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<b>COMMITTEE</b>	Planning and Regulatory
<b>COMMITTEE DATE</b>	8th January 2020

**Application No.**  
P/19/0073

**Date**  
18th November 2019

**Determining Authority**  
MTCBC

**Proposed Development**

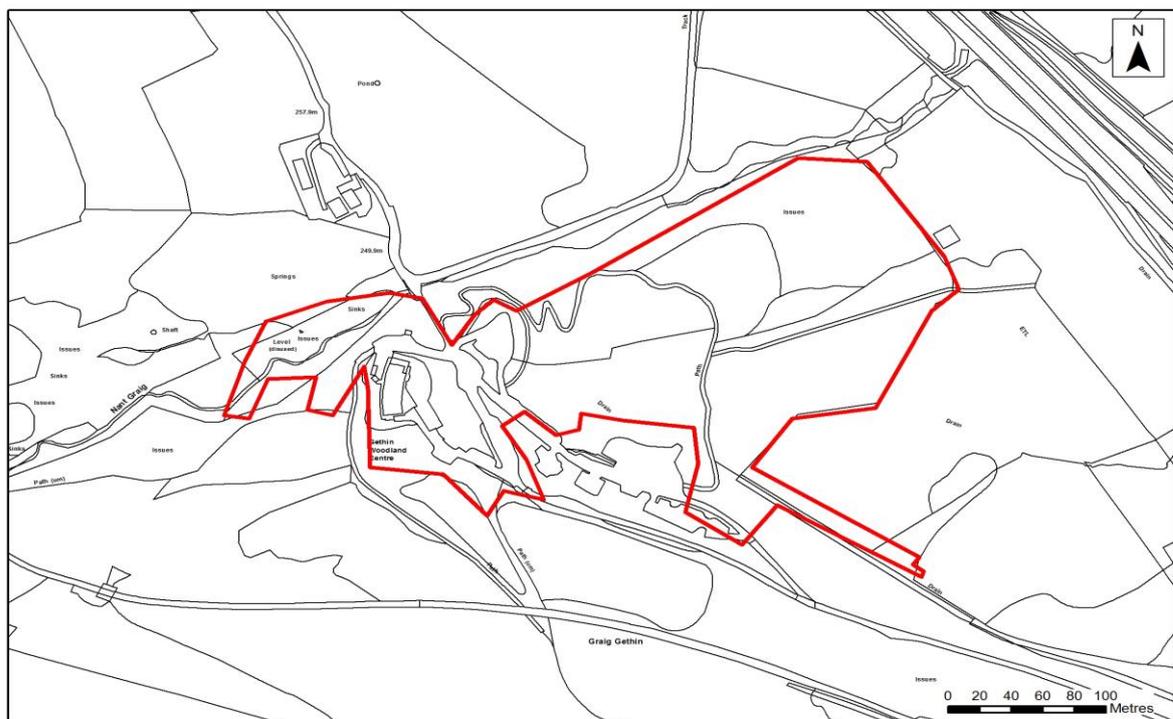
**Location**

**Name & Address of Applicant/Agent**

Provision of 36 camping pods and 5 chalets, erection of shower/toilet block and creation of play and picnic area. Construction of new parking area (150 spaces) with overflow carpark (46 spaces), together with a trail maintenance yard, new highway access routes, ground profile works, drainage,, infrastructure and landscape works

Bike Park Wales  
Gethin Woodland Centre  
Abercanaid  
Merthyr Tydfil  
CF48 1YZ

Bike Park Wales  
c/o The Urbanists  
F.a.o. Mr L Hopkins  
The Creative Quarter  
8A Morgan Acade  
Cardiff



## APPLICATION SITE

This application relates to an irregular shaped area of land measuring approximately 3.56 hectares within Gethin Woods, which forms part of and is adjacent to (east of) Bike Park Wales. The site comprises an area of mature deciduous woodland, an area of scrub and rough pasture, as well as part of the existing carpark and service yard serving the mountain bike centre.

The context of the site is largely defined by surrounding woodland, some of which forms part of operational forestry works carried out by Natural Resources Wales. The profile of the land within the site is of an undulating nature but generally slopes downwards from the south-west to the north-east towards the A470 trunk road (approx. 180m from the eastern boundary).

The principle means of vehicular access to Bike Park Wales is via an existing part metalled and part unmade track that links to the roundabout (to the south-east) which forms part of the A470 trunk road. Access to the site can also be achieved along established cycle/pedestrian routes (some designated as legal rights of ways) to the north of the site, which link to the residential area of Abercanaid.

## PROPOSED DEVELOPMENT

Full planning permission is sought for the expansion of the existing mountain bike centre to provide 36 camping pods and 5 chalets, together with a shower/toilet block and the creation of a playground/picnic area. The proposal involves an extension to the main car park to provide an additional 150 parking spaces, which includes 7 spaces for motorhomes. An overflow car park would also be constructed to accommodate 46 spaces. A network of new vehicular and pedestrian access routes would be provided across the site to serve the development, together with associated engineering works and a comprehensive landscaping scheme.

The proposed camping pods and chalets would be located within the existing woodland area and would be linked together by a network of pedestrian/cycle trails. There would be three different types of camping pods, including 23 standard timber pods (with an arched roof that extends to the ground), 9 land pods (a domed structure raised above the ground with a canvas envelope) and 4 shepherd huts (a timber carriage structure on wheels). It is noted that two of the standard timber pods would be utilised as toilet facilities. The camping pods would vary in size from 3m to 6.3m long by 2.6m to 3m wide and 2.3m to 3m high.

The chalets would be single storey buildings located in the eastern part of the woodland and would measure 15.2m long by 6.9m deep and 3.5m high with a pitched roof. Each chalet would provide 3 bedrooms, a bathroom, kitchen and living room. The buildings would be of a timber construction incorporating treated timber cladding on the elevations with a grey felt roof covering. Each chalet would also provide a small integral bin store and decked amenity area.

The proposed toilet/shower block would be located at the western part of the woodland adjacent to the existing car park. It would provide a total of 12 shower blocks for both campers and visitors to the mountain bike centre. The building would be of a timber construction measuring 13.3m wide by 4m deep and 3m high with a single pitched roof. The

external finishes would include treated timber cladding on the elevations with a high performance membrane applied to the roof.

In the northern part of the site an area of land would be landscaped to create a playground incorporating various interactive features (i.e. balance beams, stepping stones and climbing frames) and picnic tables. This would be linked to the camping area and visitor centre by a network of pedestrian/cycle trails.

The proposed extended car parking area would be provided in the north-east part of the site and would cover an area measuring approximately 71m wide by 32m deep. It would have a hardcore surface similar to that used on the existing car parking areas. The car park would be enclosed by new tree planting and would be split into five distinct parking areas. Each area would be separated by a landscaped buffer/screen comprising a mixture of trees of varying sizes.

A new one-way access track would be constructed to serve the proposed extended car park, which would initially stretch across the site from west to east. It would then continue south through the woodland area (between the camping pods and chalets) where it would link back to the existing carpark and the proposed overflow carpark. This access route would have a hardcore surface with sections of the track, which cross through the woodland area, utilising a plastic reinforced system to minimise the impact on the root systems of adjacent trees. The overflow carpark would be located in the southern part of the site and would cover an area measuring approximately 80m in length and 16m wide. This parking area would be constructed with a hardcore surface.

A comprehensive landscaping scheme is proposed across the entire site involving the planting of a substantial number (4,909) of trees around the playground, car parks, camping pods and chalets and adjacent to the visitor centre. The planting would comprise a mixture of tree species and maturity including Alder, Oak, Birch, Hazel, Hawthorn, Holly, Hawthorn, Blackthorn and Rowan.

In support of this application the following suite of documents has been submitted:

- Environmental Impact Assessment (EIA) Volume 1 & 2, which primarily focuses on the ecological implications and the landscape character/visual impacts.
- Habitat Management Plan
- Tree Survey
- Arboricultural Method Statement and Tree Protection Plan
- Landscape Maintenance Programme
- Assessment of the Significance of Development on Historic Landscape (ASIDOHL2)
- Drainage Strategy Report
- Drainage Calculations
- Transport Assessment
- Coal Mining Risk Assessment
- Ground Conditions Desk Study Report
- Site Investigation Report
- Design & Access Statement
- Pre-application Consultation Report

## PLANNING HISTORY

- P/19/0189 - Erection of proposed uplift building and erection of 8 No. pole mounted CCTV on 5 poles.  
Permission GRANTED on 10.09.2019
- P/18/0335 - Erection of new bike hire centre with associated bike washing facilities and storage areas. Erection of new catering unit and staff office building.  
Permission GRANTED on 19.12.2018
- P/16/0055 - Retention of revised car parking layout, including the provision of additional parking spaces and the erection of two wood clad huts.  
Permission GRANTED on 07.04.2016
- P/15/0385 - Construction of 23 additional mountain bike trails to expand the existing mountain bike facility.  
Permission GRANTED on 28.04.2016
- P/12/0235 - Creation of mountain bike centre comprising the erection of a single storey visitor centre building (including a cafe, office and shop), construction of seventeen forest bike trails, campsite (including 5 timber camping pods) with shower block and associated car parking and landscaping works.  
Permission GRANTED on 18.10.2012

## CONSULTATION

The following comments have been received as a result of the consultation exercise:

### Internal consultees

- Engineering & Traffic Group Leader - No objection subject to conditions relating to ground investigation and retaining works.
- Planning Division's Policy Group Leader - No objection.
- Planning Division's Landscape Architect - No objection.
- Ecologist - No objection subject to a condition relating to a wildlife protection plan.

Environmental Health Manager - No objection, although some concern was raised in respect of the capacity of the existing private water supply serving the existing and proposed facilities.

#### External consultees

Natural Resources Wales - No objection subject to a condition relating to foul drainage.

The Coal Authority - No objection.

Glamorgan Gwent Archaeological Trust - No objection.

Cadw - No objection.

Welsh Government Highway Division - No response.

Welsh Water - No objection.

Wales & West Utilities - No objection.

Western Power Dist. - No response.

#### PUBLIICTY

In accordance with the Town & Country (Development Management Procedure) (Wales) Order 2012, two site notices were displayed within the vicinity of the site on the 28<sup>th</sup> March 2019 and a notice was placed in the local newspaper on the 4<sup>th</sup> April 2019.

No representations were received as a result of this publicity exercise.

#### POLICY CONTEXT

The following policies are relevant to the determination of this application:

##### National planning policy

*Planning Policy Wales (PPW), Edition 10, December 2018:*

Paras 3.5 – 3.15 set out the importance of high quality design to ensure inclusive design, to promote environmental sustainability and ensure high environmental quality. Regard should also be given to the special characteristics of an area, community safety and to encourage sustainable forms of transport.

Para 3.34 notes that the countryside must be conserved and where possible enhanced for the sake of its ecological, geological, cultural and agricultural value and for its landscape and natural resources.

Para 3.51 notes that previously developed land wherever possible should be used in preference to greenfield sites where it is suitable for development.

Paras 4.1.43 – 4.1.55 set out the need to reduce the level and speed of traffic in new development, the provision of car parking and how this may be integrated into new development to minimise the reliance of cars. Transport assessments are also an important mechanism to determine anticipated impacts a development proposal may have.

Paras 5.5.1 – 5.5.2 acknowledge that tourism can be a catalyst for regeneration, improvement of the built environment and environmental protection. The planning system encourages tourism where it contributes to economic development and where it can assist in enhancing the sense of place of an area which has intrinsic value and interest for tourists.

Para 5.5.3 notes in rural areas, tourism related development should be sympathetic in nature and scale to the local environment.

Para 5.5.6 considers the scale and broad distribution of existing and proposed tourist attractions and the potential for complementary developments, such as accommodation and access to be provided in ways which limit negative environmental impacts and consider the opportunities to enhance biodiversity.

Para 6.4.17 recognises that SSSI (Sites of Special Scientific Interest) are of national importance. There is a duty placed on all public bodies, including planning authorities, to exercise their function to further the conservation and enhancement of the features by reason of which a SSSI is of special interest.

Paras 6.4.21 – 6.4.23 note that local authorities should seek to maintain and enhance biodiversity and build resilient ecological networks to ensure that any adverse environmental effects can first be avoided, mitigated or compensated. Regard should also be given to the potential impacts on protected species including the disturbance or harm to their habitats.

Para 6.4.25 states planning authorities should protect trees, hedgerows, groups of trees and areas of woodland where they have ecological value, contribute to the character or amenity of a particular locality, or perform a beneficial and identified green infrastructure function.

Paras 6.6.18 – 6.6.19 set out the need to consider SuDS as an integral part of the design of new development at the earliest possible stage. The SuDS scheme should be designed to manage surface water based on principles which work with nature to facilitate the natural functioning of water cycle. Regard should also be given to the mobilisation of contaminants which may have an impact on the wider area.

Para 6.9.23 sets out that local authorities should take into account the nature, scale and extent of ground instability which may pose direct risks to life and health, buildings and

structures, or present indirect hazards associated with ground movement, including mine entry collapse, which provide potential pathways for the migration to surface of landfill or mine gases.

Para 6.9.27 states that where acceptable measures can overcome instability, planning permission may be granted subject to conditions specifying the necessary measures. If instability cannot be overcome satisfactorily, the authority may refuse planning permission.

*Technical Advice Note (TAN):*

TAN 5: Nature Conservation and Planning, September 2009

TAN 12: Design, March 2016

TAN 13: Tourism, October 1997

TAN 16: Sport, Recreation and Open Space, January 2009

TAN 18: Transport, March 2007

TAN 23: Economic Development, February 2014

### Local planning policy

*Merthyr Tydfil Local Development Plan 2006-2021:*

- Policy BW1 - Development strategy – Primary Growth Area
- Policy BW4 - Settlement boundaries / locational constraints
- Policy BW5 - Natural heritage
- Policy BW6 - Townscape and built heritage
- Policy BW7 - Sustainable design and place making
- Policy BW8 - Development and the water environment
- Policy BW10 - Mineral safeguarding
- Policy BW12 - Development proposals and transport
- Policy BW16 - Protecting / enhancing the network of leisure facilities
- Policy AS4 - Historic landscape
- Policy AS6 - Local nature conservation designations
- Policy TB11 - Access, parking and accessibility of local facilities

*Supplementary Planning Guidance (SPG):*

- SPG 4: Sustainable Design, July 2013
- SPG 5: Nature and Development, May 2015

## PLANNING CONSIDERATIONS

### Land use

The application site lies outside of the settlement boundary and as such the proposal constitutes countryside development as defined by policy BW4 of the LDP. Development in such locations can be supported in principle, where amongst other things, it relates to tourism, recreation or leisure facilities and where it supports the expansion of an existing business in the countryside. In this respect, the development would form an integral part of the well established mountain bike centre (Bike Park Wales) and would seek to expand the

business with the provision of additional facilities including on-site accommodation. The proposal aims to improve its attraction and its long term viability. Therefore the principle of the development is acceptable.

The proposed development would be situated in an area identified in the LDP as a coal safeguarding area, where policy BW10 seeks to prevent permanent development that may otherwise sterilise or hinder potential coal extraction in the future. In this instance it is considered that the scale of the development would have a limited impact on the safeguarding area and would unlikely hinder the potential extraction of the coal resource in the future.

### Economic benefits

Since Bike Park Wales was first established it has seen a continual increase in visitor numbers from approximately 47,500 in 2013/14 to 75,000 in 2017/18. In the Design & Access Statement it is noted that continued growth in the mountain bike market is expected, but it will also become increasingly competitive. The proposed development forms part of Bike Park Wales ambition to strengthen its position as a premier mountain bike destination. It is anticipated that the new facilities would increase visitor numbers to the park by a further 30% by 2022. This increase in visitor numbers would improve the viability of the business and increase the positive impacts it has on the local economy e.g. creation of jobs and the provision of overnight accommodation in the local area.

The Design & Access Statement considers the development is required not only to help cater for the increased demand but also to act as a catalyst for a further increase in visitor numbers, particularly families. Additionally, the applicant has indicated that Bike Park Wales currently employs 54 full time staff and that it is anticipated the proposal would create a further 16 full time jobs.

Section 2.1.2 of TAN 23 states 'where economic development would cause environmental or social harm which cannot be fully mitigated, careful consideration of the economic benefits will be necessary'. Section 2.1.5 goes on to set three tests to assist in balancing the economic merits, which are:

- Is the development in the most appropriate location or are there alternative sites?
- How many jobs would be created?
- Would the development make any special contribution to policy objectives?

In this instance, the proposal relates to a well-established leisure facility where its location within Gethin Woods is an essential part of the setting and experience of the mountain bike facility. As set out in Chapter 5 of the Environmental Impact Assessment (EIA), alternative sites were considered within the vicinity of the existing facility. A number of factors were taken into consideration, including the topography, position of existing trees, the relationship to the existing facilities and the ecological sensitivity of the area. It has been demonstrated that the proposed site presented the least impact on the landscape and ecology, whilst maintaining an appropriate/viable relationship with the mountain bike centre. A comprehensive landscape scheme is also proposed as a means to mitigate/compensate the potential impacts on the surrounding environment.

As noted above, the development would create 16 full time jobs, which equates to a 29% increase in staff numbers. Additionally, it is evident that due to the growth and success of the mountain bike centre, there have been other economic benefits in the local area e.g. the creation of new businesses such as campsites and guest-houses.

### Design approach

The general layout of the development has been informed by the constraints of the site, which include large areas of woodland, ecological environments and changes in site levels. The siting of the proposed camping pods and chalets within the woodland has also been influenced by the need to avoid the root systems of significant trees. This has resulted in an organic layout that responds well with the character of the area. The camping pods and chalets would also be appropriately linked to the existing mountain bike centre by a network of pedestrian/cycle routes that are separated from the vehicular access tracks. The proposed shower/toilet block would also be appropriately located close to the existing mountain bike centre where it can be easily utilised by all visitors.

The scale of the proposed buildings, which are typical for this type of development, is acceptable. The proposed shower/toilet block, camping pods and chalets would be of a timber construction and the external finishes would comprise of timber cladding and materials with a muted colour that are in keeping with the setting of the woodland environment. The topography and intervening trees, including those which would be planted as part of the landscaping scheme, would help to screen the buildings and enable the development to blend with its surroundings.

The proposed playground would provide a new recreational area that compliments the existing mountain bike facilities. This would include a picnic area and play equipment that is natural in character (largely constructed from timber), such as logs, boulders, play trails, slides and swings, which would be set in grass or chipped bark.

The layout of the development, the siting of the buildings and their general scale and appearance is acceptable and would appropriately integrate with the existing mountain bike centre and surrounding environment. Therefore the proposal complies with policy BW7 of the LDP.

### Landscape character

A Landscape and Visual Impact Assessment (LVIA) has been carried out, which considers the likely effects of the development on the landscape and its users. This assessment has taken LANDMAP into account, which provides the baseline information on the landscape features and qualities that contribute to its character. A photographic survey was also carried out to consider representative views.

Historically the site accommodated areas of hardstanding on plateaus set within a woodland environment, which were used to provide an informal carpark to support recreational activity in the area. This has since evolved with the creation of a mountain bike centre and the expansion of the parking facilities, which now dominates the character of its immediate context. It is evident in the LVIA that the proposal would have a number of significant impacts to the character of site, given the scale the development and the extent

of the features that would be lost as a result, in particular the loss of trees, grassland and forestry ground.

The LVIA states in terms of landform and geology the main adverse effects would be as a result of excavation works to the rear of the existing mountain bike centre, which involves using gabion baskets to increase the size of the service area to provide a trail maintenance yard. A large part of this area would be screened from the surrounding area by the visitor centre building.

The woodland areas are noted in LVIA to be of high value, particularly as they also host a mosaic of habitats as a result of limited reclamation and vegetation management. The LVIA acknowledges the woodland areas would be directly affected by the construction of the overflow carpark, paths, drives, bunds, camping pods and chalets. The overall effect on this environment has therefore been assessed as significant as it would not be able to accommodate the development without undue consequences.

The area of open scrub/grassland in the northern part of the site has been assessed in the LVIA as not being significant. However it does recognise that the development would adversely impact on the complex scrub community now growing across this area which is likely to be of some ecological importance. It should be noted that the area of open scrub/grassland land was previously occupied by a number of trees, which were removed a few years ago, due to a disease that severely affected their health. Additionally, in terms of the water environment, the proposal would introduce areas of additional hardstanding and paths across the site, which increases the risk of silt and pollution being introduced into the water environment. This could not only have an impact on the existing trees and vegetation within the site, but could also cause issues further downstream.

Notwithstanding the significant effects on the landscape the LVIA does not consider the development would alter the overall landscape character as the proposed elements are not fundamentally different in character from those which already exist within the site. Additionally the size of the development, though large in relation to the existing mountain bike facilities, is not of a scale that is likely to significantly change the qualities of the area that are defined in LANDMAP.

The LVIA provides an assessment of the potential visual impacts of the development from a number of viewpoints, which includes the existing rights of ways and tracks within the vicinity of the site, Merthyr Common, the Trevithick Trail and the residential area of Pentrebach. Taking into account a number of factors, such as the change in levels, existing woodland screening and the distances at which the development may be seen, it has been demonstrated in the LVIA that the proposal would not have a significant impact on any long distant views. The proposal would have the greatest impact on the views closest to the development along nearby bridleways and pedestrian/cycle routes, which either cross through the site or are close to the boundaries. The notable impacts on these views would be the deterioration of parts of the woodland environment and the replacement of grassland with hardstanding areas.

To address the potential impacts on the landscape character and views a series of mitigation measures are proposed. These largely involve the planting of a substantial number of trees and shrubs within the woodland areas, around the proposed carparks and adjacent to the maintenance yard. This not only ensures the replacement of trees that

would be lost but would also help to reinforce the quality of the woodland environment. Areas of landscape buffers would be introduced, particularly around the carparks, which would help to screen the development from any long distance views and minimise the impact on the views of the development within the immediate surroundings. The LVIA notes further mitigations can be put in place to ensure any works within close proximity to existing trees does not impact on their health. In this regard it is noted that the proposed paths and access tracks would avoid the root protection zones, which have been identified in the submitted Tree Protection Plan.

It is evident that the proposed development would have an impact on the landscape character and views, some of which can be mitigated through a comprehensive planting scheme, which would improve over time as the planting matures. However, there would inevitably be some loss of features that cannot be mitigated i.e. the loss of shrub/grassland and woodland ground cover. It is noted that the Planning Division's Landscape Architect has not raised any objection to the development and welcomes the proposed planting of trees to help mitigate some of the impacts. However, it is important to ensure that an appropriate woodland management plan is in place to deliver a successful scheme, which can be secured by condition. The Planning Division's Landscape Architect considers the masterplan adequately sets out the over-arching strategy for providing an acceptable landscape setting for the proposed development, while at the same time offering a more secure future for the woodland. The planted trees would also effectively become part of the existing woodland tree preservation order, which covers the site and would be afforded protection. Therefore, the proposal complies with policy BW5 of the LDP.

### Impact on trees

Given the location of the development within an established ancient woodland environment, which is entirely protected by a Tree Preservation Order, a Tree Survey has been submitted in support of the application, together with an Arboricultural Method Statement and Tree Protection Plan.

The proposed carpark and playground would be located in the northern part of the site. This area generally comprises of open grassland and as such there would be a minimal impact on any trees. However, the proposed camping pods, chalets and the overflow carpark at the centre and southern parts of the site would be situated in the woodland environment, along with associated access tracks and footpaths. The submitted Tree Survey has identified a number of large/mature trees within the woodland environment, which are all to be retained and have been incorporated into the layout of the development. The survey also identifies large areas within the woodland which are made up of specimens (Category C) that are deemed to be low quality unremarkable trees of very limited merit.

It is evident on the submitted plans that the siting of the camping pods and chalets would result in a loss of some of the low quality trees, which make up the bulk of the dense woodland environment. The siting of these structures has been selected to minimise the number of trees that need to be felled. Additionally, native tree species would be planted around the accommodation, which would help improve the quality of the woodland environment. Similarly, the proposed overflow carpark would result in the loss of trees within the southern part of the woodland, which mainly comprises young and semi-mature (Category C) Alder and Hazel. It is proposed that a number of trees would be planted along the boundaries of the car park to help mitigate the likely impacts of the development.

To minimise the potential impacts on the woodland environment, the Tree Protection Plan indicates temporary protective fencing would be erected before any construction activity commences and would remain in place until the completion of the landscaping works. The Tree Protection Plan also identifies the root protection zones for the most significant trees within the site. The proposed access tracks would, in the main, avoid encroaching into the root protection zones. However, a section of the vehicular track, which passes through the woodland between the camping pods and chalets, would have the potential to impact on the roots of 3 trees. As such the Tree Protection Plan has identified these areas as no dig zones. Instead a 3 dimensional geotextile grid system would be utilised, which can be filled with hardcore material to form a track without adversely impacting on the roots of the trees. The proposed pedestrian/cycle tracks would similarly avoid the identified root protection zones and would be constructed to shallow depths with a stone dust surface.

Whilst the development would inevitably have some impact on the woodland environment through the loss of trees, the landscaping scheme would provide a considerable number of replacement trees. This would help mitigate some of the impacts of the development and through appropriate management would help maintain/improve the integrity of the woodland environment. Therefore, the proposal complies with policy BW5 of the LDP.

### Ecological impacts

The application site comprises an area of open scrub/rough pasture and woodland which lies partly within two non-statutory designated Sites of Importance for Nature Conservation (SINC), being Abercanaid (SINC 20) to the east and Graig Gethin (SINC 30) to the south. Within 1km of the site there are also 5 other SINC's and the Cwm Glo a Glyndyrys (946m north) Site of Special Scientific Interest (SSSI). Taking into account the scale of the development, together with the presence of the existing mountain bike facility, an Ecological Assessment (EA) was submitted in support of the application, which considers the potential impact of the proposal on protected species and habitats, as well as the impacts on the SINC environments. David Clements Ecology Ltd was instructed by the Planning Division to review the findings of the submitted EA and to advise on the acceptability of the survey work and the appropriateness of any mitigation/compensation measures.

The EA notes that due to the scale of the proposal and the lack of likely impacts beyond the site boundary, the nearby SSSI is sufficiently well separated so that no impacts on its designated features are anticipated as a result of the proposed works. It is acknowledged in the EA that there would be impacts on the two SINC's through the loss of some woodland. These SINC's are designated for their ffridd habitats (Graig Gethin) and for their semi-improved grasslands and marshy grasslands, with some semi-natural oak/birch woodlands and scattered scrub (Abercanaid Fields). The EA notes the portions of the SINC that would be most affected by the development is the woodlands, and that it is the ffridd habitats and grasslands which are arguably of higher biodiversity value.

Whilst the development would retain large trees, there would be some loss of understorey (forestry ground) as a result of the proposed overflow carpark and camping provision. The EA also indicates the opening up of some areas would have potential to offer opportunities for positive ffridd management. The landscaping proposal sets out a comprehensive scheme for the planting of native shrubs and tree species. This includes tree planting within

the existing woodland area and screen/buffer planting around the carparks and other sensitive habitat environments.

In terms of the potential impact on protected species and habitats, the EA has had particular regard to bats, Common Dormouse, Otters, Great Crest Newts and amphibians, Badgers, Hedgehogs, nesting birds and reptiles. It is identified that there may be a minor negative impact on bat species due to the loss of foraging areas and the potential for increased disturbance at night through additional lighting. The proposal would also reduce the available nesting and foraging habitat for birds with the loss of understorey scrub and grassland areas. Although Great Crest Newts have been recorded in a nearby SINC (Rhydycar West), no suitable habitats were identified within or adjacent to the site at present. However, the existing reed-bed pond may present a suitable habitat in the future once vegetation becomes more established. There is also suitable terrestrial habitat for amphibians such as Toads and Palmate Newts which were noted in the northern part of the site. In terms of reptiles, the grassland and fridd habitat in the northern part of the site offers opportunity for reptiles to hunt, bask and hibernate. The EA considers there to be a negative low impact on reptiles and that there is sufficient habitat locally for Common Lizards to use, where there is likely to be a wider population. Whilst there was no evidence that the site was being used by Otters, Common Dormouse, Badgers or Hedgehogs, the EA considers a precautionary approach should be taken nonetheless during the construction and operation of the development.

It is acknowledged in Chapter 6 (Ecology) of the EIA that the proposed development would have the potential for medium to high impacts on protected species and their habitats, in particular to lizards, nesting birds and amphibians. However, through appropriate mitigation the residual impacts of the development can be reduced to minor or negligible. This would involve retention of large trees with suitable roost features for bats, the provision of bat boxes, the retention of dark corridors, the provision of low level lighting and the installation of herpetofauna-proof fencing to minimise harm to amphibians. Additionally, any vegetation clearance should be carried out, outside of the bird nesting season and should be undertaken in accordance with the submitted reptile mitigation strategy, which includes enhancement features e.g. hibernaculas/log piles. It is concluded in the EA, that provided the recommendations of the report are carried out, there would be no major impacts on any protected species or habitats as a result of the proposal.

It has been advised by David Clements Ecology Ltd that the submitted survey work has been undertaken using applicable guidelines and during optimal seasons and weather conditions. As such, the results of the survey work are reasonable and well founded. David Clements Ecology Ltd advises that the proposed mitigation measures are appropriate and adequate, but could be better presented within a separate Wildlife Protection Plan for the clearance and construction phases. This would provide greater clarity and ensure all the mitigation measures are implemented.

Whilst it is evident that the proposal would have an impact on the SINC environments, protected species and habitats, it has been demonstrated that appropriate mitigation/compensation measures can be put in place to avoid any significant harm. Therefore, the proposal complies with policy BW5 of the LDP.

## Highway implications

Access to the site would be via the established private road/track that currently serves the mountain bike centre, which extends from the A470 trunk road to the south-east. The initial section of this road (by the A470) has a tarmac surface for the first 500m, with a hardcore surface beyond where it forms part of the forestry tracks through Gethin Woods. The carriageway of this access varies in width with a number of passing places along its length, all of which benefit from good forward visibility to minimise any conflict to traffic movements.

The existing carpark that serves the mountain bike centre currently provides approximately 150-170 parking spaces, although none of these are formerly marked due to the unbound hardcore material used in its construction. A one-way vehicle access route is in operation through the site which assists in the management of traffic movements. It is proposed that the main extension to the carpark (in the northern part of the site) would operate in a similar manner, with a one-way route created that extends through the woodland area and re-joins the existing carpark to the south. Additional parking spaces would also be provided within the proposed overflow carpark, which would be accessed via the existing tracks. The proposal would introduce 196 additional parking spaces, which in combination with the existing provision, would equate to a total of 366 spaces available to serve Bike Park Wales.

To determine the potential impact of the development on the existing highway network, a Transport Statement (TA) has been submitted in support of the application, which considers the potential traffic movements, parking capacity, highway safety and access via sustainable means of transport within a rural environment. It was concluded in the TA that the proposal would not have a material impact on safety relating to vehicles entering and exiting the site, with sufficient driver visibility and adequate provision for vehicles to pass at slow speeds. The TA notes from the traffic surveys that no queueing occurs along the access road during peak hours and the information provided does not suggest that vehicles would queue back to the A470 as a result of the proposal. The TA indicates the development would result in a minimal increase in traffic flow along the highway network of less than 0.6%. As such the existing access is considered to have sufficient capacity to accommodate the development and there would be no material impact on traffic flow or congestion. It has been demonstrated that the development would not give rise to any significant highway safety concerns. In this regard, it is acknowledged that the Engineering and Traffic Group Leader has not raised any objection.

Whilst it is anticipated that the majority of people would travel to Bike Park Wales by car given its rural location, it is noted in the TA that the site benefits from existing public rights of way connections which link to key cycling routes. These provide opportunities for walking/cycling to and from the development, which also link to public transport services in the vicinity i.e. Pentrebach train station.

The TA has identified that the existing parking demand on peak days (during the summer period) was 229 vehicles, which exceeds the current capacity and demonstrates an under-provision of parking on site. It is anticipated that the proposal would see an increase (30%) in the number of visitors and that approximately 298 parking spaces would be required to meet this demand. Taking into account the camping pods and chalets the TA considers a total of 337 parking spaces would be required across the site. The TA concludes that the

proposal would provide adequate parking provision within the main car parking areas to meet the demand of the development for the majority of the year.

It is acknowledged that the number of car parking spaces proposed are more than that required, as identified in the TA. However, the lack of demarcation of existing and proposed parking areas would likely lead to some parked vehicles being more spread out. This would consequently have some impact on the available space for parking. Therefore, the total number of parking spaces to be provided should be treated as an estimate rather than a precise figure of the actual numbers. The provision of additional parking (46 spaces) within the overflow car park would also assist in meeting increased demands during special events e.g. mountain bike competitions. For the above reasons, the proposal complies with policies BW12 and TB11 of the LDP.

### Historic environment

The proposed development is located within an area identified by policy AS4 of the LDP as a Landscape of Outstanding Historic Interest. In such areas there will be a presumption in favour of its protection, conservation and enhancement in accordance with its status as a Landscape of Historic Interest in Wales. Therefore, development should only be supported where it would maintain or enhance the character and integrity of the landscape.

To determine the potential impact of the proposal an ASIDOHL2 has been submitted in support of this application. The assessment acknowledges that there are no Scheduled Ancient Monuments (SAM) or listed buildings within the 250m study area around the site. However, within 1km of the site, there are 3 SAMs, namely Abercanaid Haystack Boiler (400m away), the Vale of Neath Railway Cutting and Tunnel Portal (900m away) and Cwm Pit (980m away). The ASIDOHL2 also identifies 41 Grade II listed buildings within 1km of the site.

The assessment identifies 44 Historic Landscape Character Areas (HLCA) that had the potential to be indirectly affected by the proposed development. A Zone of Theoretical Visibility (ZTV) analysis was also undertaken to determine the potential inter-visibility of the development with other historic assets. This identified potential impacts on Cyfarthfa Castle Registered Park and Garden (3.5km away) and three Schedule Ancient Monuments (SAM), being Merthyr Tramroad Tunnel (1.3km away), Ffosyfran Deserted Iron Mining Village and the Sarn Howell Pond and Watercourses (both 2.5km away). Potential impacts on Cairns within Merthyr Common (2.7km away) were also noted.

It is concluded in the ASIDOHL2 that the development would have no indirect physical impact on the identified historic assets. The visibility analysis noted that of the 44 HLCA considered, 13 of these had some potential to be affected by the development. However, due to the distances, topography, intervening structures, trees and vegetation, it was concluded in the ASIDOHL2 that the overall impact on the landscape would be low and the overall significance of the impact on the historic landscape is slight. As such, the impact of the development on key elements is such that the value of the historic landscape area would remain essentially unchanged. In this regard, it is acknowledged that both Glamorgan Gwent Archaeological Trust (GGAT) and Cadw are satisfied with the assessment carried out and have raised no objection to the development. Therefore, the proposal complies with policies BW6 and AS4 of the LDP.

## Drainage

A comprehensive drainage strategy has been submitted with the application to provide an appropriate system for managing the surface-water runoff across the site. This would involve the use of hydrocarbon capture membranes below the hardcore surfaces to restrict any pollutants entering the water environment i.e. oil or petrol leaks. It has been demonstrated through percolation tests that the ground within the site is not suitable for soakaways, which would normally allow surface water to naturally dissipate into the ground. Therefore a series of infiltrations strips would be located around the parking bays, which would capture the surface-water and channel it to an attenuation system at the eastern part of the site, where it would eventually discharge into the Nant Graig water course. It should be noted that the technical details of this drainage system would be subject to a separate SAB (SuDS Approval Body) application.

Details have been provided of the foul drainage system to serve the proposed toilet/shower block, some of the camping pods and the chalets. Essentially, each of these facilities would be connected to a packaged treatment plant located at the eastern part of the site, where the effluent is treated before it is subsequently discharged into the nearby watercourse. This would require a separate environmental permit from Natural Resources Wales (NRW) and the Council's drainage department. The foul drainage from the motorhomes would be disposed into a sealed septic tank, which would then be managed by the mountain bike centre.

It is acknowledged that the Engineering and Traffic Group Leader has not raised any objections to the development. It is also noted that NRW have not raised any objection to the development and have not raised any issue in principle with the foul drainage system discharging into the ground. However they have requested further details of the foul drainage system be provided, which would form part of their permitting process.

It is considered that an adequate drainage system can be provided to accommodate the proposed development without adverse impacts on the water environment. Therefore, the proposal complies with policy BW8 of the LDP.

## Ground conditions

The application site lies within an area of land which has been identified by The Coal Authority to be at high risk to past coal mining activities, of which 7 seams of coal at depths of 100m to 280m have been noted. Accordingly, a Coal Mining Risk Assessment has been undertaken. It was noted in this assessment that the geological maps indicate a number of coal seams are likely to underlie the site at shallow depths. Although, no mine entries were identified within the site, or within a 20m radius, the possibility for unrecorded mine entries could not be ruled out. As such, an intrusive site investigation was carried out which involved drilling four boreholes. It is concluded in the Site Investigation Report that due to the intact nature of relatively thin coal seams and the proven rock cover, there is little risk of shallow coal workings to the development, which may cause subsidence at the site surface. Therefore, the report considers no mining mitigation measures are necessary. In this regard, it is acknowledged that The Coal Authority is satisfied with the site investigation works that have been undertaken and has not raised any objection to the development. Therefore, it is considered that the site can be appropriately developed safely without significant stability concerns.

## CONCLUSIONS

The duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (“the WBFG Act”) has been taken into consideration when determining this application. In reaching the following recommendation, the ways of working set out at section 5 of the WBFG Act have been considered and thus the proposal is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers well-being objectives set out as required by section 8 of the WBFG Act.

For the above reasons the proposed development is acceptable and complies with the relevant LDP policies. Accordingly, the following recommendation is made:

**RECOMMENDATION: BE APPROVED** subject to the following **CONDITIONS:**

1. The development shall begin not later than five years from the date of this decision.

**Reason** - To comply with Section 91 of the Town and Country Planning Act 1990.

2. The development shall be carried out in accordance with the following approved plans and documents:

- Drawing No. 19/461/09 Rev D - Detailed Landscape Proposals Masterplan
- Drawing No. 19/461/10 Rev D - BPW Landscape Maintenance Plan
- Drawing No. (60)P01 Rev N - Proposed Site Wide External Works Scheme
- Drawing No. (60)P10 Rev B - Site Wide Sections
- Drawing No. RCD01 - Road / Parking Construction Detail
- Drawing No. LT1811.04.05 - Camping Accommodation
- Drawing No. LT1811.04.04 - Proposed Shower Block
- Ecological Impact Assessment Report
- Habitat Management Plan (Dated 10th October 2019)
- Tree Survey Addendum (Dated 19th December 2018)
- Tree Survey (Dated 11th November 2019)
- 10 Year Landscape Maintenance Programme (Dated 4th October 2019)
- Arboricultural Method Statement and Tree Protection Plan (Dated 14th November 2019)

**Reason** -To ensure compliance with the approved plans and clearly define the scope of the permission.

3. The development, consisting of camping pods and chalets, shall be occupied as holiday accommodation only and shall not be occupied as a person's sole or main place of residence. An up to date register shall be kept by Bike Park Wales and be made available for inspection by the local planning authority upon request. The register shall contain details of the names of all of the occupiers of the

accommodation, their main home addresses and their date of arrival and departure from the accommodation.

**Reason** - The site is unacceptable for permanent housing by reason of its location in the open countryside in accordance with Policy BW4 of the Merthyr Tydfil Local Development Plan.

4. The siting of campervans and camping pods shall be limited to the number and specific locations as indicated on the proposed BPW Landscape Masterplan (Drawing No. 18/461/01 Rev H). No additional campervans or camping pods shall be located within the site.

**Reason** - To avoid intensification of the development within a countryside location, in the interests of the character and appearance of the area, highway safety and to accord with Policies BW5 and BW7 of the Merthyr Tydfil Local Development Plan.

5. **No development shall take place** until details, including structural calculations and facing materials, of any retaining wall which exceeds 1 metre in height have been submitted to and approved in writing by the Local Planning Authority. The walls shall be completed in accordance with the approved details before the development hereby approved is brought into beneficial use.

**Reason** - In the interest of safety and visual amenity in accordance with Policy BW7 of the Merthyr Tydfil Local Development Plan.

6. **No development shall take place** until a Wildlife Protection Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall have regard to the recommendation of the Ecological Impact Assessment and shall include:

- a. An appropriate scale plan showing 'Wildlife Protection Zones' where construction activities are restricted and where protective measures will be installed or implemented;
- b. Details of protective measures (both physical measures and sensitive working practices) to avoid impacts during construction, including a pollution prevention plan to protect all watercourses and ponds within the site and surrounding area;
- c. A timetable to show phasing of construction activities to avoid periods of the year when sensitive wildlife could be harmed (such as nesting bird season);
- d. A timetable for the implementation of the mitigation measures set out in the Habitat Management Plan;
- e. Details of the location for 5 bat boxes (Schegler Type 2FN);
- f. Persons responsible for:
  - i) Compliance with legal consents relating to nature conservation;
  - ii) Compliance with planning conditions relating to nature conservation;
  - iii) Installation of physical protection measures during construction;
  - iv) Implementation of sensitive working practices during construction;
  - v) Regular inspection and maintenance of physical protection measures and monitoring of working practices during construction;

- vi) Provision of training and information about the importance of the 'Wildlife Protection Zones' to all construction personnel on site.

All construction activities shall be implemented with the approved details and timing of the plan

**Reason** - To protect the natural environment in accordance with Policy BW5 of the Merthyr Tydfil Local Development Plan.

- 7. **Prior to the installation of any external lighting** a light mitigation strategy, including details of dark corridors to be retained across the site and measures to reduce light spillage onto foraging habitats for bats, shall be submitted to and approved in writing by the local planning authority. All works shall be completed in accordance with the approved details prior to the beneficial use of the camping pods and chalets and shall be maintained as such thereafter.

**Reason** - To minimise the impact of external lighting serving the development within a countryside location and in the interest of the environment for protected species and to accord with policies BW5 and BW7 of the Merthyr Tydfil Local Development Plan.

- 8. The development hereby approved shall be carried out in accordance with the Arboricultural Method Statement and Tree Protection Plan.

**Reason** - To protect the natural environment in accordance with Policy BW5 of the Merthyr Tydfil Local Development Plan.

- 9. All planting, seeding or turfing comprised in the approved details of landscaping (Drawing No. 19/461/09 Rev D) shall be carried out in the first planting and seeding seasons following the beneficial use of the camping pods and chalets, or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

**Reason** - To ensure that the new development will be visually attractive in the interests of amenity and to protect the natural environment in accordance with Policies BW5 & BW7 of the Merthyr Tydfil Local Development Plan.

- 10. **Prior to the erection of the camping pods and chalets** hereby approved, a Woodland Management Plan for a period of 25 years, shall be submitted to and approved in writing by the local planning authority. All works shall be carried out in accordance with the approved details.

**Reason** - To protect the natural environment and ensure the long-term management of the woodland areas, in accordance with Policy BW5 of the Merthyr Tydfil Local Development Plan.