

On 28 Jun 2013, at 18:06, "Hillier, Graham" <Graham.Hillier@cyfoethnaturiolcymru.gov.uk> wrote:

Dear Alun,

Circuit of Wales Outline planning proposal: Progress made following technical meetings, 28 June 2013

At our meeting on 18 June I promised you an update on progress by today. This follows several meetings held between the applicant's consultants, ourselves and Blaenau Gwent CBC over the last 10 days.

I'm pleased to report that considerable progress has been made on some aspects of the proposal such that our related concerns can be overcome and our advice to Blaenau Gwent amended accordingly. On others, as I hinted might be the case, we have as yet been unable to agree, and as a result will currently need to sustain our position.

In summary, agreement has been reached on the following:

- Habitat and biodiversity: with a new commitment by the applicant to include management of a wider area of existing common land to improve the quality of existing habitats this can be dealt with as a reserved matter subject to a satisfactory planning agreement. This would also help offset the loss of common land.
- On-site watercourses: following clarification at a meeting, we agree no further survey is required.
- Surface water run-off: we are satisfied this can be dealt with as a reserved matter through conditions.

Areas not yet agreed:

- Landscape: we believe there is still a significant landscape impact on the National Park, although the applicant has now withdrawn the proposed 'skywalk'.
- Loss of soils and peat: There is still insufficient information to assess the impact of disturbance to the extensive peat resource and release of carbon dioxide. For example, we are still awaiting the results of a soil quality survey.
- Potential impacts on water quality: We have asked for assurances that effective mitigation is feasible for development of this scale, and potential risk of pollution from underground tanks, but so far these haven't been addressed.

These latter two issues are clear examples of matters where, at outline stage, the applicant is required to provide sufficient information to provide confidence to the decision making body that the matter can be satisfactorily resolved. This is required at outline stage as a matter of principle under EIA regulations.

We have recently been informed that the proposal must be determined by Blaenau Gwent CBC on 10th July, with a deadline of next Wednesday for our advice to be submitted to the Planning Officer. While we will respond by the deadline requested, we are concerned that this approach is not consistent with your wish, expressed at our meeting of 18th June, that it would be better to allow sufficient time to resolve issues, rather than rush them through unresolved. It appears to us from the most recent technical meetings that this time constraint may be causing the applicant's consultants to be unwilling to amend their proposals or consider improved mitigation which we believe would increase the chances of a successful application.

For your information, we have also received direct criticism from the applicant this week regarding our engagement, which I believe is both unfounded and unhelpful. While we will respond to these comments directly, I would wish to reassure you that Natural Resources Wales has taken a very positive, responsive approach to these meetings, in the spirit of our earlier discussions. This positive engagement has yielded much greater understanding on the peat issue, biodiversity, watercourses and water run-off, and has helped reduce the number of outstanding issues.

On behalf of the Natural Resources Wales team, there remains a real willingness to continue working positively with the applicant as matters progress. One possibility might be for a number of our specialist staff to work directly alongside the applicant's consultants, to provide more dedicated manpower to help with expertise in identifying ways to satisfy the requirements of the EIA regulations, for example. We need to make sure there would be no conflict of interest in such an approach, but we believe there is precedent which we could follow. We will explore this directly with the applicant next week, but we remain concerned that progress will require more time than is currently being proposed.

We'll keep you informed of progress.

Best regards
Graham

Graham Hillier
Cyfarwyddwr Gweithredol y De/Executive Director for Operations South
Cyfoeth Naturiol Cymru/Natural Resources Wales
Ffôn/Tel: (029) 2046 8879
Ffôn symudol/Mobile: 07769 915953
E-bost/E-mail: graham.hillier@cyfoethnaturiolcymru.gov.uk
/ graham.hillier@naturalresourceswales.gov.uk
Gwefan/Website: www.cyfoethnaturiolcymru.gov.uk /
www.naturalresourceswales.gov.uk

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Our purpose is to ensure that the natural resources of Wales are sustainably maintained, enhanced and used, now and in the future.