



**Cyfoeth
Naturiol**
Cymru
**Natural
Resources**
Wales

Mr Stephen Jones
Sent by email:
StephenM.Jones@Wales.GSI.Gov.UK

Ein cyf / Our ref: GH 090813
Eich cyf / Your ref:

Dyddiad/Date: 9 August 2013

Dear Mr Jones

**TOWN AND COUNTRY PLANNING ACT 1990 – SECTION 77 CALL IN
REQUEST
APPLICATION FOR MOTORSPORTS FACILITY (COMPRISING: HIGH
PERFORMANCE CIRCUIT ; MOTORCROSS CIRCUIT; KARTING CIRCUIT;
FOUR-WHEEL DRIVE CIRCUIT; RIDING ACADEMY; INNOVATION CENTRE;
HOTELS; RETAIL SHOWROOMS; ANCILLARY RETAIL; INDUSTRIAL AND
BUSINESS USES; DRIVER TRAINING AREA; SOLAR PARK; CAMPING;
PARKING LANDSCAPE AND ASSOCIATED USES)
APPLICATION NO. C/2013/0062**

Please find herewith the response of Natural Resource Wales to your e-mail of 23 July 2013 requesting further advice on the above scheme.

In April 2013 Natural Resources Wales (NRW) brought together the work of the Countryside Council for Wales, Environment Agency Wales and Forestry Commission Wales, as well as some functions of Welsh Government. Our purpose is to ensure that the natural resources of Wales are sustainably maintained, used and enhanced, now and in the future. NRW's functions are set out in the Natural Resources Body for Wales (Functions) Order 2012.

On 16 July 2013 we provided you with an initial response to Mr Greg Matthews' memorandum of 10 June 2013 requesting our advice on call-in requests received by you from others on this scheme. In that response we answered a number of the specific questions in your letter but concluded that more time was needed to continue discussions with the applicant on our concerns over the scheme so as to address your remaining questions. We did so because we considered that through continued positive engagement between ourselves and the applicant, the further information and solutions required to resolve our concerns could be achieved. You wrote back to us via e-mail on 23 July asking for clarification on specific issues on our original response of 16 July. At this time, discussions with the applicant, focusing on biodiversity and habitat mitigation, peat disturbance and landscape, were continuing and led us to contact you to request a further extension to our deadline. On 1 August you e-mailed us to confirm your agreement to this extension to 9 August.

www.cyfoethnaturiolcymru.gov.uk

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

I am pleased to report that this additional time has indeed enabled NRW and the applicant to resolve many of our concerns such that we are able to finalise our response to your correspondence. Our overall advice to you, on the balance of the information now available to NRW and agreement reached with the applicant, accepted by Blaenau Gwent CBC for incorporation into the draft Section 106 legal agreement and related conditions, we are satisfied that the environmental impacts of the scheme can be appropriately managed such that in our opinion the scheme does not need to be called in. These agreed matters are set out in Annex 1 of this letter. I confirm that both NRW and the applicant have signed this agreement. The document at Annex 1 identifies the further work that the applicant's consultants have agreed to undertake and also the mechanism for implementation via condition or Section 106 agreement.

In coming to this conclusion we wish to record that, from the outset, we have had serious concerns over the scale, location and nature of the scheme as submitted and the likely resultant environmental impacts. Our approach has been to work with the applicant and the local planning authority to establish whether it was possible for further information to be submitted which adequately demonstrated that the potential impacts could be appropriately mitigated / compensated for. Over the last few weeks, significant time and effort has been invested in achieving this aim and it would have been preferable for this information to have been provided sooner in the process.

The specific questions raised in your e-mail of 23 July are addressed in the attached Table 1 and specifically refer to the position on the date the application was determined by Blaenau Gwent Council. The information contained in that table is based on NRW's technical and professional expertise, including, where relevant, specialist external consultancy input. Our assessment of the issues in it is measured against current legislative and policy requirements and our statutory duties. As we have made clear in our earlier response and in our dealings with a range of stakeholders, NRW has been highly conscious of the potentially significant economic and employment benefits the scheme may bring.

The table concludes in several places that, at the time of its consideration by the LPA, the necessary detail of this outline application was not available to the LPA / Council and therefore could not be assessed, and that the application is of more than local importance. Whilst this is so, as a result of the information now available to us and the commitments contained in Annex 1, we are now satisfied that the environmental impacts of the scheme can be appropriately managed during subsequent stages of the scheme should the planning decision be confirmed. This letter therefore supersedes the position set out in Table 1.

We accept that the questions asked of us relate to the position at the time it was considered by the LPA and our advice in Table 1 is given accordingly. However, we consider it is also reasonable to describe the substantial change in circumstances between that date and the present. As a result, we consider it also reasonable to channel our resources into continuing to work with the applicant and other parties to continue to ensure that the scheme, if consented, is sustainable.

In conclusion therefore and on the balance of the information now available to NRW and commitments made by the applicant and accepted by Blaenau Gwent CBC for incorporation into a revised Section 106 legal agreement and related conditions, in our opinion the scheme does not need to be called in. This advice is provided in the context of the remit of NRW and a specific focus on the impacts of the proposed scheme. There may therefore be other planning matters which you have before you for consideration, particularly those relating to planning policy and our advice is made without prejudice to those matters. We also accept that your own requirements and duties, together with other advice you may receive, may lead you to a different conclusion.

Our response herewith represents the most up to date position. We trust this provides the clarity you were seeking.

Yours sincerely



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Enclosures

Annex 1: Statement of Common Ground

Table 1: Appraisal of issues

