to reverse the Supreme Court’s decision and ensure that the sequential test regains its previous utility. But even if practise guidance could contradict a Court judgement in the manner claimed, which is most unlikely, the NPPG is currently in draft “Beta” test mode At present, therefore, the Tesco v Dundee interpretation of “suitable” must stand.”* (paragraph 20)

“In this case there is no particular evidence that it would be commercially or functionally necessary to accommodate a variety of individual and as yet unidentified comparison goods retailers either in only one building or on only one site in the City Centre. I therefore conclude that in addition to the option to accommodate all of the appeal proposal on the Albion Square site, they could all be readily accommodated in the city centre, and at the same unit size, if

³ Warners Retail (Moreton) Limited v Cotswold District Council [2016] EWCA Civ 606

⁴ APP/V2723/V/15/3132873 and APP/V2723/V/16/3143678

⁵ APP/P4415/A/13/2197947 dated 5 Nov 2013



the development were to be sub-divided with approximately half of the floorspace at The Albion Square site and half at the Myton Street site.” (Kingswood appeal⁶, para 57).

“the SoS agrees with the Inspector that in terms of the sequential test, what would be reasonable and appropriate will depend on the particular circumstances of the sequential site and the proposals that it is being expected to accommodate” (paragraph 19 of SoS decision letter dated 1.10.18, The Mall, Cribbs Causeway call-in decision⁷). The Inspector’s Report noted at paragraphs 567 and 568 that: “There was debate at the inquiry about whether proposals should be split into different parts so that they can be accommodated on several town centre sites. Whereas past retail policy and guidance has adopted a disaggregation approach this is not embodied in either the Framework or the PG as was confirmed by the Court of Appeal in Warners Retail. The Secretary of State reached a similar conclusion in his decisions on Rushden Lakes, Scotch Corner and Honiton Road. Whilst the Inspector in the Kingswood, Hull appeal decision did endorse a disaggregated approach this seems to have been influenced by a wording of the relevant policy and the availability of two allocated sites.”

“In the Tollgate Village case the Inspector did consider that there was scope for disaggregating the proposals and spreading them onto different sites, even though ultimately such sites were found not to be available. However, the findings here were case specific and it is noted that they were not specifically endorsed by the Secretary of State in his decision. As a general principle an approach that involves disaggregation does not seem to me to fit well with the Aldergate Properties or Warners Retail judgements referred to above. The town centre uses in the application proposals would comprise the retail and leisure uses and to divide them up would change the broad nature of the development in this case.”

5.6.7 While it is recognised that the above court and appeal references relate to areas outside of Wales, the nature of the sequential test is broadly consistent across England, Wales and Scotland. Just as the Supreme Court decision in the Dundee case had clear relevance in England, so too does that decision and the referenced English appeal decision have relevance in Wales. Just as there is no explicit requirement for disaggregation in the NPPF in England (see, for example the Warners Retail case) there is likewise no explicit requirement for disaggregation in PPW. Had the Welsh Government wanted developers to adopt a disaggregation approach, it could, should and would have done so by adding a simple statement to that effect into PPW.

5.6.8 What would be a reasonable and appropriate level of flexibility will depend on the particular circumstances of the sequential site and the proposals that it is being expected to

⁶ APP/V2004/W/17/3171115

⁷ APP/P0119/V/17/3170627



accommodate (see The Mall, Cribbs Causeway appeal). For a site to be preferable it must be suitable and available for the broad type of development which is proposed in the application by approximate size, type, and intended purpose but that there may be commercial or functional requirements which mitigate against an otherwise sequentially preferable site (Kingswood appeal). Where disaggregation has been held by Inspectors to be applicable in England, the schemes have generally been outline proposals with very significant flexibility and with no commercial or functional reasons to be sited on a single site (see Tollgate and Kingswood appeals). It is recognised that the current application is in outline, however, the commercial input into the development from existing operators clearly shows the commercial requirements for co-locating the Indoor Snow Centre, Indoor Waterpark, other leisure uses and the accommodation on a single site to operate as a single 'all year round' resort (see section 3, above and the accompanying Design and Access Statement). Fundamentally, the test is to be applied in a real world context (see Dundee decision).

- 5.6.9 Even taking a very flexible approach there are no sites in Merthyr Tydfil which could accommodate even the core elements of the proposed development (leaving aside necessary parking, servicing and landscaping etc). The Indoor Snow Centre, Indoor Waterpark, Indoor Activity Centre and hotel accommodation alone have a footprint of over 4.5 hectares – an area approximately twice the size of the Tesco Extra on Tramroadside or approximately 10% of the area covered by Merthyr Town Centre. No such site exists. Furthermore, the site would have to be suitable for the nature and form of the development which, even allowing for flexibility, would have to accommodate the slope required for the Indoor Snow Centre and provide an appropriate natural environment, as required for a resort of this nature. There are simply not sites within or on the edge of the town centre which are large enough or which meet these requirements. All this being the case, no suitable viable and available sequentially preferable site exists and it is therefore considered the development is in accordance with policy in respect of leisure uses and the sequential test.

5.7 Ecology

- 5.7.1 Multiple design iterations have resulted in the development proposal very largely occupying land outside the SSSI designation, limiting the land take from the SSSI to some 3% of the total designated area. These design iterations and the pre-eminence of reducing ecological impact to the absolute minimum are set out at length in the Design and Access Statement and have been an essential component of the placemaking approach which has been followed. The incursion into the SSSI is rendered unavoidable due to the nature of the proposals and their requirement for access from the A470 and for a linear structure, utilising elevation differentials, to house the indoor ski slope. The proposed development site includes around 6ha of the 181ha Cwm Glo a Glyndyrys SSSI.



- 5.7.2 The basis for the SSSI designation is the presence of extensive areas of unimproved marshy, neutral and acid grassland, the intimate association of these habitats as a matrix with others and the “outstandingly diverse” assemblage of grassland fungi. As well as direct land-take from the SSSI, the proposals will also involve lower-impact uses of the remainder via increased use of formal and informal trails and possibly other leisure uses.
- 5.7.3 The application site includes parts of two designated Sites of Importance for Nature Conservation (SINCs); Rhydycar West SINC covering much of the application site and the Cwm Glo SINC, which overlaps a small part of the application site.
- 5.7.4 Bioscan have undertaken a significant volume of survey work on the site since 2015, reported in the accompanying reports. This survey effort has been scoped with both NRW and Merthyr Borough Council in 2015, 2017, 2021 and 2022. The baseline conditions on the site, and the existence and importance of ecological factors capable of being material considerations in planning determination, are well known as a result of these intensive survey campaigns.
- 5.7.5 The parts of the SSSI falling within the application site are dominated by closed canopy woodland or more open woodland interspersed with bracken-dominated vegetation which are not interest features of the SSSI. These habitats have little value for grassland fungi and do not contribute to the mycological interest feature of the SSSI. The SSSI land falling outside the application site retains extensive representations of marshy grassland, species-rich neutral grassland and acid grassland communities, and the intimate juxtaposition of these with adjoining woodland, scrub, heath and mire is intact. However, improved grazing management would be beneficial.
- 5.7.6 None of the known locations for locally uncommon or rare species is within the application site.
- 5.7.7 The application site avoids locations where marsh fritillary larval webs have been found in 2015 and 2020, and indeed the SSSI habitats affected are not suitable for this species, being closed canopy woodland or more open woodland and bracken stands lacking the foodplant devil’s-bit scabious. Many of the notable invertebrate species associated with unimproved grasslands are unlikely to be dependent on the application site as compared with similar representations of such habitats in the wider landholding.
- 5.7.8 The pattern of results from the ponds on the wider site suggests that the terrestrial range of great crested newts is likely to encompass most of the SSSI and wider landholding, with an increasing likelihood of animals being present as one moves away from the south and east.
- 5.7.9 Active and static surveys of bat activity since 2015 have recorded a diverse range of 14 bat



species with summer, autumn and winter roosts confirmed (or strongly suspected) in a number of built structures falling within or close to the application site. Species found in roosts within the application site to date have included lesser horseshoe and brown long-eared bat, with *Myotis* species suspected to roost in bridge structures and the nearby Aberdare tunnel. Trees with medium or higher potential to support bat roosts have been identified by ground-based assessments in 2021 and 2022 and subject to campaigns of climbing inspections in November 2022. This confirmed the presence of a small number of tree roosts for brown long-eared and Daubenton's bats.

- 5.7.10 Adder, grass snake and common lizard have been noted within the wider landholding and non-woodland habitats within the application site. These species are likely to be present wherever suitable habitat structure persists.
- 5.7.11 A nest tube survey for dormice in 2015 and 2021 found no evidence of the species, either on the application site or anywhere else within the landholding. Similarly, no evidence of water vole or otter has been found to date, although transient use by otter is to be expected. Polecat was observed just outside the application site in 2015 and badgers are resident, although only one significant sett has been found to date and this is well removed from the application site.
- 5.7.12 In terms of impact, the application site has been configured through numerous design iterations to overlap with the designated Cwm Glo a Glyndyrys SSSI to the absolute minimum necessary in order to deliver the scheme. In consequence, a land take of around 6ha of the SSSI is anticipated, which represents a little over 3% of the total SSSI area.
- 5.7.13 In this instance, the part of the SSSI affected by the proposed development does not directly contain or support the key interest features of mycological or habitat importance underpinning the designation. Thus, the loss of SSSI land to the development will have little or no impact on the national and international mycological importance of the SSSI and will not result in the loss of any quantum of the cited marshy grassland, acid grassland or heathland habitats, including those supporting the SSSI population of marsh fritillary. As such, it is only secondary interest features of the SSSI that will be affected, in particular woodland and bracken habitats of a type falling outside the scope of the cited interest features.
- 5.7.14 Likewise, while the development would result in the loss of SINC habitat and features and TPO areas. By far the larger impact will be on the Rhydyar West SINC, with perhaps 25% of the total designated area being lost to the development. By contrast, the impact on the Cwm Glo SINC would be slight, with perhaps 0.2ha of the total 127.1ha site being lost (0.16%). Impacts on these TPO woodlands will vary from slight magnitude through to wholesale clearance where overlapping with the proposed Indoor Activity and Indoor Snow Centre parts of the development.



- 5.7.15 To mitigate the above SSSI and SINC impacts, the wider landholding will be brought under comprehensive and optimised management as part of the development to ensure; the continuity of optimum sward structure in the grasslands of mycological interest, the rotational availability of optimum structure and conditions for marsh fritillary and the scarce plants associated with the marshy grasslands generally and conditions compatible with maintaining the other secondary SSSI interests on the site. The beneficial outcomes of securing such management on the undeveloped balance of the Cwm Glo a Glyndyrys SSSI and SINC will substantially counterbalance the more localised impacts associated with direct loss of a proportion of the designated area to development.
- 5.7.16 Application of standard metrics to assess biodiversity change indicates that this has the potential to deliver net outcomes close to neutral. Further off-site enhancement to deliver substantive biodiversity benefits of relevance to both the Cwm Glo resource and the wider region would be appropriate in order to make an evidence-based case that the negative impacts on the SSSI could be outweighed, or at least arguably outweighed, in both technical and policy terms. Investigations into the delivery of such additional measures are ongoing, with acquisition or lease of land to be secured for conservation purposes currently favoured over less direct means such as financial contributions towards established and ecologically relevant conservation initiatives. Significant effort has been expended in searching for and securing an appropriate off-site compensation site or sites. This has included discussions with NRW and a number of non-statutory agencies, and a number of sites have been visited and assessed, and negotiations commenced with landowners. The search remains ongoing and the applicant is committed to securing a site of appropriate scale, geographical relevance and potential, but it has been determined already that a range of relevant and viable options to offset the on-site impacts are available. Once settled, the detail of the on and off-site compensation package will be fed into the application process as appropriate, for example as Further Environmental Information, along with quantitative measures of the balance of loss versus gain in terms of biodiversity. It is envisaged that the detail of these various wider landholding and off-site measures would be secured by a Compensation and Habitat Management Plan (or similar) secured via a pre-commencement condition on the planning consent.
- 5.7.17 The presence of bats, and of known breeding ponds and terrestrial habitat for great crested newts and reptiles, represent features underpinning the designations discussed above. In the absence of mitigation and/or compensation, the impacts could include the loss of several roost sites, and breed/terrestrial habitat. 'Favourable Conservation Status' for the bat assemblage on the site will be able to be maintained due to the availability of land intended to remain undeveloped, and the inherent low-impact and flexibility associated with the non-built recreational and leisure developments. For the same reason, the presence of known breeding



ponds and terrestrial habitat for great crested newts and the presence of good populations of reptiles do not provide an insurmountable bar to planning consent. It is envisaged that the various measures referenced in the ecology assessment would be secured by a Species Protection Plan (or similar) secured via a pre-commencement condition on the planning consent.

- 5.7.18 The loci of both marsh fritillary and badger presence within the landholding fall outside the Application Site and no direct impacts on these species are envisaged. The scope for low magnitude impacts from indirect effects does however necessitate precautionary mitigation measures.
- 5.7.19 The ecology assessment concludes that offsite compensation remains subject to uncertainty at this stage and is thus best portrayed as a best case. The worst-case outcome if no further off site compensation is secured is that there will be permanent net loss of SSSI of minor magnitude at national level, moderate magnitude at regional level and major magnitude at Borough level and below. This would be a significant impact on a nationally important resource that would need to be weighed in the balance against all other benefits of the scheme including the economic and social benefits to determine if the presumption against such losses was overcome, and also against the significance of that loss in terms of the ecological integrity of both the remaining part of the Cwm Glo a Glynhydrys SSSI and the wider SSSI series more generally. In this context, it is significant that through development design, the elements of SSSI land directly affected do not support the principal interest features underpinning the designation.
- 5.7.20 The policy protections afforded to non-statutory SINC sites are less stringent, but in the context that impacts on the Rhydycar West SINC would be severe adverse and significant at regional (mid-valleys) level, they would again have to be weighed in the balance and against the weight of local and national need for the scheme and the wide range of benefits arising. As with the SSSI loss, it is intended that the compensation proposals both across the wider land-holding, and off-site, will secure a means to compensate for this quantitative and qualitative loss in the medium to long-term via enhancements to other designated or non-designated land.
- 5.7.21 The availability of the wider site and the management enhancements committed to in respect of that land mean that the impact to protected and notable species is likely to reduce residual effects to near neutral for most such species, and likely net beneficial for great crested newts.
- 5.7.22 While there is a well-established policy presumption against development likely to damage a SSSI, the particular value of the affected area, the future security of the special interest features and the weight of need for the development are material considerations in considering the acceptability of this development in policy terms.



5.7.23 In this case, there is scope for a combination of secured management of the balance of the SSSI and additional compensatory enhancement of other off-site land or via other 'in kind' measures, to substantially offset the impacts from the losses of SSSI and SINC land, and associated impacts on attendant habitat and species resources. The precise magnitude of such offset, and whether it delivers an outcome approaching or exceeding neutral in terms of overall net change, is contingent on the precise details of the off-site measures that will be submitted in support of the application in due course as further environmental information.

5.8 Health and Well Being

5.8.1 In line with the overarching thrust of the adopted LDP, PPW 11 and Future Wales, the proposals will offer a range of health and well-being benefits for visitors, employees and nearby residents to the Resort and surrounding infrastructure. The Rhydyar West project builds on a range of existing facilities which deliver and promote active lifestyles and participation in outdoor sporting and leisure activities. These include BikePark Wales, Zip World and wider activity within the Brecon Beacons and surrounding area covering walking, climbing. As such the investment adds to the potential range of opportunities for both residents and visitors to pursue healthier lifestyles.

5.8.2 'A Healthier Wales' aims to develop a nation with healthy functioning ecosystems, that support social, economic and economic resilience. Regarding "A healthier Wales" specifically, Planning Policy Wales sets out three goals to achieve this:

Reduction in emissions and air pollution through improving access to facilities and services to support people adopting healthier lifestyles

Generating energy from non-carbon sources

Enabling opportunities for connecting with the environment, access to tranquil areas and promoting active lifestyles to benefit physical and mental wellbeing

5.8.3 Based on 2011 Census data, which is the latest dataset available for self-assessment of health, 11.2% of the residents in Merthyr Tydfil believed they were living in 'bad' or 'very bad' health. This assessment accounts for an overall rating of mental and physical health. Of the 22 local authorities in Wales, this is the highest proportion of 'bad' or 'very bad' health meaning that Merthyr Tydfil performs worst in terms of self-assessed health in the country. 11.2% is also comparatively higher to the figures recorded in Wales (7.6%), and England and Wales as a whole (5.6%).



- 5.8.4 In addition, the proportion of the population who had a long-term health problem or disability which limited their day-to-day activities at least a little in Merthyr Tydfil was 26.9%. This is relatively higher than the proportion in Wales (22.7%) and England and Wales on average (17.9%), again suggesting poorer health.
- 5.8.5 Life expectancy data also suggests that Merthyr Tydfil performs poorly in terms of health. In a 2020 report by the Welsh Government (Summary Statistics for Wales by region), it was stated that life expectancy at birth in Merthyr Tydfil was very low compared to other local authorities in Wales. In particular, life expectancy for females in Wales is at its lowest in Merthyr Tydfil.
- 5.8.6 The last Local Area Summary Statistics report for Merthyr Tydfil (last produced in 2014) discusses mental health statistics in the county compared to other areas in Wales. It indicates that the mean mental component summary score for Merthyr Tydfil has been consistently lower than the Welsh average since the 2003/05 period, indicating consistently poorer mental health and well-being in the county.
- 5.8.7 Regarding the health of children in Merthyr Tydfil, a report by Public Health Wales using 2011 census data stated that 28.2% of children were living in poverty. Poverty is regarded as a key determinant of health and this figure is considerably higher than the average rate for Wales (22.2%). In addition, it was reported that 33.8% of 4- to 5-year-olds were overweight or obese in the local authority, the highest proportion across all Welsh local authorities. Public Health Wales also recently produced a child personal wellbeing report (2020) which showed that the Short Warwick-Edinburgh Mental Wellbeing Scale (SWEMWBS) score in secondary school aged children in Merthyr Tydfil was 23.6, slightly below the Welsh average of 24. The SWEMWBS covers the feeling and functioning aspects of mental wellbeing.
- 5.8.8 Furthermore, in the current release of the National Survey for Wales (2021), it is suggested that 23% of adults in Merthyr Tydfil are regular smokers, the second highest proportion of the 22 local authorities in Wales. This is higher than the Welsh average of 17% and suggests that unhealthy lifestyle behaviours are common in the county. The survey also illustrates that Merthyr Tydfil performs similarly to the Welsh average in terms of obesity. The local authority contains 23% adults are classed as obese (having a BMI of 30 or over) whilst the average for Wales is 24%. In addition, almost half (48%) of adults in Merthyr Tydfil were active for less than 30 minutes in the previous week of the survey. This is the highest percentage across the 22 local authorities which suggests a severe lack of physical exercise amongst the local population.
- 5.8.9 Based on these lifestyle indicators and more, the Summary Statistics for Wales report illustrates that 15% of adult residents in Merthyr Tydfil have fewer than two healthy lifestyle behaviours. This the highest proportion of all local authorities in Wales and higher than the



Welsh average of 10%. The five healthy lifestyle behaviours are defined as: not smoking, average weekly alcohol consumption 14 units of lower, eating five or more portions of fruit and veg the previous day, having a healthy BMI and being physically active at least 150 minutes in the previous week.

5.8.10 It is clear therefore that health in MTCBC is poor and that there are policy drivers to increase access to greenspace and promote active lifestyles to benefit physical and mental wellbeing.

5.8.11 The proposed development would assist in addressing these concerns and policy drivers. In summary:

- The proposed creation of new public footpaths through the site with associated interpretation of historic assets will actively encourage walking and active travel;
- The Proposed Scheme will provide enhanced open spaces with the addition of landscaped areas and outdoor activity spaces. These new open spaces will be linked to the local community through new and existing footpaths and will connect the greenspaces outside of the development area to the site, as well as to the public realm areas proposed within the scheme. The footpaths connect to Merthyr Tydfil to the north east of the site, and to Aberdare to the west of the site.
- Providing a range of employment opportunities within a commutable distance on foot and cycle from the core residential areas of Merthyr Tydfil, including surfacing and lighting of a key connecting route, the proposals can actively reduce the need to travel by private car for daily journeys;
- The scheme will require up to c.755 permanent staff members onsite. It is anticipated that these opportunities would provide employment for local people. It is anticipated that these jobs would be filled by residents of the Travel to Work Area (TTWA), with some residents outside the TTWA that are able to commute to the site. Access to local employment and training opportunities will be supported by the developer entering into a binding local labour agreement. The potential health impact of increased local jobs and prosperity is assessed to be positive.
- The proposals will include an Indoor Snow Centre, Indoor Waterpark and Indoor Activity Centre; all allowing visitors of varying ages and abilities to participate in physical exercise, with such sports facilities helping to increase activity and promote healthier lifestyles. Preferential rates and tariffs will be offered for local residents at appropriate periods during the week in order to further promote the health benefits of the development in the local area.



- The proposals have the ability to promote a range of mental and psychological benefits such as increased happiness and reduced stress, via both the formalised and non-formalised provision of opportunities for recreation and exercise on and off site.

5.9 Archaeology and Cultural Heritage

- 5.9.1 The application site is located within an area that was subject to intensive coal and ironstone mining activity primarily within the 18th, 19th and 20th centuries and therefore has a complex history. The application site boundary contains two scheduled monuments (SMs) and one listed building. Within a 2km radius of the application site are 23 scheduled monuments, as well as three conservation areas, part of a fourth conservation area, part of a Historic Park and Garden and 145 listed buildings.
- 5.9.2 At the application site's western boundary is the Cyfarthfa Balance Pond and Leat SM (GM608) and the south-western part of the site includes part of the Cwm Pit and Head of Railway SM (GM607). There is a single Grade II listed building, the Base of Chimney at Cwm Pit (81752), located in the south-west of the site. Outside of the site, c. 60m to the west is the Black Pins early ironstone workings SM (GM609) and the Vale of Neath railway cutting and tunnel portal SM (GM606) is located c. 30m to the south-west.
- 5.9.3 Detailed consideration of the environmental impacts of the proposals on archaeology and cultural heritage are provided in the Environmental Statement and ASIDOHL.
- 5.9.4 With mitigation, either through the design of the Proposed Development, through conservation measures and bilingual heritage interpretation delivered via a Heritage Management Plan (see accompanying Heads of Terms) or through archaeological recording, the construction phase has identified significant beneficial effects to four designated historic assets, comprising three scheduled monuments and one Grade II listed building.
- 5.9.5 Whilst the Proposed Development will result in the loss of non-designated archaeological remains located within its footprint, following archaeological mitigation, including opportunities for interpretation of archaeological results only non-significant residual adverse effects to ten non-designated historic assets are assessed. A beneficial effect is assessed to a single non-designated historic asset.
- 5.9.6 In accordance with Cadw guidelines (Cadw, 2017) the assessment has identified effects from the Operational Phase of the Proposed Development on historic assets due to change within their settings. This assessment includes effects related to enhanced public access to some of these assets and opportunities for their interpretation. These comprise significant beneficial effects to three scheduled monuments, significant adverse effects to two scheduled



monuments, and non-significant adverse effects to a scheduled monument, a Grade II* Historic Park and Garden and a conservation area.

- 5.9.7 The report also references an ASIDOH2 assessment of effects on the MTLOHI. In this regard, given that the majority of the HLCA will be unaffected the overall effect on the MTLOHI is only Minor Adverse and, should be considered alongside the benefits delivered to the heritage assets within the MTLOHI through conservation and interpretation which are not directly assessed in the ASIDHOL methodology, but which are nonetheless relevant to the MTLOHI.
- 5.9.8 The assessment has identified no in-combination cumulative effects with any committed or proposed development in the Application Site's vicinity, however, the potential for future in combination effect with two sites that are allocated within the LDP has been identified.
- 5.9.9 In conclusion, the highest value historic assets located within the site or in its near vicinity will be subject to considerable benefits from the Proposed Development's proposals for conservation and bilingual interpretation delivered via a Heritage Management Plan, greatly improving their current unmanaged situation and presentation of the Application Site's heritage resource to the public. These benefits will need to be considered alongside adverse effects that are from change to the settings of heritage assets and loss of non-designated archaeological remains within the Development footprint. However, it is noteworthy that the archaeological remains will be subject to mitigation through recording which will feed into the wider interpretation of the historic environment that the Development will deliver. The major benefits of conservation/interpretation will have a more profound positive impact on the historic environment at the site than the lesser impacts on archaeology (which can be partially mitigated) and changes to settings and the historic landscape. Indeed, the development provides a great opportunity to secure a future for the heritage assets which wouldn't be secured otherwise.
- 5.9.10 In accordance with heritage legislation and PPW, effects from the Proposed Development will need to be considered in the planning balance, taking account of the range of beneficial effects designed to offset adverse effects arising from the loss of non-designated archaeology, change to the settings of historic assets and effects on the MTLOHI's HLCAs. The overall effect on heritage alone, however, is considered positive.

5.10 Landscape

- 5.10.1 This Landscape and Visual Appraisal has examined the landscape and visual impacts in relation to the development proposals. All impact assessments are based on the proposed design approach, which incorporates mitigation measures. The potential impacts have been



thoroughly assessed through a combination of desk study research and walk-over surveys of the site and the surrounding context.

- 5.10.2 The sensitive integration of development at the site represents a significant challenge due to the combination of former mining features, disused railway infrastructure, tips and the distinctive character of the site and its context. The vision of the proposed development is centred around what will be the longest indoor snow centre in the UK (incorporating the national headquarters and training facility for Snowsports Cymru Wales and Team GB). The master plan is for a new destination sports, leisure and tourism resort. Central to this is the creation of a high-quality holiday destination that focuses on indoor and outdoor activities, wildlife and reinforces the special character of the local environment. The masterplan and landscape strategy respond sensitively to its landscape setting and contribute positively to the local area.
- 5.10.3 The proposals for the site have been formulated through an iterative process with the design evolution responding to the findings of baseline surveys to avoid or moderate adverse effects. The proposals have been informed by comprehensive survey and assessment work. As a result, the potential landscape and visual impacts have been moderated. The proposals therefore satisfy policy requirements relating to the site. Adverse landscape effects are largely constrained to the direct impacts on the site itself and reflect the scale of the built form and earthworks proposed. The effectiveness of mitigation measures is demonstrated by the reduction in the significance of effects which is assessed following the completion of construction, and particularly at 15 years after construction.
- 5.10.4 Similarly, the indirect effects beyond the site boundary are also reduced following the completion of the construction work as the proposed development becomes integrated into its context.
- 5.10.5 The visual impacts of the development proposals have been assessed through a process of identifying assessment viewpoints, using computer-generated Zone of Theoretical Visibility (ZTV) and accurate visual representation to illustrate the proposed development from a significant proportion of the identified assessment viewpoints. The visual assessment has identified adverse impact for area with open views towards the site from the west within the urban area. Built development within the urban area reduces the extent of areas where uninterrupted views are available. Effects for other visual receptors are generally moderate adverse and there is a reduction in significance of effects for several receptors following construction and after 15 years.
- 5.10.6 The Landscape and Visual Appraisal has identified that the site could accommodate the proposed development without resulting in an unacceptable adverse impact on landscape



character and visual amenity experienced within the surrounding landscape/townscape.

5.11 Trees

- 5.11.1 The site was surveyed in October and November 2021. The survey of trees assessed 372 individual trees and 63 groups of trees. On the site 145 individually surveyed trees and eight groups of trees are considered to be of high quality and value (BS5837 Category A). The majority of the trees in this category are mature and early-mature oak, with three beech and one ash. A total of 149 individually surveyed trees and 29 groups of trees are considered to be of moderate quality and value. Fifty individually recorded trees and 26 groups of trees were assessed as being of low quality (BS5837 Category C), and 28 trees were assessed as being unsuitable for retention (BS5837 Category U). Many of the trees in this category are ash trees that are suffering from ash dieback disease. Over 90% of the individually surveyed trees were recorded as being mature or early mature (half to two thirds of life expectancy or older).
- 5.11.2 The proposed scheme will require the felling of 69 individually survey trees, 17 groups, and parts of a further ten groups of trees. These will include 35 trees of high quality and value (A category) and 22 trees of moderate quality and value (B category). The other trees are of low quality and value (C category), apart from two trees that are unsuitable for retention (U category). Amongst the groups of trees, one group to be partially removed is A category, and two groups to be entirely removed and seven groups to be partly removed are B category. The remaining groups to be removed or partly removed are C category.
- 5.11.3 Several areas of woodland on and adjacent to the site are recorded as ancient woodland on Natural Resources Wales' Ancient Woodland Inventory. However, the supporting ecology information makes clear that there is no ancient woodland mapped as occurring within the application site boundary, citing a file note obtained from the NRW's SSSI file, which sets out the results of a desk and field based investigation carried out by Dr Jim Latham in 2005. Either way, the ancient woodland identified in the Inventory is covered by tree groups G17, G23, G24 and G28 in the tree survey, none of which are affected by the proposed development beyond formally establishing an existing footpath desire line to form part of the proposed heritage trail. As such, ancient woodland is not a material consideration of any significant weight in the determination of this application.

5.12 Transport

- 5.12.1 The site is well located to integrate and enhance the local pedestrian, cycle, and public transport networks. Given the location of the development it is well located to accommodate access by sustainable transport modes. Significant encouragement for use of active and non-



car travel modes is provided through clear and far-reaching Travel Plan initiatives which will be secured by planning condition or obligation. These include provision of relevant information, travel planning advice, ticketing promotions, shower/changing facilities, car park management, app based services and provision of a shuttle bus.

- 5.12.2 The development scheme will provide a net benefit to the local area with regards to transport and accessibility. It will provide new employment which will offer local jobs within an appropriate walking and cycling catchment of Merthyr Tydfil, thereby providing opportunities for staff commute trips to be made by non-car modes.
- 5.12.3 The site is within proximity of existing public transport services, including key transport interchanges such as Merthyr Tydfil bus and railway station. As noted above, there is potential for improving public transport connectivity for the site, through the implementation of a site specific shuttle bus service which will be secured by planning obligation. This would connect to Merthyr Tydfil bus and railway stations and the town centre as well as the leisure centre. The proposed shuttle bus will synchronise with the arrivals/departures from Merthyr Tydfil rail station to minimise layover time for visitors to the site.
- 5.12.4 The award winning new bus station has been located close to the railway station in order to create a new Transport Interchange Hub facility to link-up with the South Wales Metro. Merthyr Tydfil Bus Station offers many services that provide regular access to the wider parts of Merthyr Tydfil and surrounding settlements as well as several more strategic destinations, including Trefechan, Pant, Dowlais Top, Twynrodyn, Clwydfagwyr, Bargoed, Aberdare, Hirwaun, Brecon, Newtown and Llwedcoed, Brecon, Builth Wells, Llandrindod Wells, Newton, Brynmair and Abergavenny. A direct connection to the bus station via the proposed shuttle bus would substantially improve the site's public transport connectivity.
- 5.12.5 Traffic assessments outline that the development of the site will have a negligible impact on highway operation and will not be detrimental to road user safety. All junctions are forecast to operate within capacity in a forecast year of 2026 with Committed Development and Development traffic on the network.
- 5.12.6 Sensitivity traffic assessments have been completed to advise on network viability and its operation in a forecast year of 2031, the Local Plan period end. Assessments evidence that all junctions, including that with the A470, will operate within capacity.
- 5.12.7 A highway safety audit has been undertaken and concludes that the current alignment of the local highway network within the study area does not result in any undue highway safety implications for road users, with the resultant factor for incidents wholly attributed to driver error.



- 5.12.8 The development provides a policy compliant access strategy, with technical assessments demonstrating that the site is well positioned within the network to provide for the development proposed.

5.13 Drainage

- 5.13.1 Apart from pluvial flood risk, there is no risk of flooding to or from the proposed development from any flood sources (see FCA). Any potential pluvial flood risk to or from the proposed development will be mitigated using the measures detailed in the FCA; watercourses will be rerouted subject to appropriate consents and approvals, and a SuDS compliant drainage scheme will be implemented. Furthermore, the proposed development will add betterment in terms of surface water runoff rates for all events greater than Qbar. Accordingly, the development is compliant with this Policy.
- 5.13.2 NRW online flood maps indicate the application site is in Flood Zone A; it is not at risk from fluvial flooding, marine flooding or reservoir inundation. The flood risk from groundwater was identified as negligible.
- 5.13.3 The application site is subject to pluvial flooding at the south, southeast and southwest of the site. The flooding occurs where watercourses and ponds are present. It is proposed that several watercourses will be diverted subject to technical consent from MTCBC, which will reduce pluvial flood risk. There is also provision within the Drainage Strategy to collect any overland flows and discharge them to two separate watercourses within the redline boundary.
- 5.13.4 Pluvial flooding occurs at the southwest of the application site where the Outdoor Activity centre will be located. This is not seen to be significant as the area will be largely undeveloped allowing flood waters to flow through the area unhindered. Pluvial flooding occurs to the south of the application site where the Woodland Lodges will be located. The Woodland Lodges will be built on stilts to allow flood waters to flow under the structures and will not negatively impact pre-existing flood conditions. Accesses will be permeably surfaced with regular cross-drainage to facilitate the flow of pluvial waters.
- 5.13.5 To make sure that pre-existing flood conditions are maintained, mitigation measures will be implemented. Proposed mitigation measures include the collection of flood waters flowing into the application site via lined, impermeable swales which direct the flood water around parts of the proposed development and back into downstream watercourses.
- 5.13.6 Subject to the measures outlined in this FCA, surface water runoff from the proposed development will not affect or exacerbate pre-existing drainage issues in the locality and will not contribute to flood risk elsewhere. Therefore, the proposed development poses a



negligible flood risk to other areas and, being in Flood Zone A, is exposed to negligible flood risk itself.

- 5.13.7 SuDS have been incorporated into the proposed development's surface water management strategy without infiltration being relied upon due to the risk of destabilising subsoils in the area. Further investigations will be made into the suitability for using infiltration at detailed design stage. However, outline design has been completed for the drainage regime in accordance with Wales Sustainable Drainage Statutory Guidance to provide at least a 30% betterment in surface water flows from existing.
- 5.13.8 A rainwater harvesting (RWH) system will be used to supply the proposed development with non-potable water collected from roof areas. Stormwater runoff that is not reused via RWH will discharge to watercourses.
- 5.13.9 Runoff from the Indoor Snow Centre, Main Building and Piazza will be collected by a network of lined impermeable swales which direct the water to a lined, impermeable detention pond to the north of the site. A flow control device will be fitted downstream of the detention basin to maximise storage potential. Runoff will then be directed to another lined, impermeable detention pond via pipes and lined swales. This pond would also collect surface water run-off from the northern access road. Flows would then be restricted downstream of the pond to the greenfield equivalent rate and discharged into a watercourse to the northeast of the proposed development close to the main access roundabout.
- 5.13.10 Surface water run-off will be collected from the Car Park via porous asphalt and directed to a lined, impermeable detention pond in the middle of the application site. A flow control device will be fitted downstream of the detention pond to maximise storage potential. Surface water will then be directed to a second lined, impermeable detention pond located at the Outdoor Activity area by lined, impermeable swales. All other surface water run-off will be collected by a network of lined, impermeable swales and stored in the detention pond at the Outdoor Activity area. A flow control device will be located downstream of the detention pond to maximise storage potential. Surface water will be then directed to the southernly discharge location via lined, impermeable swales, and pipes where appropriate to cross cuttings and other features. Surface water will be discharged to a watercourse towards the southeast of the site and within the red line boundary at the greenfield equivalent.
- 5.13.11 Surface water from surrounding lands beyond the red line boundary to the north will be collected by a separate lined, impermeable swale flowing parallel to the Indoor Snow Centre. This would discharge the surface water into a proposed watercourse diversion to the northeast of the application site.



5.13.12 Drainage discharge consents have been applied for, however, MTCBC have indicated that they are satisfied that such consents are not required but that they are satisfied in principle with the discharge rates and locations proposed.

5.13.13 Accordingly, while a response is awaited to a submitted SAB Pre-Application Advice request there appears to be no reason to conclude that SAB approval would not or could not be forthcoming for the development proposed.

5.13.14 Other than meeting the SuDS requirements for drainage, amenity and biodiversity, the proposed drainage strategy will also secure a heritage benefit. Cwm Pit is located to the southwest of the proposed development where two existing streams combined and spill to form an informal drainage channel alongside a retaining / boundary wall which is part of the Cwm Pit Scheduled Monument. The informal channel is causing erosion. As such, it is proposed to formalise the channel to offset it from the wall and use excavated material to replace the eroded surface, subject to Scheduled Monument Consent (as required).

5.14 Noise, Air Quality, Light

Noise

5.14.1 Noise levels from potential construction activities have been predicted and have shown that the relevant criteria are met at nearby sensitive receptors. Examples of typical construction activities have been presented. Based on typical equipment, the limits set out in BS 5228-1 for construction noise should be readily achievable. Furthermore, with careful management and appropriate mitigation, as presented in the Construction and Environmental Management Plan (CEMP), it is considered that these noise levels could be reduced further still. Predicted noise levels at the nearest sensitive receptors are not considered to be significant in accordance with BS 5228-1:2009 +A1:2014.

5.14.2 The traffic noise assessment has concluded that cumulative off-site traffic noise contributions are expected to result in 'negligible' changes at existing properties.

5.14.3 Assessments of contributions from building services plant have been undertaken to determine noise emission limits for plant, and an assessment of the change in ambient noise levels at existing dwellings has identified that the proposed facility is expected to have a 'negligible' impact at existing dwellings.

5.14.4 A glazing and ventilation strategy has been provided which achieves both ventilation and internal ambient noise level requirements of LAeq daytime 35 dB and LAeq night-time of 30 dB in all sensitive spaces of the proposed development. The composite sound reduction of



the building envelope of the hotel and lodges (inclusive of glazing and ventilation) will be up to $R_w + C_{tr}$ 31 dB. Therefore, it is considered that the proposed noise mitigation is sufficient to reduce the effects of any noticeable and disruptive noise being currently emitted from the surrounding environment by helping to prevent noise levels exceeding BS 8233 criteria for LAeq within all areas of the proposed development.

- 5.14.5 Planning conditions can be attached to secure the CEMP and the required glazing and ventilation strategy.

Air Quality

- 5.14.6 The potential effects during the demolition and construction phases include fugitive dust emissions from site activities, such as earthworks, construction and trackout.
- 5.14.7 During the construction phase, site specific mitigation measures detailed within the submitted air quality assessment will be implemented. With these mitigation measures in place, the effects from the construction phase are not predicted to be significant.
- 5.14.8 Detailed dispersion modelling of traffic pollutants has been undertaken for the proposed development. An operational year assessment for 2026 and 2031 traffic emissions has been undertaken to assess the effects of the Proposed Development. The impacts during the operational phase take into account exhaust emissions from additional road traffic generated due to the proposed development.
- 5.14.9 The long-term (annual) assessment of the effects associated with the proposed development with respect to Nitrogen Dioxide (NO₂) is determined to be 'negligible'. With respect to PM₁₀ and PM_{2.5} exposure, the effect is determined to be 'negligible' at all identified existing sensitive receptor locations.
- 5.14.10 All proposed receptor locations are expected to be exposed to air quality below the Air Quality Objectives for NO₂, PM₁₀ and PM_{2.5}. No further mitigation is required to protect future occupants.
- 5.14.11 A full nitrogen deposition assessment was undertaken for ecological receptors due to a development NO_x contribution above 0.40 µg/m³. There were no predicted significant impacts on nitrogen deposition at the receptors as a result of the proposed development.

Light

- 5.14.12 The submitted lighting assessment has concluded that the risk of the proposed scheme resulting in exceedances of either the Institution of Lighting Professionals (ILP) pre-curfew or



post-curfew obtrusive light limitations at sensitive ecological receptors and local residential receptors will be negligible.

5.14.13 Following the installation of an appropriate lighting scheme as detailed in the assessment, the risk of the proposed development resulting in significant exceedances of 1 lux along potential bat foraging/commuting routes is considered to be negligible.

5.14.14 Modelled Upward Lighting Ratio predicts a sky glow figure (ULR) of 0.0%, which meets the ILP sky glow limitation for an area classified as Environmental Zone E1. As such the indicative lighting scheme meets the ILP sky glow limitations and, therefore, will not result in adverse effects on the dark sky landscape.

5.14.15 The other internal amenity areas, such as restaurants, will be located at lower levels where light spillage is kept to a minimum. Modelling undertaken using the internal lights 'LED bulb_4-5W_A60_E27_830_FR' located at the windows of the proposed amenity areas to represent a worst-case scenario, the assessment has demonstrated that the restaurant lighting is expected to have negligible effects on the surrounding areas.

5.14.16 The assessment has concluded that, with the implementation of the specified indicative lighting scheme, the sky glow levels, and obtrusive light levels at residential and ecological receptors will meet the ILP criteria, and lighting of the development will not result in adverse effects on the dark sky landscape and does not conflict with any national or local planning policies.

5.14.17 In conclusion, the proposals comply with the adopted LDP (in particular Policy EnW4 (Environmental Protection)), Future Wales and PPW 11 with regard to noise, air quality and light impacts.

5.15 Ground Stability

5.15.1 As part of their obligations under Part II of the Mines and Quarries (Tips) Act 1969, Merthyr Tydfil County Borough Council inspect certain spoil tips on the site once a year, looking for evidence of instability. The most recent inspections indicate that, although there are a number of minor issues, remedial works have recently been undertaken on site and the tips are all regarded as being satisfactory.

5.15.2 Given the history of mining across the site, and due to the fact that the majority of mining was undertaken before the statutory requirement to lodge abandonment plans with (what is now) the Coal Authority, the precise number of shafts and adits present on site are unknown and locations are uncertain with a significant number of shafts anticipated to be present beneath



spoil heaps. As a result of the age of the mining activity on site it should be assumed that the majority of shafts on-site are either uncapped or unlikely to have been capped to adequate standards.

- 5.15.3 Risks of ground collapse are also likely to be associated with historical unrecorded bell pits; a form of mining where vertical shafts are dug down to the desired layer; which may be followed by mining in the perimeter of the shaft, or shallow levels driven out from the shaft.
- 5.15.4 There is evidence that subsidence incidents have occurred and continue to occur at the site. Some are likely to be the result of collapsed shafts. Others are likely the result of the collapse of subsurface mine workings forming crown holes. Some may be related to earlier methods of coal mining (such as bell pits).
- 5.15.5 The site is located within an area with and extensive coal mining legacy and is located within a Coal Mining Reporting Area and a Development High Risk Area as defined by the Coal Authority. Accordingly, a Coal Mining Risk Assessment is carried out. Due to the complex nature of the site, for the purposes of this assessment the whole site is considered to be within the High-Risk Development Area. A number of high risk features have been identified with mitigation suggested in the form of evaluation and a targeted geophysical survey to evaluate the location of subsurface voids.
- 5.15.6 The risks identified are based on the available data at the time of writing and are necessarily conservative in nature due to the absence of site-specific information available at the desk study stage. The levels of risk identified within this document may subsequently be downgraded following the collection of site-specific information. Where potential risks have been identified, this indicates the requirement for further, more detailed assessment based on information obtained from the site through ground investigation, collection of representative soil samples and laboratory analysis. Following the completion of the ground investigation phase and analysis of the data, the risk assessment will be updated, and specific remedial options recommended where necessary to reduce the identified risks to an acceptable level. However, based on the current level of understanding, these risks are unlikely to pose a barrier to the proposed development.

5.16 Planning Balance

- 5.16.1 Section 70(2) of the Town and Country Planning Act 1990 states that, in dealing with an application for planning permission, the authority shall have regard to the provisions of the development plan, so far as material to the application. Section 38(6) of the Planning and Compulsory Purchase Act 2004 (PCPA) states that, if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the



determination must be made in accordance with the plan unless material considerations indicate otherwise.

- 5.16.2 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special regard to be paid to the desirability of preserving listed buildings and their settings or any features of special architectural or historic interest which they possess.
- 5.16.3 A further consideration is the general duty imposed by s28G of the Wildlife and Countryside Act 1981 requires MTCBC to take reasonable steps, consistent with the proper exercise of the authority's functions, to further the conservation and enhancement of the flora, fauna or geological or physiographical features by reason of which a SSSI is of special scientific interest.
- 5.16.4 Furthermore, the Socio-economic Duty came into force in Wales on the 31 March 2021 by virtue of the Equality Act 2010. It requires relevant public bodies when taking strategic decisions, to have due regard to the need to reduce the inequalities of outcome that result from socio-economic disadvantage. In general, strategic decisions will be those which affect how the public body fulfils its intended statutory purpose (its functions in regard to the set of powers and duties that it uses to perform its remit) over a significant period of time, including medium to long term development plans. The proposed development comprises a medium to long term development plan which, given its scale and its wide ranging effects in the MTCBC area, is caught by the Socio-economic Duty. Section 5.6, above, confirms that the proposed development will have a significant beneficial effect in tackling the persistent challenges of low economic activity rates, high deprivation, skills challenges and lower-than-average wages which persist in the MTCBC area. Accordingly, the proposal will assist in reducing the inequalities of outcome that result from socio-economic disadvantage and this fact is not only a weighty material consideration in s38(6) PCPA terms, but is also a matter which requires consideration as a result of the Socio-economic Duty.
- 5.16.5 Paragraph 1.18 of PPW notes that legislation secures a presumption in favour of sustainable development in accordance with the development plan unless material considerations indicate otherwise to ensure that social, economic, cultural and environmental issues are balanced and integrated. As set out in section 5.1, above, the formulation of the proposed development has sought to achieve the well-being goals and improve the economic, social, environmental and cultural well-being of Wales by taking action in accordance with the sustainable development principle. The formulation of the proposed development has conformed to the "sustainable development" process and can therefore be considered as sustainable development to which the presumption in favour applies.
- 5.16.6 Section 4.2 of this report, above, demonstrates that, subject to compliance with policy EnW1



and EnW2 (which depends on the precise details of offsite ecological management, yet to be firmly established) the proposed development complies with the provisions of the development plan and thus has the weight of s38(6) of the PCPA behind it. This requires the application to be approved unless material considerations indicate otherwise.

- 5.16.7 The accompanying heritage report has considered the significance of each heritage asset and the magnitude of impact on each. It concludes that the highest value historic assets located within the site or in its near vicinity will be subject to considerable benefits from the Proposed Development's proposals for conservation and bilingual interpretation delivered via a Heritage Management Plan, greatly improving their current unmanaged situation and presentation of the Application Site's heritage resource to the public. These benefits will need to be considered alongside adverse effects arising from change to the settings of heritage assets and loss of non-designated archaeological remains within the Development footprint. However, it is noteworthy that the archaeological remains will be subject to mitigation through recording which will feed into the wider interpretation of the historic environment that the Development will deliver. The major benefits of conservation/interpretation will have a more profound positive impact on the historic environment at the site than the lesser impacts on archaeology (partially mitigated) and changes to settings.
- 5.16.8 In accordance with heritage legislation and PPW 11, effects from the Proposed Development on the historic environment need to be 'fully considered' in the planning balance, taking account of the range of beneficial effects to nationally important historic assets which will offset adverse effects arising from the loss of non-designated archaeology, change to the settings of historic assets and effects on the MTLOHI's HLCAs. The approach to heritage assessment and the offsetting of the adverse effects by the beneficial effects to the highest value historic assets, clearly attributes positive weight to this in the balancing exercise. Furthermore, the major beneficial impact to the Grade II listed base of chimney at Cwm Pit as a result of management and bilingual interpretation clearly shows compliance with the s66 requirement to pay special regard to the desirability of preserving listed buildings and their settings.
- 5.16.9 The proposals accord well with Future Wales: The National Plan 2040, providing increased interpretation of the historic environment to the public that will serve to promote the distinctive industrial heritage of the Merthyr Tydfil borough and the South-East Welsh region with respect for the Welsh language.
- 5.16.10 The proposals also accord well with the Welsh Government's objectives as set out in PPW 11, notably at paragraph 6.16 in that they seek to conserve important archaeological sites that are designated as scheduled monuments promoting their role in 'education, leisure and the economy' and allowing them to make an appreciable contribution to the 'character or place' at the Site whereas presently they are hard to access and experience.



5.16.11 The s28G duty under the Wildlife and Countryside Act 1981 and the weighing of ecological considerations in the planning balance are informed by the beneficial outcomes of securing management on the undeveloped balance of the Cwm Glo a Glyndyrys SSSI, the potential to secure further off site enhancements and development design having limited direct SSSI impact to areas which do not support the principal interest features underpinning the designation.

5.16.12 Notwithstanding development plan policy compliance, in terms of other matters to consider, the proposed development will:

- i. Provide a major leisure-oriented development, comprising Indoor Snow Centre, Indoor Waterpark, Indoor and Outdoor Activity, Hotel Accommodation and Woodland Lodges in Merthyr Tydfil, with the ability to contribute to the wider regeneration of the local area.
- ii. Provide preferential rates and tariffs for local residents to further promote the health and wellbeing benefits of the development in the local area (to be secured by s106 agreement).
- iii. Include a world-class Indoor Snow Centre, which will be the longest indoor multi-run snow centre in the UK and amongst the longest in the world at c.400m. Built to FIS (International Ski Federation) standards, the development will enable the venue to host national and international competitions as well as international team training. GB Snowsport and Snowsport Cymru Wales plan to utilise Rhydyar West as its national training headquarters and centre of excellence base from which to run programmes (e.g. training sessions/kids sessions/regional team) in order to nurture home grown talent and to boost snow sports participation, reaching out to both able bodied and disabled adaptive snow sports. The support of those organisations (and others) is set out in Appendix 3.
- iv. Provide a year round all weather destination which accords with the aims of Merthyr Tydfil County Borough Destination Management Plan and Visit Wales initiatives.
- v. Draw in visitors based on the standard of the skiing and other facilities, allied with the wider sports, leisure and cultural offer available in South Wales through access to the BikePark Wales, Zip World, Rock UK Summit Centre, the Brecon Beacons and Cardiff.
- vi. Accord with the Welsh Government's Economic Resilience and Reconstruction Mission which takes forward the priorities in Welsh Government's COVID-19 Reconstruction: Challenges and Priorities (October 2020) and builds on the



foundations of Prosperity for All: The Economic Action Plan.

- vii. Accords with the Well-being of Future Generations (Wales) Act 2015, as set out in section 4.3 above.
- viii. Meets Visit Wales' Priorities for the Visitor Economy by contributing to/providing great products and places, outstanding visitor experiences, an innovative Cymru Wales brand and an engaged and vibrant sector.
- ix. Meets the objectives of the Cardiff City Region's City Deal vision by creating prosperity and opportunity, increasing inclusion and equality and providing/contributing to a clear identity and strong reputation as a City-Region for trade, innovation, and quality of life. The support of Cardiff City Region (and other organisations) is set out in Appendix 3.
- x. Incorporate onsite renewable energy generation (photovoltaic panels), an 'all electric' energy strategy and a heat exchange system to enable excess heat from cooling the Indoor Snow Centre to be used to heat the Indoor Water Park, such that in combination with other design and mitigation measures, achieve a ~92% reduction in energy demand and therefore a ~92% reduction in regulated emissions compared to the Part L 2022 Wales notional building.
- xi. Result in c1,594 net additional employment opportunities over the construction period; with c.1,219 of these expected to come from the local labour catchment area, secured by way of Local Labour provisions in a section 106 Agreement.
- xii. Boost GVA by c.£317.6 million over the duration of the construction period.
- xiii. Support high levels of employment in the operational phase, generating c.842 gross direct jobs (c.755 net) of which c.663 (c.594 net) are expected to be come from the local labour catchment area secured by way of Local Labour provisions in a section 106 Agreement.
- xiv. Boost GVA by c.£38.1 million per annum at peak operation.
- xv. Target local training and employment by working alongside Partner Organisations, secured through a legally binding s106 agreement.
- xvi. Provide a funded and certain mechanism for management of the undeveloped parts of the applicant's wider land ownership. The beneficial outcomes of securing such management on the undeveloped balance of the Cwm Glo a Glyndyrys SSSI will substantially counterbalance the more localised impacts associated with direct loss of a proportion of the designated area to development. The delivery mechanism for



further off-site enhancement to deliver substantive biodiversity benefits of relevance to both the Cwm Glo resource and the wider region are being investigated, should be known prior to determination and should also be weighed in the balance.

- xvii. Provide significant beneficial effects to four designated historic assets, comprising three scheduled monuments (SM) and one Grade II listed building, including management, managed public access and interpretation and diversion of surface water that presently flows directly past the Cwm Pit and Head of Railway SM which has eroded away a railway track bed adjacent to the monument and is threatening to undermine the monument's stone revetment walls and has been highlighted as a management issue at the monument by Cadw. These benefits will be secured through a Heritage Management Plan secured via planning condition and would not be achieved, absent development (see accompanying Heads of Terms).
- xviii. Provide a shuttle bus from the railway station/public transport interchange to the development to increase sustainable transport as part of a suite of Travel Plan initiatives which will be secured by planning condition or obligation. Other initiatives include provision of relevant public transport information, travel planning advice, ticketing promotions, shower/changing facilities, car park management and app based services.
- xix. Provide for offsite surfacing and lighting improvements to the local footway/cycle network.
- xx. Provide public routes through the site, enabling circular walks, appropriate bilingual interpretation and encouraging active travel and activity with attendant wellbeing and health benefits.
- xxi. Provide a SuDS compliant drainage scheme, with associated biodiversity and amenity benefits.
- xxii. Make beneficial use of land previously developed and with associated mining legacy issues.

5.16.13 All of this will be achieved without any unacceptable impacts in terms of climate change and sustainability, ground conditions, Ecology, highways, hydrology, flood risk, landscape, noise, air quality and lighting.

5.16.14 The balance lies clearly in favour of planning permission being granted, subject to conditions.



Appendix 1: Site Location Plan



Planning Application Area			
Name	Area	Area (hA)	Area (Acres)
Planning Application Boundary	304,423.0 m²	30.4 hectare	75.2 acres



1 Site Location Plan
1 : 5000

P3	S0	07/12/22	WS	ISSUED FOR PLANNING
P2	S0	11/09/22	WS	Minor adjustments
P1	S0	14/02/22	WS	ISSUED FOR PAC
Rev.	Status	Date	Check	Description

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www.holdermathias.com
London Cardiff Munch

Project
Rhydyar West
Merthyr Tydfil
Marvel Ltd

Title
Site Location Plan

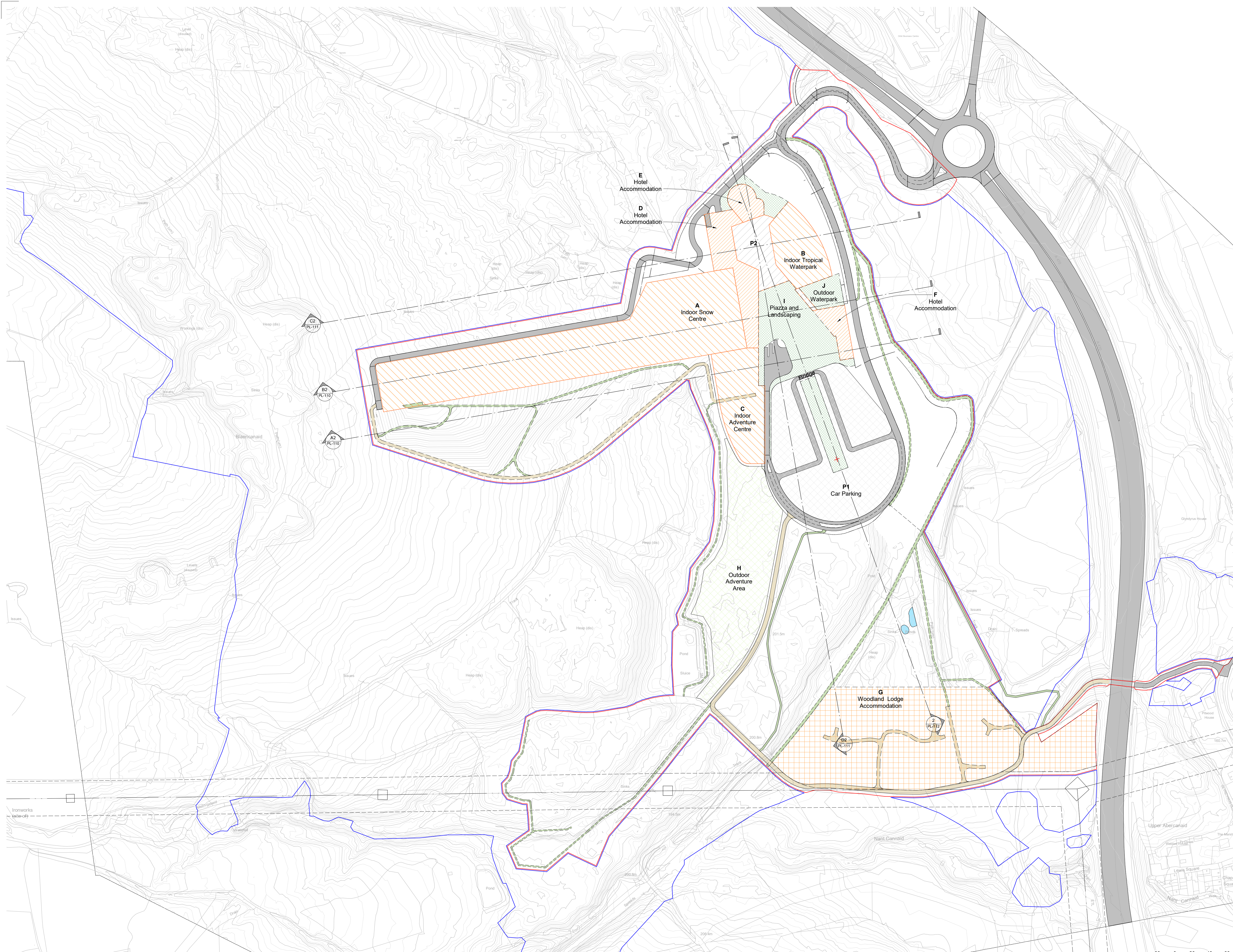
Job No Scale at A1 Status Rev. Ext. Int.
4170 1 : 5000 S0 P3

Project	Originator	Zone	Level	Type	Role	Sheet
RHDR	HMA	LE	ZZ	DR	A	PL-001

ISO 14001 : 2015 ISO 9001 : 2015 RIBA Chartered Practice
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Appendix 2: Outline Masterplan





A Indoor Snow Centre	
Use Class	D2: Assembly and Leisure
Land take Footprint	27,600m ²
Gross Building Area	39,200m ²
Length / Width (min)	400.0m / 90.0m
Length / Width (max)	424.0m / 93.5m
Level (min / max)	283.5m AOD / 287.5m AOD
Height (min / max)	15.0m / 17.0m

B Indoor Tropical Waterpark	
Use Class	D2: Assembly and Leisure
Land take Footprint	4,900m ²
Gross Building Area	7,500m ²
Length / Width (min)	91.3m / 57.2m
Length / Width (max)	97.1m / 61.3m
Level (min / max)	203.0m AOD / 213m AOD (localised high point for ride lower up to 218m AOD)
Height (min / max)	8m / 20.5m

C Indoor Adventure Centre	
Use Class	D2: Assembly and Leisure
Land take Footprint	5,800m ²
Gross Building Area	8,700m ²
Length / Width (min)	129.6m / 47.5m
Length / Width (max)	134.5m / 54.7m
Level (min / max)	206.5m AOD / 212.5m AOD (with localised high point for rides of 220m AOD)
Height (min / max)	11.5m / 20.0m

D Hotel Accommodation	
Use Class	C1: Hotel plus ancillary uses
Land take Footprint	4,900m ²
Gross Building Area	15,500m ²
Max Rooms:	up to 198
Length / Width (min)	154.8m / 25.2m
Length / Width (max)	161.6m / 28.5m
Level (min / max)	217.0m AOD / 224.5m AOD
Height (min / max)	22.0m / 32.0m

E Hotel Accommodation	
Use Class	C1: Hotel plus ancillary uses
Land take Footprint	1,275m ²
Gross Building Area	7,000m ²
Maximum Rooms:	up to 100
Length / Width (min)	39.8m / 27.0m
Length / Width (max)	42.8m / 40.3m
Level (min / max)	223.4m AOD / 230.9m AOD
Height (min / max)	28.4m / 39.4m

F Hotel Accommodation	
Use Class	C1: Hotel plus ancillary uses
Land take Footprint	1,400m ²
Gross Building Area	4,900m ²
Maximum Rooms:	up to 120
Length / Width (min)	58.7m / 31.5m
Length / Width (max)	61.7m / 37.3m
Level (min / max)	209.8m AOD / 214.8m AOD
Height (min / max)	16.8m / 21.3m

G Woodland Lodge Accommodation	
Use Class	C1: Hotel plus ancillary uses
Land take Footprint	32,000m ²
Gross Building Area	2,300m ²
Maximum Lodges:	up to 30
Lodges:	
Length / Width (min)	7.5m / 8.0m
Length / Width (max)	13.0m / 8.0m
Height (min / max)	3.5m / 4.5m
Welcome / Management Buildings:	
Length / Width (min)	15.5m / 12.0m
Length / Width (max)	23.0m / 16.5m
Height (min / max)	4.0m / 7.0m

Note that the layout of tracks and lodges within the woodland is indicative, subject to detail design taking into account detailed local topographical and ecological features following a full arboricultural survey

P1 Surface Car Parking Areas	
Land take Footprint	18,500m ²
Parking Spaces	650
Level (min / max)	197m AOD / 199m AOD

P2 Covered Parking, Service Areas and Ancillary Uses to Hotel and Leisure uses	
Land take Footprint	19,00m ²
Gross Building Area	8,500m ²
Car Parking Spaces	180
Max Length / Width	53.5m / 50.5m
Level (min / max)	201.0m AOD / 206.0m AOD
Height (min / max)	6.0m AOD / 13.5m

H Outdoor Adventure Area	
Use Class	Outdoor Activity / Amenity Space
Land take Footprint	15,000m ²

I Piazza and Landscaped Approach	
Use Class	Outdoor Activity / Amenity Space
Land take Footprint	8,900m ²

J Outdoor Waterpark	
Use Class	Outdoor Activity / Amenity Space
Land take Footprint	1,500m ²

P3	S0	07/12/22	WS	ISSUED FOR PLANNING
P2	S0	11/09/22	WS	Minor adjustments
P1	S0	14/02/22	WS	ISSUED FOR PAC
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Project
Rhydyrcar West
Merthyr Tydfil
Marvel Ltd

Title
Outline Masterplan
Job No Scale at A1
4170 1 : 2000
Status Rev. Ext. Int.
S0 P3

Project	Originator	Zone	Level	Type	Role Sheet
RHDR	HMA	LE	ZZ	DR	A - PL-010

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Appendix 3: Letter from supporting organisations



29 June 2020

By Email: ali.tyebkhan@rhydycarwest.com

Ali Tyebkhan
Investment Director
Rhydycar West
Merthyr Tydfil
CF48 1UN

Dear Ali

Rhydycar West - Statement of Support

The Cardiff Capital Region City Deal is a unique programme of collaborative working which seeks to enable transformational economic change through targeted investment in infrastructure, innovation and challenge-driven approaches to tackling industrial and societal issues. It is an investment in people and place and aims to bring fairness and opportunities for all, no matter where they live in the region. The programme has been designed to offer an alternative approach to traditional tried and tested economic intervention tools; it is a programme that recognises through targeting bespoke intervention. With tailor-made support the changes of economic revival should be far greater than expecting all partners to engage on a level playing field which creates further inequalities for some of our more economically challenged communities.

Inward investment into our Valley communities is a priority objective for the Region, from an economic prosperity prospective the development of Rhydycar West with partners would be seen as a significant project for the residents and businesses of Merthyr, and indeed across the region. Impact would be felt regionally, nationally and internationally with the creation of a first class destination that would be accessed from grass roots participants to more professional athletes. The Region, through its current city deal structures, would like to support in creating the right environment for this to happen; we are able to make the right introductions and create support networks to assist with engagement and delivery.

The potential impact of having such a facility in South East Wales is warmly welcomed and supported by the Cardiff Capital Region City Deal.

Yours sincerely



Rhys Thomas
Chief Operating Officer

cc: Richard Arnold, Head of Operations, Rhydycar West



GB Snowsport
101 New Cavendish Street
London
W1W 6XH

To who it may concern.

GB Snowsport are extremely excited of the potential development of a national centre of excellence for Snowsports based in Merthyr Tydfil, South Wales. Over the last 4 years, we've expanded Snowsports in the UK hugely and we now see more British athletes on international podiums including the World championships, Olympics and Paralympics than ever before, however UK based training is still our biggest challenge. We still often use our UK based snow centre and dry slopes, however we're limited on what we can do on these and often have to travel abroad to use Snow centre's that can facilitate the quality of the training we need. And this brings its challenges including financial and now also the limited days we get in Europe to train due to Brexit. Having a centre of this spec in the UK would be a game changer not just for our World class snowsport athletes, but also for the future development of our youth. We see so many opportunities for training, but also to host international events across many different disciplines.

Pat Sharples
GB Snowsport Head coach (Interim performance director)
Pat.sharples@gbsnowsport.com
Tel +44 (0)797 420 5852

From: Vicky Gosling <Vicky.Gosling@gbsnowsport.com>
Date: 15 November 2022 at 16:32:14 GMT
To: Robin Kellen <robin@snowsportwales.net>, Will Nelson
<will.nelson@gbsnowsport.com>
Subject: Re: Official letters of support - dated November

Hi Robin,

We are all extremely excited about the development of a national centre of excellence for Snowsports in Merthyr Tydfil, South Wales.

In order for GB to grow and develop in snow sport on the world stage we need to put the best possible foundations in place to make sure that we give our talent the right platform and support to perform. This includes ensuring they have access to world class facilities all year round.

As well as providing for our elite athletes, the national centre will help generate more opportunities for participation at grassroots level, opening up snow sport to a whole new audience.



Victoria Gosling OBE
CEO GB Snowsport | Chief Strategy Officer Auden NED British Olympic Association



8th November 2022

Re: Rhydycar West,

Snowsport Cymru Wales fully support the development of a centre of excellence for Snowsports at Rhydycar West, South Wales.

Conforming to international standards for events to be delivered across the different disciplines of Snowsport this development will be game changing for our Olympic and Para skiers and snowboarders. To be able to deliver significant parts of our out of training within the UK will bring about huge opportunities for potential future Snowsport athletes.

As the national governing body for Snowsports in Wales we have campaigned for this facility for nearly a decade. The development offers significant benefits to the development of Snowsports from grass roots participation through to international excellence. With these world class facilities, we anticipate delivering the following benefits,

- Significant increase in participation in Snowsports at both a local and national level.
- Huge potential to develop school sport activities.
- Club development and training programmes (recreational and competition)
- Grass roots schools and local competitions
- National championships
- International events
- Regular national and regional training sessions.
- Regular coach and instructor training opportunities, creating long term employment. The development of a Snowsports centre of excellence in Wales creates a game changing opportunity for Snowsports in Wales.

Kind regards

Robin Kellen
Chief Executive
Snowsport Cymru Wales

Snowsport Cymru Wales is the governing body for snowsports in Wales

Snowsport Cymru Wales is a company limited by guarantee and Registered in Wales No. 2918336.

Registered Address Cardiff Ski Centre, 198 Fairwater Rd, Fairwater, Cardiff. CF5 3JR.

Website : www.snowsportwales.co.uk Email : admin@snowsportwales.net

Telephone : 029 20561904



SNOWWORLD

Re: Rhydycar West

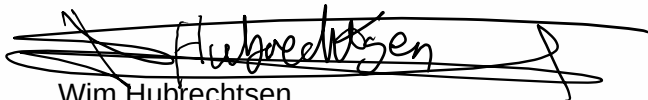
SnowWorld (www.snowworld.com) are the world's largest operator of indoor snow centres (based on area of indoor snow under management). We operate the majority of the largest snow centres in Europe and have over 25 years of successful operational experience in the indoor snow centre and leisure sectors.

We welcome the development of the Rhydycar West indoor leisure resort in Merthyr Tydfil, Wales which will incorporate the UK's longest indoor multi-run snow centre (at c.400m) as one of its anchor attractions.

We have collaborated extensively with Rhydycar West and their design and architecture team to work on the design and masterplan for Rhydycar West. In particular, the design work has focussed on integrating the most efficient operational concepts and considerations, especially energy efficiency; to create world class facilities coupled with exceptional customer experiences.

Our view is that the leisure resort will be a significant opportunity for Wales and the UK and we support the development proposals.

Yours sincerely,



Wim Hubrechtsen
CEO SnowWorld





William Smith Building, High Street, Merthyr Tydfil, CF47 8AP
Unit 7 Maritime Offices, Maesycloed, Pontypridd. CF37 1DZ

Tel:
01685 371747
01443 409516

Email:
enquiries@tydfil.com

Please contact us at:
☒
☐

Re: Rhydycar West / Marvel Project

This letter confirms Tydfil Training Consortium Ltd's support for the above project as well as our desire to work with the delivery partners upon completion. We have held initial discussions with the Marvel Team in relation to how we could engage collaboratively to develop recruitment, employability and apprenticeship opportunities to support the local community.

Over the last few years, we have witnessed a significant increase in activity tourism and the associated foundation economy sector within Merthyr Tydfil. The project would act as a significant catalyst to enhance the current offer from the borough and create a multiplier for local business, many of whom we are currently working with. We would welcome the opportunity to expand on our initial discussions and further explore the training, development and enterprise potential this project could bring.

If you require any further information or clarification in relation as to how Tydfil Training could work collaboratively with the proposed project, please feel free to contact me.

Best wishes

Paul Gray
Chief Executive Officer

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MORLAIS CASTLE GOLF CLUB

Patron: Viscount Windsor

President: R Wilding

Captain: A Gunter

1 February 2023

To whom this may concern,

We would like to record the support of Morlais Castle Golf Club for the proposed Rhydycar West leisure resort development.

This new development will significantly benefit the local community and provide a much-needed boost to the local and regional economy. The resort's potential to attract over a million extra visitors to the region would present undeniable opportunities for our club members.

The Rhydycar West development is expected to bring many new jobs to the area, which will positively impact the local economy. This will help to boost local businesses and attract more investment to Merthyr Tydfil and the wider Heads of the Valleys area.

The resort will complement our golf club and provide additional opportunities for our members to enjoy their leisure time. We are excited about any potential collaboration between the Rhydycar West and our club, which will further enhance wellbeing in the community.

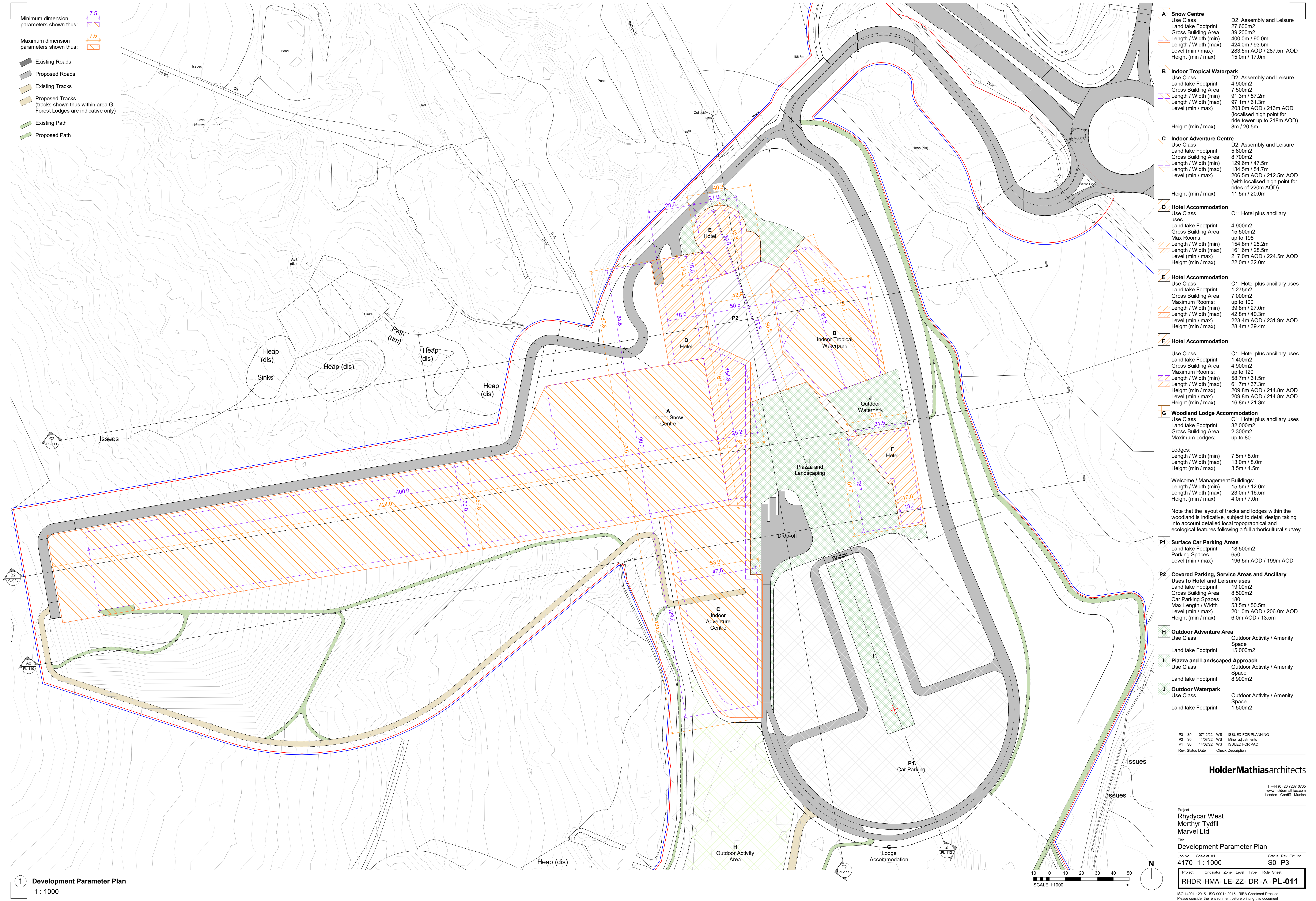
We strongly support the proposed new leisure resort and believe it will bring numerous benefits to Merthyr Tydfil and its residents.

We trust the planning application for this proposal is given careful consideration and acknowledges the positive and transformational impact it will have upon Merthyr Tydfil.

Huw Morgan
Club Manager

Appendix 4: Parameters Plan





Minimum dimension parameters shown thus:

Maximum dimension parameters shown thus:

Existing Roads

Proposed Roads

Existing Tracks

Proposed Tracks
(tracks shown thus within area G:
Forest Lodges are indicative only)

Existing Path

Proposed Path

A Snow Centre	D2: Assembly and Leisure
Use Class	D2: Assembly and Leisure
Land take Footprint	27,600m ²
Gross Building Area	39,200m ²
Length / Width (min)	400.0m / 90.0m
Length / Width (max)	424.0m / 93.5m
Level (min / max)	283.5m AOD / 287.5m AOD
Height (min / max)	15.0m / 17.0m

B Indoor Tropical Waterpark	D2: Assembly and Leisure
Use Class	D2: Assembly and Leisure
Land take Footprint	4,900m ²
Gross Building Area	7,500m ²
Length / Width (min)	91.3m / 57.2m
Length / Width (max)	97.1m / 61.3m
Level (min / max)	203.0m AOD / 213m AOD (localised high point for ride lower up to 218m AOD)
Height (min / max)	8m / 20.5m

C Indoor Adventure Centre	D2: Assembly and Leisure
Use Class	D2: Assembly and Leisure
Land take Footprint	5,800m ²
Gross Building Area	8,700m ²
Length / Width (min)	129.5m / 47.5m
Length / Width (max)	134.5m / 54.7m
Level (min / max)	206.5m AOD / 212.5m AOD (with localised high point for rides of 220m AOD)
Height (min / max)	11.5m / 20.0m

D Hotel Accommodation	C1: Hotel plus ancillary
Use Class	C1: Hotel plus ancillary
Land take Footprint	4,900m ²
Gross Building Area	15,500m ²
Max Rooms:	up to 198
Length / Width (min)	154.8m / 25.2m
Length / Width (max)	161.6m / 26.5m
Level (min / max)	217.0m AOD / 224.5m AOD
Height (min / max)	22.0m / 32.0m

E Hotel Accommodation	C1: Hotel plus ancillary uses
Use Class	C1: Hotel plus ancillary uses
Land take Footprint	1,275m ²
Gross Building Area	7,000m ²
Maximum Rooms:	up to 100
Length / Width (min)	39.8m / 27.0m
Length / Width (max)	42.9m / 40.3m
Level (min / max)	223.4m AOD / 231.9m AOD
Height (min / max)	28.4m / 39.4m

F Hotel Accommodation	C1: Hotel plus ancillary uses
Use Class	C1: Hotel plus ancillary uses
Land take Footprint	1,400m ²
Gross Building Area	4,900m ²
Maximum Rooms:	up to 120
Length / Width (min)	58.7m / 31.5m
Length / Width (max)	61.7m / 37.3m
Level (min / max)	209.8m AOD / 214.8m AOD
Height (min / max)	209.8m AOD / 214.8m AOD
Height (min / max)	16.8m / 21.3m

G Woodland Lodge Accommodation	C1: Hotel plus ancillary uses
Use Class	C1: Hotel plus ancillary uses
Land take Footprint	32,000m ²
Gross Building Area	2,300m ²
Maximum Lodges:	up to 80
Lodges:	
Length / Width (min)	7.5m / 8.0m
Length / Width (max)	13.0m / 8.0m
Height (min / max)	3.5m / 4.5m
Welcome / Management Buildings:	
Length / Width (min)	15.5m / 12.0m
Length / Width (max)	23.0m / 16.5m
Height (min / max)	4.0m / 7.0m

Note that the layout of tracks and lodges within the woodland is indicative, subject to detail design taking into account detailed local topographical and ecological features following a full arboricultural survey

P1 Surface Car Parking Areas	
Land take Footprint	18,500m ²
Parking Spaces	650
Level (min / max)	196.5m AOD / 199m AOD

P2 Covered Parking, Service Areas and Ancillary	
Uses to Hotel and Leisure uses	
Land take Footprint	19,00m ²
Gross Building Area	8,500m ²
Car Parking Spaces	180
Max Length / Width	53.5m / 50.5m
Level (min / max)	201.0m AOD / 206.0m AOD
Height (min / max)	6.0m AOD / 13.5m

H Outdoor Adventure Area	Outdoor Activity / Amenity
Use Class	Outdoor Activity / Amenity
Land take Footprint	15,000m ²

I Piazza and Landscaped Approach	Outdoor Activity / Amenity
Use Class	Outdoor Activity / Amenity
Land take Footprint	8,900m ²

J Outdoor Waterpark	Outdoor Activity / Amenity
Use Class	Outdoor Activity / Amenity
Land take Footprint	1,500m ²

P3 SO 07/12/22 WS ISSUED FOR PLANNING

P2 SO 11/09/22 WS Minor adjustments

P1 SO 14/02/22 WS ISSUED FOR PAC

Rev. Status Date Check Description

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www.holdermathias.com
London Cardiff Munich

Project

Rhydydar West

Merthyr Tydfil

Marvel Ltd

Title

Development Parameter Plan

Job No Scale at A1

4170 1: 1000

Status Rev. Ext. Int.

S0 P3

Project

Originator

Zone

Level

Type

Role Sheet

RHDR -HMA- LE- ZZ- DR -A -PL-011

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1 Development Parameter Plan
1: 1000