

PARC BUSNES PORTH CYMRU

Environmental Statement Update Guide

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ENVIRONMENTAL STATEMENT UPDATE GUIDE

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1 INTRODUCTION

1.1 This Guide has been produced to accompany the updated Environmental Statement (ES) which has been submitted in respect of appeal reference: CAS-02641-G8G7M5.

Background

Vale of Glamorgan Adopted Local Development Plan

1.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that decisions made under the planning acts should be made in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan is the Vale of Glamorgan Local Development Plan (2017).

1.3 Policy MG9 of the LDP allocates the site as part of a wider allocation of three strategic employment sites including 77.4ha of land adjacent to Cardiff Airport and Port Road for Class B1, B2 and B8 uses. Supporting text to the policy makes it clear that all three sites are intended to cater for the needs of the aerospace industry and high-tech manufacturing, encouraging investment from the regional and sub-regional marketplace.

1.4 Policy MG28 allocates 42ha of land for the provision of open space and recreational facilities at Porthkerry Country Park. Supporting text to the policy makes it clear that extension will be delivered as part of the first phase of development proposed under Policy MG10.

Planning Application 2019/00871/OUT

1.5 In August 2019 a hybrid planning application was submitted to the Vale of Glamorgan Council for:
"Outline application comprising demolition of existing buildings and erection of 44.79ha Class B1/B2/B8 Business Park, car parking, landscaping, drainage infrastructure, biodiversity provision and ancillary works. All matters reserved aside from access."

1.6 The planning application was registered as valid on 7 August 2019 and was supported by an Environmental Statement dated July 2019.

1.7 The application was amended to a Hybrid application on 22 April 2021 comprising:
"Outline application for the 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 a full application for change of use from agricultural land to country park (Use Class D2) within Area B"

1.8 An Environmental Statement Addendum was submitted in April 2021 to reflect the revised description of development.

1.9 The planning application was considered by the Council's Planning Committee, on the 14th July 2021, where it was resolved to grant planning permission subject to a Section 106 legal agreement. The permission was issued on 30th July 2021. That decision was judicially reviewed and subsequently quashed by the High Court on 6th October 2021. The viability assessment submitted by the applicant, that previously had been kept confidential, was made public to resolve the procedural matter that led to planning permission being quashed by the Court.

1.10 An Article 18(1) Town and Country Planning (Development Management Procedure) (Wales) Order 2012 ("the Order") Holding Direction was issued by Welsh Government (WG) on the 12th October 2021. This direction restricted the grant of permission by the Vale of Glamorgan Council until a decision had been made on whether the application should be referred to Ministers.

1.11 In September 2022, further information was submitted to the Vale of Glamorgan Council under application 2019/00871/OUT in respect of development viability. The ES was not updated at this stage and the original ES and subsequent ES Addendum were considered.

1.12 In March 2023, the application was reported back to Planning Committee to be re-considered in light of the additional information provided in September 2022 in support of the application. At Planning Committee, it was resolved that the application should be refused, however, there were no reasons for refusal stated.

Appeal CAS-02641-G8G7M5

1.13 In March 2023, appeal reference CAS-02641-G8G7M5 was submitted to Planning and Environment Decisions Wales (PEDW). In June 2023, it was directed by PEDW that the appeal is to be determined by Welsh Ministers.

1.14 On 12 June 2023, an ES Completeness Report was issued by PEDW which formally requested further information under Regulation 24 of the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017 (as amended) in order for the Environmental Statement to provide the decision maker with a reasoned conclusion on the likely significant effects of the development described in the application.

1.15 In response to the PEDW Completeness Report, an Environmental Statement Update has been produced for this appeal. The ES Update is a standalone ES document which supersedes both of the following documents:

- July 2019 Environmental Statement
- April 2021 Environmental Statement Addendum

1.16 This Guide should be read alongside the above-mentioned Environmental Statement Update. This Guide has been produced to set out how the amendments that have been made in this ES Update have been identified. Only essential changes have been made to the ES according to the methodology set out under Section 2 below.

2 ENVIRONMENTAL STATEMENT UPDATE FORMAT

2.1 Two versions of the ES update have been produced:

- 1) A tracked changes version which identifies the amendments which have been made; and
- 2) A clean version which does not identify the amendments and represents the entire ES update.

2.2 The tracked change version is marked up according to the following formatting:

- All new text inserted into the ES as additional information is included as green coloured text – **new text inserted as green**
- All text which is omitted from the ES is identified as red strikethrough **~~text deletions as red strikethrough~~**
- Any text which remains unchanged is identified as black (non-formatted) text.