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Submitted Via email: PEDW.Infrastructure@gov.wales

Dear Ms Nethell,

Town and Country Planning Act 1990 (As Amended) – S78 Appeal
LPA Reference: 2019/00871/OUT
PEDW Reference: CAS-02641-G8G7M5
Land at Model Farm, Port Road, Rhoose, CF62 3BT

Mr and Mrs Stevens (The Stevens Family) of The Old Rectory are aware of the commencement of the Planning Inquiry (PEDW Reference: CAS-02641-G8G7M5) relating to the outline application submitted on behalf of Legal & General in relation to the proposed Parc Busness Porth Cymru (PBPC) Business Park on land at Model Farm, Port Road, Rhoose (Ref: 2019/00871/OUT).

It is currently understood that the Inquiry is on hold whilst further consultation on updated Environmental Statement sections is undertaken. In this regard, Boyer have been instructed to provide further written comments.

The Stevens Family have continually provided correspondence at the various stages of the application and appeal process and do not seek to repeat the overall comments submitted, however do wish to highlight certain areas which continue to be of importance.

Drainage

The Stevens Family is once again expressing serious concerns regarding the proposed development, particularly the planned foul sewer route, which is intended to provide drainage for the site. This sewer would cross their private property, including the garden of their residence, raising significant issues not only in terms of land ownership but also with respect to the potential impacts on local wildlife, the landscape, and protected trees. These concerns are particularly relevant in the context of Planning Policy Wales (PPW), which places a strong emphasis on protecting the environment and preserving ecological habitats.

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As previously highlighted, Welsh Water (DCWW), in its initial review, raised a series of objections to the proposals, primarily focusing on the potential inadequacy of local water infrastructure to support the development. Specifically, DCWW highlighted that the site layout does not take into account the location of the sewer, and they expressed doubts about whether the local sewerage system has the capacity to handle the additional waste generated by the development. Furthermore, DCWW raised concerns about the lack of planned improvements to the local water supply, which is already experiencing issues. These concerns were documented in previous Committee Reports, which acknowledged the need for further assessments, such as a Hydraulic Modelling Assessment (HMA), but also noted that such assessments were not part of the applicant's initial submission, in contradiction to DCWW's preference for having these studies presented upfront.

The Stevens Family is also worried about the broader implications of the development for the surrounding area, including its potential to harm areas of significant ecological value such as Sites of Importance for Nature Conservation (SINCs) and Ancient Woodland.

The Stevens Family are aware of the updated Ecological information contained within the Environmental Statement and that others will be providing an in-depth response. However, they do consider that the impacts of the proposed drainage need to be properly considered.

The Stevens Family continues to stress that the sewer route through their land, including areas identified as having significant ecological value, has not been sufficiently addressed by the appellant and has not been reflected in the updated Environmental Statement. They specifically point to the proposed route which crosses areas with ancient trees and protected species, which are critical to the local ecosystem. Despite these concerns being raised multiple times, the appellant has failed to amend the proposal or update the Green Infrastructure Statement to address the ecological and environmental risks outlined by the Stevens Family. This omission is seen as a significant failure in complying with Planning Policy Wales, which mandates that developments should respect and preserve local wildlife and habitats.

In addition to the ecological concerns, The Stevens Family draws attention to specific risks posed to several protected trees within their land. The route of the proposed foul sewer would potentially damage the Root Protection Areas (RPAs) of these trees, which include mature specimens with Tree Preservation Orders (TPOs). These protected trees, such as the venerable oaks, London Planes, and Horse Chestnut, are located at sensitive ecological locations, including the confluence of Bullhouse Brook and Whitelands Brook and within their banks. Concern is continued to be raised that if inadequate, the proposed drainage works will have a direct impact on their Root Protection and habitat and have a devastating effect on trees which have been specifically protected by the Authority.

The Stevens Family is particularly concerned that any excavation work required for the drainage and SuDS (Sustainable Drainage Systems) could irreparably harm these trees and the surrounding ancient woodland. The family believes that the proposed works would not only threaten the physical integrity of these trees but also undermine the broader ecological health of the area. Given the emphasis on tree protection in the latest edition of Planning Policy Wales (12th Edition, 2024), they argue that an upfront assessment of the potential impacts on these trees is essential and cannot be deferred to a condition of approval.

Further complicating matters, The Stevens Family highlights ongoing concerns about the inadequacy of the local drainage infrastructure. DCWW and Natural Resources Wales have both flagged the local sewerage system's inability to support the additional demands of the proposed development, and there are no current plans to upgrade this infrastructure. The lack of solutions to these capacity issues has left The Stevens Family frustrated, as the concerns raised by DCWW have not been addressed by the appellant, and there is no clear indication of how the local water supply or sewage system will be improved to support the development. Without addressing these critical infrastructure issues, the proposed development risks overwhelming the existing system, leading to potential harm to the local environment and existing services.

The Stevens Family also continues to express their concerns regarding the proposed surface water drainage system (SuDS). The proposed SuDS areas would encircle the boundary of their land, and the family remains apprehensive about the potential for these systems to negatively impact the protected trees and ancient woodland within their property. While Condition 12 was proposed to address the SuDS design, The Stevens Family remains unconvinced that these measures will adequately protect the trees and other ecological features on their land, especially in light of the recent updates to Planning Policy Wales that stress the importance of preserving such areas.

Ultimately, The Stevens Family consider that a more thorough, upfront assessment of all the ecological and environmental impacts of the development is undertaken as part of the Environmental Impact Assessment. Given the proposed development's potential to harm both their private property and the surrounding environment, they stress the importance of keeping them fully informed about any plans that affect their land, especially when those plans could have significant, long-term consequences for both the local ecosystem and infrastructure.

Ecology

Whilst there are those who are better placed to comment further on the updated Ecological Environmental Statement chapter, reservations still remain regarding the impacts of habitat loss and hedgerow loss from the appeal site and on the number of rare species that have been recorded on site. The Stevens Family wish to highlight that there is a global ecological crisis, and that the loss of habitat is a significant issue, not only locally but also nationally.

The Stevens Family raise concerns that whilst there is proposed mitigation, the wholesale loss of agricultural fields and mature vegetation is not the direction upon which the Authority should be going. As noted previously, the ecological information provided to the planning application, on behalf of The Stevens Family, outlined that in their view it was highly suggestive of a wider presence of protected biodiversity within both the area immediately adjacent to the proposed development, as well as the proposed application site itself. The Stevens Family are aware of the recent ecological Appeal Hearing Statement submitted which sought to confirm this and have a genuine concern that fertile habitat will be lost forever.

Moreover, The Stevens Family are acutely aware of wider discussions in the media regarding the ecology crisis at a national level, and also specifically in Wales. In this regard attention is drawn to the recent concerns raised as part of the Senedd Cymru - Climate Change, Environment, and Infrastructure Committee. Whilst not specifically relating to Model Farm, the Committee report has found that the Welsh Government is failing to effectively address the sharp and ongoing decline in

nature. The report describes this decline as “alarming” and warns that iconic Welsh species, such as the Curlew and the Swift, are at serious risk of extinction due to a lack of timely and effective action. The report criticises delays, missed commitments, and lack of investment, noting that key biodiversity policies are outdated, and targets will not be set until 2029—years behind England and Scotland.

As highlighted in the national media surrounding this report it is noted that conservation organisations provided evidence to the inquiry which expressed deep concern over the future of species deeply tied to Welsh identity and culture. For example, curlew numbers have dropped by over 90% in the past 40 years, and swifts have seen a 76% decline since 1995. It was highlighted that these declines underscore a broader issue: the government has been slow to implement legally binding biodiversity targets, first promised in 2021 but now not expected until 2029.

It was also outlined that environmental groups, including RSPB Cymru and WWF Cymru, welcomed the committee’s recommendations and called for urgent legislation that would set headline biodiversity targets and support schemes like sustainable farming to help achieve them. They warned that further delays would jeopardise Wales’s ability to meet international biodiversity commitments.

As noted, whilst this does not specifically reference Model Farm, it is worth noting that a ‘whole Wales’ approach is required and specifically the reference to supporting schemes such as sustainable farming, which can provide a positive benefit to biodiversity targets. It is therefore suggested that Model Farm, as it currently operates, would have a more significant benefit in reversing the biodiversity decline than if it was developed.

Summary

In summary, The Stevens Family has raised significant concerns regarding the proposed development, particularly the potential impact of the planned foul sewer route that crosses their private property, including land of ecological importance. Their concerns focus on the environmental risks, including the potential harm to protected trees, ancient woodland, and local wildlife habitats, which are integral to the area’s ecological health. The failure to properly assess and mitigate these impacts on the drainage within the Environmental Statement, particularly with regard to protected trees and areas of ancient woodland, is a concern, given the emphasis on environmental protection in Planning Policy Wales.

Ecologically, The Stevens Family is also concerned about the broader environmental implications, particularly the loss of agricultural land, hedgerows, and habitat. While mitigation measures have been proposed, the overall loss of biodiversity, including fertile habitat, should not be accepted as the direction forward. They believe that the development would contribute to the ongoing ecological crisis and further degrade the local environment. Despite some ecological reviews and updates, The Stevens Family maintains that a more thorough, upfront assessment is needed to address these concerns in line with the latest planning policies, and they stress the importance of preserving the natural environment for both the local community and future generations.

Overall, The Stevens Family continue to have strong reservations regarding the Appeal proposals, many of which have been previously raised and continue to be unaddressed by the appellant, which it is felt must be resolved before the proposals can be appropriately determined. The route of a sewer across our client’s land must be addressed urgently and we must be kept informed as the issue is addressed.

Yours sincerely

Simon Barry
Director

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Boyer