

1 INTRODUCTION

1.1 Preamble

1.1.1 This Environmental Statement (ES) has been prepared on behalf of Legal & General (Strategic Land) Ltd (the Applicant) in support of a hybrid planning application comprising demolition of existing buildings and erection of 44.75ha Class B1/B2/B8 Business Park, car parking, landscaping, drainage infrastructure, ecological mitigation and ancillary works (all matters reserved aside from access) within Area A and change of use from agricultural land to country park (Use Class D2) within Area B. ~~an outline planning application with all matters reserved, apart from access, for the demolition of existing buildings and erection of a 44.79ha Class B1/B2/B8 business park, car parking, landscaping, drainage infrastructure, ecological mitigation and ancillary works on land at Model Farm, Port Road, Rhoose.~~

1.1.2 This ES has been prepared in September 2024 as requested by Planning and Environment Decisions Wales (PEDW) in its ES Completeness Report (Appendix 1.1) issued in respect of appeal reference CAS-02641-G8G7M5. This updated ES supersedes the original ES dated July 2019 and the subsequent ES Addendum dated April 2021.

1.1.3 The ES has been prepared in accordance with the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017.

1.2 Legislative Framework

1.2.1 Environmental Impact Assessment (EIA) is the process of compiling, evaluating and presenting all likely significant environmental effects of a proposed development and ensures such effects are fully understood. The purpose of an EIA is to provide the local planning authority, when determining a planning application, with sufficient information to allow it to properly assess the environmental effects of a scheme.

1.2.2 The assessment process is designed to help produce an environmentally sensitive scheme. Detection of potentially significant adverse environmental impacts will enable appropriate mitigation measures to be built into the design at an early stage.

1.2.3 ~~The legislative background for EIA originated with the European Community Directive on 'The Assessment of the Effects of Certain Public and Private Projects on the Environment' (85/337/EEC) as amended by Directive 97/11/EC. These directives are implemented for the purpose of determining planning applications via the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017 which came into force on 16th May 2017.~~

1.2.4 The legislative framework for EIA is set by European Directive 2011/92/EU, as amended by Directive 2014/52/EU (collectively referred to as the EIA Directive). Directive 2014/52/EU entered into force on 15 May 2014. The requirements of the EIA Directive have been transposed into UK legislation through the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017. These regulations are referred to in this ES as 'the EIA Regulations'.

1.2.5 The above Regulations establish the criteria which determine whether EIA is necessary or not and identify the nature and scale of the projects and their applicability to be determined as Schedule 1 or Schedule 2 projects. Schedule 1 projects require EIA in every case. Schedule 2

projects may or may not require EIA dependent on whether the project in question is likely to give rise to significant environmental effects by virtue of factors such as nature, size or location.

1.2.6 ~~Paragraph 33 of Circular 11/99 'Environmental Impact Assessment' identifies three main types of cases where EIA will be needed for Schedule 2 developments: a) for major developments, which are of more than local importance; b) for developments which are proposed for particularly environmentally sensitive or vulnerable locations; and c) for developments with unusually complex and potentially hazardous environmental effects.~~

1.2.7 Schedule 3 of the 2017 Regulations ~~also~~ sets out criteria which must be taken into account in determining whether a scheme is likely to have significant effects relating to the characteristics of the development which include:

- a) the size and design of the whole development;
- b) cumulation with other existing development and/or approved projects;
- c) the use of natural resources in particular land, soil, water and biodiversity;
- d) the production of waste;
- e) pollution and nuisances;
- f) the risk of major accidents and/or disasters which are relevant to the project concerned, including those caused by climate change, in accordance with scientific knowledge;
- g) the risks to human health (for example due to water contamination or air pollution).

1.3 Screening Opinion

1.3.1 A formal Screening Opinion Request was submitted to the Vale of Glamorgan Council as the Local Planning Authority (LPA) on 1st March 2019. The Screening Opinion and accompanying Screening Report, dated 15th May 2019 (LPA Ref: P/DC/2019/00254/SC1) advised that it was the LPA's opinion that a focussed EIA would be required to be submitted under the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017.

1.3.2 The LPA concluded that a focussed EIA would be required due to the size and urbanising effect of the development, its visual impact within the landscape of a rural and coastal area, the presence of historically sensitive sites and buildings nearby, and the potential for significant increases in traffic and potential congestion to the highway network beyond the immediate locality.

1.3.3 A copy of the LPA's Screening Opinion and accompanying Screening Report is included at **Appendix 1.24**.

1.3.4 There is no requirement in the EIA Regulations to formally scope the contents of an ES. **In the July 2019 version of the ES, RPS ~~has taken~~ took** the view that the scope of the ES could be adequately determined without undertaking a scoping exercise due to the specific nature of the information within the LPA's Screening Opinion and accompanying Screening Report **and, especially, for the following reasons.**

1.3.5 Paragraph 1.3.6 below sets out the justification for the scope of the July 2019 ES. As necessary, updates have been made as part of the September 2019 update to the ES to confirm that the scope of the ES remains appropriate. It is RPS' position that by virtue of the fact that the ES Completeness Report did not identify any short fallings of the July 2019 EIA (except for the

requirement for assessment of proposed development's likely effects in respect of climate change, see paragraph 1.3.7 below) that the scope of this EIA remains appropriate.

1.3.6 The scope of this EIA has been determined with consideration of the below factors:

- Immediately prior to the issuing of the Screening Opinion the LPA confirmed, via email on 15th May 2019, that it would be recommending the proposal be subject to EIA as a result of its potential transportation, landscape/visual and heritage impacts.
- The Screening Report notes that the development is of a significant size and the associated landscape impact would require EIA (landscape and visual assessment is therefore scoped in and the application is also accompanied by a separate, standalone Landscape and Visual Appraisal).
- The Screening Report notes that notwithstanding the potential for mitigation measures, the development is likely to result in significant impacts relating to traffic and transportation that could extend beyond the immediate locality and as such, the impact on the wider highway network is considered to require EIA (highways and transportation is therefore scoped in and the application is also accompanied by a separate, standalone Transport Assessment and a Framework Travel Plan).
- The Screening Report notes the development could be visible from some of the Scheduled Ancient Monument sites that lie within a 5km radius of the site. Furthermore, there are other structures in relatively close proximity that could be permanently affected and further assessment of the extent of their setting would be required. Overall, in view of the size, density and scale of the development, assessment of the impact on built heritage assets was considered to be necessary through EIA (built heritage assessment is therefore scoped in and the application is also accompanied by a separate, standalone Built Heritage Assessment).
- The Screening Report notes the site is not in an ecologically sensitive area but has the potential to support protected species. The Council's Ecologist has advised that in their opinion, the development is not likely to give rise to significant effects on the environment and that any impact of the development in relation to ecology can, in likelihood, be mitigated (ecology has therefore been scoped out, although the application is accompanied by a separate, standalone ecological assessment).
- The Screening Report notes any impact on local receptors in relation to ground conditions, noise, vibration and air quality would be no more than of local significance (air quality, noise and vibration and ground conditions have therefore been scoped out).
- The Screening Report does not make any reference to socio-economic impact but as the application site is allocated for employment uses, socio-economic impact are considered to be the main potential impact and it has therefore been scoped in.
- The application site is not in an area identified as being at risk from flooding. The Screening Report notes the planning application should be supported by a drainage strategy to identify how foul and surface water from the development would be managed. The permanent nature of the impact is acknowledged, but the Report notes it is likely the impacts of the development can be mitigated and reduced to such a degree that it is not significant having regard to the EIA Regulations (flooding and hydrology has therefore been scoped out although the application is accompanied by a separate, standalone Sustainable Drainage Assessment). **Since the completion of the July 2019 ES, the Welsh**

Government published a draft update to Technical Advice Note (TAN) 15: Development, flooding and coastal erosion and published the new Flood Map for Planning (FMfP). The FMfP has no official status until the Welsh Government implements the revised TAN15, however, it represents the best available information on flood risk. The FMfP indicates that most of the site remains outwith areas of flood risk. A small portion of Area B is affected by Flood Zones 2 and 3, however, no built development is proposed in Area B. The extent of flood risk zones is reduced compared to the former Development Advice Map. Flood risk therefore remains scoped out of this EIA.

- In respect of ecology, whilst the Completeness Report does not request updates to the EIA, the applicant has elected to undertake an Ecological Impact Assessment. Following recent updates to PPW 12, the applicant deemed it valuable to undertake an Ecological Impact Assessment to demonstrate how the proposed development design follows the Stepwise Approach. This is included as an additional chapter to the ES at Chapter 9.
- In respect of the cumulative effects assessment, the ES Completeness Report required a review of the scope of assessment as set out in the July 2019 ES. In response, each topic chapter includes an updated assessment of potential cumulative effects according to the methodology and scope of assessment defined in Appendix 1.3.
- ~~With regard to cumulative impact, the Screening Report is clear that there are no outstanding planning applications, approved or committed development on allocated land to the north of the application site and it could, feasibly proceed in isolation to the remainder of the allocation. Therefore it is appropriate to consider its impact in isolation of the remainder of the allocated land.~~
- ~~Following the issuing of the Screening Report, through exchange of email the LPA confirmed it would not expect an ES to consider cumulative impact on the basis there are no other development proposals under consideration in the vicinity of the application site (consideration of cumulative impact has therefore been scoped out). The email exchange is included at Appendix 1.2.~~
- The potential for major accidents and disasters arising from the construction and operation periods of the proposed development has been considered in the individual topics chapters of the Environmental Statement where applicable.

1.3.7 ~~No~~ As part of this September 2024 update to the ES, a separate chapter ~~is proposed~~ in respect of climate change has been prepared to respond to the findings of the ES Completeness Report and is included at Chapter 8.

1.3.8 No separate chapter is proposed in respect of population and human health. The subject has a broad scope and is in practice considered across a range of other topic areas within the ES.

1.4 Structure of the Statement

1.4.1 The ES consists of three documents:

- Main text and figures (this document) providing a description of the scheme and results of the assessments subdivided by topic. ~~In undertaking the 2024 update to the ES, the assessment team has undertaken a review of any potential knock-on or unforeseen effects of the updated assessment such as requirement for additional mitigation measures. This is detailed as applicable throughout each chapter of the ES.~~

- Appendices containing technical data to support the text.
- A Non Technical Summary (NTS) providing a brief description of the scheme and a broad summary in layman's terms of the significant issues and impacts likely to arise, along with proposals for mitigation measures. **This has been updated as part of the 2024 ES update in order to capture any changes made to the assessment.**

1.4.2 This document is divided into the following chapters:

1. Introduction
2. Site Description and Development Proposal
3. Planning Policy Context
4. Highways and Transportation
5. Landscape and Visual Character
6. Built Heritage
7. Socio-Economic
8. **Climate Change**
9. **Ecology**

1.5 The Assessment Team

1.5.1 The EIA has been managed by RPS, taking into account information provided by the Applicant and design team. **RPS is a registrant of the Institute of Environmental Management and Assessment (IEMA) Quality Mark.** The authors of this ES are senior members of RPS unless otherwise specified in **Table 1.1** below and a statement setting out how the authors have sufficient expertise to ensure the completeness and quality of the ES is provided in Appendix 1.4.

Table 1.1 Assessment Team

ES Chapter	Main Author/Contributor
ES Chapters 1 – 6	RPS
ES Chapter 7	Hardisty Jones
ES Chapter 8 – 9	RPS