

[REDACTED]

From: Davies, Andrew RT (Cllr)
Sent: 13 August 2019 13:40
To: Rowlands, Ceiri
Cc: Planning
Subject: Planning Application 2019/00871 (OUT) (CR)

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Ceiri

I have been approached by several constituents regarding the above, and hold a number of concerns regarding the application.

While I accept that the site in question is included within the Local Development Plan, the LDP stipulates that it should be phased with other developments around Cardiff Airport, and this is not reflected in these proposals. Furthermore, the traffic situation in the area has deteriorated greatly since the LDP was adopted, and I firmly believe that at least until sufficient remedial measures are put in place, the development should not be given the go-ahead.

I also have strong reservations about the potential impacts the development will have on the natural environment, given it is situated in an area that includes natural woodland. Additionally, I note that the proposals include an extension of Porthkerry Park, and were this to go ahead serious regard would need to be given to ensure residents' privacy is protected sufficiently.

From my conversations with Cardiff Airport, I detect that there is currently no pressure on or demand for additional cargo space. I consequently believe that the development looks speculative at best, and I remain to be convinced by the business case for it.

For these reasons, I do not believe the development should go ahead, and I urge you to reject the application. Furthermore, were permission to be granted, the adverse effects the development will have on the community will need to be mitigated, and it in this scenario the Council would need to secure significant s106 contributions from the developers.

For clarity, please take this email as a formal objection to the proposals, in my capacity as ward member. To avoid confusion, I have also written to submit a formal objection in my capacity as Assembly Member for South Wales Central.

Thank you for your assistance with this issue, and I would be grateful if you would confirm receipt.

Kind regards,

Cllr Andrew RT Davies

Elected Member
Rhoose ward

Andrew RT Davies AM/AC



Assembly Member for South Wales Central

National Assembly for Wales
Cynulliad Cenedlaethol Cymru

Ceiri Rowlands
Planning Department
Vale of Glamorgan Council
Docks Office
Barry
CF63 4RT

RECEIVED

16 AUG 2019

Regeneration
and Planning

13th August 2019

Dear Ceiri

Re: Planning Application 2019/00871 (OUT) (CR) Land at Model Farm, Port Road, Rhoose

I have been approached by several constituents regarding the above, and hold a number of concerns regarding the application.

While I accept that the site in question is included within the Local Development Plan, the LDP stipulates that it should be phased with other developments around Cardiff Airport, and this is not reflected in these proposals. Furthermore, the traffic situation in the area has deteriorated greatly since the LDP was adopted, and I firmly believe that at least until sufficient remedial measures are put in place, the development should not be given the go-ahead.

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For these reasons, I do not believe the development should go ahead, and I urge you to reject the application. Furthermore, were permission to be granted, the adverse effects the development will have on the community will need to be mitigated, and it in this scenario the Council would need to secure significant s106 contributions from the development.

Andrew RT Davies AM/AC

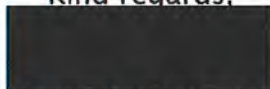


Assembly Member for South Wales Central

National Assembly for Wales
Cynulliad Cenedlaethol Cymru

Thank you for taking the time to consider my concerns, and I look forward to hearing from you.

Kind regards,



Andrew RT Davies AM
South Wales Central Regional AM

RECEIVED

16 AUG 2019

Regeneration
and Planning



Ceidwadwyr
Cymreig

Welsh
Conservatives

Andrew RT Davies

Standing up for South Wales Central
Yn sefyll yn gadarn dros Ganol De Cymru



[@AndrewRTDavies](#) [AndrewRTDaviesAM](#) [andrewrt.davies](#) [www.andrewrtdavies.co.uk](#)

To: Vale of Glamorgan Planning Department

Sent by email

15th February 2022

Dear Sir or Madam

Re: Planning Application 2019/00871/OUT Land at Model Farm, Rhoose

I am writing to you to make representations as part of the ongoing consultation regarding the above. To clarify, I am making these representations in both my capacity as a regional MS and also as the ward member.

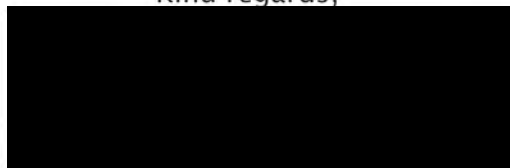
I wish to be clear at the outset that all previous grounds for objection I have cited still stand. However, I am conscious these will automatically be considered as part of any new decision taken regarding the application. I will therefore focus my comments on the viability reports that were not disclosed when the application was initially determined.

The viability report supplied by RPS Sutton estimates that in the first 8 years, the development will make a loss of over £6million. When added to the building costs of almost £73million, this suggests a total loss of almost £80million. When planning obligations, not accounted for in the report, are added, this loss will almost certainly increase. This demonstrates that the development is not commercially viable, and so should be rejected on these grounds.

I remain of the view that the grounds for objection I have cited previously are sufficient in planning law for the application to be rejected. The new grounds I have highlighted add considerable weight to that. I therefore urge you to refuse planning permission.

Thank you for taking the time to consider my representations, and I look forward to hearing from you.

Kind regards,



Cllr Andrew RT Davies MS

South Wales Central Regional MS
Vale of Glamorgan Councillor for the Rhoose ward

MEMORANDUM / COFNOD

The Vale of Glamorgan Council
Regeneration & Planning
Dock Office, Barry Docks, Barry, CF63 4RT



To / I:	Regeneration and Planning
Dept / Adran:	
Date / Dyddiad:	14.08.2019
Your Ref / Eich Cyf:	P/DC/LC/CR/2019/00871/O UT

From / Oddi Wrth:	Public Rights of Way Officer
My Ref / Fy Cyf:	Porthkerry
Tel / Ffôn:	(01446) 704705

Subject / Testyn: Planning Application No. 2019/000871/OUT (CR)

Location : Land at Model Farm, Port Road, Rhoose
Proposal : 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.

The following Public Rights of Way cross the property:

- No.17 Penmark (status – Footpath)
- No.20 Penmark (status – Footpath)
- No.6 Porthkerry (status – Restricted byway)

Public Rights of Way must be kept open and available for safe use by the public at all times., No adverse effect should result to the Public Rights of Way, the applicant should ensure that materials are not stored on the Public Rights of Way and that any damage to the surface as a result of the development is made good at their own expense.

Should the Public Rights of Way require temporary closure to assist in facilitating works an order should be sought under the Road Traffic Regulation Act 1984. Temporary closure should not be sought in order to allow construction of permanent obstructions.

A legal diversion or stopping-up order must be obtained, confirmed and implemented prior to any development affecting the Public Rights of Way taking place. No barriers, structures or any other obstructions should be placed across the legal alignment of the path.

Sandra Thomas
On behalf of Gwyn Teague
Public Rights of Way Officer

Consultee Comment for planning application 2019/00871/OUT

Application Number 2019/00871/OUT

Location Land at Model Farm, Port Road, Rhoose

Proposal Hybrid application comprising an 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.

Case Officer Mr. Ceiri Rowlands

**Organisation
Name**

Public Rights of Way Officer

Address Mrs. Sandra Thomas, Dock Office, Barry.

Type of Comment Comment

Type

Comments Comment submitted by Sandra Thomas: Please make the applicant aware that the southern end of the PROW shown on plan JCD0064-005-F-210414-Parameter Plan - Movement and Access is inaccurately represented. PROW Section can provide detail of position as recorded on the Definitive Map of Public Rights of Way.

Received Date 04/05/2021 12:02:31

Attachments

[REDACTED]

From: NATS Safeguarding <NATSSafeguarding@nats.co.uk>
Sent: 14 August 2019 12:42
To: Planning
Cc: NATS Safeguarding
Subject: RE: Planning Application Consultation 2019/00871/OUT Land at Model Farm, Port Road, Rhoose (SG28517)

Dear Sir/Madam

The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.

However, please be aware that this response applies specifically to the above consultation and only reflects the position of NATS (that is responsible for the management of en route air traffic) based on the information supplied at the time of this application. This letter does not provide any indication of the position of any other party, whether they be an airport, airspace user or otherwise. It remains your responsibility to ensure that all the appropriate consultees are properly consulted.

If any changes are proposed to the information supplied to NATS in regard to this application which become the basis of a revised, amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted on any such changes prior to any planning permission or any consent being granted.

Yours faithfully

NATS Safeguarding

E: natssafeguarding@nats.co.uk

4000 Parkway, Whiteley,
Fareham, Hants PO15 7FL
www.nats.co.uk

-----Original Message-----

From: [REDACTED]
Sent: 13 August 2019 12:51
To: NATS Safeguarding <NATSSafeguarding@nats.co.uk>
Subject: FW: Planning Application Consultation 2019/00871/OUT Land at Model Farm, Port Road, Rhoose

From: Vale of Glamorgan Council Development Services
Sent: 13 August 2019 12:40:22 (UTC+00:00) Dublin, Edinburgh, Lisbon, London
To: [REDACTED]
Subject: Planning Application Consultation 2019/00871/OUT Land at Model Farm, Port Road, Rhoose

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Please find attached a letter regarding a planning application submitted to the Vale of Glamorgan Council. If this is a consultation letter, please respond to this consultation through the link provided in the attached letter. Please note that your comments may be made available online for interested persons to view.

If you are not the intended recipient, please notify our Help Desk at Email.information.solutions@nats.co.uk immediately. You should not copy or use this email or attachment(s) for any purpose nor disclose their contents to any other person.

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[REDACTED]

From: NATS Safeguarding <NATSSafeguarding@nats.co.uk>
Sent: 18 March 2021 15:58
To: Planning
Subject: FW: Planning Application Consultation 2019/00871/OUT Land at Model Farm, Port Road, Rhoose [SG28517]

Our Ref: SG28517

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From: [REDACTED]
Sent: 15 March 2021 09:39
To: NATS Safeguarding <NATSSafeguarding@nats.co.uk>
Subject: FW: Planning Application Consultation 2019/00871/OUT Land at Model Farm, Port Road, Rhoose

From: Vale of Glamorgan Council Development Services
Sent: 15 March 2021 09:30:48 (UTC+00:00) Dublin, Edinburgh, Lisbon, London
To: [REDACTED]
Subject: Planning Application Consultation 2019/00871/OUT Land at Model Farm, Port Road, Rhoose

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[REDACTED]

From: NATS Safeguarding <NATSSafeguarding@nats.co.uk>
Sent: 10 May 2021 16:29
To: Planning
Subject: FW: Planning Application Consultation 2019/00871/OUT Land at Model Farm, Port Road, Rhoose [SG28517]

Our Ref: SG28517

Dear Sir/Madam

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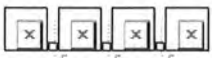
Yours faithfully



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From: [REDACTED]
Sent: 26 April 2021 11:24
To: NATS Safeguarding <NATSSafeguarding@nats.co.uk>
Subject: FW: Planning Application Consultation 2019/00871/OUT Land at Model Farm, Port Road, Rhoose

From: Vale of Glamorgan Council Development Services <Planning@valeofglamorgan.gov.uk>
Sent: 26 April 2021 11:22:54 (UTC+00:00) Dublin, Edinburgh, Lisbon, London
To: [REDACTED]
Subject: Planning Application Consultation 2019/00871/OUT Land at Model Farm, Port Road, Rhoose

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COFNOD / MEMORANDUM

I / To: **Mr Ceiri Rowlands**
Adran / Dept: **Planning Department**
Dyddiad / Date: **14th August 2019**
Eich Cyf / Your Ref: **P/DC/LC/CR/2019/00871/OUT**

Oddi Wrth / From: **D Margetson**
Ein cyf / Our ref: **SRS/E/DMM /2019/00871/OUT**
Ffôn / Tel: **03001236696**
Ebost / Email: **EnvPlan-SRSWales@valeofglamorgan.gov.uk**

SUBJECT: PLANNING APPLICATION NO: 2019/00871/OUT: LAND AT MODEL FARM, PORT ROAD, RHOSE; 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.

Further to receipt of the above accepted planning applications, I would like to provide comments in relation to potential contamination issues on behalf of SRS: Environment Team:-

The following information has been submitted as part of the application:

*RPS, 24/05/2019; Desk Study and Preliminary Risk Assessment.
Ref: JER1539/ 180510 R JER1539OG DTS & PRA*

The above report includes a preliminary conceptual site model based on a desk based contamination assessment and the observations from a walkover survey of the proposed development site.

The report identifies potential risks to human health and the environment from contamination, requiring site based investigation. This is confirmed by available information in-house.

In addition, available records identify the site as including/being in close proximity to an historic landfill and former quarry site (Model Farm Landfill and Model Farm Quarry). Further historic landfill is identified as being within potential influencing distance of the development site. The nature and extent of infilling of these sites is unknown. Such sites are associated with the generation of landfill gases, within subsurface materials, which have the potential to migrate to other sites.

Consequently a robust contamination and ground gas assessment of the site, including site based investigation and monitoring, in line with current guidance, is required to identify any associated risks. This will determine what remediation and mitigation measures are required to ensure the site is made suitable for use.

Should there be any importation of soils to develop the garden/landscaped areas of the development, or any site won recycled material, or materials imported as part of the construction of the development, then it must be demonstrated that they are suitable for the end use. This is to prevent the introduction or recycling of materials containing chemical or other potential contaminants which may give rise to potential risks to human health and the environment for the proposed end use. Consequently, the inclusion of conditions to ensure the use of suitable materials is requested.



COFNOD / MEMORANDUM

Shared Regulatory Services requests the inclusion of the following conditions and informative statement in accordance with CIEH best practice and to ensure that the safety of future occupiers is not prejudiced in accordance with policy MD7 of the Vale of Glamorgan Local Development Plan:

CONDITIONS

PC13. GROUND GAS PROTECTION

Prior to the commencement of any development works a scheme to investigate and monitor the site for the presence of gases* being generated at the site or land adjoining thereto, including a plan of the area to be monitored, shall be submitted to the Local Planning Authority for its approval.

Following completion of the approved monitoring scheme, the proposed details of appropriate gas protection measures to ensure the safe and inoffensive dispersal or management of gases and to prevent lateral migration of gases into or from land surrounding the application site shall be submitted to and approved in writing to the LPA. If no protection measures are required then no further actions will be required.

All required gas protection measures shall be installed and appropriately verified before occupation of any part of the development which has been permitted and the approved protection measures shall be retained and maintained until such time as the Local Planning Authority agrees in writing that the measures are no longer required.

* 'Gases' include landfill gases, vapours from contaminated land sites, and naturally occurring methane and carbon dioxide, but does not include radon gas. Gas Monitoring programmes should be designed in line with current best practice as detailed in CIRIA 665 and or BS8485 year 2007 Code of Practice for the Characterization and Remediation from Ground Gas in Affected Developments,.

Reason: To ensure that the safety of future occupiers is not prejudiced.

PC14A. CONTAMINATED LAND MEASURES – ASSESSMENT

Prior to the commencement of the development an assessment of the nature and extent of contamination shall be submitted to and approved in writing by the Local Planning Authority. This assessment must be carried out by or under the direction of a suitably qualified competent person * in accordance with BS10175 (2011) Code of Practice for the Investigation of Potentially Contaminated Sites and shall assess any contamination on the site, whether or not it originates on the site.

The report of the findings shall include:



COFNOD / MEMORANDUM

(i) a desk top study to identify all previous uses at the site and potential contaminants associated with those uses and the impacts from those contaminants on land and controlled waters. The desk study shall establish a 'conceptual site model' (CSM) which identifies and assesses all identified potential source, pathway, and receptor linkages;

(ii) an intrusive investigation to assess the extent, scale and nature of contamination which may be present, if identified as required by the desk top study;

(iii) an assessment of the potential risks to:

- human health,
- groundwaters and surface waters
- adjoining land,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- ecological systems,
 - archaeological sites and ancient monuments; and
- any other receptors identified at (i)

(iv) an appraisal of remedial options, and justification for the preferred remedial option(s).

All work and submissions carried out for the purposes of this condition must be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR 11' (September 2004) and the WLGA / WG / NRW guidance document 'Land Contamination: A guide for Developers' (2017),, unless the Local Planning Authority agrees to any variation.

* A 'suitably qualified competent person' would normally be expected to be a chartered member of an appropriate professional body (such as the Institution of Civil Engineers, Geological Society of London, Royal Institution of Chartered Surveyors, Institution of Environmental Management) and also have relevant experience of investigating contaminated sites.

Reason: To ensure that information provided for the assessment of the risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems is sufficient to enable a proper assessment.

PC14B. CONTAMINATED LAND MEASURES – REMEDIATION & VERIFICATION PLAN

Prior to the commencement of the development a detailed remediation scheme and verification plan to bring the site to a condition suitable for the intended use by removing any unacceptable risks to human health, controlled waters, buildings, other property and the natural and historical environment shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land



COFNOD / MEMORANDUM

under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

All work and submissions carried out for the purposes of this condition must be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR 11' (September 2004) and the WLGA / WG / NRW guidance document 'Land Contamination: A guide for Developers' (2017),, unless the Local Planning Authority agrees to any variation.

Reason: To ensure that any unacceptable risks from land contamination to the future users of the land , neighbouring land, controlled waters, property and ecological systems are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

PC14C. CONTAMINATED LAND MEASURES - REMEDIATION & VERIFICATION

The remediation scheme approved by condition x (PC14B above) must be fully undertaken in accordance with its terms prior to the occupation of any part of the development unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Within 6 months of the completion of the measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.

All work and submissions carried out for the purposes of this condition must be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR 11' (September 2004) and the WLGA / WG / NRW guidance document 'Land Contamination: A guide for Developers' (2017),, unless the Local Planning Authority agrees to any variation.

Reason : To ensure that any unacceptable risks from land contamination to the future users of the land , neighbouring land, controlled waters, property and ecological systems are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

PC14D. CONTAMINATED LAND MEASURES – UNFORESEEN CONTAMINATION

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing within 2 days to the Local Planning Authority, all associated works must stop, and no further development shall take place unless otherwise agreed in writing until a scheme to deal with the contamination found has been approved. An investigation and risk



COFNOD / MEMORANDUM

assessment must be undertaken and where remediation is necessary a remediation scheme and verification plan must be prepared and submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be submitted to and approved in writing by the Local Planning Authority. The timescale for the above actions shall be agreed with the LPA within 2 weeks of the discovery of any unsuspected contamination.

Reason: To ensure that any unacceptable risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

PC15A IMPORTED SOIL

Any topsoil [natural or manufactured], or subsoil, to be imported shall be assessed for chemical or other potential contaminants in accordance with a scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority in advance of its importation. Only material approved by the Local Planning Authority shall be imported. All measures specified in the approved scheme shall be undertaken in accordance with the relevant Code of Practice and Guidance Notes.

Subject to approval of the above, sampling of the material received at the development site to verify that the imported soil is free from contamination shall be undertaken in accordance with a scheme and timescale to be agreed in writing by the LPA.

Reason: To ensure that the safety of future occupiers is not prejudiced.

PC15B IMPORTED AGGREGATES

Any aggregate (other than virgin quarry stone) or recycled aggregate material to be imported shall be assessed for chemical or other potential contaminants in accordance with a scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority in advance of its importation. Only material approved by the Local Planning Authority shall be imported. All measures specified in the approved scheme shall be undertaken in accordance with the relevant Code of Practice and Guidance Notes.

Subject to approval of the above, sampling of the material received at the development site to verify that the imported material is free from contamination shall be undertaken in accordance with a scheme and timescale to be agreed in writing by the LPA.

Reason: To ensure that the safety of future occupiers is not prejudiced.



COFNOD / MEMORANDUM

PC15C USE OF SITE WON MATERIALS

Any site won material including soils, aggregates, recycled materials shall be assessed for chemical or other potential contaminants in accordance with a sampling scheme which shall be submitted to and approved in writing by the Local Planning Authority in advance of the reuse of site won materials. Only material which meets site specific target values approved by the Local Planning Authority shall be reused.

Reason: To ensure that the safety of future occupiers is not prejudiced.

ADVISORY/INFORMATIVE

R4 CONTAMINATION AND UNSTABLE LAND ADVISORY NOTICE

The contamination assessments and the affects of unstable land are considered on the basis of the best information available to the Planning Authority and are not necessarily exhaustive. The Authority takes due diligence when assessing these impacts, however you are minded that the responsibility for

- (i) determining the extent and effects of such constraints;
- (ii) ensuring that any imported materials (including, topsoils, subsoils, aggregates and recycled or manufactured aggregates/ soils) are chemically suitable for the proposed end use. Under no circumstances should controlled waste be imported. It is an offence under Section 33 of the Environmental Protection Act 1990 to deposit controlled waste on a site which does not benefit from an appropriate waste management license. The following must not be imported to a development site;
 - Unprocessed / unsorted demolition wastes.
 - Any materials originating from a site confirmed as being contaminated or potentially contaminated by chemical or radioactive substances.
 - Japanese Knotweed stems, leaves and rhizome infested soils. In addition to section 33 above, it is also an offence under the Wildlife and Countryside Act 1981 to spread this invasive weed; and
- (iii) the safe development and secure occupancy of the site rests with the developer.

Proposals for areas of possible land instability should take due account of the physical and chemical constraints and may include action on land reclamation or other remedial action to enable beneficial use of unstable land.

The Local Planning Authority has determined the application on the basis of the information available to it, but this does not mean that the land can be considered free from contamination.

Environment Team
Shared Regulatory Services
Bridgend, Cardiff & the Vale of Glamorgan

From: Env Plan (SRS Wales)
Sent: 26 April 2021 13:36
To: Planning
Cc: Rowlands, Ceiri
Subject: RE: Planning Application Consultation 2019/00871/OUT Land at Model Farm, Port Road, Rhoose

Afternoon Ceiri

From an land quality perspective, comments remain as per memo ref SRS/E/DMM /2019/00871/OUT of 14 Aug 2019.

Regards
Deborah



Environment Team (Enterprise and Specialist Services)

Shared Regulatory Services / Gwasanaethau Rheoliadol a Rennir
Bridgend, Cardiff and the Vale of Glamorgan

Pen-y-bont ar Ogwr, Caerdydd ar Bro Morgannwg

Website / Gwefan: <http://www.srs.wales> | <http://www.grhr.cymru>

e-mail / e-bost: EnvPlan-SRSWales@valeofglamorgan.gov.uk

Phone / Ffôn: 03001236696

The Council welcomes correspondence in English or Welsh and we will ensure that we communicate with you in the language of your choice, whether that's English, Welsh or in Bilingual format as long as we know which you prefer. Please contact welshstandards@valeofglamorgan.gov.uk to register your language choice. If we do not receive your language choice, we will continue to correspond with you in accordance with current procedure. Corresponding in Welsh will not lead to any delay.

Mae'r Cyngor yn croesawu gohebiaeth yn Gymraeg a Saesneg a byddwn yn sicrhau ein bod yn cyfathrebu â chi yn yr iaith o'ch dewis, boed yn Saesneg, yn Gymraeg neu'n ddwyieithog cyhyd â'n bod yn ymwybodol o'ch dewis. Cysylltwch â welshstandards@valeofglamorgan.gov.uk i nodi dewis iaith. Os na fyddwn yn derbyn eich dewis iaith, byddwn yn parhau i gyfathrebu â chi yn unol â'r weithdrefn bresennol. Ni fydd gohebu yn Gymraeg yn creu unrhyw oedi.

*Consider the environment. Please don't print this e-mail unless you really need to.
Ystyriwch yr amgylchedd. Peidiwch ag argraffu'r neges hon oni bai fod gwir angen*

From: Planning <Planning@valeofglamorgan.gov.uk>
Sent: 26 April 2021 11:24
To: Env Plan (SRS Wales) <EnvPlan-SRSWales@valeofglamorgan.gov.uk>
Subject: Planning Application Consultation 2019/00871/OUT Land at Model Farm, Port Road, Rhoose

Please find attached a letter regarding a planning application submitted to the Vale of Glamorgan Council. If this is a consultation letter, please respond to this consultation through the link provided in the attached letter. Please note that your comments may be made available online for interested persons to view.



Dŵr Cymru
Welsh Water

Developer Services
PO Box 3146
Cardiff
CF30 0EH

Tel: +44 (0)800 917 2652
Fax: +44 (0)2920 740472
E.mail: developer.services@dwrcymru.com

Gwasanaethau Datblygu
Blwch Post 3146
Caerdydd
CF30 0EH

Ffôn: +44 (0)800 917 2652
Ffacs: +44 (0)2920 740472
E.bost: developer.services@dwrcymru.com

Vale of Glamorgan County Council
Dock Office
Holton Road
Barry Docks
Barry
CF63 4RT

Date: 29/08/2019
Our Ref: PLA0044209
Your Ref: 2019/00871/OUT

Dear Sir/Madam

Grid Ref: ST0787067539 307870 167539

Site: Land at Model Farm, Port Road, Rhoose, Vale of Glamorgan

Development: 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.

We refer to your planning consultation relating to the above site, and we can provide the following comments in respect to the proposed development.

In respect of the aforementioned planning application, we can confirm that Dwr Cymru Welsh Water have been previously informed of the proposed development and consulted, as a 'Specialist Consultee', in accordance with Schedule 1C Article 2D of the Town & Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016.

We note that our consultation response (Ref: PPA0004091) has been acknowledged and included at Appendix I of the accompanying Pre-Application Consultation (PAC) Report, prepared by RPS Group, which highlights that the site is crossed by a foul water public sewer and its approximate position is marked on the attached Statutory Public Sewer Record. In accordance with the Water Industry Act 1991, Dwr Cymru Welsh Water requires access to its apparatus at all times in order to carry out maintenance and repairs. However, having regard to the 'Indicative Concept Masterplan' (Drawing No. JCD0064-003), it appears the sewer is located within the plots of land proposed for "B1 (Office)" and "B1/B8" uses, and we would advise that the sewer has a protection zone measured 3 metres either side of the centreline. It may be possible to divert the sewer if the developer applies under Section 185 of the Water Industry Act and we request that they contact us to discuss and consider possible solutions. Whilst we acknowledge the application is accompanied by a 'Preliminary Drainage Strategy' (Ref: JNY9969-RPS-0500-001; 002 & 003), the plan does not appear to include any detailed layout for either plots of land proposed for "B1 (Office)" and "B1/B8" uses and fails to include reference to this existing public sewer crossing. Therefore, as per below, we recommend a condition which requires a foul water drainage scheme prior to any approval of reserved matters or commencement of development for that site and/or other identified part.



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We welcome correspondence in
Welsh and English

Dŵr Cymru Cyf, a limited company registered in
Wales no 2366777. Registered office: Pentwyn Road,
Nelson, Treherbert, Mid Glamorgan CF46 6LY

Rydym yn croesawu gofodoliaeth yn y
Gymraeg neu yn Saesneg

Dŵr Cymru Cyf, cwmni cyfyngedig wedi'i gofrestru yng
Nghymru rhif 2366777. Swyddfa gofrestredig: Heol Pentwyn
Nelson, Treherbert, Morgannwg Ganol CF46 6LY.

Furthermore, as highlighted within our consultation response (Ref: PPA0004091) to PAC, we have considered the impact of foul flows generated by the proposed development upon the local public sewerage network and concluded that it is unlikely that sufficient capacity exists to accommodate this development. Our response also fails to identify a suitable point of communication for the proposed development site to be served by an adequate water supply. Accordingly, the developer has been advised it will be necessary to undertake Hydraulic Modelling Assessments (HMAs) of the public sewerage and potable water supply networks, which will examine the existing networks and consider the impact of the introduction of flows from this development, and then identify solutions and points of communication to ensure that the site can be accommodated within these systems.

In addition, as of 7th January 2019, this proposed development is subject to Schedule 3 of the Flood and Water Management Act 2010. The development therefore requires approval of Sustainable Drainage Systems (SuDS) features, in accordance with the 'Statutory standards for sustainable drainage systems – designing, constructing, operating and maintaining surface water drainage systems'. Accordingly, it is recommended that the developer engage in consultation with Vale of Glamorgan Council, as the determining SuDS Approval Body (SAB), in relation to their proposals for SuDS features. Please note, DCWW is a statutory consultee to the SAB application process and will provide comments to any SuDS proposals by response to SAB consultation. Therefore, if minded to grant planning consent, we would request that the following **Conditions and Advisory Notes** are included to ensure no detriment to existing residents or the environment and to Dwr Cymru Welsh Water's assets:

Conditions

No reserved matters application shall be approved by the Local Planning Authority and no development of that reserved matter site shall commence until a foul water drainage scheme, for that reserved matter site and/or other identified part has been submitted to and agreed in writing by the Local Planning Authority. Thereafter the scheme shall be implemented in accordance with the approved details prior to the occupation of the development and no further foul water, surface water and land drainage shall be allowed to connect directly or indirectly with the public sewerage system.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

No reserved matters application shall be approved by the Local Planning Authority and no development of that reserved matter site shall commence until a point of connection on the public sewerage system has been identified by a hydraulic modelling assessment, for that reserved matter site and/or other identified part, has been submitted to and agreed in writing by the Local Planning Authority. Thereafter the connection shall be made in accordance with the recommended connection option following the implementation of any necessary reinforcement works to the sewerage system, as may be identified by the hydraulic modelling assessment.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.



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Dŵr Cymru Cyf, cwmni cyfyngedig wedi'i gofrestru yng
Nghymru rhif 2366777. Swyddfa gofrestradig: Heol Pentwyn
Nelson, Treharris, Morgannwg Ganol CF46 6LY.

No reserved matters application shall be approved by the Local Planning Authority and no development of that reserved matter site shall commence until a potable water scheme to serve the site, for that reserved matter site and/or other identified part, has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall demonstrate that the existing water supply network can suitably accommodate the proposed development site. If necessary a scheme to reinforce the existing public water supply network in order to accommodate the site shall be delivered prior to the occupation of any building. Thereafter, the agreed scheme shall be constructed in full and remain in perpetuity.

Reason: To ensure the site is served by a suitable potable water supply.

Advisory Notes

As of 7th January 2019, this proposed development is subject to Schedule 3 of the Flood and Water Management Act 2010. The development therefore requires approval of Sustainable Drainage Systems (SuDS) features, in accordance with the 'Statutory standards for sustainable drainage systems – designing, constructing, operating and maintaining surface water drainage systems'. It is therefore recommended that the developer engage in consultation with the Vale of Glamorgan Council, as the determining SuDS Approval Body (SAB), in relation to their proposals for SuDS features. Please note, Dwr Cymru Welsh Water is a statutory consultee to the SAB application process and will provide comments to any SuDS proposals by response to SAB consultation.

The applicant may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water Industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of www.dwrcymru.com.

The applicant is also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

If the development will give rise to a new discharge (or alter an existing discharge) of trade effluent, directly or indirectly to the public sewerage system, then a Discharge Consent under Section 118 of the Water Industry Act 1991 is required from Dwr Cymru / Welsh Water. Please note that the issuing of a Discharge Consent is independent of the planning process and a consent may be refused although planning permission is granted.



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We welcome correspondence in
Welsh and English

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Gymraeg neu yn Saesneg

Dwr Cymru Cyf, cwmni cyfyngedig wedi'i gofrestru yng
Nghymru rhif 2366777. Swyddfa gofrestredig: Heol Pentwyn
Nelson, Treherbert, Morgannwg Ganol CF46 6LY

Our response is based on the information provided by your application. Should the proposal alter during the course of the application process we kindly request that we are re-consulted and reserve the right to make new representation.

If you have any queries please contact the undersigned on 0800 917 2652 or via email at developer.services@dwrcymru.com

Please quote our reference number in all communications and correspondence.

Yours faithfully,

Sion Jones
Development Control Officer
Developer Services



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Dŵr Cymru
Welsh Water

Developer Services
PO Box 3146
Cardiff
CF30 0EH

Tel: +44 (0)800 917 2652
Fax: +44 (0)2920 740472
E-mail: developer.services@dwrcymru.com

Gwasanaethau Datblygu
Blwch Post 3146
Caerdydd
CF30 0EH

Ffôn: +44 (0)800 917 2652
Ffacs: +44 (0)2920 740472
E.bost: developer.services@dwrcymru.com

Vale of Glamorgan County
Dock Office
Holton Road Barry Docks
Barry
CF63 4RT

Date: 18/02/2022
Our Ref: PLA0063191
Your Ref: 2019/00871/OUT

Dear Sir/Madam

Grid Ref: ST072673 308014 167312

Site: Land at Model Farm, Rhoose

Development: Hybrid application comprising an outline application for the demolition of existing buildings and erection of 44.75ha Class B1/B2/B8 Business Park. See consultation for full details

We refer to your planning consultation relating to the above site, and we can provide the following comments in respect to the proposed development.

We refer you to our letter dated 29th August 2019 and can confirm we have no additional comments to make regarding this application since our original response letter. All comments and recommended conditions within our original comments are still applicable.

Conditions

No reserved matters application shall be approved by the Local Planning Authority and no development of that reserved matter site shall commence until a foul water drainage scheme, for that reserved matter site and/or other identified part has been submitted to and agreed in writing by the Local Planning Authority. Thereafter the scheme shall be implemented in accordance with the approved details prior to the occupation of the development and no further foul water, surface water and land drainage shall be allowed to connect directly or indirectly with the public sewerage system.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

No reserved matters application shall be approved by the Local Planning Authority and no development of that reserved matter site shall commence until a point of connection on the public sewerage system has been identified by a hydraulic modelling assessment, for that reserved matter site and/or other identified part, has been submitted to and agreed in writing by the Local Planning Authority. Thereafter the connection shall be made in accordance with the recommended connection option following the



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Nelson, Treharris, Morgannwg Ganol CF46 6LY.

implementation of any necessary reinforcement works to the sewerage system, as may be identified by the hydraulic modelling assessment.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

No reserved matters application shall be approved by the Local Planning Authority and no development of that reserved matter site shall commence until a potable water scheme to serve the site, for that reserved matter site and/or other identified part, has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall demonstrate that the existing water supply network can suitably accommodate the proposed development site. If necessary a scheme to reinforce the existing public water supply network in order to accommodate the site shall be delivered prior to the occupation of any building. Thereafter, the agreed scheme shall be constructed in full and remain in perpetuity.

Reason: To ensure the site is served by a suitable potable water supply.

Advisory Notes

As of 7th January 2019, this proposed development is subject to Schedule 3 of the Flood and Water Management Act 2010. The development therefore requires approval of Sustainable Drainage Systems (SuDS) features, in accordance with the 'Statutory standards for sustainable drainage systems – designing, constructing, operating and maintaining surface water drainage systems'. It is therefore recommended that the developer engage in consultation with the Vale of Glamorgan Council, as the determining SuDS Approval Body (SAB), in relation to their proposals for SuDS features. Please note, Dwr Cymru Welsh Water is a statutory consultee to the SAB application process and will provide comments to any SuDS proposals by response to SAB consultation.

The applicant may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water Industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of www.dwrcymru.com.

The applicant is also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.



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We welcome correspondence in
Welsh and English

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Ngymru rhif 2366777. Swyddfa gofrestradig: Heol Pentwyn
Nelson, Treherbert, Morgannwg Ganol CF46 6LY

If the development will give rise to a new discharge (or alter an existing discharge) of trade effluent, directly or indirectly to the public sewerage system, then a Discharge Consent under Section 118 of the Water Industry Act 1991 is required from Dwr Cymru / Welsh Water. Please note that the issuing of a Discharge Consent is independent of the planning process and a consent may be refused although planning permission is granted.

Our response is based on the information provided by your application. Should the proposal alter during the course of the application process we kindly request that we are re-consulted and reserve the right to make new representation.

If you have any queries please contact the undersigned on 0800 917 2652 or via email at developer.services@dwrcymru.com

Please quote our reference number in all communications and correspondence.

Yours faithfully,

Chris Scourfield
Development Control Officer
Developer Services



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Nghymru rhif 2366777. Swyddfa gofrestredig: Heol Pentwyn
Nelson, Treharris, Morgannwg Ganol CF46 6LY.

Our Ref: VOG1411/JBHD

ARCHAEOLOGICAL PLANNING

Head of Planning and Transportation
The Vale of Glamorgan Council
Dock Office
Barry Docks
BARRY
CF63 4RT



Archaeological
Planning

30th August 2019

FAO: Ceiri Rowlands

Dear Sir

Re: 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: Land at Model Farm, Port Road, Rhoose. Pl.App.No.: 2019/00871/OUT.

Thank you for consulting us regarding this application: **the proposal will require archaeological mitigation.**

Information in the Historic Environment Record shows that there are a number of archaeological and historic environment sites and findspots within the proposed development area. These range from findspots from Neolithic to modern date, and features of platforms related to buildings for agriculture, modern military features, including a crash site, and quarrying and transport. These are described in the supporting documentation in the archaeological desk based assessment (CGMS 2019). The impact upon these of the proposed development has been assessed and concluded that the mitigation can be by condition rather than pre-determination.

In order to mitigate and inform further investigation, therefore, our recommendation is for a condition to be attached to any consent granted by your Members; this will ensure the submission and implementation of a detailed written scheme of investigation for a programme of archaeological work to protect the archaeological resource.

We envisage that this programme of work would include but not be limited to: geophysical survey, which may enable targeted fieldwork, which may include a strip, map and record of some areas if these cannot be excluded from a final masterplan. and would also include, an archaeological watching brief during groundworks, required for the development, including any demolition, construction of roads and foundations, and services installation and any hard landscaping, with detailed contingency arrangements including the provision of sufficient time and resources to ensure that any archaeological features or finds that are located are properly investigated and recorded; it should include provision for any hand excavation and sampling that may prove necessary, post-excavation recording and assessment; reporting and possible publication of the results. To ensure adherence to the recommendations we recommend that the

The Glamorgan-Gwent
Archaeological Trust
Limited

Heathfield House
Heathfield
Swansea
SA1 6EL

Tel: (01792)655208
www.ggat.org.uk

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Registered charity
No.505609



condition should be worded in a manner similar to model condition 24 given in Welsh Government Circular 016/2014

No development shall take place until the applicant, or their agents or successors in title, has secured agreement for a written scheme of historic environment mitigation which has been submitted by the applicant and approved by the local planning authority. Thereafter, the programme of work will be fully carried out in accordance with the requirements and standards of the written scheme.

Reason: *To identify and record any features of archaeological interest discovered during the works, in order to mitigate the impact of the works on the archaeological resource.*

We also recommend that a note should be attached to the planning consent explaining that:

The archaeological work must be undertaken to the Chartered Institute for Archaeologists (CIfA), "Standard and Guidance for an Archaeological Watching Brief" (www.archaeologists.net/codes/cifa) and it is our Policy to recommend that it is carried out either by a CIfA Registered Organisation (<https://www.archaeologists.net/civicrm-contact-distance-search>) or an MCIfA level accredited Member.

If you have any questions or require further advice on the matters covered in this letter, please do not hesitate to contact us.

Yours faithfully



Judith Doyle BA MBA MCIfA
Archaeological Planning Officer



Our ref: VOG1421/RD

ARCHAEOLOGICAL PLANNING

Head of Planning and Transportation
The Vale of Glamorgan Council
Dock Office
Barry Docks
BARRY
CF63 4RT

1st March 2022

Dear Sir

Re: Hybrid application comprising an 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
Land at Model Farm, Port Road, Rhoose
Pl.App.No.: 2019/00871

Thank you for consulting us about this application; consequently we have reviewed the detailed information contained on your website and can confirm that **the proposal requires archaeological mitigation.**

We previously commented on this application, most recently in our letter dated 27th April 2021 and whilst we note the reasons for the re-submission our understanding of the archaeological resource remains unchanged.

Information in the Historic Environment Record shows that there are a number of archaeological and historic environment sites and findspots within the proposed development area. These range from findspots from Neolithic to modern date, and features of platforms related to buildings for agriculture, modern military features, including a crash site, and quarrying and transport. These are described in the supporting documentation in the archaeological desk based assessment (CGMS, July 2019).

Therefore, as previously it is our recommendation that a condition requiring the applicant to submit a detailed written scheme of investigation for a programme of archaeological work to protect the archaeological resource should be attached to any consent granted by your Members.

We envisage that this programme of work would include but not be limited to: geophysical survey, which may enable targeted fieldwork, which may include a strip, map and record of some areas if these cannot be excluded from a final masterplan, and would also include an archaeological watching brief during groundworks required for the development, including any demolition, construction of roads and foundations, and services installation and any hard landscaping, with detailed contingency arrangements including the provision of sufficient time and resources to ensure that any archaeological features or finds that are located are properly investigated and recorded; it should include provision for any sampling that may prove necessary, post-excavation recording and assessment and reporting and possible publication of the results. To ensure

Glamorgan-Gwent
Archaeological Trust
Limited
Ymddiriedolaeth
Archeolegol
Morgannwg-Gwent

SA12 Business Centre
Seaway Parade
Baglan Energy Park
Port Talbot
SA12 7BR

Tel: (01792)655208
www.ggat.org.uk

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No.505609



adherence to the recommendations we recommend that the condition should be worded in a manner similar to model condition 24 given in Welsh Government Circular 016/2014

No development shall take place until the applicant, or their agents or successors in title, has secured agreement for a written scheme of historic environment mitigation which has been submitted by the applicant and approved by the local planning authority. Thereafter, the programme of work will be fully carried out in accordance with the requirements and standards of the written scheme.

Reason: To identify and record any features of archaeological interest discovered during the works, in order to mitigate the impact of the works on the archaeological resource.

We also recommend that a note should be attached to the planning consent explaining that:

The archaeological work must be undertaken to the appropriate Standard and Guidance set by Chartered Institute for Archaeologists (CIfA), (www.archaeologists.net/codes/ifa) and it is recommended that it is carried out either by a CIfA Registered Organisation (www.archaeologists.net/ro) or an accredited Member.

If you have any questions or require further advice on this matter please do not hesitate to contact us.

Yours faithfully

R. Dunning

Rob Dunning BSc MCIfA
Archaeological Planning Officer



Llywodraeth Cymru
Welsh Government

Plas Carew, Uned 5/7 Cefn Coed
Parc Nantgarw, Caerdydd CF15 7QQ
Ffôn 0300 025 6000
E-bost cadw@llyw.cymru
cadw.gov.wales

Plas Carew, Uned 5/7 Cefn Coed
Parc Nantgarw, Caerdydd CF15 7QQ
Ffôn 0300 025 6000
E-bost cadw@llyw.cymru
cadw.gov.wales

Mr Ceiri Rowlands
The Vale of Glamorgan Council

By email: planning@valeofglamorgan.gov.uk

Eich cyfeirnod
Your reference

Ein cyfeirnod
Our reference

Dyddiad
Date

Llinell uniongyrchol
Direct line

E-bost
Email:

2019/00871/OUT(CR)

DH

3 September 2019

0300 0256004

cadwplanning@gov.wales

Dear Mr Rowlands,

Planning Application – Outline application comprising demolition of existing buildings and erection of 44.79ha class B1/B2/B8 Business park and associated works, Land at Model Farm, Port Road, Rhoose

Thank you for your letter of inviting our comments on the (additional) information submitted for the above planning application.

Advice

Having carefully considered the information provided with this planning application, we have no objections to the impact of the proposed development on the scheduled monuments or registered historic parks and gardens.

Our assessment of the application is given below.

Our role

Our statutory role in the planning process is to provide the local planning authority with an assessment concerned with the likely impact that the proposal will have on scheduled monuments, registered historic parks and gardens, registered historic landscapes where an Environmental Impact Assessment is required and development likely to have an impact on the outstanding universal value of a World Heritage Site. We do not provide an assessment of the likely impact of the development on listed buildings or conservation areas, as these are matters for the local authority.

It is for the local planning authority to weigh our assessment against all the other material considerations in determining whether to approve planning permission.

Mae Gwasanaeth Amgylchedd Hanesyddol Llywodraeth Cymru (Cadw) yn hyrwyddo gwaith cadwraeth ar gyfer amgylchedd hanesyddol Cymru a gwerthfawrogiad ohono.

The Welsh Government Historic Environment Service (Cadw) promotes the conservation and appreciation of Wales's historic environment.

Rydym yn croesawu gohebiaeth yn Gymraeg ac yn Saesneg.
We welcome correspondence in both English and Welsh.



BUDDSODDWR MEWN POBL
INVESTOR IN PEOPLE



National Policy

Applications for planning permission are considered in light of the Welsh Government's land use planning policy and guidance contained in Planning Policy Wales (PPW), Technical Advice Notes and related guidance.

PPW ([Chapter 6 – The Historic Environment](#)) explains that It is important that the planning system looks to protect, conserve and enhance the significance of historic assets. This will include consideration of the setting of an historic asset which might extend beyond its curtilage. Any change that impacts on an historic asset or its setting should be managed in a sensitive and sustainable way.

The conservation of archaeological remains and their settings is a material consideration in determining a planning application, whether those remains are a scheduled monument or not. Where nationally important archaeological remains are likely to be affected by proposed development, there should be a presumption in favour of their physical protection in situ. It will only be in exceptional circumstances that planning permission will be granted if development would result in a direct, adverse impact on a scheduled monument (or an archaeological site shown to be of national importance)

[Technical Advice Note 24: The Historic Environment](#) elaborates by explaining that when considering development proposals that affect scheduled monuments or other nationally important archaeological remains, there should be a presumption in favour of their physical preservation in situ, i.e. a presumption against proposals which would involve significant alteration or cause damage, or would have a significant adverse impact causing harm within the setting of the remains.

PPW also explains that local authorities should value, protect, conserve and enhance the special interests of parks and gardens and their settings included on the register of historic parks and gardens in Wales, and that the effect of a proposed development on a registered park or garden or its setting should be a material consideration in the determination of a planning application.

Assessment

Scheduled Ancient Monuments

GM029 The Bulwarks Camp
GM071 Castle Ditches
GM135 Barry Castle
GM229 Penmark Castle
GM253 Moulton Roman Site
GM301 Highlight Medieval House Site
GM344 Highlight Church, Remains of
GM360 Westward Corner Round Barrow
GM419 Knap Roman Site
GM446 Site of Medieval Mill & Mill Leat Cliffwood

Registered Parks and Gardens

PGW (Gm) 39(GLA) Fonmon Castle (grade II)
PGW (Gm) 58(GLA) Barry: Cold Knap Park (grade II)
PGW (Gm) 63(GLA) Barry: Romilly Park (grade II)

The above designated heritage assets are located inside 3km of the proposed development. An archaeological desk-based assessment for the development has been prepared by CGMS and considered the impact of the proposed development on the settings of these designated heritage assets. It has concluded that in most cases intervening topography, buildings and vegetation block views between them. Where views are possible the proposed development will be seen as part of the very wide landscape setting which also includes the existing airport and the urban settlement of Barry. This will not alter the way that these designated heritage assets are understood, experienced and appreciated. Consequently, it is our opinion that the proposed development will not have any impact on any scheduled monument or registered historic park and garden or their settings.

Yours sincerely,

Denise Harris
Diogelu a Pholisi/ Protection and Policy



Llywodraeth Cymru
Welsh Government

Welsh Government
Parc Amgylchedd, Cardiff CF15 7QQ
Tel: 0300 025 6000
Email: cadw@gov.wales
www.cadw.gov.wales

The Vale of Glamorgan Council

By email:
planning@valeofglamorgan.gov.uk

Eich cyfeirnod
Your reference

2019/00871/OUT (CR)

Ein cyfeirnod
Our reference

LC

Dyddiad
Date

29 March 2021

Llinell uniongyrchol
Direct line

0300 0256004

Ebost
Email:

cadwplanning@gov.wales

Dear Sir/Madam

Planning Application – Outline application comprising demolition of existing buildings and erection of 44.79ha class B1/B2/B8 Business Park and associated works, Land at Model Farm, Port Road, Rhoose

Thank you for your letter of 15 March inviting our comments on the additional information submitted for the above planning application.

Advice

Having carefully considered the information provided, we have no objection to the proposed development in regards to the scheduled monuments or registered historic parks and gardens.

Assessment

Amended plans including a revised indicative concept masterplan and a revised parameter plan - green infrastructure, have been submitted in support of this application. The information contained in these documents does not alter the advice given previously on 3 September 2019.

Yours sincerely,

Laura Cooper
Diogelu a Pholisi/ Protection and Policy



Annex A

Our role

Our statutory role in the planning process is to provide the local planning authority with an assessment concerned with the likely impact that the proposal will have on scheduled monuments, registered historic parks and gardens, registered historic landscapes where an Environmental Impact Assessment is required and development likely to have an impact on the outstanding universal value of a World Heritage Site. We do not provide an assessment of the likely impact of the development on listed buildings or conservation areas, as these are matters for the local authority.

It is for the local planning authority to weigh our assessment against all the other material considerations in determining whether to approve planning permission.

National Policy

Applications for planning permission are considered in light of the Welsh Government's land use planning policy and guidance contained in Planning Policy Wales (PPW), Technical Advice Notes and related guidance.

PPW [planning-policy-wales-edition-11.pdf](#) explains that it is important that the planning system looks to protect, conserve and enhance the significance of historic assets. This will include consideration of the setting of an historic asset which might extend beyond its curtilage. Any change that impacts on an historic asset or its setting should be managed in a sensitive and sustainable way.

The conservation of archaeological remains and their settings is a material consideration in determining a planning application, whether those remains are a scheduled monument or not. Where nationally important archaeological remains are likely to be affected by proposed development, there should be a presumption in favour of their physical protection in situ. It will only be in exceptional circumstances that planning permission will be granted if development would result in a direct adverse impact on a scheduled monument (or an archaeological site shown to be of national importance)

[Technical Advice Note 24: The Historic Environment](#) elaborates by explaining that when considering development proposals that affect scheduled monuments or other nationally important archaeological remains, there should be a presumption in favour of their physical preservation in situ, i.e. a presumption against proposals which would involve significant alteration or cause damage, or would have a significant adverse impact causing harm within the setting of the remains.

Historic Parks and Gardens

PPW also explains that local authorities should value, protect, conserve and enhance the special interests of parks and gardens and their settings included on the register of historic parks and gardens in Wales and that the effect of a proposed development on a registered park or garden or its setting should be a material consideration in the determination of a planning application.

The Vale of Glamorgan Council

Eich cyfeirnod
Your reference

2019/00871/OUT

By email:

Ein cyfeirnod
Our reference

LC

Planning@valeofglamorgan.gov.uk

Dyddiad
Date

14 February 2022

Llinell uniongyrchol
Direct line

0300 0256004

Ebost
Email:

cadwplanning@gov.wales

Dear Sir/Madam

Planning Application – Hybrid application comprising an outline application for the demolition of existing buildings and erection of 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, Land at Model Farm, Port Road, Rhoose

Thank you for your letter of 28 January inviting our comments on the additional information submitted for the above planning application.

Advice

Having carefully considered the information provided, we have no objection to the proposed development.

Assessment

This planning application was considered by the Vale of Glamorgan Council's Planning Committee on 14th July 2021 where it was resolved to grant planning permission subject to a Section 106 legal agreement that was subsequently signed and the permission issued on 30th July 2021. The planning application decision was subsequently quashed by the Courts on 6th October 2021. Therefore the planning application is now being re-determined by the Vale of Glamorgan Council's Planning Committee.

There has been no additional information of material changes to the historic environment which alters the advice given previously on 3 September 2019.

Yours sincerely,

Laura Cooper
Diogelu a Pholisi/ Protection and Policy

Rowlands, Ceiri

From: campaigning@woodlandtrust.org.uk
Sent: 05 September 2019 16:52
To: Planning
Cc: campaigning@woodlandtrust.org.uk
Subject: FAO Mr Ceiri Rowlands - Woodland Trust comments on application 2019/00871/OUT

Dear Mr Rowlands,

Whilst the Woodland Trust appreciates that the consultation deadline for this application has now passed, we would appreciate clarity on certain aspects of this development in relation to ancient woodland.

The Trust notes that the documents accompanying this application outlines that a 'suitable buffer zone' is provided to the adjacent ancient woodland (at grid reference: ST0774667388), yet we cannot find reference to the size of the buffer afforded. If it is possible to receive further information on this, it would help the Trust to assess whether there will be any detrimental impact to the ancient woodland from this development.

Kind regards,
Nicole Hillier

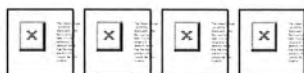
Nicole Hillier
Campaigner - Ancient Woodland

Telephone: 03437705438
Email: NicoleHillier@woodlandtrust.org.uk

Woodland Trust, Kempton Way, Grantham, Lincolnshire, NG31 6LL
0330 333 3300
www.woodlandtrust.org.uk

Cases involving woods and trees under threat can change and evolve during the planning process due to a wide variety of reasons. Where a development involving ancient woods or veteran trees no longer remains a threat due to changing circumstance surrounding said application and based upon professional judgement steered by our conservation research, the Woodland Trust withholds the right to withdraw or amend its objection and review its approach.

The Woodland Trust is not a statutory body. As a charity, we provide all information in good faith, funded by public donations. For more information about this [visit here](#).



Stand up for trees

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<http://www.woodlandtrust.org.uk>

The Vale of Glamorgan Council
Dock Office
Barry Docks,
Barry
CF63 4RT

Ebost/Email:
southeastplanning@cyfoethnaturiolcymru.gov.uk
Ffôn/Phone: 0300 0653098

Dyddiad/Date: 6 September 2019

Annwyl Syr/Madam / Dear Sir/Madam

**LAND AT MODEL FARM, PORT ROAD, RHOOSE - 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.**

Thank you for referring us to the above application, which we received on 13 August 2019.

We have significant concerns with the proposed development as submitted. We recommend that you should only grant planning permission if the scheme can meet the following requirements. We would object if the scheme does not meet these requirements.

Requirement 1 - European Protected Species (EPS) – further information is required to demonstrate no detrimental impacts on EPS.

Requirement 2 - Foul drainage – site to be connected to the mains sewerage system or satisfactory evidence to be provided to demonstrate that it is not reasonable to connect to mains.

We received a statutory pre-application consultation notice for this proposal under Article 2D of the Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2012. We provided a substantive response to that consultation on 5 July 2019.

Requirement 1 - European Protected Species (EPS)

We have reviewed the Pre-Application Consultation Report, dated July 2019, by RPS, reference JCD0064 V1, submitted in support of the application. We note the applicant's

response to our comments in relation to EPS (table 3.1) and note that surveys relating bats and dormouse are ongoing. However, it does not mention surveys for otter.

As no further information has been submitted to address the EPS concerns set out in our letter of 5 July 2019, our advice remains the same. A copy of that letter is attached for ease of reference.

Requirement 2 - Foul Drainage

We note from the application form that it is proposed to discharge foul drainage to the public foul sewer. However, we note the comments and requested planning conditions set out in the letter from DCWW, dated 29 August 2019, reference PLA0044209 and 'Appendix G' of the Sustainable Drainage Assessment, which indicate that there is not sufficient capacity in the existing system to deal with the predicted trade and foul effluent loads from the proposed development.

We refer you to Welsh Government Circular 008/2018 on the use of private sewerage in new development, specifically paragraphs 2.3-2.5 which stress the first presumption must be to provide a system of foul drainage discharging into a public sewer. Only where having taken into account the cost and/or practicability it can be shown to the satisfaction of the local planning authority that connection to a public sewer is not feasible, should non-mains foul sewage disposal solutions be considered. We note the proposed development is in a publicly seweraged area and as such, we would expect the site to connect to the mains sewerage system.

We therefore advise that if they haven't already done so, the Applicant should thoroughly investigate the possibility of connecting to the foul sewer by taking the following steps:

- Formally approach the sewerage undertaker regarding a connection under Section 106 or a requisition under Section 98 of the Water Industry Act (WIA) 1991.
- Serve notice for connection under Section 106 of the WIA 1991 if the sewerage undertaker has refused connection.
- Provide details of the reasons given by the sewerage undertaker if it has refused connection under section 98 or section 106 of the WIA 1991 and confirmation that they have appealed against this decision.
- Demonstrate that it is not reasonable to connect to the public foul sewer.
- Where it is not reasonable to connect to the public foul sewer, demonstrate that they have considered requesting that the sewerage undertaker adopt their proposed system.

The Applicant should be aware that should a connection to the mains sewer not be feasible, they will also need to demonstrate that the proposal would not pose an unacceptable risk to the water environment. WG Circular 008/2018 advises that a full and detailed consideration be given to the environmental criteria listed under paragraph 2.6 of the Circular, in order to justify the use of private sewerage.

The Applicant should also be aware that should a connection to the mains sewer not be feasible, they will need to apply for an environmental permit or register an exemption with us. As stated above, we expect developers discharging domestic sewage to connect to the public foul sewer where it is reasonable to do so. We will not normally grant a discharge permit for a private sewage treatment system where it is reasonable to connect to the public foul sewer. We also expect discharges of trade effluent to connect to the public foul sewer where it is reasonable to do so and subject to the sewerage undertaker granting a trade effluent consent or entering into a trade effluent agreement.

Septic tanks and small sewage treatment works may be registered as exempt from the requirement to obtain an environmental permit if certain criteria are met. Please note, should a permit be required, further information may be required as part of that application and the Applicant is therefore advised to hold pre-application discussions with our Permitting Team on 0300 065 3000, at the earliest opportunity, to try to ensure that there is no conflict between any planning permission granted and the permit requirements. It is important to note that a grant of planning permission does not guarantee that a permit will be granted, should a proposal be deemed to be unacceptable (either because of environmental risk or because upon further investigation, a connection to mains sewer was feasible). The Applicant should ensure that they have all the required permissions, consents, permits and any other approvals in place prior to commencement of works on the site.

More information, including a step by step guide to registering and the relevant application forms are available on our [website](#). Where private sewage treatment/disposal facilities are utilised, they must be installed and maintained in accordance with British Standards 6297 and Approved Document H of the Building Regulations. We also refer the Applicant to Guidance for Pollution Prevention 4 on the [NetRegs website](#), which provides further information.

Please note, lack of capacity or plans to improve capacity in the sewer is not a valid reason for a sewerage undertaker to refuse connection under Section 106 of the Water Industry Act 1991 and we may refuse to issue an environmental permit for private treatment facilities in such circumstances.

Other Matters

Our comments above only relate specifically to matters included on our checklist, *Development Planning Advisory Service: Consultation Topics* (September 2018), which is published on our [website](#). We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests, including environmental interests of local importance. We advise the applicant that, in addition to planning permission, it is their responsibility to ensure they secure all other permits/consents relevant to their development. Please refer to our [website](#) for further details.

Should you have any queries on the above, please do not hesitate to contact us.

Yn gywir / Yours faithfully

Mrs Claire McCorkindale
Ymgynghorydd Cynllunio Datblygu/Development Planning Advisor



**Cyfoeth
Naturiol
Cymru
Natural
Resources
Wales**

Ein cyf/Our ref: CAS-102849-Q4C4
Eich cyf/Your ref: 2019/00871/OUT

Rivers House
St Mellons Business Park
Fortran Road
Cardiff
CF3 0EY

The Vale of Glamorgan Council
Dock Office
Barry Docks,
Barry
CF63 4RT

Ebost/Email:
southeastplanning@cyfoethnaturiolcymru.gov.uk
Ffôn/Phone: 0300 0653098

13 November 2019

Annwyl Syr/Madam / Dear Sir/Madam

BWRIAD / PROPOSAL: 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.

LLEOLIAD / LOCATION: LAND AT MODEL FARM, PORT ROAD, RHOOSE

Thank you for referring us to the above application, which we received on 13 August 2019.

We continue to have significant concerns with the proposed development as submitted. We recommend that you should only grant planning permission if the following requirements are met and you attach conditions to the permission. Otherwise, we would object to the scheme.

Requirement 1 - European Protected Species (EPS) – further information is required to demonstrate no detrimental impacts on EPS.

Requirement 2 - Foul drainage – site to be connected to the mains sewerage system or satisfactory evidence to be provided to demonstrate that it is not reasonable to connect to mains.

Further details are given below. Please note if further information is provided to satisfy the requirements, it may then be necessary to request further conditions to avoid / mitigate environmental effects.

Requirement 1 - European Protected Species (EPS)

We note the submission of the following in support of the above outline application:

- Environmental Statement (ES) entitled 'Parc Busnes Porth Cymru. Port Road, Rhooose. Environmental Statement' by RPS dated July 2019';
- 'Model Farm. Ecology Surveys Report (Report Ref ECO00138 (Rev A)' by RPS dated 11 October 2019;
- 'Model Farm – Precautionary Dormouse Strategy' by RPS dated 10 October 2019;
- 'Model Farm. Biodiversity Management Strategy' by RPS dated 25 October 2019;
- 'Preliminary Ecological Appraisal (PEA). On behalf of Legal and General (Strategic Land) Ltd. Model Farm. Port Road, Rhooose' dated 24 May 2019;
- Drawing JCD0064-003 (Rev N) entitled 'Parc Busnes Porth Cymru. Indicative Concept Masterplan' by RPS dated May 2018; and
- Drawing JCD0064-006 (Rev C) entitled 'Parc Busnes Porth Cymru. Parameter Plan: Green Infrastructure' by RPS dated May 2019.

Bats

We welcome that surveys for bats have been undertaken to inform the outline application.

Bats in buildings

With regards to the surveys of bats in buildings, we note that the surveys focused on Model Farm, the farmstead in the north-west part of the application site, including the farmhouse and barn complex (comprising three single storey and two two-storey brick built buildings with tiled apex rooves, ridge tiles, timber fascias and bargeboards).

Of the buildings that were surveyed, we note that the following was observed:

- Building A – soprano pipistrelle day roost (likely non-breeding roost)
- Building C - pipistrelle day roost (likely non-breeding roost)
- Building D - soprano pipistrelle day roost (likely non-breeding roost)

We are satisfied that the proposed mitigation outlined in section 6.1.6 of the ecology surveys report would be sufficient to mitigate the loss of these roosts.

However, we note from Figure 4 in the Ecology Survey Report that the farmstead includes a number of other agricultural barns/buildings that do not appear to have been covered by the bat surveys. The PEA report suggests that they may have moderate bat roost potential. In view of this, we have significant concerns with the proposed development as submitted and seek clarification as to why these buildings were not covered by the bat surveys. We advise that they are subject to bat roost surveys. If any further roosts are likely to be lost or otherwise affected by the proposals, the application should include details of additional mitigation that will be put in place.

The information above is required to fully assess the likely impacts of the proposals on bats, European Protected Species. We would be pleased to advise further when consulted on the additional information specified above.

Requirement 2 - Foul Drainage

No additional information has been submitted in relation to this requirement. Therefore, our advice remains as set out in our letter of 6 September 2019, reference CAS-907607-W9Y2.

Additional advice in respect of European Protected Species

Bat roosts in trees

We note the survey results of bat roosts in trees. We are satisfied that the proposed mitigation outlined in section 6.1.6 of the ecology surveys report would be sufficient to mitigate for the loss of these roosts.

Bat movements through the landscape

We note that static detectors recorded a diversity of bat species using the application site, including Lesser Horseshoe bats, one of Wales' rarer species. We note that records of these were picked up in the western woodland, eastern boundary woodland and stream, and over the western field boundaries.

This emphasises the need for a well-designed development, with appropriate green infrastructure distributed across the site which will remain unlit, so as to continue to allow this (and other) species to move through the landscape.

Indicative Concept Masterplan and the 'Parameter Plan-Green Infrastructure'

We welcome the proposals to retain the existing woodland on site, as well as the two wooded corridors extending NW-SE across the site. However, we note that these will be crossed by the main spine road, and a pedestrian link (in the NE of the site). At these locations it will be important that street lighting does not compromise the animals' ability to traverse the site. Lesser horseshoe bats in particular are light sensitive. We therefore consider that a sensitive lighting design will be required which includes dark crossing points (<1lux) at these locations for a key period during the night (e.g. 11pm-5am).

Dormice

The dormouse surveys appear not to have found evidence of the species on the application site, however we welcome the preparation of the precautionary dormouse strategy in support of the application. Should planning permission be granted, we recommend that this document features in the list of approved documents that the development must comply with.

However, with records of dormice (otters and great crested newts) in the wider landscape, the proposals provide a valuable opportunity to implement appropriate long-term habitat management, to provide high quality habitats on site and allow the expansion or movement of protected species in future. We advise you to liaise with your in-house Ecologist in relation to the long-term habitat management and implementation of the Biodiversity Management Strategy. We recommend that the habitat management objectives within the Strategy are designed with dormice in mind.

Great Crested Newts

We note that great crested newts are unlikely to be affected by the proposals and therefore We have no further comments in respect of GCN.

Otters

We welcome that the stream corridors will be retained as part of the scheme design, although we note that the proposed development in the southern part of the site may come close to one such corridor. We note that otters are unlikely to be affected by the proposals, and therefore have no further comments in respect of otters.

In summary

At this juncture, further information regarding bats, European Protected Species and the proposed method of foul drainage is required, prior to the determination of the application.

At such time that the requirements noted above have been satisfactorily met, our remaining concerns could then be addressed via the imposition of conditions on any outline permission that your Authority is minded to grant. Such conditions may include, but may not be limited to, the following issues:

1. A lighting plan - to reduce the impacts of lighting to ensure the continued use of the site by protected species e.g. bats
2. Submission of details of the intersections of the green infrastructure with the roads and pedestrian routes
3. Pre-commencement species surveys
4. Secure the implementation of the 'Precautionary Dormouse Strategy' by RPS dated 10 October 2019
5. Secure the proposed mitigation outlined in section 6.1.6 of the ecology surveys report.

Other Matters

Our comments above only relate specifically to matters included on our checklist, *Development Planning Advisory Service: Consultation Topics* (September 2018), which is published on our [website](#). We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests, including environmental interests of local importance. We advise the applicant that, in addition to planning permission, it is their responsibility to ensure they secure all other permits/consents relevant to their development. Please refer to our [website](#) for further details.

Should you have any queries on the above, please do not hesitate to contact us.

Yn gywir / Yours faithfully

Mrs Claire McCorkindale

Ymgynghorydd Cynllunio Datblygu/Development Planning Advisor



**Cyfoeth
Naturiol
Cymru
Natural
Resources
Wales**

Ein cyf/Our ref: CAS-104589-R7C3
Eich cyf/Your ref: 2019/00871/OUT

Rivers House
St Mellons Business Park
Fortran Road
Cardiff
CF3 0EY

The Vale of Glamorgan Council
Dock Office
Barry Docks,
Barry
CF63 4RT

Ebost/Email:
southeastplanning@cyfoethnaturiolcymru.gov.uk
Ffôn/Phone: 0300 0653098

12 December 2019

Annwyl Syr/Madam / Dear Sir/Madam

BWRIAD / PROPOSAL: 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.

LLEOLIAD / LOCATION: LAND AT MODEL FARM, PORT ROAD, RHOOSE

Thank you for referring us to the additional information submitted in support of the above application, which we received on 20 November 2019.

We continue to have significant concerns with the proposed development as submitted. We recommend that you should only grant planning permission if the following requirement is met and you attach the following conditions to the permission. We would object if the scheme does not meet these requirements.

Requirement - Foul drainage – site to be connected to the mains sewerage system or satisfactory evidence to be provided to demonstrate that it is not reasonable to connect to mains.

Conditions 1-5 European Protected Species

Further details are set out below.

Foul Drainage

No additional information has been submitted in relation to foul drainage. Therefore, our advice remains as set out in our letter of 6 September 2019, reference CAS-907607-W9Y2.

European Protected Species (EPS)

We note the content of the letter from Kate Davies (RPS) to Ceiri Rowlands (Vale Planning Officer), dated 14 November 2019, which has been submitted in support of the above application. Having considered the information in that letter, we are satisfied that the bat surveys of the Model Farm farmstead are adequate, and we do not consider the proposed development will result in a detriment to the maintenance of the favourable conservation status of the bats.

Therefore, as per our letter of 13 November 2019, reference CAS-102849-Q4C4, our remaining concerns in respect of EPS can be addressed via the imposition of conditions on any outline permission that your Authority is minded to grant.

Condition 1 Lighting Plan

Each reserved matters application shall be accompanied by full details of proposed lighting, for agreement in writing by the Local Planning Authority. The Lighting Plan should include:

- Details of the siting and type of external lighting to be used;
- Drawings setting out light spillage in key sensitive areas (Ancient Semi-Natural Woodland, green infrastructure linking the two, and retained boundary hedgerows). Lighting in these areas shall be <1lux;
- Details of lighting to be used both during construction and operation;
- Measures to monitor light spillage once the development is operational; and provisions for any subsequent remedial works that may be required to maintain dark corridors, as a consequence of the monitoring results.

The lighting shall be installed and retained as approved during construction and operation.

Justification: A lighting plan should be submitted to ensure lighting details are agreed prior to installation and to reduce the impacts of lighting in the interest of ensuring continued use of the site by protected species (e.g. bats).

Condition 2 Details of the intersections of the green infrastructure with the roads and pedestrian routes

Prior to works commencing on site, the detail of the intersections of the green infrastructure with the roads and pedestrian routes shall be submitted to and agreed in writing by the LPA. The proposals shall be implemented as agreed.

Justification: To ensure a well-designed development, with appropriate green infrastructure distributed across the site which will remain unlit, so as to continue to allow bats and other species to move through the landscape.

Condition 3 Pre-commencement species survey

No phase of development, including site clearance, shall commence until a pre-construction protected species survey has been carried out for the phase of development. If the survey confirms the presence of protected species, the results of the survey together with proposed mitigation measures shall be submitted to and approved in writing by the Local Planning Authority. The measures shall be carried out in accordance with the approved details.

Justification: To ensure the potential presence or absence of protected species is confirmed, prior to construction and where necessary, remedial measures are implemented for their protection.

Condition 4 Approved Plans / Documents

The following submitted documents to be included within the scope of the condition identifying the approved plans and documents on the decision notice:

- 'The Precautionary Dormouse Strategy' by RPS, dated 10 October 2019, reference ECO00138;
- 'Model Farm. Ecology Surveys Report (Report Ref ECO00138 (Rev A)' by RPS dated 11 October 2019.

Condition 5 Biodiversity Management Strategy

No development or phase of development, shall commence until a final version of the Biodiversity Management Strategy has been submitted to and approved by the Local Planning Authority. The Biodiversity Management Strategy should include:

- Details of habitats, landscape, environmental and ecological features present or to be created at the site, including maps to show their present and desired distribution;
- Details of the desired conditions of features (present and to be created) at the site;
- Details of scheduling and timings of activities;
- Details of short and long-term management, monitoring and maintenance of new and existing habitats at the site to deliver and maintain the desired condition (including management proposals with dormice in mind);
- Details of aftercare for any new planting, and replacement measures should any new planting die, be removed or become seriously damaged or diseased within 5 years of completion of development;
- Cross-reference to the Precautionary Dormouse Strategy (in particular the monitoring proposals);
- Details of management and maintenance responsibilities;
- Details of timescales, length of plan, the method to review and update plans (informed by monitoring) at specific intervals;

- The Biodiversity Management Strategy shall be carried out in accordance with the approved details.

Justification: The preparation of the Biodiversity Management Strategy, by RPS, dated 25 October 2019, (including long-term habitat management) is welcomed. We recommend that the habitat management objectives within the strategy are designed with dormice in mind:

Eg.

- Hedges - are at least 3m high, with trimming no frequent than once every 3 years (less frequently if necessary, and leaving at least a third of the length of the hedge for 7-10 years).
- Woodland - selective thinning to promote structural diversity in the wood.

We therefore advise that the above condition is required to ensure necessary landscape and environmental management measures are agreed prior to commencement, implemented and properly managed long term.

Additional comments

We note the presence of Japanese Knotweed, an invasive non-native species, on the proposed development site. The applicant can find information on this on our website. We would also advise consultation with the relevant section of your Local Authority on this matter.

Other Matters

Our comments above only relate specifically to matters included on our checklist, *Development Planning Advisory Service: Consultation Topics* (September 2018), which is published on our [website](#). We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests, including environmental interests of local importance. We advise the applicant that, in addition to planning permission, it is their responsibility to ensure they secure all other permits/consents relevant to their development. Please refer to our [website](#) for further details.

Should you have any queries on the above, please do not hesitate to contact us.

Yn gywir / Yours faithfully

Mrs Claire McCorkindale
Ymgynghorydd Cynllunio Datblygu/Development Planning Advisor



**Cyfoeth
Naturiol
Cymru
Natural
Resources
Wales**

Ein cyf/Our ref: CAS-146736-P7P6
Eich cyf/Your ref: 2019/00871/OUT

Rivers House
St Mellons Business Park
Fortran Road
Cardiff
CF3 0EY

The Vale of Glamorgan Council
Dock Office
Barry Docks,
Barry
CF63 4RT

Ebost/Email:
southeastplanning@cyfoethnaturiolcymru.gov.uk
Ffôn/Phone: 0300 0653098

17/05/2021

Annwyl Syr/Madam / Dear Sir/Madam

BWRIAD / PROPOSAL: HYBRID APPLICATION COMPRISING AN 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.

LLEOLIAD / LOCATION: LAND AT MODEL FARM, PORT ROAD, RHOOSE

Thank you for referring us to the additional information submitted in support of the above application, which we received on 26 April 2021.

We note the amended proposals including an increase from 44.79ha to 93.2ha to take in an extension to the Porthkerry Country Park. We note several revised documents have been submitted following the changes to the application.

Our advice is that we continue to have significant concerns with the proposed development as submitted. We recommend that you should only grant planning permission if you attach the following conditions to the permission. Otherwise, we would object to this planning application.

Conditions 1- 6: European Protected Species

Condition 7: Pollution Prevention – Construction Environmental Management Plan

Further details are set out below.

European Protected Species

We note the submission of the following documents:

- Parc Business Porth Cymru, Port Road, Rhose. Environmental Statement Addendum Vol 1-Main Report and Figures;

- Figure 1 entitled 'Land at Rhoose. Hedgerow, scrub and woodland plan' by RPS dated April 2021;
- Drawing JCD0064-006 (Rev F) entitled 'Parc Busnes Porth Cymru. Parameter Plan: Green Infrastructure' by RPS dated May 2019; and
- Drawing JCD0064-003 (Rev S) entitled 'Parc Busnes Porth Cymru. Indicative Concept Masterplan' by RPS dated May 2018.

Dormice

We note that the additional land proposed to be included in the red line planning boundary seeks to extend Porthkerry Country Park and, as such, no operational development is proposed to be included in this area.

Although no dormice were found during surveys in 2018/2019 to inform the original application, we are aware that dormice are present in the wider landscape, in woodland to the west/north-west of the application site and part of Porthkerry Country Park. The extension to the red line planning boundary brings the application site adjacent to these areas. We note and welcome the intention to retain most of the existing habitat suitable for dormice in the extended area, and further bolster it with new woodland, scrub and hedgerow planting. As indicated previously, appropriate long-term management of new and retained habitat across the site for dormice will be key to their continued survival in the landscape.

Previously we advised that the Precautionary Dormouse Strategy was included in the list of approved documents. In light of the changes made to the application, we now advise that this document is updated to relate to the revised site. However, we consider that this can be addressed via an appropriately worded condition attached to any permission granted:

Condition 1 Dormouse Conservation Strategy

Prior to the commencement of works on site, a final version of the Dormouse Conservation Strategy shall be submitted for the written approval the LPA. The strategy shall set out the likely impacts of the proposals on dormice, and detail measures that will be put in place to mitigate and/or compensate the impacts on dormice (as appropriate). The strategy shall include:

- A plan showing habitat to be lost, created and retained, which should identify the extent and location on appropriate scale;
- Details of protective measures to be taken to minimise the impacts;
- Proposals to minimise the severance of dormouse habitat, including at least 2 safe crossings for dormice where green infrastructure is severed by the central spine/access road;
- Details of the nature and widths of dormouse habitat buffers, and where these will apply across the site; we would advise that these are planted with appropriate species
- Details of the condition of current dormouse habitat, proposed habitat enhancement measures, and the condition of dormouse habitat that these aim to achieve;

- Details of phasing of construction activities and conservation measures, including a timetable for implementation of mitigation demonstrating that works are aligned with the proposed phasing of the development;
- Details of initial aftercare and long-term management including details of who will be responsible for and how long-term management will be funded;

The Dormouse Conservation Strategy to be implemented in accordance with the approved details.

Justification: To ensure that an approved Dormouse Conservation Strategy is implemented, which protects Dormice affected by the development.

We also previously recommended changes to the drafted Biodiversity Management Strategy, and that a final version of it should be agreed with the LPA as a requirement of an appropriately worded condition attached to any permission granted. As with the Dormouse Strategy, we advise that this document is also updated to refer to the revised site.

Condition 2 Biodiversity Management Strategy

No development or phase of development, shall commence until a final version of the Biodiversity Management Strategy has been submitted to and approved by the Local Planning Authority. The Biodiversity Management Strategy should include:

- Details of habitats, landscape, environmental and ecological features present or to be created at the site, including maps to show their present and desired distribution;
- Details of the desired conditions of features (present and to be created) at the site;
- Details of scheduling and timings of activities;
- Details of short and long-term management, monitoring and maintenance of new and existing habitats at the site to deliver and maintain the desired condition (including management proposals with dormice in mind);
- Details of aftercare for any new planting, and replacement measures should any new planting die, be removed or become seriously damaged or diseased within 5 years of completion of development;
- Cross-reference to the Precautionary Dormouse Strategy (in particular the monitoring proposals);
- Details of management and maintenance responsibilities;
- Details of timescales, length of plan, the method to review and update plans (informed by monitoring) at specific intervals;
- The Biodiversity Management Strategy shall be carried out in accordance with the approved details.

Justification: to ensure necessary landscape and environmental management measures are agreed prior to commencement, implemented and properly managed long term.

The preparation of the Biodiversity Management Strategy, by RPS, dated 25 October 2019, (including long-term habitat management) is welcomed. We recommend that the habitat management objectives within the strategy are designed with dormice in mind, for example: hedges are at least 3m high, with trimming no frequent than once every 3 years (less frequently if necessary, and leaving at least a third of the length of the hedge for 7-10 years); woodland has selective thinning to promote structural diversity in the wood.

The additional conditions in relation to EPS set out in our letter of 13 November 2019, reference CAS-102849-Q4C4, remain as follows:

Condition 3 Lighting Plan

Each reserved matters application shall be accompanied by full details of proposed lighting, for agreement in writing by the Local Planning Authority. The Lighting Plan should include:

- Details of the siting and type of external lighting to be used;
- Drawings setting out light spillage in key sensitive areas (Ancient Semi-Natural Woodland, green infrastructure linking the two, and retained boundary hedgerows). Lighting in these areas shall be <1lux;
- Details of lighting to be used both during construction and operation;
- Measures to monitor light spillage once the development is operational; and provisions for any subsequent remedial works that may be required to maintain dark corridors, as a consequence of the monitoring results.

The lighting shall be installed and retained as approved during construction and operation.

Justification: A lighting plan should be submitted to ensure lighting details are agreed prior to installation and to reduce the impacts of lighting in the interest of ensuring continued use of the site by protected species (e.g. bats).

Condition 4 Details of the intersections of the green infrastructure with the roads and pedestrian routes

Prior to works commencing on site, the detail of the intersections of the green infrastructure with the roads and pedestrian routes shall be submitted to and agreed in writing by the LPA. The proposals shall be implemented as agreed.

Justification: To ensure a well-designed development, with appropriate green infrastructure distributed across the site which will remain unlit, so as to continue to allow bats and other species to move through the landscape.

Condition 5 Pre-commencement species survey

No phase of development, including site clearance, shall commence until a pre-construction protected species survey has been carried out for the phase of development. If the survey confirms the presence of protected species, the results of the survey together with proposed mitigation measures shall be submitted to and approved in writing by the Local Planning Authority. The measures shall be carried out in accordance with the approved details.

Justification: To ensure the potential presence or absence of protected species is confirmed, prior to construction and where necessary, remedial measures are implemented for their protection.

Condition 6 Approved Plans / Documents

The following submitted documents to be included within the scope of the condition identifying the approved plans and documents on the decision notice:

- Parc Busnes Porth Cymru, Port Road, Rhooose. Environmental Statement Vols1-3 by RPs dated July 2019;
- Model Farm. Ecology Surveys Report (Report Ref ECO00138 (Rev A)' by RPS dated 11 October 2019;
- Parc Business Porth Cymru, Port Road, Rhooose. Environmental Statement Addendum Vol 1-Main Report and Figures;
- Figure 1 entitled 'Land at Rhooose. Hedgerow, scrub and woodland plan' by RPS dated April 2021;
- Drawing JCD0064-006 (Rev F) entitled 'Parc Busnes Porth Cymru. Parameter Plan: Green Infrastructure' by RPS dated May 2019; and
- Drawing JCD0064-003 (Rev S) entitled 'Parc Busnes Porth Cymru. Indicative Concept Masterplan' by RPS dated May 2018.

Pollution Prevention

We note that two watercourses, Whitelands and Bullhouse brooks, lie within the extended redline boundary. However, we note that point 2.5 of the technical summary states there are no water features within the application site.

In view of the potential risk to the water environment during the construction phase we request a condition be included in any planning permission granted for the submission and approval of a Construction Environment Management Plan (CEMP). This should include a silt management plan with particular focus on pollution prevention plans for Whitelands and Bullhouse brooks, in line with Guidance on Pollution Prevention 5: Works or maintenance in or near water. Further information can be found on the [NetRegs website](https://www.netregs.gov.uk/).

Condition 7 Construction Environmental Management Plan

No development, including site clearance, shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP should include:

- Construction methods: details of materials, how waste generated will be managed;
- General Site Management: details of the construction programme including timetable, details of site clearance; details of site construction drainage, containments areas, appropriately sized buffer zones between storage areas (of spoil, oils, fuels, concrete mixing and washing areas) and any watercourse or surface drain.
- Soil Management: details of topsoil strip, storage and amelioration for re-use.

- Resource Management: details of fuel and chemical storage and containment; details of water consumption, wastewater and energy use
- Traffic Management: details of wheel wash facilities
- Pollution Prevention: demonstrate how relevant Guidelines for Pollution Prevention and best practice will be implemented, including details of emergency spill procedures and incident response plan.
- Details of the persons and bodies responsible for activities associated with the CEMP and emergency contact details
- Landscape/ecological clerk of works to ensure construction compliance with approved plans and environmental regulations.

The CEMP shall be implemented as approved during the site preparation and construction phases of the development.

Justification: A CEMP should be submitted to ensure necessary management measures are agreed and implemented for the protection of the environment during construction.

Advice - Foul Drainage

No additional information has been submitted in relation to the concerns raised in relation to the disposal of foul drainage in our previous letters. The proposed development is in a publicly sewered area and as such, we would expect the site to connect to the mains sewerage system.

We previously raised concerns in relation to the comments set out in the letter from DCWW, dated 29 August 2019, reference PLA0044209, re-iterated in their letter dated 25 March 2021, reference PL0055596, which indicated that there is not sufficient capacity in the existing system to deal with the predicted trade and foul effluent loads from the proposed development.

Lack of capacity or plans to improve capacity in the sewer is not a valid reason for a sewerage undertaker to refuse connection under Section 106 of the Water Industry Act 1991 and we may refuse to issue an environmental permit for private treatment facilities in such circumstances.

We note the application form states that foul drainage will be discharged to the public foul sewer and DCWW's suggested condition. On this basis we offer no further comments on foul drainage at this stage. However, if the applicant amends their plans and proposes a private drainage solution, we should be notified and consulted.

We refer you to Welsh Government Circular 008/2018 on the use of private sewerage in new developments, and specifically paragraphs 2.3-2.5, which stress the first presumption must be to provide a system of foul drainage discharging into a public sewer.

Additional comments

We note the presence of Japanese Knotweed, an invasive non-native species, on the proposed development site. The applicant can find information on this on our website. We

would also advise consultation with the relevant section of your Local Authority on this matter.

Other Matters

Our comments above only relate specifically to matters included on our checklist, *Development Planning Advisory Service: Consultation Topics* (September 2018), which is published on our [website](#). We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests, including environmental interests of local importance. We advise the applicant that, in addition to planning permission, it is their responsibility to ensure they secure all other permits/consents relevant to their development. Please refer to our [website](#) for further details.

Should you have any queries on the above, please do not hesitate to contact us.

Yn gywir / Yours faithfully

Mrs Claire McCorkindale

Ymgynghorydd Cynllunio Datblygu/Development Planning Advisor



**Cyfoeth
Naturiol
Cymru
Natural
Resources
Wales**

Ein cyf/Our ref: CAS-180477-G3G4
Eich cyf/Your ref: 2019/00871/OUT

Rivers House
St Mellons Business Park
Fortran Road
Cardiff
CF3 0EY

The Vale of Glamorgan Council
Dock Office
Barry Docks,
Barry
CF63 4RT

Ebost/Email:
southeastplanning@cyfoethnaturiolcymru.gov.uk
Ffôn/Phone: 0300 0653098

02/03/2022

Annwyl Syr/Madam / Dear Sir/Madam

BWRIAD / PROPOSAL: HYBRID APPLICATION COMPRISING AN 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.

LLEOLIAD / LOCATION: LAND AT MODEL FARM, PORT ROAD, RHOOSE

Thank you for referring us to the additional information provided in relation to the above application, which we received on 28 January 2022.

Our advice and comments set out in our letter dated 17 May 2021, reference CAS-146736-P7P6 remain unchanged save for the updated drawings JCD0064-003, -006 and -007 to be included within the scope of the condition identifying the approved plans and documents on the decision notice as listed below.

We continue to have concerns with the application as submitted. However, we are satisfied that these concerns can be overcome by attaching the following conditions to any planning permission granted:

Conditions 1- 6: European Protected Species

Condition 7: Pollution Prevention – Construction Environmental Management Plan

Please note, without the inclusion of these conditions we would object to this planning application. Further details are provided below.

European Protected Species

We note the submission of the following documents:

- Parc Business Porth Cymru, Port Road, Rhooose. Environmental Statement Addendum Vol 1-Main Report and Figures;
- Drawing JCD0064-007 entitled 'Hedgerow, scrub and woodland plan' by RPS dated June 2021;
- Drawing JCD0064-006 (Rev J) entitled 'Parc Busnes Porth Cymru. Parameter Plan: Green Infrastructure' by RPS dated May 2019; and
- Drawing JCD0064-003 (Rev T) entitled 'Parc Busnes Porth Cymru. Indicative Concept Masterplan' by RPS dated May 2018.

Dormice

We note that the additional land proposed to be included in the red line planning boundary seeks to extend Porthkerry Country Park and, as such, no operational development is proposed to be included in this area.

Although no dormice were found during surveys in 2018/2019 to inform the original application, we are aware that dormice are present in the wider landscape, in woodland to the west/north-west of the application site and part of Porthkerry Country Park. The extension to the red line planning boundary brings the application site adjacent to these areas. We note and welcome the intention to retain most of the existing habitat suitable for dormice in the extended area, and further bolster it with new woodland, scrub and hedgerow planting. As indicated previously, appropriate long-term management of new and retained habitat across the site for dormice will be key to their continued survival in the landscape.

Previously we advised that the Precautionary Dormouse Strategy was included in the list of approved documents. In light of the changes made to the application, we now advise that this document is updated to relate to the revised site. However, we consider that this can be addressed via an appropriately worded condition attached to any permission granted:

Condition 1 Dormouse Conservation Strategy

Prior to the commencement of works on site, a final version of the Dormouse Conservation Strategy shall be submitted for the written approval the LPA. The strategy shall set out the likely impacts of the proposals on dormice, and detail measures that will be put in place to mitigate and/or compensate the impacts on dormice (as appropriate). The strategy shall include:

- A plan showing habitat to be lost, created and retained, which should identify the extent and location on appropriate scale;
- Details of protective measures to be taken to minimise the impacts;
- Proposals to minimise the severance of dormouse habitat, including at least 2 safe crossings for dormice where green infrastructure is severed by the central spine/access road;
- Details of the nature and widths of dormouse habitat buffers, and where these will apply across the site; we would advise that these are planted with appropriate species

- Details of the condition of current dormouse habitat, proposed habitat enhancement measures, and the condition of dormouse habitat that these aim to achieve;
- Details of phasing of construction activities and conservation measures, including a timetable for implementation of mitigation demonstrating that works are aligned with the proposed phasing of the development;
- Details of initial aftercare and long-term management including details of who will be responsible for and how long-term management will be funded;

The Dormouse Conservation Strategy to be implemented in accordance with the approved details.

Justification: To ensure that an approved Dormouse Conservation Strategy is implemented, which protects Dormice affected by the development.

We also previously recommended changes to the drafted Biodiversity Management Strategy, and that a final version of it should be agreed with the LPA as a requirement of an appropriately worded condition attached to any permission granted. As with the Dormouse Strategy, we advise that this document is also updated to refer to the revised site.

Condition 2 Biodiversity Management Strategy

No development or phase of development, shall commence until a final version of the Biodiversity Management Strategy has been submitted to and approved by the Local Planning Authority. The Biodiversity Management Strategy should include:

- Details of habitats, landscape, environmental and ecological features present or to be created at the site, including maps to show their present and desired distribution;
- Details of the desired conditions of features (present and to be created) at the site;
- Details of scheduling and timings of activities;
- Details of short and long-term management, monitoring and maintenance of new and existing habitats at the site to deliver and maintain the desired condition (including management proposals with dormice in mind);
- Details of aftercare for any new planting, and replacement measures should any new planting die, be removed or become seriously damaged or diseased within 5 years of completion of development;
- Cross-reference to the Precautionary Dormouse Strategy (in particular the monitoring proposals);
- Details of management and maintenance responsibilities;
- Details of timescales, length of plan, the method to review and update plans (informed by monitoring) at specific intervals;
- The Biodiversity Management Strategy shall be carried out in accordance with the approved details.

Justification: to ensure necessary landscape and environmental management measures are agreed prior to commencement, implemented and properly managed long term.

The preparation of the Biodiversity Management Strategy, by RPS, dated 25 October 2019, (including long-term habitat management) is welcomed. We recommend that the habitat management objectives within the strategy are designed with dormice in mind, for example: hedges are at least 3m high, with trimming no frequent than once every 3 years (less frequently if necessary, and leaving at least a third of the length of the hedge for 7-10 years); woodland has selective thinning to promote structural diversity in the wood.

The additional conditions in relation to EPS set out in our letter of 13 November 2019, reference CAS-102849-Q4C4, remain as follows:

Condition 3 Lighting Plan

Each reserved matters application shall be accompanied by full details of proposed lighting, for agreement in writing by the Local Planning Authority. The Lighting Plan should include:

- Details of the siting and type of external lighting to be used;
- Drawings setting out light spillage in key sensitive areas (Ancient Semi-Natural Woodland, green infrastructure linking the two, and retained boundary hedgerows). Lighting in these areas shall be <1lux;
- Details of lighting to be used both during construction and operation;
- Measures to monitor light spillage once the development is operational; and provisions for any subsequent remedial works that may be required to maintain dark corridors, as a consequence of the monitoring results.

The lighting shall be installed and retained as approved during construction and operation.

Justification: A lighting plan should be submitted to ensure lighting details are agreed prior to installation and to reduce the impacts of lighting in the interest of ensuring continued use of the site by protected species (e.g. bats).

Condition 4 Details of the intersections of the green infrastructure with the roads and pedestrian routes

Prior to works commencing on site, the detail of the intersections of the green infrastructure with the roads and pedestrian routes shall be submitted to and agreed in writing by the LPA. The proposals shall be implemented as agreed.

Justification: To ensure a well-designed development, with appropriate green infrastructure distributed across the site which will remain unlit, so as to continue to allow bats and other species to move through the landscape.

Condition 5 Pre-commencement species survey

No phase of development, including site clearance, shall commence until a pre-construction protected species survey has been carried out for the phase of development. If the survey confirms the presence of protected species, the results of the survey together

with proposed mitigation measures shall be submitted to and approved in writing by the Local Planning Authority. The measures shall be carried out in accordance with the approved details.

Justification: To ensure the potential presence or absence of protected species is confirmed, prior to construction and where necessary, remedial measures are implemented for their protection.

Condition 6 Approved Plans / Documents

The following submitted documents to be included within the scope of the condition identifying the approved plans and documents on the decision notice:

- Parc Busnes Porth Cymru, Port Road, Rhooose. Environmental Statement Vols1-3 by RPs dated July 2019;
- Model Farm. Ecology Surveys Report (Report Ref ECO00138 (Rev A)' by RPS dated 11 October 2019;
- Parc Business Porth Cymru, Port Road, Rhooose. Environmental Statement Addendum Vol 1-Main Report and Figures;
- Drawing JCD0064-007 entitled 'Hedgerow, scrub and woodland plan' by RPS dated June 2021;
- Drawing JCD0064-006 (Rev J) entitled 'Parc Busnes Porth Cymru. Parameter Plan: Green Infrastructure' by RPS dated May 2019; and
- Drawing JCD0064-003 (RevTS) entitled 'Parc Busnes Porth Cymru. Indicative Concept Masterplan' by RPS dated May 2018.

Pollution Prevention

We note that two watercourses, Whitelands and Bullhouse brooks, lie within the extended redline boundary. However, we note that point 2.5 of the technical summary states there are no water features within the application site.

In view of the potential risk to the water environment during the construction phase we request a condition be included in any planning permission granted for the submission and approval of a Construction Environment Management Plan (CEMP). This should include a silt management plan with particular focus on pollution prevention plans for Whitelands and Bullhouse brooks, in line with Guidance on Pollution Prevention 5: Works or maintenance in or near water. Further information can be found on the [NetRegs website](https://www.netregs.gov.uk/).

Condition 7 Construction Environmental Management Plan

No development, including site clearance, shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP should include:

- Construction methods: details of materials, how waste generated will be managed;
- General Site Management: details of the construction programme including timetable, details of site clearance; details of site construction drainage, containments areas, appropriately sized buffer zones between storage areas (of

spoil, oils, fuels, concrete mixing and washing areas) and any watercourse or surface drain.

- Soil Management: details of topsoil strip, storage and amelioration for re-use.
- Resource Management: details of fuel and chemical storage and containment; details of water consumption, wastewater and energy use
- Traffic Management: details of wheel wash facilities
- Pollution Prevention: demonstrate how relevant Guidelines for Pollution Prevention and best practice will be implemented, including details of emergency spill procedures and incident response plan.
- Details of the persons and bodies responsible for activities associated with the CEMP and emergency contact details
- Landscape/ecological clerk of works to ensure construction compliance with approved plans and environmental regulations.

The CEMP shall be implemented as approved during the site preparation and construction phases of the development.

Justification: A CEMP should be submitted to ensure necessary management measures are agreed and implemented for the protection of the environment during construction.

Advice - Foul Drainage

No additional information has been submitted in relation to the concerns raised in relation to the disposal of foul drainage in our previous letters. The proposed development is in a publicly sewered area and as such, we would expect the site to connect to the mains sewerage system.

We previously raised concerns in relation to the comments set out in the letter from DCWW, dated 29 August 2019, reference PLA0044209, re-iterated in their letter dated 25 March 2021, reference PL0055596, which indicated that there is not sufficient capacity in the existing system to deal with the predicted trade and foul effluent loads from the proposed development.

Lack of capacity or plans to improve capacity in the sewer is not a valid reason for a sewerage undertaker to refuse connection under Section 106 of the Water Industry Act 1991 and we may refuse to issue an environmental permit for private treatment facilities in such circumstances.

We note the application form states that foul drainage will be discharged to the public foul sewer and DCWW's suggested condition. On this basis we offer no further comments on foul drainage at this stage. However, if the applicant amends their plans and proposes a private drainage solution, we should be notified and consulted.

We refer you to Welsh Government Circular 008/2018 on the use of private sewerage in new developments, and specifically paragraphs 2.3-2.5, which stress the first presumption must be to provide a system of foul drainage discharging into a public sewer.

Additional comments

We note the presence of Japanese Knotweed, an invasive non-native species, on the proposed development site. The applicant can find information on this on our website. We would also advise consultation with the relevant section of your Local Authority on this matter.

Other Matters

Our comments above only relate specifically to matters included on our checklist, *Development Planning Advisory Service: Consultation Topics* (September 2018), which is published on our [website](#). We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests, including environmental interests of local importance. We advise the applicant that, in addition to planning permission, it is their responsibility to ensure they secure all other permits/consents relevant to their development. Please refer to our [website](#) for further details.

Should you have any queries on the above, please do not hesitate to contact us.

Yn gywir / Yours faithfully

Mrs Claire McCorkindale

Ymgynghorydd Cynllunio Datblygu/Development Planning Advisor

Rowlands, Ceiri

From: South East Planning <southeastplanning@cyfoethnaturiolcymru.gov.uk>
Sent: 07 December 2022 14:43
To: Planning
Cc: Rowlands, Ceiri
Subject: 2019/00871/OUT - Land at Model Farm, Port Road, Rhoose (Major) (V7) - NRW
Response NRW:01165323
Attachments: 2019_00871_Out V6 Model Farm.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Ceiri,

Thank you for consulting us on the following further information in support of the above application:

- Letter to Andrew McPhillips (Legal and General) from Stephen Devereaux dated 11/11/22 incorporating RPS Report ECO02103 '*Review of Baseline Ecology, Model Farm, Rhoose*'.

We note that an updated walkover survey was undertaken of the Model Farm proposed development site on 4/11/22 to broadly assess any habitat change since the PEA report prepared in 2019. We also note the results of this survey, including in respect of the Habitat Suitability Index (HSI), assessment of the on-site pond for its suitability for Great Crested Newts (GCN). However, the HSI survey is only an assessment of the potential suitability of the habitat within a pond to support GCN. Only a further eDNA survey for GCN can update the previous eDNA survey that was undertaken. However, we have considered this latest information in the context of the previous survey results and overall, confirm that our previous advice dated 2/3/22, reference CAS-180477-G3G4, remains valid. (A copy of that letter is attached for ease of reference.)

If you have any queries, please do not hesitate to contact me.

Kind Regards
Claire McCorkindale

•

Tîm Cynllunio Datblygu / Development Planning Team
Cyfoeth Naturiol Cymru / Natural Resources Wales

Ffôn / Tel: 03000 653098

www.cyfoethnaturiolcymru.gov.uk / www.naturalresourceswales.gov.uk

Yn falch o arwain y ffordd at ddyfodol gwell i Gymru trwy reoli'r amgylchedd ac adnoddau naturiol yn gynaliadwy / Proud to be leading the way to a better future for Wales by managing the environment and natural resources sustainably.

Croesewir gohebiaeth yn Gymraeg a byddwn yn ymateb yn Gymraeg, heb i hynny arwain at oedi / Correspondence in Welsh is welcomed, and we will respond in Welsh without it leading to a delay.



BARRY TOWN COUNCIL CYNGOR TREF Y BARRI

Our Ref:

Your Ref:

Please reply to: TOWN CLERK

EF/co

When calling please ask for:

12 September 2019

Victoria Robinson
Operational Manager Development Management
Vale of Glamorgan Council
Civic Offices
Holton Road
Barry
CF63 4RU



Dear Mrs Robinson,

Re: Planning Application No 2019/00871/OUT – Land at Model Farm, Port Road, Rhoose.

The proposed development at Model Farm, Port Road, Rhoose was discussed by Councillors at Barry Town Council's Planning Committee on Tuesday 10th September 2019, and also in attendance were several members of the public who addressed the Committee explaining their respective views.

Despite not being in Barry, the Committee felt that there are clear implications for the Barry area and its population which would justify the Town Council's views being sought and considered by the VOG Planning department. The Planning Committee therefore expressed their disappointment with the lack of formal consultation by the Vale of Glamorgan Council upon these proposals.

The Planning Committee have asked me to write to you as they wish to **strongly object** to the current proposals for the following reasons;

- The proposals would generate increased and unacceptable traffic levels, leading to congestion particularly on local roads.
- There appears a lack of a phasing programme within the application.
- The project appears purely speculative, with currently no identifiable tenants.

*The Council welcomes correspondence in English or Welsh
Mae'r Cyngor yn croesawu gohebiaeth yn Gymraeg neu'n Saesneg*

7 GLADSTONE ROAD, BARRY,
VALE OF GLAMORGAN CF62 8NA

7 HEOL GLADSTONE, Y BARRI,
BRO MORGANNWG CF62 8NA

Tel: (01446) 738663

Ffôn: (01446) 738663

Fax: (01446) 704929

Ffacs: (01446) 704929

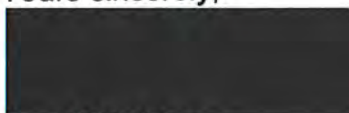
Email: info@barrytowncouncil.gov.uk

Ebost: info@barrytowncouncil.gov.uk

- The proposals do not appear to have adequately assessed the implications for the local environment.
- The project does not appear to be initiated or led by the key site activity/occupier i.e. Cardiff Airport. This reinforces the speculative nature of the proposals.
- The proposed extension of Porthkerry Park – who funds this proposal and who maintains in future- this is not explained.
- There appears to be poor linkage between pedestrian routes and cycleways in the proposals. Also question mark regarding the practicality of walking to the site via local roads and Porthkerry Park.
- The loss of a productive farm is not acceptable.
- The construction of new build on green field land is not acceptable. The Council should be directing developers to existing Brownfield sites e.g. Llandow Airfield and former Dow Corning land.
- The unacceptable and ill-timed traffic surveys- not undertaken at peak periods.
- The proposals appear at odds with the objectives and sentiments of The Well Being of Future Generations (Wales) Act 2015, to the detriment of the people of Barry and local rural villages.
- The proposals appear dysfunctional in travel/transport terms with heavy reliance upon private motor vehicles. There are limited proposals for improving public transport in terms of buses or rail passengers/freight.

I would be grateful if you could therefore consider the Planning Committee's comments in your decision making process.

Yours sincerely,



PP

David Watkins
Planning Officer



Planning Application No. 2019/00871/OUT – Land at Model Farm, Port Road, Rhoose.

The Planning Committee wish to **strongly object** to the current proposals for the following reasons;

- The proposals would generate increased and unacceptable traffic levels, leading to congestion particularly on local roads.
- There appears a lack of a phasing programme within the application.
- The project appears purely speculative, with currently no identifiable tenants.
- The proposals do not appear to have adequately assessed the implications for the local environment.
- The project does not appear to be initiated or led by the key site activity/occupier i.e. Cardiff Airport. This reinforces the speculative nature of the proposals.
- The proposed extension of Porthkerry Park – who funds this proposal and who maintains in future- this is not explained.
- There appears to be poor linkage between pedestrian routes and cycleways in the proposals. Also question mark regarding the practicality of walking to the site via local roads and Porthkerry Park.
- The loss of a productive farm is not acceptable.
- The construction of new build on green field land is not acceptable. The Council should be directing developers to existing Brownfield sites e.g. Llandow Airfield and former Dow Corning land.
- The unacceptable and ill-timed traffic surveys- not undertaken at peak periods.
- The proposals appear at odds with the objectives and sentiments of The Well Being of Future Generations (Wales) Act 2015, to the detriment of the people of Barry and local rural villages.
- The proposals appear dysfunctional in travel/transport terms with heavy reliance upon private motor vehicles. There are limited proposals for improving public transport in terms of buses or rail passengers/freight.

Observation in respect of Planning Application No. 2019/00871/OUT

Members have previously expressed concerns regarding these proposals and it is recommended that;

The Planning Committee re-iterate its concerns regarding the proposed development and strongly object to the current proposals for the following reasons;

- The proposals would generate increased and unacceptable traffic levels, leading to congestion particularly on local roads.
- There appears a lack of a phasing programme within the application.
- The project appears purely speculative, with currently no identifiable tenants.
- The proposals do not appear to have adequately assessed the implications for the local environment.
- The project does not appear to be initiated or led by the key site activity/occupier i.e. Cardiff Airport. This reinforces the speculative nature of the proposals.
- The proposed extension of Porthkerry Park – who funds this proposal and who maintains in future- this is not explained.
- There appears to be poor linkage between pedestrian routes and cycleways in the proposals. Also question mark regarding the practicality of walking to the site via local roads and Porthkerry Park.
- The loss of a productive farm is not acceptable.
- The construction of new build on green field land is not acceptable. The Council should be directing developers to existing Brownfield sites e.g. Llandow Airfield and former Dow Corning land.
- The unacceptable and ill-timed traffic surveys - not undertaken at peak periods.
- The proposals appear at odds with the objectives and sentiments of The Well Being of Future Generations (Wales) Act 2015, to the detriment of the people of Barry and local rural villages.
- The proposals appear dysfunctional in travel/transport terms with heavy reliance upon private motor vehicles. There are limited proposals for improving public transport in terms of buses or rail passengers/freight.

Comment for planning application 2019/00871/OUT

Application Number 2019/00871/OUT

Location	Land at Model Farm, Port Road, Rhoose
Proposal	Hybrid application comprising an 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.
Case Officer	Mr. Ceiri Rowlands
Organisation Name	Mr David Watkins
Address	Barry Town Council ,Town Hall,King Square,Barry
Type of Comment	Objection
Type	neighbour
Comments	<p>Barry Town Council's Observations in respect of 2019/000871/OUT</p> <p>Barry Town Council wish to highlight 2 important considerations in relation to the planning application process for the proposed development at Model Farm. They are;</p> <p>The Town Council considers it should be a statutory consultee in this matter</p> <p>The Town Council are disappointed that the Development Viability Appraisal was not made publicly available when this application was first considered and its subsequent implications for the Section 106 payments/funding arrangements.</p> <p>The Planning Committee re-iterate its concerns regarding the proposed development and very strongly object to the current proposals for the following reasons;</p> <p>The proposals would generate increased and unacceptable traffic levels, leading to congestion particularly on local roads, particularly Port Road</p> <p>There appears a lack of a phasing programme within the application.</p> <p>The project appears purely speculative and unviable, with currently no identifiable tenants.</p> <p>The proposals do not appear to have adequately assessed the implications for the local environment.</p> <p>The project does not appear to be initiated or led by the key site activity/occupier i.e. Cardiff Airport. This reinforces the speculative nature of the proposals.</p> <p>The proposed extension of Porthkerry Park - who funds this proposal and who maintains in future this is not explained.</p> <p>There appears to be poor linkage between pedestrian routes and cycleways in the proposals. Also question mark regarding the practicality of walking to the site via local roads and Porthkerry Park.</p>

The loss of a productive farm is not acceptable.

The construction of new build on green field land is not acceptable. The Council should be directing developers to existing Brownfield sites e.g. Llandow Airfield and former Dow Corning land.

The unacceptable and ill-timed traffic surveys - not undertaken at peak periods.

The proposals appear at odds with the objectives and sentiments of The Well Being of Future Generations (Wales) Act 2015, to the detriment of the people of Barry and local rural villages.

The proposals appear dysfunctional in travel/transport terms with heavy reliance upon private motor vehicles. There are limited proposals for improving public transport in terms of buses or rail passengers/freight.

There are local alternative sites for redevelopment as industrial parks e.g. Bro Tathan development.

The recent updated TAN 15 document identifies that parts of the site may be liable to potential flooding

The proposed development will adversely impact upon the existing foul drainage system and local Sewage Treatment Works..

There is concern that local public footpath network will be adversely impacted by the proposed development.

Received Date

17/02/2022 14:43:20

Attachments



COFNOD / MEMORANDUM

I / To: **Mr Ceiri Rowlands**
Adran / Dept: **Planning Department**
Dyddiad / Date: **26th September 2019**
Eich Cyf / Your Ref: **2019/00871/OUT**

Oddi Wrth / From: **C Lewis**
Ein cyf / Our ref: **SRS/E/CL/2019/00871/OUT**
Ffôn / Tel: **03001236696**
Ebost / Email: **EnvPlan-SRSWales@valeofglamorgan.gov.uk**

SUBJECT: PLANNING APPLICATION NO: 2019/00871/OUT: LAND AT MODEL FARM, PORT ROAD, RHOOSE; 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.

Further to receipt of the above accepted planning applications, I would like to provide comments in relation to potential air quality issues on behalf of SRS: Environment Team:-

Air Quality Comments **Officer: Craig Lewis**

In accordance with planning application 2019/00871/OUT an Air Quality Assessment (AQA) has been undertaken to ascertain the likely air quality impacts associated with the proposed development through its construction and operational phases.

For the construction phase of the proposed development a medium risk has been identified with respect to dust as a result of construction phase activities (Earthworks and Construction). With regards to the element of risk associated with the construction phase of the development, it is therefore considered essential that a suitable Construction Environmental Management Plan outlining a detailed Dust Management Plan with appropriate measures be submitted and approved by the Local Planning Authority (LPA) prior to the development proceeding.

Condition: Dust Control

Prior to the commencement of development, a scheme (Construction Environmental Management Plan) to minimise dust emissions arising from construction activities on site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of dust suppression measures and the methods to monitor emissions of dust arising from the development. The construction phase shall be implemented in accordance with the approved scheme, with the approved dust suppression measures being maintained in a fully functional condition for the duration of the construction phase.



COFNOD / MEMORANDUM

Reason: To assess air quality and agree any mitigation measures that may be required to safeguard the amenity of nearby residents in the area.

For the operational phase of the development, the report utilises detailed dispersion modelling (ADMS-Roads) to depict whether local residents and future occupants of the proposed development will be made susceptible to any adverse changes in air quality levels, particularly focusing upon transport derived nitrogen dioxide (NO₂) and particulate matter (PM₁₀ & PM_{2.5}).

For operational purposes, in order to determine potential impacts to air quality as a result of nearby traffic movements, the air quality modelling considers an understanding for a baseline scenario and a projected year of opening scenario (2023). The modelling adopts best practise guidance and considers a conservative approach to provide outcomes.

Tables 6.1, 6.2, 6.3 & 6.4 outline the long term and short term air quality levels (NO₂, PM₁₀ & PM_{2.5}) with the proposed scheme in place for an opening year of 2023 **(With Scheme)**.

The operational impacts derived by the proposal are expected to not be significant. I am in agreement with this conclusion.

Environment Team
Shared Regulatory Services
Bridgend, Cardiff & the Vale of Glamorgan

MEMORANDUM / COFNOD

The Vale of Glamorgan Council
Development Services
Dock Office, Barry Docks, Barry, CF63 4RT



To / I:	Cieri Rowlands	From / Oddi Wrth:	Conservation and Design
Dept / Adran:	Development Management	My Ref / Fy Cyf:	
Date / Dyddiad:	02 October 2019	Tel / Ffôn:	(01446) 704628
Your Ref / Eich Cyf:		Fax / Ffacs:	(01446) 421392

Application: 2019/00871/OUT
Location: Land at Model Farm, Port Road, Rhoose
Proposal:

Recommendation

- | | |
|--|--|
| <input type="checkbox"/> No objection | <input type="checkbox"/> Notes for applicant |
| <input type="checkbox"/> Object (holding objection) | <input type="checkbox"/> Request for further information |
| <input checked="" type="checkbox"/> Object and recommend refusal | <input type="checkbox"/> Recommend planning conditions |

Main Issue

The main issues considered by me are:

- whether the proposed development preserves the listed buildings, their setting or any features of architectural or historic interest which they possess; and
- whether the proposed development preserves or enhances the character or appearance of conservation areas.

Please note the primary consideration for any development affecting a listed building or its setting or a conservation area are the statutory requirements to have special regard to the desirability of preserving the historic asset.

Legislation and Policy

The Planning (Listed Buildings and Conservation Areas) Act (1990)

The Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) sets out the principal statutory instruments which must be considered in the determination of any application affecting either listed buildings or conservation areas.

Section 66 of the Act states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning

authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 69 enables Local Planning Authorities to designate conservation areas. Conservation areas are those areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance. Section 72 requires that in the exercise of planning duties special attention shall be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.

The Courts have made it clear that the duty imposed in the Act means that in considering whether to grant permission for development that may cause harm to a designated asset and/or its setting, the decision maker should give particular weight to the desirability of avoiding that harm. There is still a requirement for a planning balance, but it must be informed by the need to give weight to the desirability of preserving the asset and its setting.

Planning Policy Wales

Chapter 6 of Planning Policy Wales (PPW) sets out the Welsh Government's planning guidance on the conservation and enhancement of the historic environment.

Paragraph 6.1.9 makes clear "Any decisions made through the planning system must fully consider the impact on the historic environment and on the significance and heritage values of individual historic assets and their contribution to the character of place."

Paragraph 6.1.10 states:

"There should be a general presumption in favour of the preservation or enhancement of a listed building and its setting, which might extend beyond its curtilage. For any development proposal affecting a listed building or its setting, the primary material consideration is the statutory requirement to have special regard to the desirability of preserving the building, its setting or any features of special architectural or historic interest which it possesses."

Paragraph 6.1.14 states:

"There should be a general presumption in favour of the preservation or enhancement of the character or appearance of conservation areas or their settings. Positive management of conservation areas is necessary if their character or appearance are to be preserved or enhanced and their heritage value is to be fully realised."

Technical Advice Note 12: Design

TAN 12 seeks to promote sustainability through good design. Paragraph 2.2 states:

“The Welsh Government is strongly committed to achieving the delivery of good design in the built and natural environment which is fit for purpose and delivers environmental sustainability, economic development and social inclusion, at every scale throughout Wales – from householder extensions to new mixed use communities.”

Technical Advice Note 24: The Historic Environment

Local Development Plan

The Vale of Glamorgan LDP policies reflect the national policy for the strict control of development affecting conservation areas. Policy SP10 (Built and Natural Environment) and Policy MD8 (Historic Environment) set out the preserve or enhance the character or appearance of the Vale of Glamorgan's Conservation Areas.

POLICY SP 10 - BUILT AND NATURAL ENVIRONMENT

DEVELOPMENT PROPOSALS MUST PRESERVE AND WHERE APPROPRIATE ENHANCE THE RICH AND DIVERSE BUILT AND NATURAL ENVIRONMENT AND HERITAGE OF THE VALE OF GLAMORGAN INCLUDING:

1. THE ARCHITECTURAL AND / OR HISTORIC QUALITIES OF INDIVIDUAL BUILDINGS OR CONSERVATION AREAS, INCLUDING LOCALLY LISTED BUILDINGS;
2. HISTORIC LANDSCAPES, PARKS AND GARDENS;
3. SPECIAL LANDSCAPE AREAS;
4. THE GLAMORGAN HERITAGE COAST;
5. SITES DESIGNATED FOR THEIR LOCAL, NATIONAL AND EUROPEAN NATURE CONSERVATION IMPORTANCE; AND
6. IMPORTANT ARCHAEOLOGICAL AND GEOLOGICAL FEATURES.

Policy MD8 (Historic Environment) deals specifically with the protection of the qualities of the built historic environment, and in particular the preservation and enhancement of conservation areas character or appearance:

POLICY MD 8 - HISTORIC ENVIRONMENT

DEVELOPMENT PROPOSALS MUST PROTECT THE QUALITIES OF THE BUILT AND HISTORIC ENVIRONMENT OF THE VALE OF GLAMORGAN, SPECIFICALLY:

1. WITHIN CONSERVATION AREAS, DEVELOPMENT PROPOSALS MUST PRESERVE OR ENHANCE THE CHARACTER OR APPEARANCE OF THE AREA;
2. FOR LISTED AND LOCALLY LISTED BUILDINGS, DEVELOPMENT PROPOSALS MUST PRESERVE OR ENHANCE THE BUILDING, ITS SETTING AND ANY FEATURES OF SIGNIFICANCE IT POSSESSES;
3. WITHIN DESIGNATED LANDSCAPES, HISTORIC PARKS AND GARDENS, AND BATTLEFIELDS, DEVELOPMENT PROPOSALS MUST RESPECT THE SPECIAL HISTORIC CHARACTER AND

- | |
|--|
| <p>QUALITY OF THESE AREAS, THEIR SETTINGS OR HISTORIC VIEWS OR VISTAS;</p> <p>4. FOR SITES OF ARCHAEOLOGICAL INTEREST, DEVELOPMENT PROPOSALS MUST PRESERVE OR ENHANCE ARCHAEOLOGICAL REMAINS AND WHERE APPROPRIATE THEIR SETTINGS.</p> |
|--|

Supplementary Planning Guidance

Conservation Area Appraisal and Management Plan

The Porthkerry Conservation Area Appraisal and Management Plan identifies the qualities of the conservation area. Whilst the conservation area is an area of special architectural and/or historic interest, the character or appearance of which it is desirable to preserve or enhance, this does not mean that it is automatically of high sensitivity to all forms or scales of development or that parts of it are uniformly of the same value and sensitivity.

The CAAMP is not prescriptive about which areas may be suitable for development but is guidance on general principles. It provides more detail than the Local Development Plan and is the preferred guidance for assessing the impact of the proposed scheme.

Assessment

The application is supported by a Built Heritage Statement prepared by CGMS heritage. This acknowledges that there will be potential to impact on the significance of six designated heritage assets and two undesignated heritage assets. Although the language used relates to the English policy context it is readily understood.

It infers that any impact will be on the setting of these historic assets rather than any direct impact. Specifically, it concludes that there will be a **moderate degree of harm** to the setting of Lower Porthkerry Farm House (Grade II listed); Upper Porthkerry Farm House (Grade II listed) and the Porthkerry Conservation Area. There will be a **minor degree of harm** to the setting of Church Farmhouse (Grade II*); the Outbuilding to Church Farmhouse (Grade II*); the former stables block associated with Upper Porthkerry Farm House (locally listed County Treasure); and Egerton Grey (locally listed County Treasure). There will be a **negligible degree of harm** to the setting of the Church of St Curig (Grade II*) and Porthkerry Viaduct (Grade II).

The methodology employed in the assessment is considered robust and the findings of the report in respect of the above buildings is accepted as an accurate assessment. Notwithstanding this, I note that no consideration has been given to two locally listed County Treasures (namely Welford Farmhouse and Welford Farm Barns). The former because it has been demolished and the latter because they have been converted to residential use.

Whilst it is accepted that the demolition of the house means no consideration should be given to this element and the conversion of the barns has reduced their

significance to some degree; it is not accepted that they do not retain significance that should be considered in the determination of this application. I have carried out a brief assessment of the barn below:

Barns at Welford Farm

Significance: The remaining barns on the site are part of a range of two-storey rubble outbuildings which formerly enclosed three sides of a courtyard. The buildings feature hipped slate roofs and square headed window and door openings under heavy stone lintels. It has been significantly altered including the demolition of the western wing (in addition to the farmhouse). In addition, the barns have been converted to residential use which has further diluted their significance. Nevertheless, the barns retain

As the only remnant part of the historic farmstead, it provides some historic and aesthetic value in detailing the designs, materials and building types in the eighteenth century. The presence of original fabric fronting onto the A4226 provides a degree of visual connection with the fields that the building most likely served.

Setting: The Welford Farm complex is experienced primarily in the immediate and intermediate setting of their surrounding plots, associated former farmstead development (where remaining) and the surrounding field parcels. The application site abuts close to the southern boundary of the former farmstead.

From the intermediate and wider extended setting, it is still possible to experience Welford barn as part of a former farmstead even though the alterations (including demolition of the house and part of the barn, and conversion of the remaining barn to residential use) and cessation of an agricultural use have impacted upon the overall experience. In addition, an upgraded road, immediately south of the barn has markedly impacted the way the building is experienced.

Accordingly, the historic setting of the remnant former farm buildings has been much eroded both in the intermediate and wider extended setting by the road alterations and its immediate surrounds with the cessation of the farm's agricultural use, demolition of much of the farmstead and residential conversion of the barn. Setting makes a small positive contribution, though much reduced and limited to the surviving rural context still experienced. The Site correspondingly makes a small positive contribution in this regard.

Significance and Setting Summary: The former barn associated with Welford Farm is of local significance with its significance derived from the retained original fabric and the historic functional relationship with Welford Farm.

The wider rural surrounds, including application site makes some positive contribution to the building's significance by providing some historic rural and agricultural context to the understanding of the historic asset, primarily as a barn.

Assessment of impact: The proposed development of the business park to the south west of the barn would alter some of the wider rural landscape. The application site to the south west of the barn will be used to provide B2/B8 uses with the Parameter

Plan: Land Use and Storey Heights indicating min/max heights of 12m/16m; lengths of 200m/220m; and widths of 70m/80m. The proposed development represents a degree of further erosion of the wider rural environment alongside the existing airport development.

There will be a change to the intermediate and wider setting. It is considered that the proposed development will result in a **minor degree of harm** to the significance of the Welford Barn. This level reflects the changes and harm to significance already seen through significant alterations to the farmstead through the demolition of the farmhouse; the new dwelling and the conversion of the barn. This harm will arise through the further erosion of the wider agricultural landscape from the proposed built development which will be visible on the surrounding landscape.

Mitigation: No mitigation is proposed.

Where harm has been identified in the Built Heritage Statement the only mitigation proposed relates to lighting, which it is acknowledged, will unlikely remove that harm completely. It is unclear if any other mitigation has been considered.

Conclusion

Having regard to the above I am of the view that the Built Heritage Statement is a generally accurate reflection of the impacts of the proposed development on the setting of historic assets and broadly agree with its contents. I disagree with its conclusions on the significance of the Welford Barn and have provided a brief assessment of this above.

I agree with the conclusions of the Built Heritage Statement that there will be varying degrees of harm to the setting of historic assets. This is contrary to policies SP10 and MD8 of the LDP. On this basis I cannot offer my support to the application.

However, you will need to reach your own conclusion, and if necessary, carry out a balancing exercise weighing any 'harm' against any benefits. Furthermore, you will need to demonstrate how considerable importance and weight has been afforded to the considerations to which s66 and/or s72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 apply and, where appropriate to explain how benefits have been weighed against such matters.

Peter Thomas
Senior Planner (Conservation and Design)

Rowlands, Ceiri

From: Thomas, Peter DJ
Sent: 15 November 2022 12:29
To: Rowlands, Ceiri
Subject: RE: Results of Heritage and Ecology Reviews

I'm not aware of any significant changes in either the nature or extent of historic assets which would effect this application. Neither has there been any significant changes in legislation or policy relating to the historic environment.

From: Rowlands, Ceiri [REDACTED]
Sent: 15 November 2022 12:07
To: Cheesman, Colin R <[REDACTED]> Thomas, Peter DJ
[REDACTED]
Subject: FW: Results of Heritage and Ecology Reviews

Hello both.

I've received the below letters from the applicant in relation to planning application 2019/00871/OUT at Model Farm. Both look to address the validity of the supporting information. There are specific caveats in the supporting heritage assessment and the ecological assessments, the latter relating to a 2 year expiry for the newt dna analysis.

Please could you review these and let me know if you have any further comments on this application?

I'll ask the question of NRW Colin re GCN, but we do need to be satisfied ourselves that the wider survey work remains valid.

Thanks,
Ceiri

From: Darren Parker [REDACTED]
Sent: 14 November 2022 10:31
To: Rowlands, Ceiri [REDACTED]
Cc: Robinson, Ian [REDACTED] Andrew McPhillips [REDACTED]; Mike Emmett [REDACTED]
Subject: Results of Heritage and Ecology Reviews

Ceiri,

Please see the letters attached.

Regards,

Darren

Darren Parker
Operations Director
RPS | Consulting UK & Ireland
2 Callaghan Square
Cardiff
CF10 5AZ, United Kingdom
T +44 2920 668 662
D +44 29 20 550 665 M +44 7825 402087
E darren.parker@rpsgroup.com



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RPS Group Plc web link: <http://www.rpsgroup.com>



COFNOD / MEMORANDUM

I / To:	Ceiri Rowlands	Oddi Wrth / From:	Andrew Nunn
Adran / Dept:	Planning Department	Ein cyf / Our ref:	AN1-5790/19
Dyddiad / Date:	08 October 2019	Ffôn / Tel:	01446 709267
Eich Cyf / Your Ref:	2019/00871/OUT	Ebost / Email:	anunn@valeofglamorgan.gov.uk

SUBJECT: 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.

PLANNING APPLICATION NO: 2019/00871/OUT

MODEL FARM, PORT ROAD, RHOOSE, BARRY, VALE OF GLAMORGAN, CF62 3BT

I refer to your memorandum received by this department on 13 August 2019.

This department has no objection in principal regarding the above application. However I should be obliged if you would consider the following as a condition to any consent: -

CONSTRUCTION ENVIRONMENT MANAGEMENT PLAN (CEMP)

No development should commence until a Construction Environment Management Plan (CEMP) has been submitted to, and approved in writing by, the Local Planning Authority. The CEMP shall include the following details:

- i) loading and unloading of plant and materials;
- ii) storage of plant used in the construction process;
- iii) the erection and maintenance of security hoarding;
- iv) measures to control and mitigate the emission of dust, smoke, other airborne pollutants and dirt during construction;
- v) hours of construction works;
- vi) lighting, including the use of security lighting on site outside normal construction hours;
- vii) management control and mitigation of noise and vibration; including the use of generators on site outside normal construction hours;
- viii) odour management and mitigation;
- ix) a system for the management of complaints from local residents which will incorporate a reporting system.

Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected.

It is likely that we would ask for additional conditions at the reserved matters stage of the development, including, but not restricted to: -

LIGHTING SCHEME

HOURS OF OPERATION

DELIVERY TIMES

PLANT NOISE (for which a noise report may be required)

ANDREW NUNN, NEIGHBOURHOOD SERVICES OFFICER

MEMORANDUM / COFNOD

The Vale of Glamorgan Council
The Alps, Wenvoe, CF5 6AA



To / I:	Ceiri Rowlands
Dept / Adran:	
Date / Dyddiad:	02/10/2019
Your Ref / Eich Cyf:	P/DC/LC/CR/2019/00871/OUT

From / Oddi Wrth:	Operational Manager Environment and Engineering
My Ref / Cyf:	HE/SP/GTD/L5/1
Tel / Ffôn:	02920 673 235
Fax / Ffacs:	02920 673 114

Subject / Testyn: Planning Application No. 2019/00871/OUT Land at Model Farm, Port Road, Rhoose

Proposal: Outline application comprising demolition of existing building 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.

This site is not located within a DAM zone at risk of tidal or fluvial flooding, and NRW flood maps indicate that there is a very low risk of surface water flooding to the site.

Overview:

Information submitted to support this application suggests that surface waters generated by the development will be disposed of via a combination of SuDS features before controlled discharge to existing watercourse (Bullhouse Brook and Whitelands Brook).

In accordance with the Welsh Governments Statutory Standards for sustainable drainage systems, surface water runoff should be disposed of according to the following hierarchy:

S1 Surface water runoff destination

1. Is collected for use;
2. Is infiltrated to ground;
3. Is discharged to a surface water body;
4. Is discharged to surface water sewer, highway drain, or another drainage system
5. Is discharged to a combined sewer.

Initial Infiltration testing submitted in support of this application (RPS April 2019) indicates that infiltration at shallow depths to be generally poor of which we are in acceptance. It is suggested that further penetration through the bedrock may produce a greater variation in permeability rates. In line with the Environment Agency's Approach to Groundwater Protection (February 2018) adopted by NRW we would discourage the use of any infiltration system that bypasses the soil layer, limiting the ability of the ground to attenuate pollutants.

Should infiltration techniques be used within the final design, it will be required that further testing is required in areas of proposed infiltration. All testing should be undertaken at the proposed site of infiltration inclusive of permeable surfaces. Where larger infiltration features are to be used we would require additional testing to be undertaken on a 25m grid basis. Infiltration testing should be completed at an appropriate depth to that of the proposed design.

It is proposed within the Sustainable Drainage Assessment (RPS July 2019) that surface waters from impermeable surfaces will be treated and controlled at source where possible, before discharge to watercourse. It is proposed that the rate of discharge will be restricted to existing greenfield runoff rates. We find these discharge rates acceptable in principle and would request that further hydraulic calculations are provided on final design demonstrating the discharge rate at

the point of discharge. The design of any offsite drainage system should demonstrate that the scheme does not adversely affect offsite flood risk elsewhere.

It has been indicated that the drainage scheme will provide hydraulic control up to a 1 in 100 year return period + climate change (30%) with preliminary calculations provided to demonstrate the required level of storage. No Flood Exceedance Plan has been submitted with this application. Conveyance routes should be selected such that likely changes on the site will not prevent the safe routing of flood flows. The Flood Exceedance Plan must also take into consideration the effect of receiving flows from the wider catchment.

No details on the management and maintenance of the proposed drainage system have been included with this application. A management plan which includes details on future management responsibilities for the site and its drainage assets should be submitted and approved in writing by the LPA. This plan shall detail the strategy that will be followed to facilitate the optimal functionality and performance of the drainage scheme throughout its lifetime.

No Construction Environmental Management Plan (CEMP) has been submitted with this application. The submitted CEMP must make reference to the proposed SuDS features and how pollution / silt mitigation measures will be implemented to protect these features and associated watercourse. The submitted CEMP will also be required to make reference to the phasing of the development and how the proposed drainage (permanent or temporary) will be managed during construction.

Should you be minded to grant approval, we would request that you attach the following conditions

Given the above, no development shall commence on site until a detailed scheme for the surface water drainage of the site has been submitted and approved in writing by the LPA. If infiltration techniques are used, then the plan shall include the details of field percolation testing. Any calculations for onsite attenuation or discharge should also be included together with the details on the management of the drainage system.

Development shall not commence until a Construction Environmental Management Plan (CEMP) for the protection of the receiving watercourse has been submitted to and approved in writing by the local planning authority. The statement shall assess the risks from all pollution sources and pathways and describe how these risks will be mitigated during the construction phase of development.

Advisory:

New developments of more than one dwelling or where the area covered by construction work equals or exceeds 100 square metres as defined by The Flood and Water Management Act 2010 (Schedule 3), will require SuDS Approval Body (SAB) approval prior to the commencement of construction.

Given the proposal to discharge surface waters into a watercourse, the applicant is advised to seek ordinary watercourse consent from the Lead Local Flood Authority.

Any works to watercourses, including ditches and streams where defined by the Land Drainage Act 1991, require Land Drainage Consent by the relevant drainage body (Lead Local Flood Authority – Vale of Glamorgan Council). Works include permanent and temporary works, including temporary crossings during construction phases.

Gareth Thelwell-Davies

Engineer – Environment

for Operational Manager Environment and Engineering
ar gyfer Rheolwr Gweithredol Amgylchedd a Pheirianeg

MEMORANDUM / COFNOD

The Vale of Glamorgan Council
The Alps, Wenvoe, CF5 6AA



To / I:	Ceiri Rowlands
Dept / Adran:	
Date / Dyddiad:	10/05/2021
Your Ref / Eich Cyf:	P/DC/LC/CR/2019/00871/OUT

From / Oddi Wrth:	Operational Manager Environment and Engineering
My Ref / Cyf:	HE/SP/GTD/L5/1
Tel / Ffôn:	02920 673 235
Fax / Ffacs:	02920 673 114

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Should infiltration techniques be used within the final design, it will be required that further testing is required in areas of proposed infiltration. All testing should be undertaken at the proposed site of infiltration inclusive of permeable surfaces. Where larger infiltration features are to be used we would require additional testing to be undertaken on a 25m grid basis. Infiltration testing should be completed at an appropriate depth to that of the proposed design.

It is proposed within the Sustainable Drainage Assessment (RPS July 2019) that surface waters from impermeable surfaces will be treated and controlled at source where possible, before discharge to watercourse. It is proposed that the rate of discharge will be restricted to existing greenfield runoff rates. We find these discharge rates acceptable in principle and would request

that further hydraulic calculations are provided on final design demonstrating the discharge rate at the point of discharge. The design of any offsite drainage system should demonstrate that the scheme does not adversely affect offsite flood risk elsewhere.

It has been indicated that the drainage scheme will provide hydraulic control up to a 1 in 100 year return period + climate change (30%) with preliminary calculations provided to demonstrate the required level of storage. No Flood Exceedance Plan has been submitted with this application. Conveyance routes should be selected such that likely changes on the site will not prevent the safe routing of flood flows. The Flood Exceedance Plan must also take into consideration the effect of receiving flows from the wider catchment.

No details on the management and maintenance of the proposed drainage system have been included with this application. A management plan which includes details on future management responsibilities for the site and its drainage assets should be submitted and approved in writing by the LPA. This plan shall detail the strategy that will be followed to facilitate the optimal functionality and performance of the drainage scheme throughout its lifetime.

No Construction Environmental Management Plan (CEMP) has been submitted with this application. The submitted CEMP must make reference to the proposed SuDS features and how pollution / silt mitigation measures will be implemented to protect these features and associated watercourse. The submitted CEMP will also be required to make reference to the phasing of the development and how the proposed drainage (permanent or temporary) will be managed during construction.

The proposed development is subject to SAB approval. As such the applicant is advised to submit a detailed design through the SAB process and is therefore not subject to further planning condition.

Advisory:

New developments of more than one dwelling or where the area covered by construction work equals or exceeds 100 square metres as defined by The Flood and Water Management Act 2010 (Schedule 3), will require SuDS Approval Body (SAB) approval prior to the commencement of construction.

Given the proposal to discharge surface waters into a watercourse, the applicant is advised to seek ordinary watercourse consent from the Lead Local Flood Authority.

Any works to watercourses, including ditches and streams where defined by the Land Drainage Act 1991, require Land Drainage Consent by the relevant drainage body (Lead Local Flood Authority – Vale of Glamorgan Council). Works include permanent and temporary works, including temporary crossings during construction phases.

Gareth Thelwell-Davies
Engineer – Environment

for Operational Manager Environment and Engineering
ar gyfer Rheolwr Gweithredol Amgylchedd a Pheirianneg



Our Ref: A113720/PW
Date: 14 October 2019

Mr Ceiri Rowlands

The Vale of Glamorgan Council
Dock Office
Barry Docks
Barry
Vale of Glamorgan
CF63 4RT

Dear Mr Rowlands,

**REPRESENTATIONS ON BEHALF OF CARDIFF INTERNATIONAL AIRPORT LIMITED
LAND AT MODEL FARM, PORT ROAD, RHOOSE
APPLICATION REF: 2019/00871/OUT**

WYG write on behalf of Cardiff International Airport Ltd in respect of the above application. Our client is supportive of the principle of the development but wish the following comments to be taken into consideration in the determination of the planning application.

Rail Link

We note that LDP Policy MG10 requires the provision of sustainable transport infrastructure and the supporting text (para 6.57(d)) clarifies that for the Cardiff Airport Gateway Development Zone requirements will include, "*Sustainable transport infrastructure including consideration of a route for a potential rail link to Cardiff Airport across the site to ensure the development does not compromise future proposals to enhance sustainable access to the airport.*" We note that the application submission remains silent on this and the Indicative Concept Masterplan does not appear to make any provision for a dedicated rail link. Consideration of a route for a potential rail link clearly has not been given.

Our client accepts that delivery of the rail link could not be justified by the business park development alone. However, the Masterplan should respect the future prospect of achieving this link and safeguard the principle of an appropriate route through the site which could be referred to in an enforceable planning condition and ultimately delivered through any reserved matters application(s). Failure to safeguard this now will mean the potential to achieve such a link will be lost forever.

A similar position has been considered in Cardiff recently. Policy T9 of the Cardiff LDP seeks to facilitate LRT / tram / bus connectivity (with no definitive routes known) and states:

" *Where the alignment of a future route which is likely to form part of a 'Metro' network falls within any part of a development site, the Council will, through the development management process, seek either to secure provision of the necessary infrastructure as part of the development, or otherwise, safeguard the land and space required to accommodate the route and potential mode options in the future. This will include requiring a development to be designed in a way which does not prejudice the future development of the 'Metro' route and would enable it to be incorporated within the development at a later date.*"
(underlining added)





Subsequent applications include that at North West Cardiff (now known as "Plas Dwr"), permitted in March 2017 under reference 14/002733/MJR (attached). That outline permission included the following condition:

"RAPID TRANSIT CORRIDOR / METRO

7. Details in relation to the reserved matter ACCESS submitted to the Local Planning Authority in compliance with condition 1 shall include:

- a) details, including layout and cross sections, of the 'Express Bus Priority Route' shown on p. 70 of the Design and Access Statement (October 2016)*
- b) details, including layout and cross sections, of the zone to be provided and reserved for Rapid Transit, shown on the Access Parameter Plan (drawing no R.0319_17j-3), including details of the 'Safeguarded Alternative Tram Train Alignment' (shown on p.70 of the Design and Access Statement (October 2016) and demonstrating how this will not prejudice proposed green and movement corridors. The zone to be provided for Rapid Transit shown on the Access parameter plan shall be extended to include the 'safeguarded route for metro within the site' set out on the LDP Schematic Framework for strategic site C.*

The development shall be carried out in accordance with the approved details."

We attach the relevant access parameter plan referred to in part (b) of the condition which shows a zone to be reserved for rapid transit options. Your attention is drawn to the text on page 1 which confirms that "A bus only route will be provided along the alignment of the rapid transport corridor before the LRT is delivered. This will provide express public transport at an early stage."

Accordingly, it is clear that Cardiff Council did not have a precise corridor alignment at the time of LDP preparation or at the time of outline planning approval. The lack of detail at these stages did not prevent safeguarding of route options through the site and, wisely, the allowance of such routes to be used for alternative measures in the meantime (in the case of Plas Dwr the alternative use was a strategic bus route, but walking/cycling/ecology could equally be appropriate interim uses). Fundamentally, the safeguarding of route options in the absence of a definitive alignment were not seen to be inimical to the grant of a beneficial planning permission.

Accordingly, our client objects to the application in its current form due to the absence of route safeguarding option(s) for a potential future rail link.

Active Travel

We also note that the Preliminary Spine Road Alignment plans include a footway to the north and a footway/cycleway to the south of the carriageway. The definition of "access" at Article 2 of the Development Management Procedure Order includes reference to cyclists and pedestrians, to and within the site, circulation routes "and how these fit into the surrounding access network". The 'Access and Movement' parameters plan show three points of pedestrian connection into the site, but no appropriate existing pedestrian facilities currently exist at two of these points (the exception being Porthkerry Road).

Furthermore, no commitments are given to off-site improvements beyond commitments that "Off-site mitigation will be discussed" or such facilities "will be considered". Opportunities for active travel and connectivity should be seized, in line with LDP Policy MG16 which refers to walking and cycling proposals at A4050 Port Road to Cardiff Airport (as well as the sustainable transport infrastructure required by Policy MG10).

Our client seeks reassurance that active travel routes within the site will be secured and will appropriately link into existing or proposed off-site infrastructure, secured by Grampian condition or planning obligation, as required.

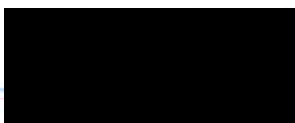


Conclusion

In conclusion our client:

1. supports the principle of the development proposed;
2. urges that the application be amended such that the future prospect of achieving a direct rail link is safeguarded through the site;
3. suggests that cyclists and pedestrian circulation routes to and within the site, and detail as to how these fit into the surrounding access network is provided, as required by the DMPO where 'access' is unreserved;
4. seeks greater clarity of the proposed off-site active travel proposals and mitigation associated with the proposal.

Yours sincerely



Peter Waldren
Director
For and on behalf of WYG

Encl.

cc Mark Bailey, Cardiff International Airport Ltd

Application No: **14/02733/MJR**

PERMISSION FOR DEVELOPMENT

To:
Mr G Williams
Nathaniel Lichfield & Partners
Helmont House
Churchill Way
Cardiff
CF10 2HE

Town and Country Planning Act 1990 (As Amended)
Town and Country Planning (Development Management Procedure) (Wales) Order 2012

WHEREAS you submitted an application for Outline Planning Permission received on 21/11/2014 for:

OUTLINE PLANNING APPLICATION WITH ALL MATTERS RESERVED APART FROM STRATEGIC ACCESS JUNCTIONS FOR RESIDENTIAL-LED MIXED USE DEVELOPMENT, TO BE DEVELOPED IN PHASES, INCLUDING PREPARATORY WORKS AS NECESSARY INCLUDING DEMOLITION AND RE-GRADING OF SITE LEVELS; UP TO 5,970 RESIDENTIAL UNITS (USE CLASS C3, INCLUDING AFFORDABLE HOMES); 3 NO. LOCAL CENTRES PROVIDING RESIDENTIAL UNITS, CONVENIENCE SHOPS AND FACILITIES/SERVICES (INCLUDING UP TO 7,900 SQ M IN USE CLASSES A1-A3) AND 1NO. DISTRICT CENTRE PROVIDING RESIDENTIAL UNITS, UP TO 12,000 SQ M IN USE CLASSES A1-A3 INCLUDING UP TO TWO FOOD STORES (UP TO 5,000 SQ M GROSS) WITH ASSOCIATED PARKING, UP TO 15,500 SQ M OF USE CLASS B1(A), B1(B) AND B1(C); PROVISION OF UP TO 5,100 SQ M OF COMMUNITY AND HEALTHCARE FACILITIES ACROSS THE DISTRICT AND LOCAL CENTRES (USE CLASSES D1 AND D2); PROVISION FOR 3NO. PRIMARY SCHOOLS AND 1NO. SECONDARY SCHOOL; OPEN SPACE INCLUDING ALLOTMENTS; PARKS; NATURAL AND SEMI NATURAL GREEN SPACE; AMENITY GREEN SPACES; FACILITIES FOR CHILDREN AND YOUNG PEOPLE; OUTDOOR SPORTS PROVISION INCLUDING PLAYING PITCHES; ASSOCIATED INFRASTRUCTURE AND ENGINEERING WORKS INCLUDING NEW VEHICULAR ACCESSES, IMPROVEMENT WORKS TO THE EXISTING HIGHWAY NETWORK, NEW ROADS, FOOTPATHS/CYCLEWAYS, A RESERVED STRATEGIC TRANSPORT CORRIDOR; UP TO 1 NO. ELECTRICITY PRIMARY-SUBSTATION AND LANDSCAPING WORKS (INCLUDING SUDS). at NORTH WEST CARDIFF (hereinafter called "the development");

CARDIFF COUNTY COUNCIL, as the Local Planning Authority for the County of Cardiff, in pursuance of its powers under the above mentioned Act and Orders, hereby PERMITS the development to be carried out in accordance with the application and plans submitted therewith, subject to compliance with the conditions specified hereunder:

PART 1 RESERVED MATTERS AND PLANS

RESERVED MATTERS AND TIME LIMIT

1.
 - A. Prior to the commencement of development on any Reserved Matters site, details of the layout, scale and appearance of the buildings, access (except for the detailed highway improvement works that are the subject of conditions 26 - 34) and landscaping (hereinafter called "the reserved matters") for that Reserved Matters site shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out as approved.
 - B. Application for approval of the first Reserved Matters site shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. Application for approval of all other reserved matters sites shall be made to the Local Planning Authority before the expiration of twenty years from the date of this permission.
 - C. The development hereby permitted shall be begun either before the expiration of five years from the date of this permission or before the expiration of two years from the date of the last of the reserved matters to be approved, whichever is the later.

Reasons: A. In accordance with the provisions of Article (3)1 of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012. B and C. In accordance with the provisions of Section 92 of the Town and Country Planning Act 1990 (as amended).

APPLICATION PLANS AND DOCUMENTS

2. This consent relates to the following plans and documents attached to and forming part of this planning application:
Plans:
 - a) Planning Application Boundary (drawing no. R.0319_17j-1)
 - b) Land Use Parameter Plan (drawing no. R.0319_17j-2) and supporting text
 - c) Access Parameter Plan (drawing no. R.0319_17j-3) and supporting text
 - d) Green Infrastructure Parameter Plan (drawing no. R.0319_17j-4) and supporting text
 - e) Density Parameter Plan (drawing no. R.0319_17j-5)
 - f) Demolition Parameter Plan (drawing no. R.0319_17j-6)
 - g) Scale Parameter Plan (drawing no. R.0319_17j-7) and supporting text
 - h) Illustrative Masterplan (drawing no. R.0319_8j)
 - i) POS Provision Plan (drawing no. R.0319-45A)
 - j) Indicative Phasing Plan (drawing no. R.0319_51)
 - k) Complete Overview (drawing no. W141304_A01 Rev J)
 - l) Llantrisant Road Junction / Crofft Y Genau Junction 1 (drawing no. W141304_A01_J1 Rev J)
 - m) Llantrisant Road Signalised Crossroads Junction – Junction 2 (drawing no. W141304_A01_J2 Rev J)
 - n) Llantrisant Road / Clos Park Radyr Signalised Crossroads Junction

- 3 (drawing no. W141304_A01_J3 Rev J)
- o) Clos Park Radyr Priority Site Access Junction 4, 5, 6 (drawing no. W141304_A01_J4-5-6 Rev J)
- p) Llantrisant Road North Priority Site Access Junction 7 (drawing no. W141304_A01_J7 Rev J)
- q) Llantrisant Road / Heol Isaf Signalised Crossroads Junction 8 (drawing no. W141304_A01_J8 Rev J)
- r) Llantrisant Road South Mini Roundabout Access Junction 9 (drawing no. W141304_A01_J9 Rev J)
- s) Llantrisant Road BBC Bus Lane Junction 10 (drawing no. W141304_A01_J10 Rev J)
- t) Pentrebane Road Bi-Directional Cycle Lane Signalised Crossroads Junction 11 (drawing no. W141304_A01_J11 Rev J)
- u) Pentrebane Road / Beechley Drive Signalised Crossroads & Pentrebane Site Access Junctions 12 and 13 (drawing no. W141304_A01_J12-13 Rev J)
- v) Re-alignment of Crofft y Genau Road into Pentrebane Road Junction 14 (drawing no. W141304_A01_J14 Rev J)
- w) Crofft y Genau Road Southern Site Access Junction 15 (drawing no. W141304_A01_J15 Rev J)
- x) Crofft y Genau Road Priority Access Flared for Bus Movements Junction 16 (drawing no. W141304_A01_J16 Rev J)
- y) Residential Development Slope Analysis (drawing no. SK057 C2)
- z) Preliminary Earthworks Depths Mixed Use Development, Schools, Playing Fields and Primary Road Corridors (drawing no. SK058 C2)

Documents

- a) Revised application form (including Certificate B and Agricultural Holdings Certificate) dated 31/10/16
- b) NLP Covering Letter dated 9 December 2014
- c) NLP Covering Letter dated 31 October 2016
- d) Flood Risk Statement for Plasdwr (13 October 2014)
- e) Retail Statement (November 2014)
- f) Planning Statement (November 2014)
- g) Planning Statement Addendum (31 Oct 2016)
- h) revised Design and Access Statement (R.0319_30D Oct 2016);
- i) Environmental Statement (November 2014)
- j) Environmental Statement Addendum (Nov 2016);
- k) Environmental Statement Non-Technical Summary (November 2016)
- l) Revised Green Infrastructure Strategy (Oct 2016);
- m) Great Crested Newt Conservation Strategy (C_EDP1027_87a_170117)

Reason : For the avoidance of doubt.

RESERVED MATTERS AND DISCHARGE OF CONDITION PLANS AND DOCUMENTS

3. Subject to the provisions of conditions 5 (ACCESS TO RADYR FARM), 14 (USEABLE SPORTS PITCHES), 17 (PHASING), 18 (DESIGN CODE), 20 (ALLOTMENT STRATEGY), 26 - 34 relating to DETAILED HIGHWAY IMPROVEMENT WORKS, 39 (RADYR GOLF COURSE INTERFACE STRATEGY), 44 (DISTRICT CENTRE DESIGN CODE), 67 (SCHOOL SITE SIZES), 68 (FULL ENGINEERING DETAILS FOR EACH JUNCTION), 69 (KEY PEDESTRIAN / CYCLING/ HORSE RIDING ROUTE), 70 (ECOTONE), 71 (ENHANCED GREEN CORRIDOR), 72 (ADDITIONAL HOP OVERS), 73 (PITCH SIZES), 74 (PUBLIC OPENSPACE PROVISION), 76 (RADYR FARM WIND TURBINE), 81 (HSE ADVICE), 82 (WALES AND WEST UTILITIES APPARATUS), 84 (BUILDING OUTSIDE SETTLEMENT BOUNDARY), the development shall accord with the following approved plans and documents:
- a) Planning Application Boundary (drawing no. R.0319_17j-1)
 - b) Land Use Parameter Plan (drawing no. R.0319_17j-2) and supporting text
 - c) Access Parameter Plan (drawing no. R.0319_17j-3) and supporting text
 - d) Green Infrastructure Parameter Plan (drawing no. R.0319_17j-4) and supporting text
 - e) Density Parameter Plan (drawing no. R.0319_17j-5)
 - f) Demolition Parameter Plan (drawing no. R.0319_17j-6)
 - g) Scale Parameter Plan (drawing no. R.0319_17j-7) and supporting text
 - h) Pentrebane Farm: Refined Design Principles (Environmental Statement November 2014, para C3.44)
 - i) the Spine and Llantrisant Road street sections shown on pp. 72 - 73 of the Design and Access Statement (October 2016)

and shall be in substantial accordance with the following approved plans and documents:

- j) Llantrisant Road Junction / Crofft Y Genau Junction 1 (drawing no. W141304_A01_J1 Rev J)
- k) Llantrisant Road Signalised Crossroads Junction – Junction 2 (drawing no. W141304_A01_J2 Rev J)
- l) Llantrisant Road / Clos Park Radyr Signalised Crossroads Junction 3 (drawing no. W141304_A01_J3 Rev J)
- m) Clos Park Radyr Priority Site Access Junction 4, 5, 6 (drawing no. W141304_A01_J4-5-6 Rev J)
- n) Pentrebane Road Bi-Directional Cycle Lane Signalised Crossroads Junction 11 (drawing no. W141304_A01_J11 Rev J)
- o) Pentrebane Road / Beechley Drive Signalised Crossroads & Pentrebane Site Access Junctions 12 and 13 (drawing no. W141304_A01_J12-13 Rev J)

- p) Re-alignment of Crofft y Genau Road into Pentrebane Road Junction 14 (drawing no. W141304_A01_J14 Rev J)
- q) Crofft y Genau Road Southern Site Access Junction 15 (drawing no. W141304_A01_J15 Rev J)
- r) Crofft y Genau Road Priority Access Flared for Bus Movements Junction 16 (drawing no. W141304_A01_J16 Rev J)
- s) POS Provision Plan (drawing no. R.0319-45A)
- t) Environmental Statement (November 2014)
- u) Environmental Statement Addendum (Nov 2016);
- v) Revised Green Infrastructure Strategy (Oct 2016);
- w) Great Crested Newt Conservation Strategy (C_EDP1027_87a_170117)

and shall be in broad accordance with the following approved plans and documents:

- x) Illustrative Masterplan (drawing no. R.0319_8j)
- y) revised Design and Access Statement (R.0319_30D Oct 2016)

unless otherwise approved through subsequent discharge of condition and reserved matters applications. Reason: To retain control of the development and given the information has been used to assess the development.

PART 2: CONDITIONS REQUIRING DETAILS TO BE SUBMITTED AS PART OF THE DISCHARGE OF CONDITION 1
ACCESS WITHIN THE SITE

4. Details in relation to the reserved matter ACCESS submitted to the Local Planning Authority for any reserved matters site in compliance with condition 1 shall include:

- a) details showing the position and form of construction of all junctions, roads, verges, cycle paths, footpaths, bridleways, shared paths and shared surfaces, including any PROW diversions, and the method of disposal of all surface water drainage therefrom
- b) details of 'safe zones' within any proposed shared spaces to protect vulnerable users
- c) the position of street lighting linked to a Central Management System
- d) bus stops and associated facilities
- e) bus priority measures, including any bus lanes and bus gates
- f) where amphibian activity is envisaged, road and junction design measures to ensure that Great Crested Newts and other protected amphibians are not harmed, including use of inset/ dropped kerbs, offset gully pots, amphibian friendly underpasses and/ or amphibian ladders in gully pots
- g) details of and an implementation programme for any temporary access required to ensure safe and convenient pedestrian, cycle and vehicular access through those areas not under construction, where construction is complete and along PROWs including details of any proposed diversions
- h) details of land to be provided and safeguarded for pedestrian / cycle links to existing areas, shown on the Access parameter plan

(drawing no R.0319_17k-3) and a strategy for their delivery
The development shall be carried out in accordance with the approved details, condition 80 (PROVISION OF ROAD BEFORE OCCUPATION OF DWELLINGS) and the phasing details approved under condition 17 (PHASING).

Reason: To make provision for satisfactory access and to allow the phased dimming of street lights to protect light sensitive species on the site.

ACCESS TO RADYR FARM

5. Notwithstanding the provisions of condition 3, details in relation to the reserved matter ACCESS, submitted to the Local Planning Authority in compliance with condition 1, shall include details to demonstrate that the legal right of way to Radyr Farm from Llantrisant Road shall be maintained in perpetuity. The development shall be carried out in accordance with the approved details.
Reason: To maintain vehicular access to Radyr Farm.

ACCESS TO THE REMAINDER OF SITE C

6. Details in relation to the reserved matter ACCESS, submitted to the Local Planning Authority in compliance with condition 1 for any reserved matters site that adjoins the boundary of the remainder of Strategic Site C shall include details to secure pedestrian, cycle and vehicular access up to the boundary of the outline permission site to serve development beyond the boundary and a strategy for their delivery. The submitted details shall demonstrate how the access will not prejudice the proposed green and movement corridors. The development shall be carried out in accordance with the approved details.
Reason: To make provision for effective pedestrian, cycle and vehicular links to the wider strategic site and future expansion areas identified in the Cardiff Local Development Plan.

RAPID TRANSIT CORRIDOR / METRO

7. Details in relation to the reserved matter ACCESS submitted to the Local Planning Authority in compliance with condition 1 shall include:
- a) details, including layout and cross sections, of the 'Express Bus Priority Route' shown on p. 70 of the Design and Access Statement (October 2016)
 - b) details, including layout and cross sections, of the zone to be provided and reserved for Rapid Transit, shown on the Access Parameter Plan (drawing no R.0319_17j-3), including details of the 'Safeguarded Alternative Tram Train Alignment' (shown on p.70 of the Design and Access Statement (October 2016) and demonstrating how this will not prejudice proposed green and movement corridors. The zone to be provided for Rapid Transit shown on the Access parameter plan shall be extended to include the 'safeguarded route for metro within the site' set out on the LDP Schematic Framework for strategic site C
- The development shall be carried out in accordance with the approved details.

Reason: To safeguard options for the future delivery of the 'Metro' within the

site, in accordance with policies KP2(C) and T9 of the Cardiff Local Transport Plan.

CAR PARKING

8. Details in relation to the reserved matter LAYOUT submitted to the Local Planning Authority for any reserved matters site in compliance with condition 1 shall include details for the parking of vehicles. The details shall include, but not be limited to, a strategy and implementation programme for the provision, management, monitoring and control of car parking for any and all non-residential land uses proposed within that reserved matters site. The development shall be implemented in accordance with the approved details and no dwelling or building shall be occupied until the approved parking facilities serving it have been provided. The approved parking shall be retained thereafter and shall not be used for any purpose other than the parking of vehicles.

Reason: To ensure that the use of the proposed development does not interfere with the safety and free flow of traffic circulating within and passing the site.

CYCLE AND MOTORCYCLE PARKING

9. Details in relation to the reserved matter LAYOUT submitted to the Local Planning Authority for any reserved matters site in compliance with condition 1 shall include details for the provision of secure cycle and motorcycle parking spaces. No building shall be occupied until the approved cycle or motorcycle parking serving it has been provided and the cycle and motorcycle parking shall be retained in perpetuity and shall not be used for any other purpose. For the avoidance of doubt, cycle parking will not be required to be provided for any dwellings with garages and motorcycle parking will not be required to be provided for dwellings.

Reason: To ensure that adequate provision is made for the secure parking of cycles.

LOADING AND UNLOADING OF VEHICLES

10. Details in relation to the reserved matter LAYOUT submitted to the Local Planning Authority for any reserved matters site in compliance with condition 1 shall include details of facilities for the loading and unloading of vehicles serving any and all non-residential buildings and a Servicing Management Plan. The development shall be implemented in accordance with the application details and no non-residential building shall be occupied until the approved loading/unloading facilities serving it have been provided. The approved details shall be thereafter maintained and retained.

Reason: To ensure that the use of the proposed development does not interfere with the safety and free flow of traffic passing along the highway abutting the site.

- ADOPTABLE AREAS PLAN
11. Details in relation to the reserved matters submitted to the Local Planning Authority for any Reserved Matters site in compliance with condition 1 shall include a plan showing the following:
- a) adoptable highway
 - b) open space maintained by management company
 - c) any private drives maintained by management company where public right of access is maintained
 - d) any other categories pertaining to management arrangements.
- The development shall be implemented in accordance with the approved details.
- Reason: To help clarify and inform the management arrangements for the site.

- REFUSE
12. Details in relation to the reserved matter LAYOUT submitted to the Local Planning Authority for any reserved matters site in compliance with condition 1 shall include the following:
- a) details of facilities for the storage of refuse containers for each house and flat, and collection points for refuse collection vehicles
 - b) vehicle tracking plan(s) which shall demonstrate via swept path analysis that the Council's largest refuse collection vehicle is able to reach within 25m of all dwellings, and enter and exit all roads (including shared surfaces) in a forward gear and that the turning heads are of sufficient size. Where private drives are identified and access for the Council's refuse collection is not suitable, details of collection arrangements must be submitted to and agreed by the Local Planning Authority in writing
 - c) details of facilities for the storage of refuse containers for any and all non-residential buildings and vehicle tracking plans(s) and which shall demonstrate via swept path analysis that they can be serviced by the Council's largest refuse collection vehicle
 - d) details showing the location of litter bins and - for those litter bins that are proposed on adopted land and/or which are to be emptied and maintained by the Council – details of their design and specifications
- No dwelling or building shall be occupied until the approved refuse facilities and arrangements serving it have been provided. The approved refuse facilities shall thereafter be retained for future use.
- Reason: To secure an orderly form of development, to protect the amenities of the area and because refuse collection vehicles are not permitted to reverse down any roads and must be able to reach within 25m of all dwellings in order for crews to empty bins.

- FLOOR AND GROUND LEVELS
13. Details in relation to the reserved matters submitted to the Local Planning

Authority for any reserved matters site in compliance with condition 1 shall include:

- a) details and a plan(s) showing proposed finished floor levels of each dwelling and building, and existing and proposed ground levels in relation to a fixed datum
- b) a plan showing proposed gradients of all streets, cycleways and footpaths and shared surfaces in full compliance with DfT Inclusive Mobility Guide and Manual for Streets 1 & 2, except where it can be demonstrated that there is a suitable, alternative route available.

The development shall be carried out in accordance with the approved details.

Reason: To enable assessment of the relative heights of existing and proposed ground/floor levels and access requirements.

USEABLE SPORTS PITCHES

14. Notwithstanding the provisions of condition 3, details in relation to the reserved matters submitted to the Local Planning Authority in compliance with condition 1 in respect of any reserved matters site including sports pitches shall include:

- a) details showing the number and size of sports pitches, taking into consideration the provisions of condition 73 (PITCH SIZES)
- b) details showing the location and design of changing facilities for the adult sized pitches or satisfactory alternative provision
- c) a scheme to provide for level and well-drained pitches.

The development shall be implemented in accordance with the approved details prior to the use of the pitches and the drainage scheme shall be retained and maintained for the lifetime of the development.

Reason: To ensure the sports pitches are appropriately drained and useable.

LANDSCAPE SCHEME FOR EACH RESERVED MATTERS SITE

15. Details in relation to the reserved matter LANDSCAPING submitted to the Local Planning Authority for any reserved matters site in compliance with condition 1 shall include the following details and an implementation programme:

- a) hard landscape works which shall include: means of enclosure and retaining structures; vehicle, cycle and pedestrian access and circulation areas; hard surfacing materials; position of external lighting including street lights; minor artefacts and structures (e.g. litter bins, seating and other furniture, play equipment and signs); proposed and existing functional services above and below ground (eg. drainage, power, communications cables)
- b) a landscaping scheme which shall include: proposed finished levels and contours, scaled planting plans/ written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/ densities where appropriate; top soil and subsoil specifications, tree pit sections and plan views showing root available soil volume, planting and aftercare methodology, proposals for remediation work in the event that any element of the landscaping fails
- c) details of public open space provision, in accordance with the provisions of condition 74 (PUBLIC OPEN SPACE PROVISION)
- d) details, where applicable, of allotment provision, as proposed under condition 20 (ALLOTMENT STRATEGY)
- e) details, where applicable, of existing and proposed ponds, attenuation basins and water features, which shall include detailed plans and cross sections of proposed features and respective landscaping, planting and lighting details, and which shall clearly identify those ponds proposed as replacement Great Crested Newt breeding ponds as distinct from other wildlife ponds/attenuation basins
- f) detailed designs for any ecological 'hop-overs' shown on the Green Infrastructure Parameter Plan (drawing no R.0319_17j-4) and as required by condition 72 (ADDITIONAL HOP OVERS) and which shall include the matters detailed in NRW's letter of 24/02/2017
- g) detailed designs, including planting and layout plans, for the min 10m wide buffer zone proposed around all watercourses, wetlands and ponds and the min 15m ecotone buffer to all retained woodland

A Detailed Green Infrastructure Management Strategy (DGIMS) for the delivery, and long-term management, maintenance and monitoring of the ecological, aboricultural, landscape, soil and open space and water resource other than privately owned, domestic gardens. The DGIMS shall accord with the approved SGIMS required to be submitted under condition 19, including any amendments to the SGIMS, and shall substantially accord

with the Green Infrastructure Strategy, the Dark Corridors plan (drawing no R.0319_47) and the mitigation measures set out in the Environmental Statement (November 2014) and ES Addendum (November 2016). The DGIMS shall include, where applicable to that RM site: update surveys of potential reptile habitat and related

mitigation, update surveys of ponds with potential to support Great Crested Newts and related mitigation, update surveys required under parts i) and j) of this condition and any other pre-commencement surveys for that site required as part of the SGIMS; a detailed plan setting out habitats to be lost, enhanced, created and retained and an implementation programme; details of proposed green corridors (including detailed layout plans showing habitat composition and new and retained planting required to reach the size and scale of corridor proposed, cross sections, and a phasing plan for green corridor planting); details of the treatment of Green Infrastructure where it is severed by road infrastructure; a detailed schedule of habitat and species management and maintenance operations and their implementation/timing, including proposals for the management of buffer zones; proposals for species and habitat monitoring and a mechanism to address mitigation failures, proposals for reviews and updating of the DGIMP; proposals for the delivery and on-going management, maintenance and monitoring of the water resource, landscaped areas and open space; an implementation programme for the phasing and delivery of the detailed green infrastructure and a detailed compliance audit scheme;

- i) the Detailed Green Infrastructure Management Strategy shall include a Detailed Great Crested Newt Strategy, which shall include the matters identified in NRW's letter of 24/02/2017 which shall also demonstrate that the intended undergrounding of the overhead powerlines has been taken into consideration in the proposed development and mitigation
- j) the Detailed Green Infrastructure Management Strategy shall include Detailed Bat Mitigation Strategy which shall include the matters identified in NRW's letter of 24/02/2017
- k) A detailed lighting scheme and implementation plan to control light spillage to any 'dark corridors' and other 'sensitive receptors' identified in the approved SGIMS (under condition 19), including watercourses, ponds and wetlands. The scheme shall include details of the siting and type of lighting to be used, their technical specifications, contour plans showing light spillage and cross sections of green corridors where they intersect with roads, footpaths and cycle paths and adjacent properties, detailing green infrastructure and lighting proposals, and operational measures to ensure appropriate lighting, including the timing and extent of any dimming. The lighting shall be linked to a Central Management System to allow for phased dimming.

- l) Proposals for the identification and management/control/eradication of any invasive species identified on the reserved matters site.

The development and green infrastructure management shall be carried out in accordance with the approved details

Reason: To protect the Green Infrastructure resource, to maintain and improve the appearance of the area in the interests of visual amenity and to help reduce crime and disorder.

PROMOTION OF BIODIVERSITY THROUGH DESIGN

16. Details in relation to the reserved matters submitted to the Local Planning Authority for any Reserved Matters site in compliance with condition 1 shall include:
- a) details of fences or other forms of enclosure which shall include opportunities to allow the free passage of hedgehogs and other wildlife. Any walls and or/ fences or other forms of enclosure shall be erected in accordance with the approved details. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification), those walls and/or fences or other means of enclosure shall be erected in accordance with the approved details and shall not thereafter be altered or removed without the prior written approval of the Local Planning Authority
 - b) Proposals to include new bird and bat roosting opportunities based upon the Town and Country Planning Association's 'Biodiversity Positive: Eco-towns Biodiversity Worksheet 2009' and the Bat Conservation Trust's 'Biodiversity for Low and Zero Carbon Buildings: A Technical Guide for New Build 2010'
 - c) Details of planting to allow wildflowers to development on roadside verges, parks and other greenspaces.

The development shall be carried out in accordance with the approved details.

Reason: To promote biodiversity of the site through design.

PART 3: CONDITIONS TO BE DISCHARGED

3A: Conditions to be discharged in respect of whole outline permission site

PHASING

17. Notwithstanding the provisions of condition 3, no reserved matter application shall be approved by the Local Planning Authority and no development shall take place, except for the highway and landscaping works that are the subject of conditions 26 - 34 and 35 (LANDSCAPE SCHEME FOR DETAILED HIGHWAY IMPROVEMENT WORKS), until a phasing schedule and plan for the whole outline permission site has been submitted to and approved in writing by the Local Planning Authority. The phasing schedule and plan shall accord with the conditions and Section 106 Agreement and triggers therein, and shall include details of the phasing of the following:
- a) development Phases, including the number of dwellings to be delivered in each phase

- b) each of the site accesses (junctions 1, 2, 3, 4, 5,12,13,14,15,16)
- c) off-site highway improvements
- d) the spine road and all other roads, junctions, footpaths, cycle paths and shared surfaces within the site
- e) the transport interchanges shown on the October 2016 Design and Access Statement Street Hierarchy Plan, bus priority measures (including bus gates and lanes) and public transport stops

- f) green corridors, landscaping, open space and play areas and other publicly accessible areas
- g) schools, district and local centres.

The green corridor(s) in each Phase shall be commenced prior to the occupation of the first residential reserved matters site in each Phase. The development shall be carried out in accordance with the approved phasing plan or in accordance with any modification to that phasing plan as may be agreed with the prior written approval of the Local Planning Authority.

Reason: To ensure the development is carried out in a comprehensive, sustainable and coherent manner.

DESIGN CODE

18. Notwithstanding the provisions of condition 3, no reserved matters application shall be submitted to the Local Planning Authority until a 'Neighbourhood Character, Key Spaces and Frontages Design Code' for the whole outline permission site has been submitted to and approved in writing by the Local Planning Authority. The Code shall establish principles and guidelines for the treatment of the built form and landscape at the key spaces and along the primary/important frontages shown on p. 76 of the Design and Access Statement (October 2016) and explain how the architecture, landscaping, street furniture, materials and colours will vary between each of the 5 neighbourhoods and 17 character areas presented on p 82 of the Design and Access Statement (October 2016). Details of the scope and form of the Code shall be submitted to and agreed in writing by the Local Planning Authority prior to the submission of the Code. The reserved matters details submitted to and approved by the Local Planning Authority in compliance with condition 1 shall accord with the approved Code unless otherwise approved at reserved matters stage.

Reason: To ensure good design.

STRATEGIC GREEN INFRASTRUCTURE MANAGEMENT STRATEGY

19. No reserved matters applications shall be approved by the Local Planning Authority and no development shall commence, except for the highway and landscaping works that are the subject of conditions 26 - 34 and 35 (LANDSCAPE SCHEME FOR DETAILED HIGHWAY IMPROVEMENT WORKS), until a Strategic Green Infrastructure Management Strategy (SGIMS) - for the whole outline permission site - for the delivery and on-going management, maintenance and monitoring of green infrastructure comprising the ecological, aboricultural, landscape, soil, open space, SUDS

and water resource, other than privately owned domestic gardens, for the whole outline permission site for the construction and operational phases and longer term (up to 30 years and beyond) has been submitted to and approved in writing by the Local Planning Authority. The SGIMS shall include details and an implementation programme for the following:

- a) outline proposals for the delivery of green corridors and dark corridors which shall include plans and outline details of habitat composition and layout, the location of new and retained planting

required to reach the size and scale of corridor set out in the Green Infrastructure PP (drawing no R.0319_17j-4) and as required by condition 71 (ENHANCED GREEN CORRIDOR), and the phasing of that provision.

- b) outline proposals for the protection, creation, translocation, enhancement, management and maintenance of habitats, including woodlands; hedgerows and trees; neutral, marshy and semi-improved grassland; lowland fen; ponds; streams; wet ditches; highway trees/verges and road crossings, and other habitat providing foraging, community and breeding opportunities for protected species, including a description of the habitats to be managed and their desired condition, key indicators to show when the desired condition has been achieved, the management operations required to deliver and maintain their desired condition, and suitable protection zones to woodlands, wetlands, watercourses, ponds and other sensitive habitats, and an outline plan showing habitats to be lost, enhanced, created and retained. Specific reference shall be made to the management of the 30.7ha semi-natural/natural greenspace referred to in NRW's letter dated 24/02/2017
 - c) strategies, including mitigation and enhancement measures, to be delivered for European and other protected species affected by the development, including bats, barn owls, other birds, reptiles, amphibians, invertebrates, and precautionary measures to avoid harm to previously undetected dormice and badgers
 - d) a Final Overarching Great Crested Newt Conservation Strategy which shall address the matters set out in NRW's letter dated 24/02/2017 and also demonstrate that the intended undergrounding of the overhead powerlines has been taken into consideration in the proposed development and mitigation
 - e) proposals for the delivery and on-going management, maintenance and monitoring of landscaped areas and open space, including semi natural multi-functional green space, recreational woodland, sports provision, play grounds, teenage/ older children facilities, orchards and structural landscaping
 - f) appropriate scheduling and timing of management and maintenance operations for habitats, species, landscaped areas and open space
-
- g) proposals for habitat and species monitoring and for review of management operations, including the frequency and timing of any species and habitat re-surveys, pre-construction surveys, monitoring of the potential colonisation of badgers, and reviews and updating of the SGIMP, and proposals to address problems identified by the monitoring scheme and review of habitat management
 - h) an outline site-wide lighting strategy to ensure green corridors, the 'dark corridors' shown on the Dark Corridors plan (drawing no

R.0319_47) and other habitats for light sensitive species are appropriately illuminated and inform the detailed lighting strategy for each Reserved Matters site. The outline strategy shall set out broad lighting principles, including in respect of the siting and type of lighting linked to a Central Management System, times and extent of proposed light 'dimming', operational measures to deliver the appropriate lighting levels, and cross sections showing how 'dark corridors' can be achieved over road crossings

- i) as part of e) provide an assessment of provision for teen facilities within 1500m of the outline site boundary and proposals for a range of new facilities within the outline site to serve the new population.

The approved SGIMS, and any subsequent amendments, shall be implemented in accordance with the approved details and programme for implementation. The development and green infrastructure management shall be carried out in accordance with the approved details.

Reason: To protect and enhance the Green Infrastructure resource of the site, in accordance with policy KP16 of the Cardiff Local Development Plan.

ALLOTMENT STRATEGY

- 20. Notwithstanding the provisions of condition 3, an allotment strategy for the whole outline permission site shall be submitted to and approved in writing by the Local Planning Authority. The reserved matters submitted in compliance with condition 1 shall accord with the approved strategy and the development shall be implemented in accordance with the approved details. Reason: To inform the provision of allotments on the outline site.

RESIDENTIAL TRAVEL PLAN

- 21. No part of the residential development hereby permitted shall be occupied until the submitted Interim Travel Plan (November 2014) has been progressed for the whole outline permission site, submitted to and approved in writing by the Local Planning Authority. The Residential Travel Plan shall set out proposals and targets to limit or reduce the number of single occupancy car journeys to and from the site, and to promote travel by sustainable modes. The Residential Travel Plan shall set out proposals to implement and manage the Travel Plan, through a designated Travel Plan Coordinator. The Residential Travel Plan shall be implemented in accordance with the timetable which shall be set out in the plan or in accordance with a revised timetable which shall be agreed in writing by the

Local Planning Authority. Reports demonstrating progress in promoting the sustainable transport measures detailed in the Residential Travel Plan shall be submitted annually for a period 5 years beyond final occupation to the Local Planning Authority for approval in writing, commencing from the first anniversary of beneficial occupation of the first phase of development.

Reason: To encourage sustainable transport and effect modal shift to non-car modes.

TRAFFIC MONITORING AT SITE ACCESSES

- 22. Prior to beneficial occupation of the development, a traffic monitoring strategy

for the whole outline permission site shall be submitted to and agreed in writing by the Local Planning Authority. The submitted details shall include the methodology to record full turning movements by mode at the site access junctions (junctions 1, 2, 3, 4, 5, 12, 13, 14, 15 and 16). The results of the traffic surveys shall be submitted to the Local Planning Authority annually from the date of the first traffic survey and to 5 years beyond final occupation. Reason: To allow full monitoring, reporting and assessment of the impact of the proposed development.

23. STRATEGIC SUSTAINABLE SURFACE WATER DRAINAGE MASTERPLAN
Prior to the submission of any detailed surface water drainage scheme under condition 63, a strategic sustainable surface water drainage masterplan for the whole outline application site shall be submitted to and approved by the Local Planning Authority. The details shall show how the natural drainage catchments, the development Phases, the reserved matters sites and the flood flow paths relate to each other. The details shall take into consideration the interaction between natural drainage catchments and be designed to ensure that the necessary sustainable drainage network for each reserved matters site is in place prior to occupation of any building. Where a Phase of the development is constructed within part of a natural drainage catchment or straddles more than one drainage catchment, the sustainable drainage network for the entire catchment shall be constructed to accommodate this.

Reason: To ensure that drainage from the development does not cause or exacerbate any adverse condition on the development site, adjoining properties, environment and infrastructure with regard to flood risk.

24. STRATEGIC FOUL DRAINAGE MASTERPLAN
No reserved matter application shall be approved by the Local Planning Authority until a strategic foul drainage masterplan for the whole outline permission site, accompanied by a foul drainage catchment plan and informed by a Hydraulic Modelling Assessment (HMA), have been submitted to and approved in writing by the Local Planning Authority. The submitted strategic foul drainage masterplan shall include details of the following:

- a) suitable points of connection for each foul drainage catchment to connect to the existing public sewerage system

- b) how each development phase within each drainage catchment will be effectively drained to the existing public sewerage system and demonstrate how each phase will accommodate and include a provision for foul drainage flows for all subsequent phases

- c) any improvement or reinforcement works required to the public sewerage system in order to accommodate the development

- d) an implementation programme, which shall take into consideration the phasing schedule and plan approved under condition 17 (PHASING).

Thereafter, any subsequent Reserved Matter application shall accord with the approved details or any modification as may be approved through subsequent discharge of condition applications. No building shall be occupied on any reserved matters site until the works, identified by the Hydraulic Modelling Assessments and through part C of this condition, have been completed on the

public sewerage system serving that reserved matters site.

Reason: To prevent hydraulic overloading of the public sewerage system, protect the health and safety of existing residents, ensure no pollution of or detriment to the environment and to ensure the site can be effectively drained.

25. **STRATEGIC POTABLE WATER SUPPLY MASTERPLAN**

No reserved matter application shall be approved by the Local Planning Authority until a strategic potable water supply masterplan for the whole outline permission site, accompanied by ground levels based on Lidar information and informed by a Hydraulic Modelling Assessment (HMA), have been submitted to and approved in writing by the Local Planning Authority. The submitted strategic potable water supply masterplan shall include details of the following:

- a) suitable points of connection for each phase to the existing public water supply system
- b) how each development phase and reserved matters site can be served by a suitable potable water supply system and demonstrate how each phase will accommodate and include a provision for a water supply for all subsequent phases
- c) any improvement or reinforcement works required to the public water supply system in order to serve the development.
- d) an implementation programme, which shall take into consideration the phasing schedule and plan approved under condition 17 (PHASING).

Thereafter, any subsequent Reserved Matter application shall accord with the approved details or any modification as may be approved through subsequent discharge of condition applications. No building shall be occupied on any reserved matters site until the works, identified through the Hydraulic Modelling Assessment and through part C of this condition, have been completed on the public water supply system serving that reserved matters site.

Reason: To ensure an adequate water supply and to protect the integrity of the public water supply system.

PART 3B: Conditions to be discharged in respect of specific works/ buildings/ land uses / areas

DETAILED HIGHWAY IMPROVEMENT WORKS – JUNCTION 1

26. Notwithstanding the provisions of drawing 'Llantrisant Road Junction / Croft Y Genau Junction 1 (drawing no. W141304_A01_J1 Rev J)' and condition 3, and subject to condition 68 (FULL ENGINEERING DETAILS FOR EACH JUNCTION), no detailed highway improvement works relating to the above junction and no development of the Phase to which it adjoins shall commence until full engineering details of the highway improvement works have been submitted to and approved in writing by the Local Planning Authority. The full engineering details shall include the following:

- a) Tabled zebra crossing to be provided across Rhydlafar Drive, to provide access to the stepped path;
- b) Footway on the east side of Rhydlafar to be widened to 3 metres from the zebra crossing to the easternmost crossing at Junction 1 and converted to a shared use facility;
- c) Toucan crossing facilities to be provided on all arms of the junction;
- d) Safeguarding of a corridor of minimum width of 3.1 metres, to enable the provision of a northbound bus lane on Croft Y Genau Road set back 50 metres from the junction with the A4119 Llantrisant Road for a distance of at least 200 metres;
- e) Provision of the spine street section shown on p. 72 of the Design and

Access Statement (Oct 2016) to tie into Llantrisant Road from 'Junction 1' south along Crofft Y Genau Road to 'Junction 16'.

The development shall be implemented in accordance with the approved details and the phasing details required to be submitted under condition 17 (PHASING).

Reason: To ensure the provision of satisfactory access to and from the site.

DETAILED HIGHWAY IMPROVEMENT WORKS – JUNCTION 2

27. Notwithstanding the provisions of drawing 'Llantrisant Road Signalised Crossroads Junction – Junction 2 (drawing no. W141304_A01_J2 Rev J)' and condition 3, and subject to condition 68 (FULL ENGINEERING DETAILS FOR EACH JUNCTION), no detailed highway improvement works relating to the above junction and no development of the Phase to which it adjoins shall commence until full engineering details of the highway improvement works have been submitted to and approved in writing by the Local Planning Authority. The full engineering details shall include the following:

- a) All intersecting cycle tracks and crossings at the junction to be directly linked;
- b) Provision of dropped kerbs, in an appropriate location to minimise crossing distance for pedestrians at Ty-Gwyn;
- c) Safeguarding of land for the provision of a northbound bus lane on the site arm (southern) of the junction, set back 50 metres from the junction with the A4119 Llantrisant Road; and
- d) Provision of extended cycle feeder lanes to connect to the advanced stop line.

The development shall be implemented in accordance with the approved details and the phasing details required to be submitted under condition 17 (PHASING).

Reason: To ensure the provision of satisfactory access to and from the site.

DETAILED HIGHWAY IMPROVEMENT WORKS – JUNCTION 3

28. Notwithstanding the provisions of drawing 'Llantrisant Road / Clos Park Radyr Signalised Crossroads Junction 3 (drawing no. W141304_A01_J3 Rev J)' and condition 3, and subject to condition 68 (FULL ENGINEERING DETAILS FOR EACH JUNCTION), no detailed highway improvement works relating to the above junction and no development of the Phase to which it adjoins shall commence until full engineering details of the highway improvement works have been submitted to and approved in writing by the Local Planning Authority. The full engineering details shall include the following:

- a) Provision of a segregated 3m wide two way cycleway on all arms of the junction, including Llantrisant Road, site access arm and western side of Clos Parc Radyr to link to junctions 3 and 4, including informal crossing facilities at junction 4;
- b) All intersecting cycle tracks to be directly linked. This includes provision of signalised facilities located close to the desire lines;
- c) Provision of a northbound bus lane on the site arm (southern) of the junction, set back 50 metres from the junction with the A4119

Llantrisant Road; and

- d) Provision of extended cycle feeder lanes to connect the proposed bus lane with the advanced stop line.

The development shall be implemented in accordance with the approved details and the phasing details required to be submitted under condition 17 (PHASING).

Reason: To ensure the provision of satisfactory access to and from the site.

DETAILED HIGHWAY IMPROVEMENT WORKS - JUNCTIONS 4, 5, 6

29. Notwithstanding the provisions of drawing 'Clos Park Radyr Priority Site Access Junction 4, 5, 6 (drawing no. W141304_A01_J4-5-6 Rev J)' and condition 3, and subject to condition 68 (FULL ENGINEERING DETAILS FOR EACH JUNCTION), no detailed highway improvement works relating to the above junction and no development of the Phase to which it adjoins shall commence until full engineering details of the highway improvement works have been submitted to and approved in writing by the Local Planning Authority. The full engineering details shall include the following:

- a) The spine street section shown on p.72 of the Design and Access Statement (October 2016) to be provided on the western side Clos Parc Radyr between and to link junctions 3 and 4;
- b) The shared use path on the eastern side of Clos Parc Radyr to be provided with minimum clear width of 3 metres throughout its length;
- c) Crossing facilities for cyclists to be provided at Junction 4 to ensure continuity of connections in all directions between spine road treatments and the shared use path on Clos Parc Radyr;
- d) Crossing facilities to be provided at Junction 5 to ensure cyclists can join shared use path on eastern side of Clos Parc Radyr; and

- e) Due to the close proximity of Junctions 5 and 6, these are to share a raised table junction, in accordance with the details approved for Junction 6.

The development shall be implemented in accordance with the approved details and the phasing details required to be submitted under condition 17 (PHASING).

Reason: To ensure the provision of satisfactory access to and from the site.

PENTREBANE RD BI-DIRECTIONAL CYCLE LANE SIGNALISED CROSS ROADS JUNCTION 11

30. Notwithstanding the provisions of drawing 'Pentrebane Road Bi-Directional Cycle Lane Signalised Crossroads Junction 11 (drawing no W141304_A01_J11 Rev J)' and condition 3, and subject to condition 68 (FULL ENGINEERING DETAILS FOR EACH JUNCTION), no detailed highway works relating to the above junction and bidirectional cycle track shall take place until full engineering details of the highway improvement works have been submitted to and approved in writing by the Local Planning Authority. These works shall include the following:

- a) The provision of a bidirectional cycle track of a minimum 3 metres width on the northern side of Pentrebane Road from its junction with

- Waterhall Road to development junction 13;
- b) Provision of toucan crossings on all arms of the Pentrebane Road and Waterhall Road junction; and
- c) Provision of a segregated cycling facility between Amethyst Road and the signalisation of the Pentrebane Road and Waterhall Road junction.

The development shall be implemented in accordance with the approved details. No dwellings in phase 2 shall be occupied until the approved details have been constructed.

Reason: To ensure the provision of satisfactory access to and from the site.

31. DETAILED HIGHWAY IMPROVEMENT WORKS – JUNCTIONS 12 AND 13
- Notwithstanding the provisions of drawing 'Pentrebane Road / Beechley Drive Signalised Crossroads & Pentrebane Site Access Junctions 12 and 13' (drawing no. W141304_A01_J12-13 Rev J) and condition 3, and subject to condition 68 (FULL ENGINEERING DETAILS FOR EACH JUNCTION), no detailed highway improvement works relating to the above junction and no development of the Phase to which it adjoins shall commence until full engineering details of the highway improvement works have been submitted to and approved in writing by the Local Planning Authority. The full engineering details shall include the following:
- a) Provision of a bidirectional cycle track of a minimum 3m width on the northern side of Pentrebane Road from its junction with Ashcroft Crescent to junction 13;
 - b) Provision of Toucan crossings and dropped kerbs at Junction 12 to enable cyclists travelling on road on Beechley Drive to join and leave cycle track north of Pentrebane Road;

- c) Provision of crossing facilities at Junction 13 to enable cyclists to connect between the cycle track on northern side of Pentrebane Road described in a) above and the stopped up section of Pentrebane Rd west of the junction;
- d) Safeguarding of land for the provision of a southbound bus lane on the site arm (northern) of Junction 12, set back around 50m from the junction with Pentrebane Road.

The development shall be implemented in accordance with the approved details and the phasing details required to be submitted under condition 17 (PHASING).

Reason: To ensure the provision of satisfactory access to and from the site.

32. DETAILED HIGHWAY IMPROVEMENT WORKS – JUNCTION 14
- Notwithstanding the provisions of drawing 'Re-alignment of Crofft y Genau Road into Pentrebane Road Junction 14' (drawing no. W141304_A01_J14 Rev J) and condition 3, and subject to condition 68 (FULL ENGINEERING DETAILS FOR EACH JUNCTION) no detailed highway improvement works relating to the above junction and no development of the Phase to which it adjoins shall commence until full engineering details of the highway improvement works have been submitted to and approved in writing by the

Local Planning Authority. The full engineering details shall include the following:

- a) A continuous cyclist and pedestrian link to Crofft Y Genau Road and across to St Brides Road;
- b) Cycling access to the junction of Crofft Y Genau Road and St Brides Road;
- c) Shared use link from stopped up section of Pentrebane Road to spine road to be provided with a minimum clear width of 3 metres;
- d) The site access north of Pentrebane Road does not show a continuous cycle route west to Crofft Y Genau Road. Cycling access needs to be provided to the junction of Crofft Y Genau Road and the site access; and
- e) an ANPR traffic gate to time limit tidal flow access of traffic on Crofft-Y-Genau Road.

The development shall be implemented in accordance with the approved details and the phasing details required to be submitted under condition 17 (PHASING).

Reason: To ensure the provision of satisfactory access to and from the site.

DETAILED HIGHWAY IMPROVEMENT WORKS – JUNCTION 15

33. Notwithstanding the provisions of drawing 'Crofft y Genau Road Southern Site Access Junction 15' (drawing no. W141304_A01_J15 Rev J) and condition 3, and subject to condition 68 (FULL ENGINEERING DETAILS FOR EACH JUNCTION), no detailed highway improvement works relating to the above junction and no development of the Phase to which it adjoins shall commence until full engineering details of the highway improvement works have been submitted to and approved in writing by the Local Planning Authority. The full engineering details shall include details of an ANPR traffic

gate to time limit tidal flow access of traffic on Crofft-Y-Genau Road. The development shall be implemented in accordance with the approved details and the phasing details required to be submitted under condition 17 (PHASING).

Reason: To ensure the provision of satisfactory access to and from the site.

DETAILED HIGHWAY IMPROVEMENT WORKS – JUNCTION 16

34. Notwithstanding the provisions of drawing 'Crofft y Genau Road Priority Access Flared for Bus Movements Junction 16' (drawing no. W141304_A01_J16 Rev J) and condition 3, and subject to condition 68 (FULL ENGINEERING DETAILS FOR EACH JUNCTION), no detailed highway improvement works relating to the above junction and no development of the Phase to which it adjoins shall commence until full engineering details of the highway improvement works have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details and the phasing details required to be submitted under condition 17 (PHASING).

Reason: To ensure the provision of satisfactory access to and from the site.

LANDSCAPE SCHEME FOR DETAILED HIGHWAY IMPROVEMENT WORKS

35. No development of the access and highway works that are the subject of conditions 26 - 34 shall take place nor any associated removal of trees and hedgerows, until there has been submitted to and approved in writing by the Local Planning Authority a landscaping scheme for those works. The scheme shall:
- a) include a tree assessment for that part of the site in accordance with BS 5837:2012 comprising an Arboricultural Impact Assessment, Arboricultural Method Statement and Tree Protection Plan
 - b) include a Soil Resource Survey (SRS) and Soil Resource Plan (SRP) for that part of the site that shall accord with the 'Construction Code of Practice for the Sustainable Use of Soils on Construction Sites' (DEFRA 2009)
 - c) include details of proposed finished levels of the site in relation to the existing ground level, earthworks, hard surfacing materials, lighting, proposed and existing services above and below ground level, scaled planting plans (including schedules of plant species, sizes, numbers or densities, and in the case of trees, planting, staking, mulching, protection, soil protection and after care methods), topsoil and sub soil specification, tree pit sectional and plan views, planting and aftercare methodology.
 - d) demonstrate how planting shall be accommodated to avoid conflict with services.

The scheme shall be implemented in accordance with the approved details.
Reason: To maintain and improve the appearance of the area in the interests of visual amenity.

SCHOOL TRAVEL PLAN

36. Prior to the first beneficial use of any school, a School Travel Plan for that school shall be submitted to and approved in writing by the Local Planning Authority. The School Travel Plan shall set out proposals and targets, together with a timetable to limit or reduce the number of single occupancy car journeys to and from the site, and to promote travel by sustainable modes. The School Travel Plan shall set out proposals to implement and manage the Travel Plan, through a designated Travel Plan Coordinator. The School Travel Plan shall be implemented in accordance with the timetable which shall be set out in the plan or in accordance with a revised timetable which shall be agreed in writing by the Local Planning Authority. Reports demonstrating progress in promoting the sustainable transport measures detailed in the School Travel Plan shall be submitted annually for a period of 5 years beyond final occupation of that school to the Local Planning Authority for approval in writing, commencing from the first anniversary of beneficial occupation of the school.
Reason: To encourage sustainable transport and effect modal shift to non-car modes.

EMPLOYMENT TRAVEL PLAN

37. No part of the proposed employment development shall be occupied until an Employment Travel Plan has been progressed, submitted to and approved in writing by the Local Planning Authority in relation to that part of the employment development. The Travel Plan shall set out proposals and targets, together with a timetable to limit or reduce the number of single occupancy car journeys to and from that part of the site, and to promote travel by sustainable modes. The Employment Travel Plan shall set out proposals to implement and manage the Travel Plan, through a designated Travel Plan Coordinator. The Employment Travel Plan shall be implemented in accordance with the timetable which shall be set out in the plan or in accordance with a revised timetable which shall be agreed in writing by the Local Planning Authority. Reports demonstrating progress in promoting the sustainable transport measures detailed in the Travel Plan shall be submitted annually for a period of 5 years beyond final occupation of that part of the employment development to the Local Planning Authority for approval in writing, commencing from the first anniversary of beneficial occupation of the school.
Reason: To encourage sustainable transport and effect modal shift to non-car modes.

38. RETAIL / COMMUNITY / HEALTHCARE USE EMPLOYEE TRAVEL PLAN
No part of the proposed retail, community and healthcare development shall be occupied until Travel Plan has been submitted to and approved in writing by the Local Planning Authority for the employees of that part of the retail, community and healthcare offer. The Travel Plan shall set out proposals and targets, together with a timetable to limit or reduce the number of single occupancy car journeys to and from that part of the site,

and to promote travel by sustainable modes. The Travel Plan shall set out proposals to implement and manage the Travel Plan, through a designated Travel Plan Coordinator. The Travel Plan shall be implemented in accordance with the timetable which shall be set out in the plan or in accordance with a revised timetable which shall be agreed in writing by the Local Planning Authority. Reports demonstrating progress in promoting the sustainable transport measures detailed in the Travel Plan shall be submitted annually for a period of 5 years beyond final occupation to the Local Planning Authority for approval in writing, commencing from the first anniversary of beneficial occupation.

Reason: To encourage sustainable transport and effect modal shift to non-car modes.

39. RADYR GOLF COURSE INTERFACE STRATEGY
Notwithstanding the provisions of condition 3 and within 12 months of the date of this permission, a 'Radyr Golf Course Interface Strategy' to respond to the conflict posed by errant golf balls shall be submitted to the Local Planning Authority for approval and no reserved matters application shall be submitted to the Local Planning Authority for approval in respect of any land falling within a 50m wide offset measured from the shared boundary between the outline permission site and Radyr Golf Course until a 'Radyr Golf Course Interface Strategy' has been approved in writing by the Local Planning Authority, in consultation with Radyr Golf Club. Notwithstanding the provisions of condition

- 3, the reserved matters details submitted to and approved by the Local Planning Authority in compliance with condition 1 shall accord with the approved strategy and shall be implemented as approved.
Reason: To address the constraint of Radyr Golf Course, as required by Policy KP2(C) of the Cardiff Local Development Plan.
- LISTED BUILDINGS PENTREBANE FARM**
40. Within 3 months of the date of this outline permission, a full building condition survey of the three Grade II listed buildings at Pentrebane Farm (comprising the north wall of the former walled garden - Cadw ref 13924, a large barn – Cadw ref 13925 and the farmhouse itself – Cadw ref 82247) shall be undertaken in accordance with a written scheme of investigation which shall be first submitted to and approved in writing by the Local Planning Authority. A report of the findings of the assessment, and a full schedule of interim repairs proposed until full refurbishment takes place and an implementation programme shall be submitted to the by the Local Planning Authority for approval within 6 months of the date of this permission. The schedule of repairs considered reasonably necessary to ensure the proper preservation of the building shall be implemented in accordance with the approved details and implementation programme.
Reason: The condition of each of these buildings has been recently re-assessed as 'very bad' within the Cadw Building at Risk (BAR) Survey undertaken in November 2015, leading them to be classified as 'At Risk', linked to a lack of proactive maintenance and repairs over a long period and the vacancy of the farmhouse itself.
- HISTORIC FARM BUILDING RECORDING**
41. Prior to the commencement of any development works to, or demolition, re-use or conversion of the undesignated historic farm buildings at Halfwrt, Pen Down, Maes-y-Lech and Ty-Gwn, and Pentrebane Cottages, a programme of building recording shall be undertaken in accordance with a written scheme of investigation which shall be first submitted to and approved in writing by the Local Planning Authority. A report of the recording and its findings, together with written evidence that a copy has been accepted into the National Monuments Record Wales, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any works to the undesignated historic farm buildings.
Reason: To promote the understanding of the heritage of the area.
- HISTORIC FARM BUILDING INTERPRETATION**
42. Any ruinous structures relating to the historic farms identified in condition 41 (HISTORIC FARM BUILDING RECORDING) which are to be retained in situ within public open space shall be identified within on-site interpretation boards or other installations, the details of which shall be first submitted to and approved in writing by the Local Planning Authority. The approved interpretation shall be installed on site prior to the beneficial occupation of any residential development on the reserved matters site in which those assets are located.
Reason: To promote the understanding of the heritage of the area.
- INTEPRETATION OF UNDESIGNATED ARCHAEOLOGY**
43. Details of the proposed preservation in situ of two limekiln sites (02879s, and 01429s), identified in the Environmental Statement (November 2014), including details to promote their access and interpretation by the public, shall be

submitted to and approved in writing by the Local Planning Authority. Thereafter, an explanation of the history and significance of those assets shall be set out within interpretation installations, which shall be erected in situ prior to the beneficial occupation of any residential development on the reserved matters site in which those assets are located. Reason: To promote the understanding of the heritage of the area.

DISTRICT CENTRE DESIGN CODE

44. Notwithstanding the provisions of condition 3, no reserved matters application shall be submitted in respect of any land on which the District Centre is proposed until a design code for the District Centre has been submitted to and approved in writing by the Local Planning Authority. Details of the scope of the design code shall be submitted to and agreed in writing by the Local Planning Authority prior to the submission of the design code. The reserved matters details submitted to and approved by the Local Planning Authority in compliance with condition 1 shall accord with the approved design code. Reason: To ensure good design.

PART 3C: Conditions to be discharged in respect of each RM site

45. **POWER LINES AND PYLONS AND HIGH PRESSURE GAS PIPES**
No reserved matters shall be approved by the Local Planning Authority until a statement outlining the proposed treatment of any existing high pressure gas pipes, and power lines and pylons that cross that reserved matter site has been submitted to the Local Planning Authority. The submitted details shall include details of any proposals for any alternative routes or treatment, together with a timetable for the outlined works. The Applicant shall thereafter update the Local Planning Authority of any material changes to the Applicant's intentions prior to and during the construction phase.
Reason: In the interest of visual amenity and to allow the reserved matters details to be appropriately assessed.

ENERGY STRATEGY

46. No reserved matters application shall be approved by the Local Planning Authority until an energy strategy for that reserved matters site has been submitted to and approved in writing by the Local Planning Authority. The strategy shall include an assessment of the financial viability and technical feasibility of incorporating renewable and low carbon technologies, including energy supply systems. The development shall be implemented in accordance with the approved details.
Reason: To promote sustainable development.

PUBLIC ART

47. No reserved matters application shall be approved by the Local Planning

Authority until a until a scheme, maintenance schedule and timetable for the provision of public art on that reserved matters site has been submitted to and approved in writing by the Local Planning Authority. The public art strategy for Coed y Gof Recreational Woodland shall include proposals for the sculpture trail proposed in the Design and Access Statement (October 2016). The development shall be implemented in accordance with the approved details and the public art shall be maintained in accordance with the approved details. Reason: In the interests of creating a quality and legible built environment.

TREES

48. No reserved matters application shall be approved by the Local Planning Authority and no development or site clearance on that Reserved Matters site shall take place until there has been submitted to and approved in writing by the Local Planning Authority a tree assessment in accordance with BS 5837:2012 for that Reserved Matters site. The tree assessment shall include:

- a) an Arboricultural Impact Assessment (AIA);
- b) a plan showing the hedgerows and trees to be retained, removed, relocated and planted;
- c) an Arboricultural Method Statement (AMS) setting out the methodology that shall be used to prevent loss of or damage to retained trees. The AMS shall include details of on-site monitoring of tree protection and tree condition that shall be carried out for at least two years after its completion; and
- d) a Tree Protection Plan (TPP) in the form of a scale drawing showing the finalised layout and the tree and landscaping protection methods detailed in the AMS that can be shown graphically.

The development shall be carried out in full conformity with the approved AIA, AMS and TPP unless modifications to the approved AIA, AMS and TPP are agreed in writing by the Local Planning Authority.

Reason: To maintain and improve the appearance of the area in the interests of visual amenity and to protect the arboricultural and ecological resource.

SOILS

49. No reserved matters application shall be approved by the Local Planning Authority and no development or site clearance on that Reserved Matters site shall take place until there has been submitted to and approved in writing by the Local Planning Authority a Soil Resource Survey (SRS) and Soil Resource Plan (SRP) for that Reserved Matters site that shall accord with the 'Construction Code of Practice for the Sustainable Use of Soils on Construction Sites' (DEFRA 2009). The development shall be carried out in full conformity with the approved SRP unless modifications to the SRP are agreed in writing by the Local Planning Authority.

Reason: To ensure the successful delivery of green infrastructure proposals.

CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

50. Prior to the commencement of any site clearance, construction works or

development on any Reserved Matters site a Construction Environmental and Management Plan (CEMP) for that Reserved Matters site shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall accord with the approved parameter plans and supporting text, and shall be in substantial accordance with the Revised Green Infrastructure Strategy and the mitigation measures set out in the Environmental Statement (November 2014) and Environmental Statement Addendum (November 2016). The CEMP shall include:

- a) an implementation programme

- b) a Construction Traffic Management Plan, which shall include the following details: identification of the routes that HGV construction vehicles would take and which shall avoid use of St Fagans Level Crossing and comply with Heol Isaf weight restrictions and identification of measures to regulate the routing of HGV construction traffic; times within which traffic can enter and leave the site; times of deliveries, loading and unloading of plant and materials; access to the site for construction traffic; provision and a timetable for delivery of measures to ensure safe and convenient pedestrian, cycle and vehicular access through those areas not under construction or where construction is complete; wheel washing facilities; and parking of vehicles for contractors, site operatives and visitors and loading and unloading of plant and materials
- c) details of the storage, loading and unloading of plant and materials (including any oils, fuels and chemicals), construction compounds, any temporary facilities for construction / sales staff
- d) details of site hoardings (including the erection, maintenance, security and any decorative displays) and means of enclosure to prevent unauthorized access during construction
- e) a Dust Management Plan and measures to control the emission of dust and dirt from construction and minimise sediment loading
- f) Measures to control cementitious materials
- g) An Action Plan for dealing with unexpected contamination
- h) a Site Waste Management Plan for the recycling and/ or disposal of all waste resulting from construction works
- i) a noise control plan
- j) a Construction Drainage Scheme indicating how surface water and land drainage run off will be dealt with to prevent pollution, contamination, nuisance, subsidence, silt-laden run-off or flooding to land, buildings, watercourses or highways within the Reserved Matters site and adjacent land, buildings, watercourses and

- highways during the construction period, with particular consideration given to the protection of the Ty-Du Moor SSSI. Details shall include a minimum of one months base-line data demonstrating the pre-construction water quality on any watercourses on site and a Silt Management Plan including emergency / contingency plans in the event of pollution
- k) foul drainage strategy for the construction phase

- l) a Green Infrastructure Construction Protection Strategy (GICPS) detailing measures for the protection of the ecological (habitats & protected species), aboricultural, landscape, soil, open space, water and SuDs resource during clearance and construction, and mitigation measures, including those existing elements proposed for retention and translocation, and those proposed to be created or enhanced as part of the application. The GICPS shall comply with the approved Aboricultural Impact Assessment, Aboricultural Method Statement and Tree Protection Plan and the approved Soil Resource Survey and Soil Resource Plan for that site/ land and shall include but shall not be limited to:
- a plan showing green infrastructure to be lost, retained, enhanced, translocated and newly created and its phasing
 - a risk assessment of the potentially damaging activities
 - a plan showing protection zones for the ecological (habitats & protected species), aboricultural, landscape, soil, open space, water and SUDS resource (including culverts) for the construction phase, which shall include but not be limited to a min 10m wide protection zone alongside all wetlands, ponds and watercourses within and bordering the site, a min 15m wide protection zones from all retained woodland and retained woodland SINC's, and precautionary measures to avoid harm to previously undetected dormice and badgers
 - pre-construction checks
 - updated surveys prior to felling/pruning of trees or demolition of any trees and buildings with confirmed, or potential to support, barn owl nesting/roosting and bat roosts, proposed to be removed or at risk during the construction phase and other pre-commencement surveys required as part of the SGIMS approved under condition 19
 - updated surveys of ponds with potential to support Great

Crested Newts and potential reptile habitats prior to commencement of construction

- details of site clearance and construction methods and measures to be taken to minimize and mitigate the impact of any works
- phasing / timing of works and times when ecological supervision is required
- a lighting scheme, including measures to reduce light spillage from construction onto key habitats and corridors, which shall include the matters set out in NRW's letter of 24/02/17.

- m) List of on-site contacts and their responsibilities and arrangements for liaison between site manager, principle contractor, ecologist, arboriculturist, soil scientist, landscape architect or other related professionals during the course of construction, and ecological site inductions for contractors working on site. Arrangements shall include details of what contractors should do in the event protected species are encountered during the course of development.

The details so approved and any subsequent amendments as shall be agreed in writing by the Local Planning Authority shall be complied with in full throughout the construction period.

Reason: To manage the impacts of construction on that Reserved Matters site in the interests of highway safety, and protection of the environment and public amenity.

GROUND GAS ASSESSMENT AND MITIGATION MEASURES

51. Prior to the commencement of development on each reserved matters site, a scheme to investigate and monitor that reserved matters site for the presence of gases being generated at that reserved matters site or on land adjoining thereto, including a plan of the area to be monitored, shall be submitted to and approved in writing by the Local Planning Authority. Following completion of the approved monitoring scheme, the proposed details of any appropriate gas protection measures which may be required to ensure the safe and inoffensive dispersal or management of gases and to prevent lateral migration of gases into or from land surrounding the application site shall be submitted to and approved in writing by the Local Planning Authority. All required gas protection measures shall be implemented as approved and appropriately verified before occupation of any part of that reserved matters site and the approved protection measures shall be retained and maintained until such time as the Local Planning Authority agrees in writing that the measures are no longer required.

Reason: To ensure that the safety of future occupiers is not prejudiced in

accordance with policy EN13 of the Cardiff Local Development Plan.

LAND CONTAMINATION A: RISK ASSESSMENT

52. Prior to the commencement of the development on each reserved matters site, an assessment of the nature and extent of contamination on land and controlled waters for that reserved matters site shall be submitted to and approved in writing by the Local Planning Authority. The assessment must be taken as an intrusive investigation to assess the extent, scale and nature of contamination which may be present. A report on the results of the investigation detailing the assessment of the potential risks and an appraisal of remedial options and justification for the preferred remedial option(s) shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that information provided for the assessment of the risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems is sufficient to enable a proper assessment in accordance with policy EN13 of the Cardiff Local Development Plan.

LAND CONTAMINATION B: SUBMISSION OF REMEDIATION SCHEME AND VERIFICATION PLAN

53. Where the approved risk assessment report submitted under condition 52 (LAND CONTAMINATION A: RISK ASSESSMENT) concludes that remediation is necessary, prior to the commencement of development on each Reserved Matters site, a detailed remediation scheme and verification plan to bring that reserved matters site to a condition suitable for the intended use by removing any unacceptable risks to human health, controlled waters, buildings, other property and the natural and historical environment, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works and site management procedures.

Reason: To ensure that any unacceptable risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy EN13 of the Cardiff Local Development Plan.

LAND CONTAMINATION C: UNDERTAKING OF REMEDIATION AND ISSUE OF VERIFICATION REPORT

54. Where the approved risk assessment report submitted under condition 52 (LAND CONTAMINATION A: RISK ASSESSMENT) concludes that remediation is necessary, the approved remediation scheme for that reserved matters site shall be implemented and completed in accordance with its terms prior to the occupation of any part of the development on that reserved matters site unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority shall be given two weeks written notification of commencement of the remediation scheme works. Within 6 months of the

completion of the measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that any unacceptable risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy EN13 of the Cardiff Local Development Plan.

LAND CONTAMINATION D: POST REMEDIATION MONITORING REQUIREMENTS

55. Where the approved risk assessment report submitted under condition 52 (LAND CONTAMINATION A: RISK ASSESSMENT) concludes that remediation is necessary, a monitoring scheme to include monitoring the long-term effectiveness of the remediation over a period which shall be agreed in writing by the Local Planning Authority and the provision of reports on the same shall be submitted to and approved in writing by the Local Planning Authority, prior to the occupation of any approved building on that reserved matters site.

Reason: To ensure that any unacceptable risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy EN13 of the Cardiff Local Development Plan.

IDENTIFICATION OF UNSUSPECTED CONTAMINATION

56. In the event that contamination is found at any time when carrying out the approved development on each Reserved Matters site that was not previously identified, it shall be reported in writing within 2 days to the Local Planning Authority, all associated works shall stop, and no further development shall take place, unless otherwise agreed in writing by the Local Planning Authority, until a scheme to deal with the contamination found has been submitted to and approved in writing by the Local Planning Authority. An investigation and risk assessment shall be undertaken and, where remediation is necessary, a remediation scheme and verification plan shall be submitted to and approved in writing by the Local Planning Authority. Following completion of the measures identified in the approved remediation scheme, a verification report shall be submitted to and approved in writing by the Local Planning Authority. The timescale

for the above actions shall be submitted to the Local Planning Authority for approval in writing within 2 weeks of the discovery of any unsuspected contamination and shall be implemented in accordance with the approved timetable unless otherwise agreed in writing by the Local Planning Authority. Reason: To ensure that any unacceptable risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy EN13 of the Cardiff Local Development Plan.

IMPORTED SOIL

57. Any topsoil (natural or manufactured), or subsoil, to be imported onto a Reserved Matters site shall be assessed for chemical or other potential contaminants in accordance with a scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority in advance of its importation. Only material approved by the Local Planning Authority shall be imported. All measures specified in the approved scheme shall be undertaken in accordance with the relevant Code of Practice and Guidance Notes. Subject to approval of the above, verification sampling of the material received at the development site shall be undertaken to verify that the imported soil is free from contamination and shall be undertaken in accordance with a scheme which shall be agreed with in writing by the Local Planning Authority.

Reason: To ensure that the safety of future occupiers is not prejudiced in accordance with policy EN13 of the Cardiff Local Development Plan.

IMPORTED AGGREGATES

58. Any aggregate (other than virgin quarry stone) or recycled aggregate material to be imported onto each Reserved Matters site shall be assessed for chemical or other potential contaminants in accordance with a scheme of investigation to be submitted to and approved in writing by the Local Planning Authority in advance of its importation. Only material approved by the Local Planning Authority shall be imported. All measures specified in the approved scheme shall be undertaken in accordance with the relevant Code of Practice and Guidance Notes. Subject to approval of the above, verification sampling of the material received at the development site shall be undertaken to verify that the imported aggregate is free from contamination and shall be undertaken in accordance with a scheme which shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure that the safety of future occupiers is not prejudiced in accordance with policy EN13 of the Cardiff Local Development Plan.

ROAD TRAFFIC NOISE

59. No reserved matters application shall be approved by the Local Planning Authority until there has been submitted to and approved in writing by the Local Planning Authority a scheme for that reserved matters site that provides for all habitable rooms exposed to external road traffic noise in excess of 63 dBA Leq 16 hour [free field] during the day [07.00 to 23.00 hours] or 57 dBA Leq 8 hour [free field] at night [23.00 to 07.00 hours] to be subject to sound insulation measures to ensure that all such rooms achieve an internal noise level of 35 dBA Leq 16 hour during the day and 30 dBA Leq 8 hour at night.

The details of the sound insulation and ventilation scheme, which shall include either active or passive means of ventilation, shall be submitted to and approved in writing by the Local Planning Authority. No habitable room shall be occupied until the approved sound insulation and ventilation measures have been installed in that room. Any private open space (excepting terraces or balconies to any apartment) shall be designed to

provide an area which is at least 50% of the area for sitting out where the maximum day time noise level does not exceed 55 dBA Leq 16 hour [free field].

Reason: To ensure that the amenities of future occupiers are protected in accordance with policy EN13 of the Cardiff Local Development Plan.

60. NON-RESIDENTIAL PREMISES

No non-residential premises shall be occupied until the following details for that premises have been submitted to and approved in writing by the Local Planning Authority:

- a) proposed hours for the arrival, departure, loading and unloading of delivery vehicles
- b) proposed hours that any member of the public shall be admitted to or allowed to remain on the premises
- c) proposed hours that any sales of hot food for consumption off the premises shall take place from the premises
- d) a scheme for sound insulation of any room where amplified music will be played at any time
- e) a scheme of sound insulation works to the floors/ceiling and/or party wall structure between any retail/commercial unit and adjoining residential unit
- f) a scheme for the provision and maintenance of extract ventilation equipment for the mechanical extraction of all fumes from the food preparation areas in any premises which is to involve the preparation and cooking of hot food at any time. The scheme shall include, but shall not be limited to, details of: the point that fumes shall be mechanically extracted to, details of the equipment, de-odorising filter and chimney.

Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (or any Order amending or revoking and re-enacting that Order), the development shall be carried out, operated and maintained in accordance with the approved details and, in respect of kitchen extraction

equipment, shall be maintained in accordance with the manufacturer's guidelines.

Reason: To ensure the amenities of occupiers of other premises are protected in accordance with policy EN13 of the Cardiff Local Development Plan.

FLOODLIGHTING SCHEME

61. No floodlighting shall be installed on any reserved matters site until a floodlighting scheme for that reserved matters site has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details prior to beneficial use of the approved floodlighting.

Reason: To protect residential amenity and to avoid disturbance to other sensitive receptors in accordance with policies KP16, KP18 and EN7 of the Cardiff Local Development Plan.

ARCHAEOLOGY

62. No reserved matters application shall be approved by the Local Planning Authority and no development on any Reserved Matters site shall take place prior to the implementation of a programme of archaeological work for that reserved matters site in accordance with a written scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To identify and record any features of archaeological interest discovered during the works in order to mitigate the impact of the works on the archaeological resource in accordance with policy EN9 of the Cardiff Local Development Plan.

DETAILED SURFACE WATER DRAINAGE SCHEME

63. No reserved matters application shall be approved by the Local Planning Authority and no development shall commence on any reserved matters site until a scheme for the disposal of surface water for that reserved matters site has been submitted to and approved in writing by the Local Planning Authority.

The sustainable drainage scheme shall:

- a) incorporate sustainable drainage principles and indicate how the development will comply with the requirements of Section 8.3 of TAN 15
- b) provide information about the design storm return, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution to the receiving infrastructure;
- c) assess the performance of the proposed surface water drainage system in relation to the impact of a 1 in 100 year return period storm and climate change allowance of +30%
- d) demonstrate that surface water runoff from any impermeable surfaces within the proposed development shall be attenuated to greenfield rates
- e) demonstrate consideration given to and the assessment of the impact of phasing of the development in relation to the Strategic

Sustainable Surface Water Drainage Masterplan submitted in discharge of condition 23, including the interaction between adjoining drainage catchments and demonstrate that the necessary sustainable drainage network for each reserved matters site will be provided to enable the development of that reserved matters site

- f) demonstrate that appropriate control and mitigation measures are employed to prevent surface water and land drainage run off to properties/land within and adjoining the site or from land adjoining the site, and any associated nuisance, contamination, pollution, silting, flooding and subsidence issues

- g) in respect of f) above, particular consideration shall be given to proposals to demonstrate no adverse hydrological effects (including increased/reduced water quantity, reduced quality and/or changes to existing drainage routes) to the Ty Du Moor SSI via the Nant Dowlais, wetland SINC, marshy grassland, ponds and watercourses
- h) include details of locations, plans, cross sections, proposed ground levels and depths of attenuation facilities (including surface and sub-surface), along with their exceedance flow routes and proposed method of on-site management
- i) include drainage models of all attenuated drainage systems to prove viability and demonstrate that all exceedance flows do not cause surface water flooding to existing or proposed properties or other adverse hydrological effects to sensitive ecological habitats, including wetlands, watercourses and ponds. The mdx files shall be forwarded to the Local Planning Authority for verification and approval
- j) include details of all watercourses as determined by Section 72 of the Land Drainage Act 1991 and an assessment of how they will be impacted by the development. Those details shall include any existing culverted sections of watercourses and any proposals for the diversion, culverting or in-filling of watercourses within the reserved matters site and associated flood risk management measures
- k) include a timetable for its implementation
- l) provide a surface water drainage management and maintenance plan of the development which shall include the arrangements for adoption by any public body, statutory undertaker or private management company and any other arrangements to secure the operation of the drainage system throughout its lifetime, details of maintenance responsibility and a detailed maintenance schedule. The submitted details clearly show who is responsible for each element of drainage and shall include the approach to safety of all ponds and SUDs features for the general public.
- m) details submitted as part of l, shall include proposals for the maintenance of a culvert and channel near Fairwater Leisure Centre

that are assessed in the application as being the cause of localised flooding within Zone B of the Development Advice Maps.

- n) demonstrate the protection of open and culverted sections of the existing watercourse during and after construction.

The above will take the form of a Hydrological Impact Assessment, including an assessment of the development in a hydrological and hydrogeological context of the development and conform to the hierarchical approach for the principles of storm water drainage strategy for the development. The assessments shall be carried out in accordance with a written scheme of investigation which shall be first submitted to and approved in writing by the Local Planning Authority and the results of the assessments shall be submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the detailed surface water drainage scheme

has been implemented in accordance with the approved details, and the scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan. The scheme shall demonstrate that post-development flows from the site replicate pre-development flows. Reason: To ensure that drainage from the development does not cause or exacerbate any adverse condition on the development site, adjoining properties, environment and infrastructure with regard to flood risk.

DETAILED FOUL DRAINAGE SCHEME

- 64. No reserved matter application shall be approved by the Local Planning Authority until a detailed foul drainage scheme for that reserved matters site has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall provide for the disposal of foul flows and shall accord with the approved strategic foul drainage masterplan submitted under condition 24. No building on that reserved matters site shall be occupied until the detailed foul drainage scheme has been completed in accordance with the approved details and until the necessary reinforcement works, identified by the Hydraulic Modelling Assessment and through part C of condition 24 (Strategic Foul Drainage Masterplan), have been completed on the public sewerage system serving that reserved matters site. The scheme shall be constructed in full.

Reason: To prevent hydraulic overloading of the public sewerage system, protect the health and safety of existing residents, ensure no pollution of or detriment to the environment and to ensure the site can be effectively drained.

DETAILED POTABLE WATER SCHEME

- 65. No reserved matters application shall be approved by the Local Planning Authority until a scheme for the improvement and / or extension of the potable water supply system to serve that reserved matters site has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall accord with the approved Strategic Potable Water Supply Masterplan submitted under condition 25 (Strategic Potable Water Supply Masterplan). No building on that reserved matters site shall be occupied until the scheme has been implemented in accordance with the approved details and until the necessary improvement works, identified by the Hydraulic Modelling

Assessment and through part C of condition 25 (Strategic Potable Water Supply Masterplan), have been completed on the water supply system serving that reserved matters site.

Reason: To ensure an adequate water supply and to protect the integrity of the public water supply system.

PART 4 : COMPLIANCE CONDITIONS

RETAIL USES

66. The A1, A2 and A3 retail floorspace hereby permitted shall not exceed 19,900 sq m (gross) and shall be located in the District and Local Centres identified on the Land Use Parameter Plan. No individual Class A1/A2/A3 unit shall exceed 500 sq m (gross) except for the 2 no. foodstores located in the District Centre which shall be up to 5,000sq m gross in total and the foodstore located in Local Centre (4) (North) which shall be up to 1,500 sq m gross.

Reason: In order to safeguard the retail vitality and viability of existing designated centres and to ensure the proposed units are commensurate to the scale, role and function of the designated centre in the interests of forming a planned centre which reinforces a sense of place.

SCHOOL SITE SIZES

67. Notwithstanding the provisions of condition 3, each of the three primary schools shall have a minimum site size of 19,928sq m and the secondary school shall have a minimum site size of 70,247m2.

Reason: To reflect the Council's preferred strategy for schools provision and new Planning Obligations SPG.

FULL ENGINEERING DETAILS FOR EACH JUNCTION

68. Notwithstanding the provisions of condition 3, the details to be submitted in relation to junctions 1, 2, 3, 4, 5, 11, 12, 13, 14, 15 and 16 under conditions 26 – 34 shall include the following full engineering details as required:

- a) Reduction of speed limit to 30 mph on Llantrisant Road and Croffy Y Genau Road with details of appropriate signage scheme;
- b) CCTV camera infrastructure at junctions and between junctions;
- c) Accessible and safely located maintenance bays for equipment, including signals;
- d) Appropriate and accessible locations for cabinets;
- e) Provision of fibre infrastructure along the length of the site frontage (to Crofft Y Genau);
- f) Bus lane enforcement ANPR infrastructure for any bus lanes;
- g) Detection loops;
- h) Incorporation of UTC, SCOOT MOVA, following agreements with Cardiff Council;
- i) Street lighting linked to a Central Management System to allow

- phased dimming;
- j) Variable Message Sign (VMS) and associated infrastructure on Llantrisant Road;
- k) Clear and uncongested access to any crossings and push buttons for all users;
- l) Bus stops facilities, including details of existing stops, new stops and any proposed relocations. Bus stop locations shall be agreed with Cardiff Council in consultation with bus operators.

Reason: To make provision for satisfactory access and to ensure effective pedestrian, cycle and vehicular links to the wider strategic site and to allow the phased dimming of street lights.

KEY PEDESTRIAN / CYCLING / HORSE RIDING ROUTE

69. Notwithstanding the provisions of condition 3 and unless otherwise approved at reserved matters stage, the key pedestrian / cycling / horse riding route shown on the Access Parameter Plan (drawing ref R.0319_17j-3) shall include a separate path for horses of a min width of 2m and a min 3m shared path for pedestrians/ cyclists.

Reason: To promote sustainable travel and to protect the amenities and safety of users.

ECOTONE

70. Notwithstanding the provisions of condition 3, a minimum 15m wide buffer shall extend along the length of all retained woodland which shall be designed as an 'ecotone' and no development within it shall be permitted except for soft landscaping and footpaths and cycle paths, unless otherwise approved at Reserved Matters stage.

Reason: To protect the arboricultural and ecological resource of the site.

ENHANCED GREEN CORRIDOR

71. Notwithstanding the provisions of condition 3, a minimum 60m wide green corridor shall be provided between Halfwrt and Coed y Trenches which shall include, within the 60m, provision of new woodland and a 15m eco-tone buffer to each side of the woodland (as measured from tree trunks). No development within it shall be permitted except for soft landscaping and footpaths and cycle paths, unless otherwise agreed at Reserved Matters stage.

Reason: To retain satisfactory ecological connectivity and avoidance of habitat fragmentation.

ADDITIONAL HOP OVERS

72. Notwithstanding the provisions of condition 3, additional hop overs shall be provided where the eastern access road intersects eastern 'limb' of green infrastructure connectivity running North South and between Coed y Gof and the Former Llantrisant Branch Line, as indicated in the drawing attached to the comments of the Council's Ecologist dated 05/01/17.

Reason: To retain satisfactory ecological connectivity and avoidance of habitat fragmentation.

PITCH SIZES

73. Notwithstanding the provisions of condition 3, adult size pitches shall be at least 100m x 64m plus 3m run off (giving an overall size for each pitch of 106m x 70m) and mini pitches shall be at least 55m x 37m plus 3m run off (giving an overall size for each pitch of 61m x 43m with run off), unless otherwise approved through reserved matters applications.
Reason: To ensure an acceptable provision of public open space.

PUBLIC OPEN SPACE PROVISION

74. Notwithstanding the provisions of condition 3, the development shall accord with the POS Provision Plan (drawing no R.0319_45A) subject to:
- a) the provision of an additional play area which shall be provided in the 'Phase 3 area' shown on the Indicative Phasing Plan (drawing no R.0319_51) to the south of the disused railway line
 - b) the 'formal sports provision' identified on the POS Provision Plan on land to the south of the application site of pp 14/02188MJR providing a level and well-drained open space of a minimum 70m x 60m (excluding eco-tone provision) to be used as active recreation open space, including as a kick about area.
 - c) the precise location and dimensions of the destination play areas, teen facilities and play areas (LEAPs) being fixed at RM stage
 - d) the implementation of the outcome of the assessment of provision for teen facilities within 1500m of the outline site boundary, required under condition 19 (STRATEGIC GREEN INFRASTRUCTURE MANAGEMENT STRATEGY), and proposals for a range of new facilities within the outline site to serve the new population.
- Reason: To ensure an acceptable provision of on-site open space.

PLANT NOISE

75. The rating level of the noise emitted from fixed plant and equipment on the site shall not exceed 10dB below the existing background noise level at any time when measured and corrected in accordance with BS 4142: 1997(or any British Standard amending or superseding that standard).
Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected.

RADYR FARM WIND TURBINE

76. Details submitted in discharge of condition 59 (ROAD TRAFFIC NOISE) in respect of any land within the outline application site north of Llantrisant Road shall also take into account the siting of the wind turbine at Radyr Farm and ensure that any future residential properties approved on land within the outline application site north of Llantrisant Road would be suitably sited and attenuated from the noise from the wind turbine such that they would not prejudice the ability of the owners of the turbine from complying with condition 2 of planning permission 07/01380w. Notwithstanding the provisions of condition 3, details submitted in relation to the reserved matters submitted to

the Local Planning Authority in compliance with condition 1 in respect of land north of Llantrisant Road shall accord with the approved scheme including any buffer zone restricting development approved as part of the approved noise scheme.

Reason: To ensure the amenities of future occupiers are protected.

LANDSCAPE IMPLEMENTATION

77. In relation to any landscaping scheme approved in discharge of conditions 15 (LANDSCAPE SCHEME FOR EACH RESERVED MATTERS SITE) and 35 (LANDSCAPE SCHEME FOR DETAILED HIGHWAY IMPROVEMENT WORKS), any trees, plants or hedgerows which within a period of five years from the date of first planting die, are removed, become seriously damaged or diseased, or become (in the opinion of the Local Planning Authority) otherwise defective, shall be replaced in the current planting season or the first two months of the next planting season, whichever is the sooner.

Reason: To maintain and improve the appearance of the area in the interests of visual amenity.

NESTING BIRDS

78. No removal of hedgerows, trees, scrub or shrubs shall take place between 1st March and 15th August inclusive unless otherwise approved in writing by the Local Planning Authority.

Reason: To avoid disturbance to nesting birds which are protected under the Wildlife and Countryside Act 1981: Part 1 1(1)(b), it is an offence to intentionally take, damage or destroy the nest of any wild bird while that nest is in use or being built.

SITES OF IMPORTANCE FOR NATURE CONSERVATION

79. No materials, waste, arisings or plant shall be stored or operated within any SINC, or be allowed to fall, be washed or blown into them except for those parts of the SINC that are to be developed as part of this permission.

Reason: To protect the features of interest for nature conservation for which the SINC has been designated.

PROVISION OF ROAD BEFORE OCCUPATION OF DWELLINGS/BUILDINGS

80. No dwelling or building shall be occupied until that part of the road and footpath which provides access to it from the existing highway and all surface water drainage works for the said road have been laid out, constructed and completed up to base course level and lit in accordance with the approved plans. The roads and footpaths shall be constructed to surface level prior to the occupation of the last dwelling or building served by that road, unless otherwise

agreed in writing by the Local Planning Authority.

Reason: To ensure an orderly form of development and to make provision for satisfactory access to the dwelling by the future occupants.

HSE ADVICE

81. Notwithstanding the provisions of condition 3, no development shall take place in contravention of Health and Safety Executive (HSE) advice in respect of the three high pressure gas pipelines that cross the site dated 29/04/15 and any subsequent advice provided by the HSE prior to the determination of reserved matters.

Reason: In the interests of health and safety.

WALES AND WEST UTILITIES APPARATUS

82. Notwithstanding the provisions of condition 3, no buildings shall be built within the Wales and West Utilities recommended Building Proximity Distances of the following pipelines shown on the Land Use parameter plan (drawing no R.0319_17j-2):

- 7m either side of the outer edge of the High Pressure Pipeline ref 1561 - Nantgarw/Pentrebane [p2](HS013)
- 15m either side of the outer edge of the High Pressure Pipeline ref 1565 – Pentrebane/St Athan [p1] (HS0330)
- 15m either side of the outer edge of the High Pressure Pipeline ref 2684 – Pentrebane to Dyffryn

Reason: In the interests of health and safety, and to minimise risk to the pipeline.

132kv OVERHEAD POWERLINE

83. Notwithstanding the stated intention to underground the 132kv overhead cable in the future, no buildings shall be built within 10m of any steel lattice pylon pertaining to the 132kv overhead cable and a minimum statutory clearance of 6.6m shall be maintained at all times between the nearest overhead line conductor and any part of a building.

Reason: In the interests of health and safety, and to minimise risk to the apparatus.

BUILDING OUTSIDE SETTLEMENT BOUNDARY

84. Notwithstanding the provisions of condition 3, no building shall be constructed to the south of Pentrebane Road beyond the settlement boundary identified on the Local Development Plan Proposals Map.

Reason: For the avoidance of doubt.

IT IS IMPORTANT THAT YOU SHOULD READ THOSE NOTES ON THE ATTACHED SHEET WHICH ARE RELEVANT TO THIS TYPE OF APPLICATION.

All policies and proposals in the Development Plan which are relevant to this decision are listed in the report on the Application.

IT IS IMPORTANT THAT YOU SHOULD READ THOSE NOTES ON THE ATTACHED SHEET WHICH ARE RELEVANT TO THIS TYPE OF APPLICATION.

Dated: 20/03/2017



James Clemence
HEAD OF PLANNING
County Hall, Cardiff, CF10 4UW

It should also be noted :

1. CONSTRUCTION SITE NOISE

To protect the amenities of occupiers of other premises in the vicinity attention is drawn to the provisions of Section 60 of the Control of Pollution Act 1974 in relation to the control of noise from demolition and construction activities.

Further to this the applicant is advised that no noise audible outside the site boundary adjacent to the curtilage of residential property shall be created by construction activities in respect of the implementation of this consent outside the hours of 0800-1800 hours Mondays to Fridays and 0800 - 1300 hours on Saturdays or at any time on Sunday or public holidays. The applicant is also advised to seek approval for any proposed piling operations.

2. RADON GAS PROTECTION

This development falls within a radon affected area and may require basic radon protective measures, as recommended for the purposes of the Building Regulations 2010.

3. CONTAMINATION AND UNSTABLE LAND ADVISORY NOTICE

The contamination assessments and the effects of unstable land are considered on the basis of the best information available to the Planning Authority and are not necessarily exhaustive. The Authority takes due diligence when assessing these impacts, however you are minded that the responsibility for the following rests with the developer:

- (i) determining the extent and effects of such constraints;
- (ii) ensuring that any imported materials (including, topsoils, subsoils, aggregates and recycled or manufactured aggregates/ soils) are chemically suitable for the proposed end use. Under no circumstances should controlled waste be imported. It is an offence under Section 33 of the Environmental Protection Act 1990 to deposit controlled waste on a site which does not benefit from an appropriate waste management license. The following must not be imported to a development site:
 - Unprocessed / unsorted demolition wastes.
 - Any materials originating from a site confirmed as being

contaminated or potentially contaminated by chemical or radioactive substances.

- Japanese Knotweed stems, leaves and rhizome infested soils. In addition to section 33 above, it is also an offence under the Wildlife and Countryside Act 1981 to spread this invasive weed; and

(iii) the safe development and secure occupancy of the site.

Proposals for areas of possible land instability should take due account of the physical and chemical constraints and may include action on land reclamation or other remedial action to enable beneficial use of unstable

land. The Local Planning Authority has determined the application on the basis of the information available to it, but this does not mean that the land can be considered free from contamination.

4. That the Developer be advised that records indicate a history of and potential for subsurface voids in the area and that they should be fully aware of this in relation to their responsibilities regarding the safe development and occupancy of the site. For the avoidance of doubt, the responsibility for the safe development and occupancy of the site rests with the developer.
5. That the developer be advised that the City of Cardiff Council will not permit the stopping up of any watercourses. Any obstruction to the flow, in accordance with Section 23 of the Land Drainage Act 1991, will require ordinary watercourse consent that is determined with a statutory 2 month determination period and would only be considered where appropriate. The City of Cardiff Council has adopted an anti-culverting policy. The Council will not permit the building over of culverts; culverts will only be allowed for access purposes. It is recommended that landowners and developer contact the City of Cardiff Council to discuss proposals in order to determine if such consent is required.
6. That the developer be advised of the advice from NRW dated 26/02/15, 07/12/16 and 10/02/17 including:
 - advice in relation to European Protected Species – Where an EPS is present, and a development proposal is likely to contravene the protection afforded to it, development may only proceed under a licence issued by Natural Resources Wales (NRW). The Applicant must seek an EPS licence from NRW under Regulation 53(2)e of The Conservation of Habitats and Species Regulations 2010 before any works on site commence that may impact upon EPS. Please note, the granting of planning permission does not negate the need to obtain a licence.
 - Both the Nant Dowlais and River Ely are classed as main river watercourses therefore any works within 7 metres or new outfalls will require the consent of NRW as stated in the Water Resources Act 1991
 - the responsibility for the maintenance of all watercourses and structures thereon rests, in the first instance, with the riparian owner. Land Drainage legislation does not seek to remove this responsibility.
 - Duties of care and guidance in relation to the management of waste and materials, including controlled waste
 - Request for updates on the programme of works and timetable
 - Their Planning Advice Note for further advice and guidance, including

advice on regulatory requirements outside of the Town and Country Planning process including environmental permits and exemptions; pollution prevention measures; water resources; and waste management matters.

7. That the developer be advised of the advice of 16/11/16 from Wales and West Utilities, forwarded to the Agent, advising that their apparatus may be at risk during construction works and that the developer should contact WWU directly to discuss their requirements, noting that should diversion works be required these will be fully chargeable.
8. That the developer be advised of the advice from Parks Services dated 15/02/17 in respect of the design of Destination or Larger Play Areas.
9. That the developer be advised that the litter bin specifications for adopted land are as follows:
Free standing litter bins:
 - Black with Council logo, and the lettering "Litter/Sbwriel" in gold
 - 120 litre capacity
 - Include ash tray/ stub plate
 - Heavy duty polythene plastic with hinge slam shut door (self-locking) and hex/t-bar key
 - Drip space and fixing holes for bolting to the floor
 - Approximately 100 litre plastic liner with outside handles*Post mounted litter bins:*
 - Black with Council logo in gold
 - 50 litre capacity
 - Hooded with cigarette stub plate
 - Release drop-out and click back with triangular key mechanism
 - Drip holes
 - Secured to post with band wire kit.
10. The highway works conditions and any other development related works to existing or proposed adopted public highway are to be subject to agreements under Section 278 and/or Section 38 of the Highways Act 1980 between the developer and Local Highway Authority.
11. The grant of planning permission does not give a developer any right to interfere with, obstruct or move a public right of way. No works to PROW footpaths that cross the site shall be undertaken a legal order has been applied for by the developer and confirmed by the Local Highway Authority. In the event that the legal orders are not confirmed, the existing path alignments shall be retained.
12. Sustainable Drainage is defined as per the definition contained in Schedule 3 of the Flood and Water Management Act 2010:

"Sustainable drainage" means managing rainwater (including snow and other precipitation) with the aim of— (a) reducing damage from flooding, (b) improving water quality, (c) protecting and improving the environment, (d) protecting health and safety, and (e) ensuring the stability and durability of drainage systems."

13. That the Developer be advised that prior to the commencement of development, the Developer must notify the local planning authority of the commencement of development, and must display a site notice and plan on, or near the site, in accordance with the requirements of Article 12 of the Town & Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016.
14. That the Developer be advised of the advice from the Council's Tree Officer dated 15/11/16 regarding a provisional planting palette to inform reserved matters details.
15. That the Developer be advised of the advice from South Wales Police Design Out Crime Officer, dated 21/11/2016.
16. The highway works conditions and any other development related works to existing or proposed adopted public highway are to be subject to agreements under Section 278 and/or Section 38 of the Highways Act 1980 between the developer and Local Highway Authority.

ACCESS

R.0319_17j-3

The Access Parameter Plan identifies the main movement corridors within which primary vehicular routes and primary pedestrian/cycle routes are to be constructed. Land within any movement corridor not occupied by a primary vehicular and/or pedestrian/cycle route may be developed for any purpose for which any zone abutting or overlapping with that corridor may be developed.

KEY PEDESTRIAN/CYCLE ROUTE

A shared pedestrian/cyclepath will be provided along the alignment shown and shall not be less than 3m. Additional pedestrian and cycle movement corridors within the application site and linking to existing surrounding development will also be provided (but shall not be limited to) the areas shown on the Access Parameter Plan.

STRATEGIC CYCLING ROUTE

A segregated two way cyclepath will be provided along the alignment shown and shall not be less than 3m.

PRIMARY HIGHWAY CORRIDOR

A highway corridor with a maximum width of 20m will be located within the zone shown. Cycle provision separate to the carriageway will be included within this corridor.

ZONE RESERVED FOR RAPID TRANSPORT

Along this route provision for stops and associated supporting facilities will be required to be accommodated (e.g. cycle parking, toilets etc). The future design must ensure the rapid transport does not create a barrier to movement across the site and between facilities.

STRATEGIC BUS ROUTE

A bus only route will be provided along the alignment of the rapid transport corridor before the LRT is delivered. This will provide express public transport at an early stage.

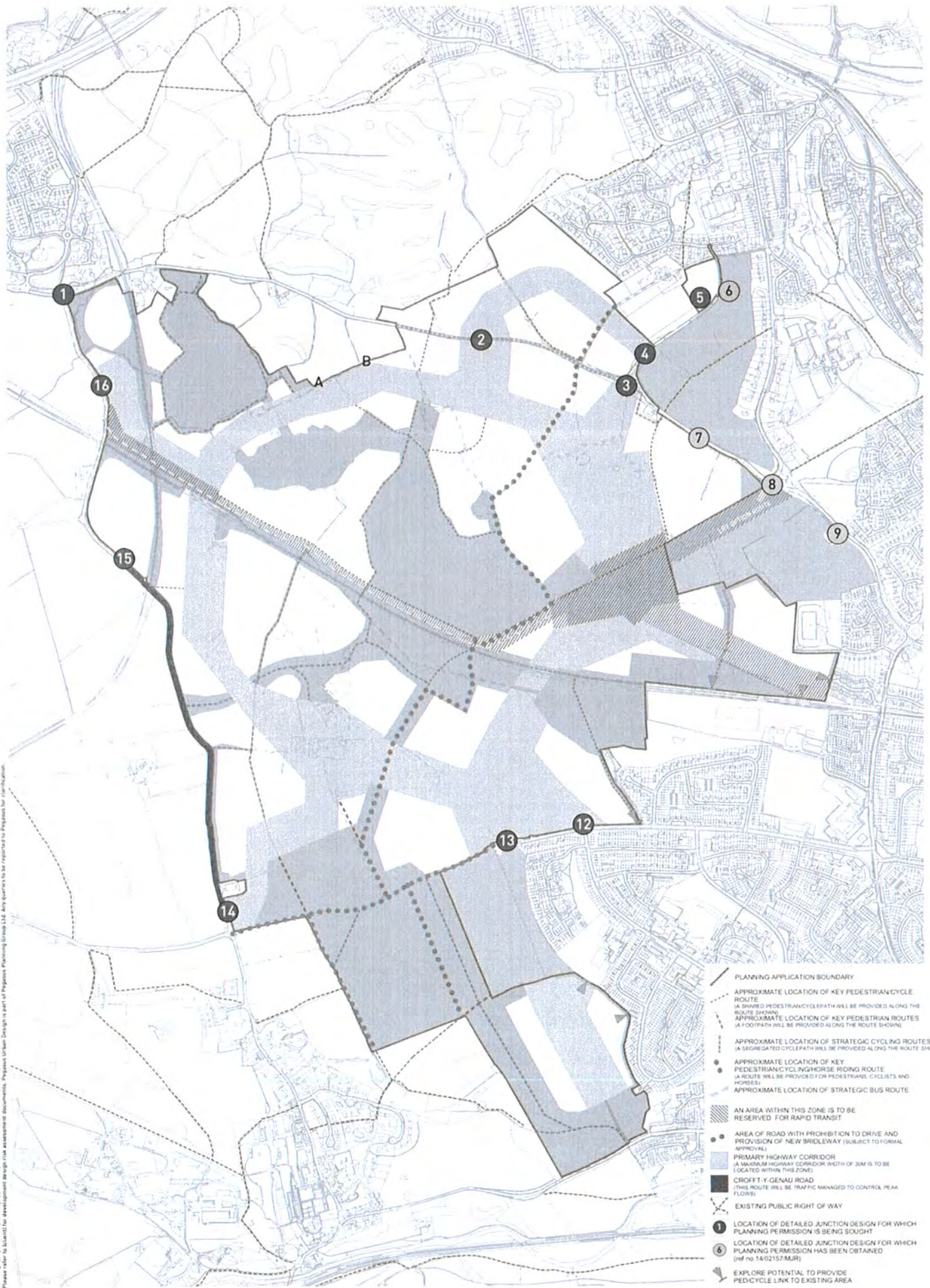
CROFFT-Y-GENAU ROAD TREATMENT

A Traffic Management system will operate along Crofft-Y-Genau Road where sensors and signs will control the direction of traffic flow along this route in response to demand.

POTENTIAL ACCESS TO GOITRE FACH FARM SITE

A vehicular link will be made between the site and the Goitre Fach Farm site to the north west between points A and B on the plan. Cycle provision separate to the vehicular carriageway will be provided as part of this link.

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ACCESS PARAMETER PLAN

Date: 18th October 2016 | Scale: 1:10,000 (BA3, 1:5000 (BA1) | dwg: R.0319_17_3 | Client: Redrow Homes (South Wales) |



Rowlands, Ceiri

From: Rob Elias <[REDACTED]>
Sent: 22 May 2021 11:39
To: Planning
Cc: Mark B; Goldsworthy, Marcus J; Deborah Stephens; Perry Latham
Subject: FW: Planning Application Consultation 2019/00871/OUT Land at Model Farm, Port Road, Rhoose

Importance: High

Victoria, Ceiri,

Please see below formal response from Cardiff Airport in relation to : Planning Application Consultation 2019/00871/OUT Land at Model Farm, Port Road, Rhoose.

Ceiri – As discussed and agreed, a slightly delayed submission due to the need to gather all the information, including specialist input in relation to Wildlife Hazard Management.

I can confirm that we have reviewed the planning application and have the following comments, observations and a separate report produced by Birdstrike Management Limited (BML) on behalf of Cardiff Airport:

1 – Aerodrome Physical Safeguarding/Obstacle Limitation Surfaces (OLS's) - From an aerodrome physical safeguarding perspective, and based upon our assessment against regulatory Aerodrome safeguarded OLS's in conjunction with the information detailed in document '*JCD0064-004-I-210511-Parameter plan – Land Use & Storey Heights*', the buildings would not penetrate our OLS's and therefore, if this application were to be approved, we would be content with this aspect of the development.

2 – National Air Traffic Services (NATS) Safeguarding – I have engaged with NATS, who have confirmed that their safeguarding team have reviewed the planning application again and have no concerns.

3 – Wildlife Hazard Management/Birdstrike Hazard Safeguarding – Please see attached report of a specialist assessment conducted by Birdstrike Management Limited (BML) on behalf of Cardiff Airport, which details the issues, concerns and mitigations in relation to this application. If this application were to be approved, Cardiff Airport request that conditions be applied to the planning consent in order to fully address the mitigations detailed within the attached report.

4 - Car Parking - Planning history within the vicinity of the site demonstrates the site's proximity to the airport make car parking uses commercially attractive. We therefore request that in the event of the approval of this application, a condition be imposed which restricts any associated car parking numbers for the site and to be used only in association with the proposed development and not as a standalone parking facility. It will also aim to ensure that car dependency is reduced and sustainable transport promoted.

Please contact the undersigned for any questions relating to the above responses.

Thank you

Rob Elias

Head of Airfield Operations
Pennaeth Gweithrediadau Maes Glanïo

[REDACTED]

[REDACTED]

Ambition | Safe & secure | Pride | Innovative | Respect | Efficiency | Service

Confidentiality Note: This email may contain confidential and/or private information. If you received this email in error please delete and notify sender.

From: Vale of Glamorgan Council Development Services [<mailto:Planning@valeofglamorgan.gov.uk>]

Sent: 26 April 2021 11:23

To: CWL Safe Guarding <[REDACTED]>

Subject: Planning Application Consultation 2019/00871/OUT Land at Model Farm, Port Road, Rhoose

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Please find attached a letter regarding a planning application submitted to the Vale of Glamorgan Council. If this is a consultation letter, please respond to this consultation through the link provided in the attached letter. Please note that your comments may be made available online for interested persons to view.

Commercial and in Confidence

Cardiff Airport

Safeguarding Assessment for Planning Application 2019/00871/OUT (CR)

May 2021

	NAME	DATE
WRITTEN BY:	Darren Hall	18/05/2021
CHECKED BY:	Phil Mountain	18/05/2021
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The Application

This is a hybrid application comprising of an 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, Planning Application No. 2019/00871/OUT (CR) on land at Model Farm, Port Road, Rhooose.

The site lies adjacent to the eastern corner of the airfield, approximately 245 metres from the Runway 30 threshold at Cardiff Airport (CWL).

The Current Site

The site comprises heavily improved agricultural land divided by managed hedgerows and is designated as a 'Mosaic' landscape acknowledging the blocks of small woodland and small wooded valleys of Whitelands Brook and Bullhouse Brook. A farmhouse and a complex of mainly large agricultural buildings used for livestock and the storage of machinery are located in the northern part of the site.

Cardiff Airport dominates the landscape immediately to the west of the application site, comprising of managed open grassland, areas of hard standing and built environments.

Stages of Development

Construction Stage

The construction stage of a development of this nature will include largescale earthworks, including the clearance of vegetation and the movement of topsoil, which has the potential to increase the birdstrike risk at CWL by providing ephemeral feeding opportunities for hazardous birds¹ by exposing an exploitable invertebrate food source.

This stage of works also has the potential to disturb existing populations of hazardous birds such as corvids (members of the crow family) and Wood Pigeons that may frequent the existing woodland. As such, disturbance during this initial stage may displace birds which may lead to an increase in the birdstrike risk. It is noted that the Ecology Surveys Report only references small bird species, however, reference to wildlife control logs evidence healthy populations of corvids and other hazardous arboreal avian species in proximity to the airport.

Due to the movement of heavy plant, or due to temporary profiling of the site, there may be occasions during wet weather, where ponding occurs, providing drinking/bathing attractants for birds.

When the site is fully operational the human and heavy plant presence may be enough to deter birds from the area. However, during non-operational times, when the area is quiet birds can exploit this to

¹ Large and / or flocking species capable of causing damage of aircraft.

feed and roost, therefore, the site is likely to be attractive hazardous birds at different times of the day potentially providing fluctuations in birdstrike risk.

In addition, a busy construction site will need to have an effective house-keeping policy in operation to ensure that all waste, including putrescible (food) waste, is responsibly disposed of in fully lidded bins to ensure that scavenging species of bird are not attracted to the site.

The application should include condition that a construction phase Bird Hazard Management Plan (BHMP) is provided, detailing what mitigation measures will be in place, to ensure there is no increased risk of birdstrike at CWL. The plan should include threshold numbers of target species (that will initiate mitigation) and failure criteria to assure the efficacy of the plan. Such a plan will need to be delivered and overseen by trained on-site staff, in close cooperation with CWL.

The Built Environment

'Design Principle 5' and 'Illustrative Site Sections', contained within the 'Design Brief', provide details of the building design. The proposals include 12 industrial units of varying sizes with the largest having a floorspace of approximately 18,000m², all of which are shown to have a shallow-pitch roof design. Most of the units will be of a one or two-storey design, along with two units at the north-west corner of site which will have four or five storeys.

During construction of such large buildings, it is common for a steel framed structure to be erected which can attract hazardous species including (but not limited to) Feral Pigeons, corvids and Starlings as frameworks offer safe areas to loaf (rest during the day) and roost at night, thereby potentially causing flightlines to and from the site.

It is encouraging that the roof design supplied in the 'Illustrative Site Sections' appears to be of a shallow-pitched type as these are less attractive to hazardous birds than flat-roofs where the design provides a highly attractive habitat for hazardous birds, particularly 'large' gulls who will look to utilise these areas for loafing, roosting, and breeding purposes. However, birds may still attempt to exploit these roofs, as they provide safety and warmth, ideal for loafing, breeding, and roosting. Although breeding on a shallow-pitched roof can be more problematic, when compared to flat-roofs, it is still possible, particularly with species such as Herring and Lesser Black-backed Gulls, that can anchor nests on protrusions or against vents etc.

Therefore, to approve this section of the development, an in perpetuity BHMP will be required to ensure that roofs on this site do not attract and support breeding and roosting hazardous birds.

Landscaping

The document titled 'Biodiversity Management Strategy' states that:

[The approach to landscape and nature conservation within the development area has been to retain and enhance key features as far as possible.]

Proposals within the 'Biodiversity Management Strategy' and as detailed in 'Design Principle 3 – the Green Infrastructure Strategy' include the creation of new areas of woodland and hedgerow which are intended to be added to the existing vegetation on the site for the 'long term provision and maintenance of biodiversity' including tree/shrub species which will 'maintain autumn fruit for birds and mammals'.

Increasing the provision of attractants for hazardous birds should be avoided in proximity to the airport, to align with aerodrome safeguarding objectives and industry best practice guidance.

It will be important to ensure that the planting palette and spacings are selected and designed to reduce the potential for new woodland planting to attract and support significant populations of hazardous arboreal species such as corvids, pigeons and wintering thrushes.

There are also several areas through the site which are labelled as 'wild bird cover and seed crop'. Any areas where seed may be available on this site would have the potential to attract hazardous birds, particularly Wood Pigeons and Corvids which may, in turn, create hazardous flightlines over the airfield.

These proposals represent 'irresponsible development' in the context of air safety and should be omitted from the plan.

Furthermore, it is intended for new planting to connect to existing areas of woodland and hedges creating wildlife/ecology corridors throughout the site which will have the potential to increase the population, and associated movements, of hazardous birds in this area.

Assurances will need to be obtained from the developer that any development of wildlife corridors are designed to be parallel to the airport; thereby minimising the potential to draw hazardous birds closer to the critical airspace of the airport.

Drawing number ECO01271-002 provides details of Proposed Additional Mitigation and Wildlife Enhancement, highlighting several ecological areas including two sections of grassland managed specifically to attract Skylarks, a small (non-hazardous) grassland species which frequents airfields throughout the UK who adopt a long grass policy (LGP)² for flight-safety purposes. By maintaining the grassland at a height of between 150 – 200mm, hazardous species such as corvids, gulls and waders are deterred, as they prefer shorter swards. Therefore, this aspect of the development should not increase the birdstrike risk at CWL, as long as the maintenance programme put in place to maintain the grassland in line with the broad LGP objectives.

² T. Brough and C. J. Bridgman (1980) An Evaluation of Long Grass as a Bird Deterrent on British Airfields, Journal of Applied Ecology, Vol. 17, No. 2 (Aug., 1980), pp. 243-253

Amenity planting throughout the development should ideally include only small trees with open canopies such as *Acer* species, with any smaller plants / shrubs being non-berry/fruit bearing species such as *Acorus* and *Alchemilla*. Proposed amenity grassland should be maintained in line with that of LGP to reduce its attractiveness to hazardous species.

The landscaping scheme for this development has the potential to increase birdstrike risk at CWL (see comments on planting palette above). As such, an agreement on the landscaping scheme will need to be reached.

Sustainable Urban Drainage (SuDS) and Other Drainage

The Design and Access Statement Part 2, as contained in the Planning Application Details for 2019/00871/OUT, states that:

[the existing topography provide the opportunity to create a SuDS and drainage solution along the southern boundary of the site with enhanced ecological qualities].

Standard S5 – Biodiversity in 'Sustainable Drainage Assessment Part 1' also states:

[Standard S5 addresses the design of SuDS to ensure, where possible, they create ecologically rich green and blue corridors in developments and enrich biodiversity value by linking networks of habitats and ecosystems together. Biodiversity should be considered at the early design stage of a development to ensure the potential benefits are maximised.

- *The design of the surface water management system should maximise biodiversity benefits.]*

Increasing biodiversity through the proposed SuDS, or any open areas of standing water, should be avoided, due to the potential to attract hazardous species, including Mallard, feral geese, and Grey Heron, which may increase the birdstrike risk.

There are at least three relatively large SuDS attenuation ponds proposed. These should ideally be replaced with underground storage otherwise effective mitigation, such as proofing, along with a robust maintenance program, must be in place to prevent birds from accessing these areas.

Swales and combined ecology/drainage corridors are planned throughout the site. Swales, as with any other SuDS ponds, have the potential to attract and support hazardous birds if they hold open water for any substantial amount of time.

[The proposed attenuation SuDS structures (storage tanks, basins) will be sized to store runoff from the 1 in 100 annual probability rainfall events including a 30% increase in rainfall intensity in order to allow for climate change and will comply with local bird strike mitigation and drain down time requirements.]

For any area where open water maybe present on site at any time, the drain-down times, even after a 1 in 100 annual rainfall event, should be so that they drain down completely within 48 hours or this should be seen as a failure of the system due to the attractant it creates for hazardous birds. However, figures shown in Appendix F – Micro Drainage Source Control Storage Volume Calculations in

'Sustainable Drainage Assessment Part 1' appear to show that after extreme storm events it could take up to 96 hours for standing water to fully drain-down.

Assurances should be sought from the developer that draw-down times for flood events are no longer than <96 hours, to prevent the presence of longer-term wetland attractants for hazardous wetland species.

Only an indicative SuDS maintenance plan is included in the documents, 'Table 7: Illustrative Maintenance Schedule', with an agreed maintenance programme yet to be agreed. This should be requested by CWL for their approval.

To ensure that SuDS remain fully effective, a robust, in perpetuity, maintenance programme should be in place.

The site design proposes an area of 'wetland habitat creation'. Wet woodland, at a suitable distance from the airport can, to some extent, be managed to deter large waterfowl species from being attracted. However, these sites can still attract and support the smaller waterfowl species such as Mallard which then have the potential to increase the birdstrike risk at CWL due to these birds' movements onto, or over, the airfield. The trees within this habitat can also support colonies of large waterbirds such as Grey Heron, therefore, this habitat would not be recommended at this location.

Street Lighting

Traditional street lighting is proposed on the development.

At this location all installed street lighting should be fitted with bird proof spikes along the top section of the unit with it being important to note that this should include both the lighting head and full length of the arm.

Post Construction

The applicant should show a commitment to the long-term wildlife hazard management mitigation discussed above, with the development and implementation of a temporary BHMP for the construction phase of the development and in perpetuity BHMP's for the built environment, landscaping and SuDS aimed at reducing the wildlife attractants to as low as practically possible in agreement, and ongoing consultation, with CWL.

Conclusion

Without appropriate mitigation this development has the potential to increase the birdstrike risk at Cardiff Airport through the provision of ephemeral attractions resulting from the construction phase of the project and potentially permanent / seasonal attractants resulting from both the proposed built and natural environments.

However, as long as the applicant addresses the issues identified in this assessment, and provides the necessary mitigation, summarised below, then it will be possible to ensure that Planning Application

2019/00871/OUT (CR) does not have the potential to significantly increase the birdstrike risk at Cardiff Airport in line with aerodrome safeguarding objectives.

Mitigation

- The application should include condition that a construction phase Bird Hazard Management Plan (BHMP) is provided, detailing what mitigation measures will be in place, to ensure there is no increased risk of birdstrike at CWL. The plan should include threshold numbers of target species (that will initiate mitigation) and failure criteria to assure the efficacy of the plan. Such a plan will need to be delivered and overseen by trained on-site staff, in close cooperation with CWL.
- An in perpetuity BHMP will be required to ensure that roofs on this site do not attract and support breeding and roosting hazardous birds.
- It will be important to ensure that the landscaping planting palette and spacings are selected and designed to reduce the potential for new woodland planting to attract and support significant populations of hazardous arboreal species such as corvids, pigeons and wintering thrushes.
- 'Wild bird cover and seed crop' planting should be omitted from the plan, as its aims conflict with those of aerodrome safeguarding.
- Assurances will need to be obtained from the developer that any development of wildlife corridors are designed to be parallel to the airport; thereby minimising the potential to draw hazardous birds closer to the critical airspace of the airport.
- Increasing biodiversity through the proposed SuDS, or any open areas of standing water, should be avoided, due to the potential to attract hazardous species, including Mallard, feral geese, and Grey Heron, which may increase the birdstrike risk.
- Assurances should be sought from the developer that draw-down times for flood events are no longer than <96 hours, to prevent the presence of longer-term wetland attractants for hazardous wetland species.
- To ensure that SuDS remain fully effective, a robust, in perpetuity, maintenance programme should be in place.
- At this location all installed street lighting should be fitted with bird proof spikes along the top section of the unit with it being important to note that this should include both the lighting head and full length of the arm.

Summary

In order to ensure that the application does not have the potential to significantly increase the birdstrike risk at CWL the applicant should commit to the long-term wildlife hazard management mitigation discussed above, with the development and implementation of a temporary BHMP for the construction phase of the development and in perpetuity BHMP's for the built environment, landscaping and SuDS aimed at reducing the wildlife attractants to as low as reasonably practicable in agreement, and in ongoing consultation, with CWL.

Disclaimer

Birdstrike Management Ltd. hereby excludes all liability for any claim, loss, demands or damages of any kind whatsoever (whether such claims, loss, demands or damages were foreseeable, known or otherwise) arising out of or in connection with the preparation of any technical or scientific report, including without limitation, indirect or consequential loss or damage; loss of actual or anticipated profits (including loss of profits on contracts); loss of revenue; loss of business; loss of opportunity; loss of anticipated savings; loss of goodwill; loss of reputation; loss of damage to or corruption of data; loss of use of money or otherwise, and whether or not advised of the possibility of such claim, loss demand or damages and whether arising in tort (including negligence), contract or otherwise. This statement does not affect your statutory rights.

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The parties agree that any matters are governed by English law and irrevocably submit to the non-exclusive jurisdiction of the English courts.



Our Ref: A113720/PW
Date: 14 October 2019

Mr Ceiri Rowlands
The Vale of Glamorgan Council
Dock Office
Barry Docks
Barry
Vale of Glamorgan
CF63 4RT

Dear Mr Rowlands,

**REPRESENTATIONS ON BEHALF OF WELSH GOVERNMENT
LAND AT MODEL FARM, PORT ROAD, RHOOSE
APPLICATION REF: 2019/00871/OUT**

WYG write on behalf of the Welsh Government in respect of the above application. Our client is supportive of the principle of the development but wish the following comments to be taken into consideration in the determination of the planning application.

Rail Link

We note that LDP Policy MG10 requires the provision of sustainable transport infrastructure and the supporting text (para 6.57(d)) clarifies that for the Cardiff Airport Gateway Development Zone requirements will include, "*Sustainable transport infrastructure including consideration of a route for a potential rail link to Cardiff Airport across the site to ensure the development does not compromise future proposals to enhance sustainable access to the airport.*" We note that the application submission remains silent on this and the Indicative Concept Masterplan does not appear to make any provision for a dedicated rail link. Consideration of a route for a potential rail link clearly has not been given.

Our client accepts that delivery of the rail link could not be justified by the business park development alone. However, the Masterplan should respect the future prospect of achieving this link and safeguard the principle of an appropriate route through the site which could be referred to in an enforceable planning condition and ultimately delivered through any reserved matters application(s). Failure to safeguard this now will mean the potential to achieve such a link will be lost forever.

A similar position has been considered in Cardiff recently. Policy T9 of the Cardiff LDP seeks to facilitate LRT / tram / bus connectivity (with no definitive routes known) and states:

" *Where the alignment of a future route which is likely to form part of a 'Metro' network falls within any part of a development site, the Council will, through the development management process, seek either to secure provision of the necessary infrastructure as part of the development, or otherwise, safeguard the land and space required to accommodate the route and potential mode options in the future. This will include requiring a development to be designed in a way which does not prejudice the future development of the 'Metro' route and would enable it to be incorporated within the development at a later date.*"

(underlining added)





Subsequent applications include that at North West Cardiff (now known as "Plas Dwr"), permitted in March 2017 under reference 14/002733/MJR (attached). That outline permission included the following condition:

"RAPID TRANSIT CORRIDOR / METRO

7. Details in relation to the reserved matter ACCESS submitted to the Local Planning Authority in compliance with condition 1 shall include:

- a) details, including layout and cross sections, of the 'Express Bus Priority Route' shown on p. 70 of the Design and Access Statement (October 2016)*
- b) details, including layout and cross sections, of the zone to be provided and reserved for Rapid Transit, shown on the Access Parameter Plan (drawing no R.0319_17j-3), including details of the 'Safeguarded Alternative Tram Train Alignment' (shown on p.70 of the Design and Access Statement (October 2016) and demonstrating how this will not prejudice proposed green and movement corridors. The zone to be provided for Rapid Transit shown on the Access parameter plan shall be extended to include the 'safeguarded route for metro within the site' set out on the LDP Schematic Framework for strategic site C.*

The development shall be carried out in accordance with the approved details."

We attach the relevant access parameter plan referred to in part (b) of the condition which shows a zone to be reserved for rapid transit options. Your attention is drawn to the text on page 1 which confirms that "A bus only route will be provided along the alignment of the rapid transport corridor before the LRT is delivered. This will provide express public transport at an early stage."

Accordingly, it is clear that Cardiff Council did not have a precise corridor alignment at the time of LDP preparation or at the time of outline planning approval. The lack of detail at these stages did not prevent safeguarding of route options through the site and, wisely, the allowance of such routes to be used for alternative measures in the meantime (in the case of Plas Dwr the alternative use was a strategic bus route, but walking/cycling/ecology could equally be appropriate interim uses). Fundamentally, the safeguarding of route options in the absence of a definitive alignment were not seen to be inimical to the grant of a beneficial planning permission.

Accordingly, our client objects to the application in its current form due to the absence of route safeguarding option(s) for a potential future rail link.

Active Travel

We also note that the Preliminary Spine Road Alignment plans include a footway to the north and a footway/cycleway to the south of the carriageway. The definition of "access" at Article 2 of the Development Management Procedure Order includes reference to cyclists and pedestrians, to and within the site, circulation routes "and how these fit into the surrounding access network". The 'Access and Movement' parameters plan show three points of pedestrian connection into the site, but no appropriate existing pedestrian facilities currently exist at two of these points (the exception being Porthkerry Road).

Furthermore, no commitments are given to off-site improvements beyond commitments that "Off-site mitigation will be discussed" or such facilities "will be considered". Opportunities for active travel and connectivity should be seized, in line with LDP Policy MG16 which refers to walking and cycling proposals at A4050 Port Road to Cardiff Airport (as well as the sustainable transport infrastructure required by Policy MG10).

Our client seeks reassurance that active travel routes within the site will be secured and will appropriately link into existing or proposed off-site infrastructure, secured by Grampian condition or planning obligation, as required.



Conclusion

In conclusion our client:

1. supports the principle of the development proposed;
2. urges that the application be amended such that the future prospect of achieving a direct rail link is safeguarded through the site;
3. suggests that cyclists and pedestrian circulation routes to and within the site, and detail as to how these fit into the surrounding access network is provided, as required by the DMPO where 'access' is unreserved;
4. seeks greater clarity of the proposed off-site active travel proposals and mitigation associated with the proposal.

Yours sincerely



Peter Waldren

Director

For and on behalf of WYG

Encl.

cc John Karseras, Welsh Government

Application No: **14/02733/MJR**

PERMISSION FOR DEVELOPMENT

To:
Mr G Williams
Nathaniel Lichfield & Partners
Helmont House
Churchill Way
Cardiff
CF10 2HE

Town and Country Planning Act 1990 (As Amended)
Town and Country Planning (Development Management Procedure) (Wales) Order
2012

WHEREAS you submitted an application for Outline Planning Permission received on 21/11/2014 for:

OUTLINE PLANNING APPLICATION WITH ALL MATTERS RESERVED APART FROM STRATEGIC ACCESS JUNCTIONS FOR RESIDENTIAL-LED MIXED USE DEVELOPMENT, TO BE DEVELOPED IN PHASES, INCLUDING PREPARATORY WORKS AS NECESSARY INCLUDING DEMOLITION AND RE-GRADING OF SITE LEVELS; UP TO 5,970 RESIDENTIAL UNITS (USE CLASS C3, INCLUDING AFFORDABLE HOMES); 3 NO. LOCAL CENTRES PROVIDING RESIDENTIAL UNITS, CONVENIENCE SHOPS AND FACILITIES/SERVICES (INCLUDING UP TO 7,900 SQ M IN USE CLASSES A1-A3) AND 1NO. DISTRICT CENTRE PROVIDING RESIDENTIAL UNITS, UP TO 12,000 SQ M IN USE CLASSES A1-A3 INCLUDING UP TO TWO FOOD STORES (UP TO 5,000 SQ M GROSS) WITH ASSOCIATED PARKING, UP TO 15,500 SQ M OF USE CLASS B1(A), B1(B) AND B1(C); PROVISION OF UP TO 5,100 SQ M OF COMMUNITY AND HEALTHCARE FACILITIES ACROSS THE DISTRICT AND LOCAL CENTRES (USE CLASSES D1 AND D2); PROVISION FOR 3NO. PRIMARY SCHOOLS AND 1NO. SECONDARY SCHOOL; OPEN SPACE INCLUDING ALLOTMENTS; PARKS; NATURAL AND SEMI NATURAL GREEN SPACE; AMENITY GREEN SPACES; FACILITIES FOR CHILDREN AND YOUNG PEOPLE; OUTDOOR SPORTS PROVISION INCLUDING PLAYING PITCHES; ASSOCIATED INFRASTRUCTURE AND ENGINEERING WORKS INCLUDING NEW VEHICULAR ACCESSES, IMPROVEMENT WORKS TO THE EXISTING HIGHWAY NETWORK, NEW ROADS, FOOTPATHS/CYCLEWAYS, A RESERVED STRATEGIC TRANSPORT CORRIDOR; UP TO 1 NO. ELECTRICITY PRIMARY-SUBSTATION AND LANDSCAPING WORKS (INCLUDING SUDS). at NORTH WEST CARDIFF (hereinafter called "the development");

CARDIFF COUNTY COUNCIL, as the Local Planning Authority for the County of Cardiff, in pursuance of its powers under the above mentioned Act and Orders, hereby PERMITS the development to be carried out in accordance with the application and plans submitted therewith, subject to compliance with the conditions specified hereunder:

PART 1 RESERVED MATTERS AND PLANS

RESERVED MATTERS AND TIME LIMIT

1.
 - A. Prior to the commencement of development on any Reserved Matters site, details of the layout, scale and appearance of the buildings, access (except for the detailed highway improvement works that are the subject of conditions 26 - 34) and landscaping (hereinafter called "the reserved matters") for that Reserved Matters site shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out as approved.
 - B. Application for approval of the first Reserved Matters site shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. Application for approval of all other reserved matters sites shall be made to the Local Planning Authority before the expiration of twenty years from the date of this permission.
 - C. The development hereby permitted shall be begun either before the expiration of five years from the date of this permission or before the expiration of two years from the date of the last of the reserved matters to be approved, whichever is the later.

Reasons: A. In accordance with the provisions of Article (3)1 of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012. B and C. In accordance with the provisions of Section 92 of the Town and Country Planning Act 1990 (as amended).

APPLICATION PLANS AND DOCUMENTS

2. This consent relates to the following plans and documents attached to and forming part of this planning application:
Plans:
 - a) Planning Application Boundary (drawing no. R.0319_17j-1)
 - b) Land Use Parameter Plan (drawing no. R.0319_17j-2) and supporting text
 - c) Access Parameter Plan (drawing no. R.0319_17j-3) and supporting text
 - d) Green Infrastructure Parameter Plan (drawing no. R.0319_17j-4) and supporting text
 - e) Density Parameter Plan (drawing no. R.0319_17j-5)
 - f) Demolition Parameter Plan (drawing no. R.0319_17j-6)
 - g) Scale Parameter Plan (drawing no. R.0319_17j-7) and supporting text
 - h) Illustrative Masterplan (drawing no. R.0319_8j)
 - i) POS Provision Plan (drawing no. R.0319-45A)
 - j) Indicative Phasing Plan (drawing no. R.0319_51)
 - k) Complete Overview (drawing no. W141304_A01 Rev J)
 - l) Llantrisant Road Junction / Crofft Y Genau Junction 1 (drawing no. W141304_A01_J1 Rev J)
 - m) Llantrisant Road Signalised Crossroads Junction – Junction 2 (drawing no. W141304_A01_J2 Rev J)
 - n) Llantrisant Road / Clos Park Radyr Signalised Crossroads Junction

- 3 (drawing no. W141304_A01_J3 Rev J)
- o) Clos Park Radyr Priority Site Access Junction 4, 5, 6 (drawing no. W141304_A01_J4-5-6 Rev J)
- p) Llantrisant Road North Priority Site Access Junction 7 (drawing no. W141304_A01_J7 Rev J)
- q) Llantrisant Road / Heol Isaf Signalised Crossroads Junction 8 (drawing no. W141304_A01_J8 Rev J)
- r) Llantrisant Road South Mini Roundabout Access Junction 9 (drawing no. W141304_A01_J9 Rev J)
- s) Llantrisant Road BBC Bus Lane Junction 10 (drawing no. W141304_A01_J10 Rev J)
- t) Pentreban Road Bi-Directional Cycle Lane Signalised Crossroads Junction 11 (drawing no. W141304_A01_J11 Rev J)
- u) Pentreban Road / Beechley Drive Signalised Crossroads & Pentreban Site Access Junctions 12 and 13 (drawing no. W141304_A01_J12-13 Rev J)
- v) Re-alignment of Crofft y Genau Road into Pentreban Road Junction 14 (drawing no. W141304_A01_J14 Rev J)
- w) Crofft y Genau Road Southern Site Access Junction 15 (drawing no. W141304_A01_J15 Rev J)
- x) Crofft y Genau Road Priority Access Flared for Bus Movements Junction 16 (drawing no. W141304_A01_J16 Rev J)
- y) Residential Development Slope Analysis (drawing no. SK057 C2)
- z) Preliminary Earthworks Depths Mixed Use Development, Schools, Playing Fields and Primary Road Corridors (drawing no. SK058 C2)

Documents

- a) Revised application form (including Certificate B and Agricultural Holdings Certificate) dated 31/10/16
- b) NLP Covering Letter dated 9 December 2014
- c) NLP Covering Letter dated 31 October 2016
- d) Flood Risk Statement for Plasdwr (13 October 2014)
- e) Retail Statement (November 2014)
- f) Planning Statement (November 2014)
- g) Planning Statement Addendum (31 Oct 2016)
- h) revised Design and Access Statement (R.0319_30D Oct 2016);
- i) Environmental Statement (November 2014)
- j) Environmental Statement Addendum (Nov 2016);
- k) Environmental Statement Non-Technical Summary (November 2016)
- l) Revised Green Infrastructure Strategy (Oct 2016);
- m) Great Crested Newt Conservation Strategy (C_EDP1027_87a_170117)

Reason : For the avoidance of doubt.

RESERVED MATTERS AND DISCHARGE OF CONDITION PLANS AND DOCUMENTS

3. Subject to the provisions of conditions 5 (ACCESS TO RADYR FARM), 14 (USEABLE SPORTS PITCHES), 17 (PHASING), 18 (DESIGN CODE), 20 (ALLOTMENT STRATEGY), 26 - 34 relating to DETAILED HIGHWAY IMPROVEMENT WORKS, 39 (RADYR GOLF COURSE INTERFACE STRATEGY), 44 (DISTRICT CENTRE DESIGN CODE), 67 (SCHOOL SITE SIZES), 68 (FULL ENGINEERING DETAILS FOR EACH JUNCTION), 69 (KEY PEDESTRIAN / CYCLING/ HORSE RIDING ROUTE), 70 (ECOTONE), 71 (ENHANCED GREEN CORRIDOR), 72 (ADDITIONAL HOP OVERS), 73 (PITCH SIZES), 74 (PUBLIC OPENSPACE PROVISION), 76 (RADYR FARM WIND TURBINE), 81 (HSE ADVICE), 82 (WALES AND WEST UTILITIES APPARATUS), 84 (BUILDING OUTSIDE SETTLEMENT BOUNDARY), the development shall accord with the following approved plans and documents:
- a) Planning Application Boundary (drawing no. R.0319_17j-1)
 - b) Land Use Parameter Plan (drawing no. R.0319_17j-2) and supporting text
 - c) Access Parameter Plan (drawing no. R.0319_17j-3) and supporting text
 - d) Green Infrastructure Parameter Plan (drawing no. R.0319_17j-4) and supporting text
 - e) Density Parameter Plan (drawing no. R.0319_17j-5)
 - f) Demolition Parameter Plan (drawing no. R.0319_17j-6)
 - g) Scale Parameter Plan (drawing no. R.0319_17j-7) and supporting text
 - h) Pentrebane Farm: Refined Design Principles (Environmental Statement November 2014, para C3.44)
 - i) the Spine and Llantrisant Road street sections shown on pp. 72 - 73 of the Design and Access Statement (October 2016)

and shall be in substantial accordance with the following approved plans and documents:

- j) Llantrisant Road Junction / Crofft Y Genau Junction 1 (drawing no. W141304_A01_J1 Rev J)
- k) Llantrisant Road Signalised Crossroads Junction – Junction 2 (drawing no. W141304_A01_J2 Rev J)
- l) Llantrisant Road / Clos Park Radyr Signalised Crossroads Junction 3 (drawing no. W141304_A01_J3 Rev J)
- m) Clos Park Radyr Priority Site Access Junction 4, 5, 6 (drawing no. W141304_A01_J4-5-6 Rev J)
- n) Pentrebane Road Bi-Directional Cycle Lane Signalised Crossroads Junction 11 (drawing no. W141304_A01_J11 Rev J)
- o) Pentrebane Road / Beechley Drive Signalised Crossroads & Pentrebane Site Access Junctions 12 and 13 (drawing no. W141304_A01_J12-13 Rev J)

- p) Re-alignment of Crofft y Genau Road into Pentrebane Road Junction 14 (drawing no. W141304_A01_J14 Rev J)
- q) Crofft y Genau Road Southern Site Access Junction 15 (drawing no. W141304_A01_J15 Rev J)
- r) Crofft y Genau Road Priority Access Flared for Bus Movements Junction 16 (drawing no. W141304_A01_J16 Rev J)
- s) POS Provision Plan (drawing no. R.0319-45A)
- t) Environmental Statement (November 2014)
- u) Environmental Statement Addendum (Nov 2016);
- v) Revised Green Infrastructure Strategy (Oct 2016);
- w) Great Crested Newt Conservation Strategy (C_EDP1027_87a_170117)

and shall be in broad accordance with the following approved plans and documents:

- x) Illustrative Masterplan (drawing no. R.0319_8j)
- y) revised Design and Access Statement (R.0319_30D Oct 2016)

unless otherwise approved through subsequent discharge of condition and reserved matters applications. Reason: To retain control of the development and given the information has been used to assess the development.

PART 2: CONDITIONS REQUIRING DETAILS TO BE SUBMITTED AS PART OF THE DISCHARGE OF CONDITION 1

ACCESS WITHIN THE SITE

4. Details in relation to the reserved matter ACCESS submitted to the Local Planning Authority for any reserved matters site in compliance with condition 1 shall include:

- a) details showing the position and form of construction of all junctions, roads, verges, cycle paths, footpaths, bridleways, shared paths and shared surfaces, including any PROW diversions, and the method of disposal of all surface water drainage therefrom
- b) details of 'safe zones' within any proposed shared spaces to protect vulnerable users
- c) the position of street lighting linked to a Central Management System
- d) bus stops and associated facilities
- e) bus priority measures, including any bus lanes and bus gates
- f) where amphibian activity is envisaged, road and junction design measures to ensure that Great Crested Newts and other protected amphibians are not harmed, including use of inset/ dropped kerbs, offset gully pots, amphibian friendly underpasses and/ or amphibian ladders in gully pots
- g) details of and an implementation programme for any temporary access required to ensure safe and convenient pedestrian, cycle and vehicular access through those areas not under construction, where construction is complete and along PROWs including details of any proposed diversions
- h) details of land to be provided and safeguarded for pedestrian / cycle links to existing areas, shown on the Access parameter plan

(drawing no R.0319_17k-3) and a strategy for their delivery
The development shall be carried out in accordance with the approved details, condition 80 (PROVISION OF ROAD BEFORE OCCUPATION OF DWELLINGS) and the phasing details approved under condition 17 (PHASING).

Reason: To make provision for satisfactory access and to allow the phased dimming of street lights to protect light sensitive species on the site.

ACCESS TO RADYR FARM

5. Notwithstanding the provisions of condition 3, details in relation to the reserved matter ACCESS, submitted to the Local Planning Authority in compliance with condition 1, shall include details to demonstrate that the legal right of way to Radyr Farm from Llantrisant Road shall be maintained in perpetuity. The development shall be carried out in accordance with the approved details.
Reason: To maintain vehicular access to Radyr Farm.

ACCESS TO THE REMAINDER OF SITE C

6. Details in relation to the reserved matter ACCESS, submitted to the Local Planning Authority in compliance with condition 1 for any reserved matters site that adjoins the boundary of the remainder of Strategic Site C shall include details to secure pedestrian, cycle and vehicular access up to the boundary of the outline permission site to serve development beyond the boundary and a strategy for their delivery. The submitted details shall demonstrate how the access will not prejudice the proposed green and movement corridors. The development shall be carried out in accordance with the approved details.
Reason: To make provision for effective pedestrian, cycle and vehicular links to the wider strategic site and future expansion areas identified in the Cardiff Local Development Plan.

RAPID TRANSIT CORRIDOR / METRO

7. Details in relation to the reserved matter ACCESS submitted to the Local Planning Authority in compliance with condition 1 shall include:
- a) details, including layout and cross sections, of the 'Express Bus Priority Route' shown on p. 70 of the Design and Access Statement (October 2016)
 - b) details, including layout and cross sections, of the zone to be provided and reserved for Rapid Transit, shown on the Access Parameter Plan (drawing no R.0319_17j-3), including details of the 'Safeguarded Alternative Tram Train Alignment' (shown on p.70 of the Design and Access Statement (October 2016) and demonstrating how this will not prejudice proposed green and movement corridors. The zone to be provided for Rapid Transit shown on the Access parameter plan shall be extended to include the 'safeguarded route for metro within the site' set out on the LDP Schematic Framework for strategic site C
- The development shall be carried out in accordance with the approved details.

Reason: To safeguard options for the future delivery of the 'Metro' within the

site, in accordance with policies KP2(C) and T9 of the Cardiff Local Transport Plan.

CAR PARKING

8. Details in relation to the reserved matter LAYOUT submitted to the Local Planning Authority for any reserved matters site in compliance with condition 1 shall include details for the parking of vehicles. The details shall include, but not be limited to, a strategy and implementation programme for the provision, management, monitoring and control of car parking for any and all non-residential land uses proposed within that reserved matters site. The development shall be implemented in accordance with the approved details and no dwelling or building shall be occupied until the approved parking facilities serving it have been provided. The approved parking shall be retained thereafter and shall not be used for any purpose other than the parking of vehicles.

Reason: To ensure that the use of the proposed development does not interfere with the safety and free flow of traffic circulating within and passing the site.

CYCLE AND MOTORCYCLE PARKING

9. Details in relation to the reserved matter LAYOUT submitted to the Local Planning Authority for any reserved matters site in compliance with condition 1 shall include details for the provision of secure cycle and motorcycle parking spaces. No building shall be occupied until the approved cycle or motorcycle parking serving it has been provided and the cycle and motorcycle parking shall be retained in perpetuity and shall not be used for any other purpose. For the avoidance of doubt, cycle parking will not be required to be provided for any dwellings with garages and motorcycle parking will not be required to be provided for dwellings.

Reason: To ensure that adequate provision is made for the secure parking of cycles.

LOADING AND UNLOADING OF VEHICLES

10. Details in relation to the reserved matter LAYOUT submitted to the Local Planning Authority for any reserved matters site in compliance with condition 1 shall include details of facilities for the loading and unloading of vehicles serving any and all non-residential buildings and a Servicing Management Plan. The development shall be implemented in accordance with the application details and no non-residential building shall be occupied until the approved loading/unloading facilities serving it have been provided. The approved details shall be thereafter maintained and retained.

Reason: To ensure that the use of the proposed development does not interfere with the safety and free flow of traffic passing along the highway abutting the site.

ADOPTABLE AREAS PLAN

11. Details in relation to the reserved matters submitted to the Local Planning Authority for any Reserved Matters site in compliance with condition 1 shall include a plan showing the following:
- a) adoptable highway
 - b) open space maintained by management company
 - c) any private drives maintained by management company where public right of access is maintained
 - d) any other categories pertaining to management arrangements.
- The development shall be implemented in accordance with the approved details.
- Reason: To help clarify and inform the management arrangements for the site.

REFUSE

12. Details in relation to the reserved matter LAYOUT submitted to the Local Planning Authority for any reserved matters site in compliance with condition 1 shall include the following:
- a) details of facilities for the storage of refuse containers for each house and flat, and collection points for refuse collection vehicles
 - b) vehicle tracking plan(s) which shall demonstrate via swept path analysis that the Council's largest refuse collection vehicle is able to reach within 25m of all dwellings, and enter and exit all roads (including shared surfaces) in a forward gear and that the turning heads are of sufficient size. Where private drives are identified and access for the Council's refuse collection is not suitable, details of collection arrangements must be submitted to and agreed by the Local Planning Authority in writing
 - c) details of facilities for the storage of refuse containers for any and all non-residential buildings and vehicle tracking plans(s) and which shall demonstrate via swept path analysis that they can be serviced by the Council's largest refuse collection vehicle
 - d) details showing the location of litter bins and - for those litter bins that are proposed on adopted land and/or which are to be emptied and maintained by the Council – details of their design and specifications
- No dwelling or building shall be occupied until the approved refuse facilities and arrangements serving it have been provided. The approved refuse facilities shall thereafter be retained for future use.
- Reason: To secure an orderly form of development, to protect the amenities of the area and because refuse collection vehicles are not permitted to reverse down any roads and must be able to reach within 25m of all dwellings in order for crews to empty bins.

FLOOR AND GROUND LEVELS

13. Details in relation to the reserved matters submitted to the Local Planning

Authority for any reserved matters site in compliance with condition 1 shall include:

- a) details and a plan(s) showing proposed finished floor levels of each dwelling and building, and existing and proposed ground levels in relation to a fixed datum
- b) a plan showing proposed gradients of all streets, cycleways and footpaths and shared surfaces in full compliance with DfT Inclusive Mobility Guide and Manual for Streets 1 & 2, except where it can be demonstrated that there is a suitable, alternative route available.

The development shall be carried out in accordance with the approved details.

Reason: To enable assessment of the relative heights of existing and proposed ground/floor levels and access requirements.

USEABLE SPORTS PITCHES

14. Notwithstanding the provisions of condition 3, details in relation to the reserved matters submitted to the Local Planning Authority in compliance with condition 1 in respect of any reserved matters site including sports pitches shall include:

- a) details showing the number and size of sports pitches, taking into consideration the provisions of condition 73 (PITCH SIZES)
- b) details showing the location and design of changing facilities for the adult sized pitches or satisfactory alternative provision
- c) a scheme to provide for level and well-drained pitches.

The development shall be implemented in accordance with the approved details prior to the use of the pitches and the drainage scheme shall be retained and maintained for the lifetime of the development.

Reason: To ensure the sports pitches are appropriately drained and useable.

LANDSCAPE SCHEME FOR EACH RESERVED MATTERS SITE

15. Details in relation to the reserved matter LANDSCAPING submitted to the Local Planning Authority for any reserved matters site in compliance with condition 1 shall include the following details and an implementation programme:

- a) hard landscape works which shall include: means of enclosure and retaining structures; vehicle, cycle and pedestrian access and circulation areas; hard surfacing materials; position of external lighting including street lights; minor artefacts and structures (e.g. litter bins, seating and other furniture, play equipment and signs); proposed and existing functional services above and below ground (eg. drainage, power, communications cables)
- b) a landscaping scheme which shall include: proposed finished levels and contours, scaled planting plans/ written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/ densities where appropriate; top soil and subsoil specifications, tree pit sections and plan views showing root available soil volume, planting and aftercare methodology, proposals for remediation work in the event that any element of the landscaping fails
- c) details of public open space provision, in accordance with the provisions of condition 74 (PUBLIC OPEN SPACE PROVISION)
- d) details, where applicable, of allotment provision, as proposed under condition 20 (ALLOTMENT STRATEGY)
- e) details, where applicable, of existing and proposed ponds, attenuation basins and water features, which shall include detailed plans and cross sections of proposed features and respective landscaping, planting and lighting details, and which shall clearly identify those ponds proposed as replacement Great Crested Newt breeding ponds as distinct from other wildlife ponds/attenuation basins
- f) detailed designs for any ecological 'hop-overs' shown on the Green Infrastructure Parameter Plan (drawing no R.0319_17j-4) and as required by condition 72 (ADDITIONAL HOP OVERS) and which shall include the matters detailed in NRW's letter of 24/02/2017
- g) detailed designs, including planting and layout plans, for the min 10m wide buffer zone proposed around all watercourses, wetlands and ponds and the min 15m ecotone buffer to all retained woodland

A Detailed Green Infrastructure Management Strategy (DGIMS) for the delivery, and long-term management, maintenance and monitoring of the ecological, aboricultural, landscape, soil and open space and water resource other than privately owned, domestic gardens. The DGIMS shall accord with the approved SGIMS required to be submitted under condition 19, including any amendments to the SGIMS, and shall substantially accord

with the Green Infrastructure Strategy, the Dark Corridors plan (drawing no R.0319_47) and the mitigation measures set out in the Environmental Statement (November 2014) and ES Addendum (November 2016). The DGIMS shall include, where applicable to that RM site: update surveys of potential reptile habitat and related

mitigation, update surveys of ponds with potential to support Great Crested Newts and related mitigation, update surveys required under parts i) and j) of this condition and any other pre-commencement surveys for that site required as part of the SGIMS; a detailed plan setting out habitats to be lost, enhanced, created and retained and an implementation programme; details of proposed green corridors (including detailed layout plans showing habitat composition and new and retained planting required to reach the size and scale of corridor proposed, cross sections, and a phasing plan for green corridor planting); details of the treatment of Green Infrastructure where it is severed by road infrastructure; a detailed schedule of habitat and species management and maintenance operations and their implementation/timing, including proposals for the management of buffer zones; proposals for species and habitat monitoring and a mechanism to address mitigation failures, proposals for reviews and updating of the DGIMP; proposals for the delivery and on-going management, maintenance and monitoring of the water resource, landscaped areas and open space; an implementation programme for the phasing and delivery of the detailed green infrastructure and a detailed compliance audit scheme;

- i) the Detailed Green Infrastructure Management Strategy shall include a Detailed Great Crested Newt Strategy, which shall include the matters identified in NRW's letter of 24/02/2017 which shall also demonstrate that the intended undergrounding of the overhead powerlines has been taken into consideration in the proposed development and mitigation
- j) the Detailed Green Infrastructure Management Strategy shall include Detailed Bat Mitigation Strategy which shall include the matters identified in NRW's letter of 24/02/2017
- k) A detailed lighting scheme and implementation plan to control light spillage to any 'dark corridors' and other 'sensitive receptors' identified in the approved SGIMS (under condition 19), including watercourses, ponds and wetlands. The scheme shall include details of the siting and type of lighting to be used, their technical specifications, contour plans showing light spillage and cross sections of green corridors where they intersect with roads, footpaths and cycle paths and adjacent properties, detailing green infrastructure and lighting proposals, and operational measures to ensure appropriate lighting, including the timing and extent of any dimming. The lighting shall be linked to a Central Management System to allow for phased dimming.

- l) Proposals for the identification and management/control/eradication of any invasive species identified on the reserved matters site.

The development and green infrastructure management shall be carried out in accordance with the approved details

Reason: To protect the Green Infrastructure resource, to maintain and improve the appearance of the area in the interests of visual amenity and to help reduce crime and disorder.

- PROMOTION OF BIODIVERSITY THROUGH DESIGN
16. Details in relation to the reserved matters submitted to the Local Planning Authority for any Reserved Matters site in compliance with condition 1 shall include:
- a) details of fences or other forms of enclosure which shall include opportunities to allow the free passage of hedgehogs and other wildlife. Any walls and or/ fences or other forms of enclosure shall be erected in accordance with the approved details. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification), those walls and/or fences or other means of enclosure shall be erected in accordance with the approved details and shall not thereafter be altered or removed without the prior written approval of the Local Planning Authority
 - b) Proposals to include new bird and bat roosting opportunities based upon the Town and Country Planning Association's 'Biodiversity Positive: Eco-towns Biodiversity Worksheet 2009' and the Bat Conservation Trust's 'Biodiversity for Low and Zero Carbon Buildings: A Technical Guide for New Build 2010'
 - c) Details of planting to allow wildflowers to development on roadside verges, parks and other greenspaces.

The development shall be carried out in accordance with the approved details.

Reason: To promote biodiversity of the site through design.

PART 3: CONDITIONS TO BE DISCHARGED

3A: Conditions to be discharged in respect of whole outline permission site

PHASING

17. Notwithstanding the provisions of condition 3, no reserved matter application shall be approved by the Local Planning Authority and no development shall take place, except for the highway and landscaping works that are the subject of conditions 26 - 34 and 35 (LANDSCAPE SCHEME FOR DETAILED HIGHWAY IMPROVEMENT WORKS), until a phasing schedule and plan for the whole outline permission site has been submitted to and approved in writing by the Local Planning Authority. The phasing schedule and plan shall accord with the conditions and Section 106 Agreement and triggers therein, and shall include details of the phasing of the following:
- a) development Phases, including the number of dwellings to be delivered in each phase

- b) each of the site accesses (junctions 1, 2, 3, 4, 5,12,13,14,15,16)
- c) off-site highway improvements
- d) the spine road and all other roads, junctions, footpaths, cycle paths and shared surfaces within the site
- e) the transport interchanges shown on the October 2016 Design and Access Statement Street Hierarchy Plan, bus priority measures (including bus gates and lanes) and public transport stops

- f) green corridors, landscaping, open space and play areas and other publicly accessible areas
- g) schools, district and local centres.

The green corridor(s) in each Phase shall be commenced prior to the occupation of the first residential reserved matters site in each Phase. The development shall be carried out in accordance with the approved phasing plan or in accordance with any modification to that phasing plan as may be agreed with the prior written approval of the Local Planning Authority.

Reason: To ensure the development is carried out in a comprehensive, sustainable and coherent manner.

DESIGN CODE

18. Notwithstanding the provisions of condition 3, no reserved matters application shall be submitted to the Local Planning Authority until a 'Neighbourhood Character, Key Spaces and Frontages Design Code' for the whole outline permission site has been submitted to and approved in writing by the Local Planning Authority. The Code shall establish principles and guidelines for the treatment of the built form and landscape at the key spaces and along the primary/important frontages shown on p. 76 of the Design and Access Statement (October 2016) and explain how the architecture, landscaping, street furniture, materials and colours will vary between each of the 5 neighbourhoods and 17 character areas presented on p 82 of the Design and Access Statement (October 2016). Details of the scope and form of the Code shall be submitted to and agreed in writing by the Local Planning Authority prior to the submission of the Code. The reserved matters details submitted to and approved by the Local Planning Authority in compliance with condition 1 shall accord with the approved Code unless otherwise approved at reserved matters stage.

Reason: To ensure good design.

STRATEGIC GREEN INFRASTRUCTURE MANAGEMENT STRATEGY

19. No reserved matters applications shall be approved by the Local Planning Authority and no development shall commence, except for the highway and landscaping works that are the subject of conditions 26 - 34 and 35 (LANDSCAPE SCHEME FOR DETAILED HIGHWAY IMPROVEMENT WORKS), until a Strategic Green Infrastructure Management Strategy (SGIMS) - for the whole outline permission site - for the delivery and on-going management, maintenance and monitoring of green infrastructure comprising the ecological, aboricultural, landscape, soil, open space, SUDS

and water resource, other than privately owned domestic gardens, for the whole outline permission site for the construction and operational phases and longer term (up to 30 years and beyond) has been submitted to and approved in writing by the Local Planning Authority. The SGIMS shall include details and an implementation programme for the following:

- a) outline proposals for the delivery of green corridors and dark corridors which shall include plans and outline details of habitat composition and layout, the location of new and retained planting

R.0319_47) and other habitats for light sensitive species are appropriately illuminated and inform the detailed lighting strategy for each Reserved Matters site. The outline strategy shall set out broad lighting principles, including in respect of the siting and type of lighting linked to a Central Management System, times and extent of proposed light 'dimming', operational measures to deliver the appropriate lighting levels, and cross sections showing how 'dark corridors' can be achieved over road crossings

- i) as part of e) provide an assessment of provision for teen facilities within 1500m of the outline site boundary and proposals for a range of new facilities within the outline site to serve the new population.

The approved SGIMS, and any subsequent amendments, shall be implemented in accordance with the approved details and programme for implementation. The development and green infrastructure management shall be carried out in accordance with the approved details.

Reason: To protect and enhance the Green Infrastructure resource of the site, in accordance with policy KP16 of the Cardiff Local Development Plan.

ALLOTMENT STRATEGY

- 20. Notwithstanding the provisions of condition 3, an allotment strategy for the whole outline permission site shall be submitted to and approved in writing by the Local Planning Authority. The reserved matters submitted in compliance with condition 1 shall accord with the approved strategy and the development shall be implemented in accordance with the approved details. Reason: To inform the provision of allotments on the outline site.

RESIDENTIAL TRAVEL PLAN

- 21. No part of the residential development hereby permitted shall be occupied until the submitted Interim Travel Plan (November 2014) has been progressed for the whole outline permission site, submitted to and approved in writing by the Local Planning Authority. The Residential Travel Plan shall set out proposals and targets to limit or reduce the number of single occupancy car journeys to and from the site, and to promote travel by sustainable modes. The Residential Travel Plan shall set out proposals to implement and manage the Travel Plan, through a designated Travel Plan Coordinator. The Residential Travel Plan shall be implemented in accordance with the timetable which shall be set out in the plan or in accordance with a revised timetable which shall be agreed in writing by the

Local Planning Authority. Reports demonstrating progress in promoting the sustainable transport measures detailed in the Residential Travel Plan shall be submitted annually for a period 5 years beyond final occupation to the Local Planning Authority for approval in writing, commencing from the first anniversary of beneficial occupation of the first phase of development.

Reason: To encourage sustainable transport and effect modal shift to non-car modes.

TRAFFIC MONITORING AT SITE ACCESSES

- 22. Prior to beneficial occupation of the development, a traffic monitoring strategy

for the whole outline permission site shall be submitted to and agreed in writing by the Local Planning Authority. The submitted details shall include the methodology to record full turning movements by mode at the site access junctions (junctions 1, 2, 3, 4, 5, 12, 13, 14, 15 and 16). The results of the traffic surveys shall be submitted to the Local Planning Authority annually from the date of the first traffic survey and to 5 years beyond final occupation. Reason: To allow full monitoring, reporting and assessment of the impact of the proposed development.

23.

STRATEGIC SUSTAINABLE SURFACE WATER DRAINAGE MASTERPLAN
Prior to the submission of any detailed surface water drainage scheme under condition 63, a strategic sustainable surface water drainage masterplan for the whole outline application site shall be submitted to and approved by the Local Planning Authority. The details shall show how the natural drainage catchments, the development Phases, the reserved matters sites and the flood flow paths relate to each other. The details shall take into consideration the interaction between natural drainage catchments and be designed to ensure that the necessary sustainable drainage network for each reserved matters site is in place prior to occupation of any building. Where a Phase of the development is constructed within part of a natural drainage catchment or straddles more than one drainage catchment, the sustainable drainage network for the entire catchment shall be constructed to accommodate this.

Reason: To ensure that drainage from the development does not cause or exacerbate any adverse condition on the development site, adjoining properties, environment and infrastructure with regard to flood risk.

24.

STRATEGIC FOUL DRAINAGE MASTERPLAN

No reserved matter application shall be approved by the Local Planning Authority until a strategic foul drainage masterplan for the whole outline permission site, accompanied by a foul drainage catchment plan and informed by a Hydraulic Modelling Assessment (HMA), have been submitted to and approved in writing by the Local Planning Authority. The submitted strategic foul drainage masterplan shall include details of the following:

- a) suitable points of connection for each foul drainage catchment to connect to the existing public sewerage system

- b) how each development phase within each drainage catchment will be effectively drained to the existing public sewerage system and demonstrate how each phase will accommodate and include a provision for foul drainage flows for all subsequent phases

- c) any improvement or reinforcement works required to the public sewerage system in order to accommodate the development

- d) an implementation programme, which shall take into consideration the phasing schedule and plan approved under condition 17 (PHASING).

Thereafter, any subsequent Reserved Matter application shall accord with the approved details or any modification as may be approved through subsequent discharge of condition applications. No building shall be occupied on any reserved matters site until the works, identified by the Hydraulic Modelling Assessments and through part C of this condition, have been completed on the

public sewerage system serving that reserved matters site.
Reason: To prevent hydraulic overloading of the public sewerage system, protect the health and safety of existing residents, ensure no pollution of or detriment to the environment and to ensure the site can be effectively drained.

25. **STRATEGIC POTABLE WATER SUPPLY MASTERPLAN**
No reserved matter application shall be approved by the Local Planning Authority until a strategic potable water supply masterplan for the whole outline permission site, accompanied by ground levels based on Lidar information and informed by a Hydraulic Modelling Assessment (HMA), have been submitted to and approved in writing by the Local Planning Authority. The submitted strategic potable water supply masterplan shall include details of the following:
- a) suitable points of connection for each phase to the existing public water supply system
 - b) how each development phase and reserved matters site can be served by a suitable potable water supply system and demonstrate how each phase will accommodate and include a provision for a water supply for all subsequent phases
 - c) any improvement or reinforcement works required to the public water supply system in order to serve the development.
 - d) an implementation programme, which shall take into consideration the phasing schedule and plan approved under condition 17 (PHASING).
- Thereafter, any subsequent Reserved Matter application shall accord with the approved details or any modification as may be approved through subsequent discharge of condition applications. No building shall be occupied on any reserved matters site until the works, identified through the Hydraulic Modelling Assessment and through part C of this condition, have been completed on the public water supply system serving that reserved matters site.
Reason: To ensure an adequate water supply and to protect the integrity of the public water supply system.

PART 3B: Conditions to be discharged in respect of specific works/ buildings/ land uses / areas

26. **DETAILED HIGHWAY IMPROVEMENT WORKS – JUNCTION 1**
Notwithstanding the provisions of drawing 'Llantrisant Road Junction / Croft Y Genau Junction 1 (drawing no. W141304_A01_J1 Rev J)' and condition 3, and subject to condition 68 (FULL ENGINEERING DETAILS FOR EACH JUNCTION), no detailed highway improvement works relating to the above junction and no development of the Phase to which it adjoins shall commence until full engineering details of the highway improvement works have been submitted to and approved in writing by the Local Planning Authority. The full engineering details shall include the following:
- a) Tabled zebra crossing to be provided across Rhydlafar Drive, to provide access to the stepped path;
 - b) Footway on the east side of Rhydlafar to be widened to 3 metres from the zebra crossing to the easternmost crossing at Junction 1 and converted to a shared use facility;
 - c) Toucan crossing facilities to be provided on all arms of the junction;
 - d) Safeguarding of a corridor of minimum width of 3.1 metres, to enable the provision of a northbound bus lane on Croft Y Genau Road set back 50 metres from the junction with the A4119 Llantrisant Road for a distance of at least 200 metres;
 - e) Provision of the spine street section shown on p. 72 of the Design and

Access Statement (Oct 2016) to tie into Llantrisant Road from
'Junction 1' south along Crofft Y Genau Road to 'Junction 16'.

The development shall be implemented in accordance with the approved details and the phasing details required to be submitted under condition 17 (PHASING).

Reason: To ensure the provision of satisfactory access to and from the site.

DETAILED HIGHWAY IMPROVEMENT WORKS – JUNCTION 2

27. Notwithstanding the provisions of drawing 'Llantrisant Road Signalised Crossroads Junction – Junction 2 (drawing no. W141304_A01_J2 Rev J)' and condition 3, and subject to condition 68 (FULL ENGINEERING DETAILS FOR EACH JUNCTION), no detailed highway improvement works relating to the above junction and no development of the Phase to which it adjoins shall commence until full engineering details of the highway improvement works have been submitted to and approved in writing by the Local Planning Authority. The full engineering details shall include the following:

- a) All intersecting cycle tracks and crossings at the junction to be directly linked;
- b) Provision of dropped kerbs, in an appropriate location to minimise crossing distance for pedestrians at Ty-Gwyn;
- c) Safeguarding of land for the provision of a northbound bus lane on the site arm (southern) of the junction, set back 50 metres from the junction with the A4119 Llantrisant Road; and
- d) Provision of extended cycle feeder lanes to connect to the advanced stop line.

The development shall be implemented in accordance with the approved details and the phasing details required to be submitted under condition 17 (PHASING).

Reason: To ensure the provision of satisfactory access to and from the site.

DETAILED HIGHWAY IMPROVEMENT WORKS – JUNCTION 3

28. Notwithstanding the provisions of drawing 'Llantrisant Road / Clos Park Radyr Signalised Crossroads Junction 3 (drawing no. W141304_A01_J3 Rev J)' and condition 3, and subject to condition 68 (FULL ENGINEERING DETAILS FOR EACH JUNCTION), no detailed highway improvement works relating to the above junction and no development of the Phase to which it adjoins shall commence until full engineering details of the highway improvement works have been submitted to and approved in writing by the Local Planning Authority. The full engineering details shall include the following:

- a) Provision of a segregated 3m wide two way cycleway on all arms of the junction, including Llantrisant Road, site access arm and western side of Clos Parc Radyr to link to junctions 3 and 4, including informal crossing facilities at junction 4;
- b) All intersecting cycle tracks to be directly linked. This includes provision of signalised facilities located close to the desire lines;
- c) Provision of a northbound bus lane on the site arm (southern) of the junction, set back 50 metres from the junction with the A4119

Llantrisant Road; and

- d) Provision of extended cycle feeder lanes to connect the proposed bus lane with the advanced stop line.

The development shall be implemented in accordance with the approved details and the phasing details required to be submitted under condition 17 (PHASING).

Reason: To ensure the provision of satisfactory access to and from the site.

DETAILED HIGHWAY IMPROVEMENT WORKS - JUNCTIONS 4, 5, 6

29. Notwithstanding the provisions of drawing 'Clos Park Radyr Priority Site Access Junction 4, 5, 6 (drawing no. W141304_A01_J4-5-6 Rev J)' and condition 3, and subject to condition 68 (FULL ENGINEERING DETAILS FOR EACH JUNCTION), no detailed highway improvement works relating to the above junction and no development of the Phase to which it adjoins shall commence until full engineering details of the highway improvement works have been submitted to and approved in writing by the Local Planning Authority. The full engineering details shall include the following:

- a) The spine street section shown on p.72 of the Design and Access Statement (October 2016) to be provided on the western side Clos Parc Radyr between and to link junctions 3 and 4;
- b) The shared use path on the eastern side of Clos Parc Radyr to be provided with minimum clear width of 3 metres throughout its length;
- c) Crossing facilities for cyclists to be provided at Junction 4 to ensure continuity of connections in all directions between spine road treatments and the shared use path on Clos Parc Radyr;
- d) Crossing facilities to be provided at Junction 5 to ensure cyclists can join shared use path on eastern side of Clos Parc Radyr; and

- e) Due to the close proximity of Junctions 5 and 6, these are to share a raised table junction, in accordance with the details approved for Junction 6.

The development shall be implemented in accordance with the approved details and the phasing details required to be submitted under condition 17 (PHASING).

Reason: To ensure the provision of satisfactory access to and from the site.

PENTREBANE RD BI-DIRECTIONAL CYCLE LANE SIGNALISED CROSS ROADS JUNCTION 11

30. Notwithstanding the provisions of drawing 'Pentrebane Road Bi-Directional Cycle Lane Signalised Crossroads Junction 11 (drawing no W141304_A01_J11 Rev J)' and condition 3, and subject to condition 68 (FULL ENGINEERING DETAILS FOR EACH JUNCTION), no detailed highway works relating to the above junction and bidirectional cycle track shall take place until full engineering details of the highway improvement works have been submitted to and approved in writing by the Local Planning Authority. These works shall include the following:

- a) The provision of a bidirectional cycle track of a minimum 3 metres width on the northern side of Pentrebane Road from its junction with

- Waterhall Road to development junction 13;
- b) Provision of toucan crossings on all arms of the Pentrebane Road and Waterhall Road junction; and
- c) Provision of a segregated cycling facility between Amethyst Road and the signalisation of the Pentrebane Road and Waterhall Road junction.

The development shall be implemented in accordance with the approved details. No dwellings in phase 2 shall be occupied until the approved details have been constructed.

Reason: To ensure the provision of satisfactory access to and from the site.

31. DETAILED HIGHWAY IMPROVEMENT WORKS – JUNCTIONS 12 AND 13
- Notwithstanding the provisions of drawing 'Pentrebane Road / Beechley Drive Signalised Crossroads & Pentrebane Site Access Junctions 12 and 13' (drawing no. W141304_A01_J12-13 Rev J) and condition 3, and subject to condition 68 (FULL ENGINEERING DETAILS FOR EACH JUNCTION), no detailed highway improvement works relating to the above junction and no development of the Phase to which it adjoins shall commence until full engineering details of the highway improvement works have been submitted to and approved in writing by the Local Planning Authority. The full engineering details shall include the following:
- a) Provision of a bidirectional cycle track of a minimum 3m width on the northern side of Pentrebane Road from its junction with Ashcroft Crescent to junction 13;
 - b) Provision of Toucan crossings and dropped kerbs at Junction 12 to enable cyclists travelling on road on Beechley Drive to join and leave cycle track north of Pentrebane Road;

- c) Provision of crossing facilities at Junction 13 to enable cyclists to connect between the cycle track on northern side of Pentrebane Road described in a) above and the stopped up section of Pentrebane Rd west of the junction;
- d) Safeguarding of land for the provision of a southbound bus lane on the site arm (northern) of Junction 12, set back around 50m from the junction with Pentrebane Road.

The development shall be implemented in accordance with the approved details and the phasing details required to be submitted under condition 17 (PHASING).

Reason: To ensure the provision of satisfactory access to and from the site.

32. DETAILED HIGHWAY IMPROVEMENT WORKS – JUNCTION 14
- Notwithstanding the provisions of drawing 'Re-alignment of Crofft y Genau Road into Pentrebane Road Junction 14' (drawing no. W141304_A01_J14 Rev J) and condition 3, and subject to condition 68 (FULL ENGINEERING DETAILS FOR EACH JUNCTION) no detailed highway improvement works relating to the above junction and no development of the Phase to which it adjoins shall commence until full engineering details of the highway improvement works have been submitted to and approved in writing by the

Local Planning Authority. The full engineering details shall include the following:

- a) A continuous cyclist and pedestrian link to Crofft Y Genau Road and across to St Brides Road;
- b) Cycling access to the junction of Crofft Y Genau Road and St Brides Road;
- c) Shared use link from stopped up section of Pentrebane Road to spine road to be provided with a minimum clear width of 3 metres;
- d) The site access north of Pentrebane Road does not show a continuous cycle route west to Crofft Y Genau Road. Cycling access needs to be provided to the junction of Crofft Y Genau Road and the site access; and
- e) an ANPR traffic gate to time limit tidal flow access of traffic on Crofft-Y-Genau Road.

The development shall be implemented in accordance with the approved details and the phasing details required to be submitted under condition 17 (PHASING).

Reason: To ensure the provision of satisfactory access to and from the site.

DETAILED HIGHWAY IMPROVEMENT WORKS – JUNCTION 15

33. Notwithstanding the provisions of drawing 'Crofft y Genau Road Southern Site Access Junction 15' (drawing no. W141304_A01_J15 Rev J) and condition 3, and subject to condition 68 (FULL ENGINEERING DETAILS FOR EACH JUNCTION), no detailed highway improvement works relating to the above junction and no development of the Phase to which it adjoins shall commence until full engineering details of the highway improvement works have been submitted to and approved in writing by the Local Planning Authority. The full engineering details shall include details of an ANPR traffic

gate to time limit tidal flow access of traffic on Crofft-Y-Genau Road. The development shall be implemented in accordance with the approved details and the phasing details required to be submitted under condition 17 (PHASING).

Reason: To ensure the provision of satisfactory access to and from the site.

DETAILED HIGHWAY IMPROVEMENT WORKS – JUNCTION 16

34. Notwithstanding the provisions of drawing 'Crofft y Genau Road Priority Access Flared for Bus Movements Junction 16' (drawing no. W141304_A01_J16 Rev J) and condition 3, and subject to condition 68 (FULL ENGINEERING DETAILS FOR EACH JUNCTION), no detailed highway improvement works relating to the above junction and no development of the Phase to which it adjoins shall commence until full engineering details of the highway improvement works have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details and the phasing details required to be submitted under condition 17 (PHASING).

Reason: To ensure the provision of satisfactory access to and from the site.

LANDSCAPE SCHEME FOR DETAILED HIGHWAY IMPROVEMENT WORKS

35. No development of the access and highway works that are the subject of conditions 26 - 34 shall take place nor any associated removal of trees and hedgerows, until there has been submitted to and approved in writing by the Local Planning Authority a landscaping scheme for those works. The scheme shall:
- a) include a tree assessment for that part of the site in accordance with BS 5837:2012 comprising an Arboricultural Impact Assessment, Arboricultural Method Statement and Tree Protection Plan
 - b) include a Soil Resource Survey (SRS) and Soil Resource Plan (SRP) for that part of the site that shall accord with the 'Construction Code of Practice for the Sustainable Use of Soils on Construction Sites' (DEFRA 2009)
 - c) include details of proposed finished levels of the site in relation to the existing ground level, earthworks, hard surfacing materials, lighting, proposed and existing services above and below ground level, scaled planting plans (including schedules of plant species, sizes, numbers or densities, and in the case of trees, planting, staking, mulching, protection, soil protection and after care methods), topsoil and sub soil specification, tree pit sectional and plan views, planting and aftercare methodology.
 - d) demonstrate how planting shall be accommodated to avoid conflict with services.

The scheme shall be implemented in accordance with the approved details.
Reason: To maintain and improve the appearance of the area in the interests of visual amenity.

SCHOOL TRAVEL PLAN

36. Prior to the first beneficial use of any school, a School Travel Plan for that school shall be submitted to and approved in writing by the Local Planning Authority. The School Travel Plan shall set out proposals and targets, together with a timetable to limit or reduce the number of single occupancy car journeys to and from the site, and to promote travel by sustainable modes. The School Travel Plan shall set out proposals to implement and manage the Travel Plan, through a designated Travel Plan Coordinator. The School Travel Plan shall be implemented in accordance with the timetable which shall be set out in the plan or in accordance with a revised timetable which shall be agreed in writing by the Local Planning Authority. Reports demonstrating progress in promoting the sustainable transport measures detailed in the School Travel Plan shall be submitted annually for a period of 5 years beyond final occupation of that school to the Local Planning Authority for approval in writing, commencing from the first anniversary of beneficial occupation of the school.
Reason: To encourage sustainable transport and effect modal shift to non-car modes.

EMPLOYMENT TRAVEL PLAN

37. No part of the proposed employment development shall be occupied until an Employment Travel Plan has been progressed, submitted to and approved in writing by the Local Planning Authority in relation to that part of the employment development. The Travel Plan shall set out proposals and targets, together with a timetable to limit or reduce the number of single occupancy car journeys to and from that part of the site, and to promote travel by sustainable modes. The Employment Travel Plan shall set out proposals to implement and manage the Travel Plan, through a designated Travel Plan Coordinator. The Employment Travel Plan shall be implemented in accordance with the timetable which shall be set out in the plan or in accordance with a revised timetable which shall be agreed in writing by the Local Planning Authority. Reports demonstrating progress in promoting the sustainable transport measures detailed in the Travel Plan shall be submitted annually for a period of 5 years beyond final occupation of that part of the employment development to the Local Planning Authority for approval in writing, commencing from the first anniversary of beneficial occupation of the school.
Reason: To encourage sustainable transport and effect modal shift to non-car modes.

38. RETAIL / COMMUNITY / HEALTHCARE USE EMPLOYEE TRAVEL PLAN
No part of the proposed retail, community and healthcare development shall be occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority for the employees of that part of the retail, community and healthcare offer. The Travel Plan shall set out proposals and targets, together with a timetable to limit or reduce the number of single occupancy car journeys to and from that part of the site,

and to promote travel by sustainable modes. The Travel Plan shall set out proposals to implement and manage the Travel Plan, through a designated Travel Plan Coordinator. The Travel Plan shall be implemented in accordance with the timetable which shall be set out in the plan or in accordance with a revised timetable which shall be agreed in writing by the Local Planning Authority. Reports demonstrating progress in promoting the sustainable transport measures detailed in the Travel Plan shall be submitted annually for a period of 5 years beyond final occupation to the Local Planning Authority for approval in writing, commencing from the first anniversary of beneficial occupation.

Reason: To encourage sustainable transport and effect modal shift to non-car modes.

39. RADYR GOLF COURSE INTERFACE STRATEGY
Notwithstanding the provisions of condition 3 and within 12 months of the date of this permission, a 'Radyr Golf Course Interface Strategy' to respond to the conflict posed by errant golf balls shall be submitted to the Local Planning Authority for approval and no reserved matters application shall be submitted to the Local Planning Authority for approval in respect of any land falling within a 50m wide offset measured from the shared boundary between the outline permission site and Radyr Golf Course until a 'Radyr Golf Course Interface Strategy' has been approved in writing by the Local Planning Authority, in consultation with Radyr Golf Club. Notwithstanding the provisions of condition

3, the reserved matters details submitted to and approved by the Local Planning Authority in compliance with condition 1 shall accord with the approved strategy and shall be implemented as approved.
Reason: To address the constraint of Radyr Golf Course, as required by Policy KP2(C) of the Cardiff Local Development Plan.

LISTED BUILDINGS PENTREBANE FARM

40. Within 3 months of the date of this outline permission, a full building condition survey of the three Grade II listed buildings at Pentrebane Farm (comprising the north wall of the former walled garden - Cadw ref 13924, a large barn – Cadw ref 13925 and the farmhouse itself – Cadw ref 82247) shall be undertaken in accordance with a written scheme of investigation which shall be first submitted to and approved in writing by the Local Planning Authority. A report of the findings of the assessment, and a full schedule of interim repairs proposed until full refurbishment takes place and an implementation programme shall be submitted to the by the Local Planning Authority for approval within 6 months of the date of this permission. The schedule of repairs considered reasonably necessary to ensure the proper preservation of the building shall be implemented in accordance with the approved details and implementation programme.

Reason: The condition of each of these buildings has been recently re-assessed as 'very bad' within the Cadw Building at Risk (BAR) Survey undertaken in November 2015, leading them to be classified as 'At Risk', linked to a lack of proactive maintenance and repairs over a long period and the vacancy of the farmhouse itself.

HISTORIC FARM BUILDING RECORDING

41. Prior to the commencement of any development works to, or demolition, re-use or conversion of the undesignated historic farm buildings at Halfwrt, Pen Down, Maes-y-Lech and Ty-Gwn, and Pentrebane Cottages, a programme of building recording shall be undertaken in accordance with a written scheme of investigation which shall be first submitted to and approved in writing by the Local Planning Authority. A report of the recording and its findings, together with written evidence that a copy has been accepted into the National Monuments Record Wales, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any works to the undesignated historic farm buildings.

Reason: To promote the understanding of the heritage of the area.

HISTORIC FARM BUILDING INTERPRETATION

42. Any ruinous structures relating to the historic farms identified in condition 41 (HISTORIC FARM BUILDING RECORDING) which are to be retained in situ within public open space shall be identified within on-site interpretation boards or other installations, the details of which shall be first submitted to and approved in writing by the Local Planning Authority. The approved interpretation shall be installed on site prior to the beneficial occupation of any residential development on the reserved matters site in which those assets are located.

Reason: To promote the understanding of the heritage of the area.

INTEPRETATION OF UNDESIGNATED ARCHAEOLOGY

43. Details of the proposed preservation in situ of two limekiln sites (02879s, and 01429s), identified in the Environmental Statement (November 2014), including details to promote their access and interpretation by the public, shall be

submitted to and approved in writing by the Local Planning Authority. Thereafter, an explanation of the history and significance of those assets shall be set out within interpretation installations, which shall be erected in situ prior to the beneficial occupation of any residential development on the reserved matters site in which those assets are located. Reason: To promote the understanding of the heritage of the area.

DISTRICT CENTRE DESIGN CODE

44. Notwithstanding the provisions of condition 3, no reserved matters application shall be submitted in respect of any land on which the District Centre is proposed until a design code for the District Centre has been submitted to and approved in writing by the Local Planning Authority. Details of the scope of the design code shall be submitted to and agreed in writing by the Local Planning Authority prior to the submission of the design code. The reserved matters details submitted to and approved by the Local Planning Authority in compliance with condition 1 shall accord with the approved design code. Reason: To ensure good design.

PART 3C: Conditions to be discharged in respect of each RM site

45. **POWER LINES AND PYLONS AND HIGH PRESSURE GAS PIPES**
No reserved matters shall be approved by the Local Planning Authority until a statement outlining the proposed treatment of any existing high pressure gas pipes, and power lines and pylons that cross that reserved matter site has been submitted to the Local Planning Authority. The submitted details shall include details of any proposals for any alternative routes or treatment, together with a timetable for the outlined works. The Applicant shall thereafter update the Local Planning Authority of any material changes to the Applicant's intentions prior to and during the construction phase.
Reason: In the interest of visual amenity and to allow the reserved matters details to be appropriately assessed.

ENERGY STRATEGY

46. No reserved matters application shall be approved by the Local Planning Authority until an energy strategy for that reserved matters site has been submitted to and approved in writing by the Local Planning Authority. The strategy shall include an assessment of the financial viability and technical feasibility of incorporating renewable and low carbon technologies, including energy supply systems. The development shall be implemented in accordance with the approved details.
Reason: To promote sustainable development.

PUBLIC ART

47. No reserved matters application shall be approved by the Local Planning

Authority until a until a scheme, maintenance schedule and timetable for the provision of public art on that reserved matters site has been submitted to and approved in writing by the Local Planning Authority. The public art strategy for Coed y Gof Recreational Woodland shall include proposals for the sculpture trail proposed in the Design and Access Statement (October 2016). The development shall be implemented in accordance with the approved details and the public art shall be maintained in accordance with the approved details.
Reason: In the interests of creating a quality and legible built environment.

TREES

48. No reserved matters application shall be approved by the Local Planning Authority and no development or site clearance on that Reserved Matters site shall take place until there has been submitted to and approved in writing by the Local Planning Authority a tree assessment in accordance with BS 5837:2012 for that Reserved Matters site. The tree assessment shall include:
- a) an Arboricultural Impact Assessment (AIA);
 - b) a plan showing the hedgerows and trees to be retained, removed, relocated and planted;
 - c) an Arboricultural Method Statement (AMS) setting out the methodology that shall be used to prevent loss of or damage to retained trees. The AMS shall include details of on-site monitoring of tree protection and tree condition that shall be carried out for at least two years after its completion; and
 - d) a Tree Protection Plan (TPP) in the form of a scale drawing showing the finalised layout and the tree and landscaping protection methods detailed in the AMS that can be shown graphically.

The development shall be carried out in full conformity with the approved AIA, AMS and TPP unless modifications to the approved AIA, AMS and TPP are agreed in writing by the Local Planning Authority.

Reason: To maintain and improve the appearance of the area in the interests of visual amenity and to protect the aboricultural and ecological resource.

SOILS

49. No reserved matters application shall be approved by the Local Planning Authority and no development or site clearance on that Reserved Matters site shall take place until there has been submitted to and approved in writing by the Local Planning Authority a Soil Resource Survey (SRS) and Soil Resource Plan (SRP) for that Reserved Matters site that shall accord with the 'Construction Code of Practice for the Sustainable Use of Soils on Construction Sites' (DEFRA 2009). The development shall be carried out in full conformity with the approved SRP unless modifications to the SRP are agreed in writing by the Local Planning Authority.
Reason: To ensure the successful delivery of green infrastructure proposals.

CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

50. Prior to the commencement of any site clearance, construction works or

development on any Reserved Matters site a Construction Environmental and Management Plan (CEMP) for that Reserved Matters site shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall accord with the approved parameter plans and supporting text, and shall be in substantial accordance with the Revised Green Infrastructure Strategy and the mitigation measures set out in the Environmental Statement (November 2014) and Environmental Statement Addendum (November 2016). The CEMP shall include:

- a) an implementation programme

- b) a Construction Traffic Management Plan, which shall include the following details: identification of the routes that HGV construction vehicles would take and which shall avoid use of St Fagans Level Crossing and comply with Heol Isaf weight restrictions and identification of measures to regulate the routing of HGV construction traffic; times within which traffic can enter and leave the site; times of deliveries, loading and unloading of plant and materials; access to the site for construction traffic; provision and a timetable for delivery of measures to ensure safe and convenient pedestrian, cycle and vehicular access through those areas not under construction or where construction is complete; wheel washing facilities; and parking of vehicles for contractors, site operatives and visitors and loading and unloading of plant and materials
- c) details of the storage, loading and unloading of plant and materials (including any oils, fuels and chemicals), construction compounds, any temporary facilities for construction / sales staff
- d) details of site hoardings (including the erection, maintenance, security and any decorative displays) and means of enclosure to prevent unauthorized access during construction
- e) a Dust Management Plan and measures to control the emission of dust and dirt from construction and minimise sediment loading
- f) Measures to control cementitious materials
- g) An Action Plan for dealing with unexpected contamination
- h) a Site Waste Management Plan for the recycling and/ or disposal of all waste resulting from construction works
- i) a noise control plan
- j) a Construction Drainage Scheme indicating how surface water and land drainage run off will be dealt with to prevent pollution, contamination, nuisance, subsidence, silt-laden run-off or flooding to land, buildings, watercourses or highways within the Reserved Matters site and adjacent land, buildings, watercourses and

- highways during the construction period, with particular consideration given to the protection of the Ty-Du Moor SSSI. Details shall include a minimum of one months base-line data demonstrating the pre-construction water quality on any watercourses on site and a Silt Management Plan including emergency / contingency plans in the event of pollution
- k) foul drainage strategy for the construction phase

- l) a Green Infrastructure Construction Protection Strategy (GICPS) detailing measures for the protection of the ecological (habitats & protected species), aboricultural, landscape, soil, open space, water and SuDs resource during clearance and construction, and mitigation measures, including those existing elements proposed for retention and translocation, and those proposed to be created or enhanced as part of the application. The GICPS shall comply with the approved Aboricultural Impact Assessment, Aboricultural Method Statement and Tree Protection Plan and the approved Soil Resource Survey and Soil Resource Plan for that site/ land and shall include but shall not be limited to:
- a plan showing green infrastructure to be lost, retained, enhanced, translocated and newly created and its phasing
 - a risk assessment of the potentially damaging activities
 - a plan showing protection zones for the ecological (habitats & protected species), aboricultural, landscape, soil, open space, water and SUDS resource (including culverts) for the construction phase, which shall include but not be limited to a min 10m wide protection zone alongside all wetlands, ponds and watercourses within and bordering the site, a min 15m wide protection zones from all retained woodland and retained woodland SINC's, and precautionary measures to avoid harm to previously undetected dormice and badgers
 - pre-construction checks
 - updated surveys prior to felling/pruning of trees or demolition of any trees and buildings with confirmed, or potential to support, barn owl nesting/roosting and bat roosts, proposed to be removed or at risk during the construction phase and other pre-commencement surveys required as part of the SGIMS approved under condition 19
 - updated surveys of ponds with potential to support Great

Crested Newts and potential reptile habitats prior to commencement of construction

- details of site clearance and construction methods and measures to be taken to minimize and mitigate the impact of any works
- phasing / timing of works and times when ecological supervision is required
- a lighting scheme, including measures to reduce light spillage from construction onto key habitats and corridors, which shall include the matters set out in NRW's letter of 24/02/17.

- m) List of on-site contacts and their responsibilities and arrangements for liaison between site manager, principle contractor, ecologist, arboriculturist, soil scientist, landscape architect or other related professionals during the course of construction, and ecological site inductions for contractors working on site. Arrangements shall include details of what contractors should do in the event protected species are encountered during the course of development.

The details so approved and any subsequent amendments as shall be agreed in writing by the Local Planning Authority shall be complied with in full throughout the construction period.

Reason: To manage the impacts of construction on that Reserved Matters site in the interests of highway safety, and protection of the environment and public amenity.

GROUND GAS ASSESSMENT AND MITIGATION MEASURES

51. Prior to the commencement of development on each reserved matters site, a scheme to investigate and monitor that reserved matters site for the presence of gases being generated at that reserved matters site or on land adjoining thereto, including a plan of the area to be monitored, shall be submitted to and approved in writing by the Local Planning Authority. Following completion of the approved monitoring scheme, the proposed details of any appropriate gas protection measures which may be required to ensure the safe and inoffensive dispersal or management of gases and to prevent lateral migration of gases into or from land surrounding the application site shall be submitted to and approved in writing by the Local Planning Authority. All required gas protection measures shall be implemented as approved and appropriately verified before occupation of any part of that reserved matters site and the approved protection measures shall be retained and maintained until such time as the Local Planning Authority agrees in writing that the measures are no longer required.

Reason: To ensure that the safety of future occupiers is not prejudiced in

accordance with policy EN13 of the Cardiff Local Development Plan.

LAND CONTAMINATION A: RISK ASSESSMENT

52. Prior to the commencement of the development on each reserved matters site, an assessment of the nature and extent of contamination on land and controlled waters for that reserved matters site shall be submitted to and approved in writing by the Local Planning Authority. The assessment must be taken as an intrusive investigation to assess the extent, scale and nature of contamination which may be present. A report on the results of the investigation detailing the assessment of the potential risks and an appraisal of remedial options and justification for the preferred remedial option(s) shall be submitted to and approved in writing by the Local Planning Authority.
Reason: To ensure that information provided for the assessment of the risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems is sufficient to enable a proper assessment in accordance with policy EN13 of the Cardiff Local Development Plan.

LAND CONTAMINATION B: SUBMISSION OF REMEDIATION SCHEME AND VERIFICATION PLAN

53. Where the approved risk assessment report submitted under condition 52 (LAND CONTAMINATION A: RISK ASSESSMENT) concludes that remediation is necessary, prior to the commencement of development on each Reserved Matters site, a detailed remediation scheme and verification plan to bring that reserved matters site to a condition suitable for the intended use by removing any unacceptable risks to human health, controlled waters, buildings, other property and the natural and historical environment, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works and site management procedures.
Reason: To ensure that any unacceptable risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy EN13 of the Cardiff Local Development Plan.

LAND CONTAMINATION C: UNDERTAKING OF REMEDIATION AND ISSUE OF VERIFICATION REPORT

54. Where the approved risk assessment report submitted under condition 52 (LAND CONTAMINATION A: RISK ASSESSMENT) concludes that remediation is necessary, the approved remediation scheme for that reserved matters site shall be implemented and completed in accordance with its terms prior to the occupation of any part of the development on that reserved matters site unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority shall be given two weeks written notification of commencement of the remediation scheme works. Within 6 months of the

completion of the measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that any unacceptable risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy EN13 of the Cardiff Local Development Plan.

LAND CONTAMINATION D: POST REMEDIATION MONITORING REQUIREMENTS

55. Where the approved risk assessment report submitted under condition 52 (LAND CONTAMINATION A: RISK ASSESSMENT) concludes that remediation is necessary, a monitoring scheme to include monitoring the long-term effectiveness of the remediation over a period which shall be agreed in writing by the Local Planning Authority and the provision of reports on the same shall be submitted to and approved in writing by the Local Planning Authority, prior to the occupation of any approved building on that reserved matters site.

Reason: To ensure that any unacceptable risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy EN13 of the Cardiff Local Development Plan.

IDENTIFICATION OF UNSUSPECTED CONTAMINATION

56. In the event that contamination is found at any time when carrying out the approved development on each Reserved Matters site that was not previously identified, it shall be reported in writing within 2 days to the Local Planning Authority, all associated works shall stop, and no further development shall take place, unless otherwise agreed in writing by the Local Planning Authority, until a scheme to deal with the contamination found has been submitted to and approved in writing by the Local Planning Authority. An investigation and risk assessment shall be undertaken and, where remediation is necessary, a remediation scheme and verification plan shall be submitted to and approved in writing by the Local Planning Authority. Following completion of the measures identified in the approved remediation scheme, a verification report shall be submitted to and approved in writing by the Local Planning Authority. The timescale

for the above actions shall be submitted to the Local Planning Authority for approval in writing within 2 weeks of the discovery of any unsuspected contamination and shall be implemented in accordance with the approved timetable unless otherwise agreed in writing by the Local Planning Authority. Reason: To ensure that any unacceptable risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy EN13 of the Cardiff Local Development Plan.

IMPORTED SOIL

57. Any topsoil (natural or manufactured), or subsoil, to be imported onto a Reserved Matters site shall be assessed for chemical or other potential contaminants in accordance with a scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority in advance of its importation. Only material approved by the Local Planning Authority shall be imported. All measures specified in the approved scheme shall be undertaken in accordance with the relevant Code of Practice and Guidance Notes. Subject to approval of the above, verification sampling of the material received at the development site shall be undertaken to verify that the imported soil is free from contamination and shall be undertaken in accordance with a scheme which shall be agreed with in writing by the Local Planning Authority.
Reason: To ensure that the safety of future occupiers is not prejudiced in accordance with policy EN13 of the Cardiff Local Development Plan.

IMPORTED AGGREGATES

58. Any aggregate (other than virgin quarry stone) or recycled aggregate material to be imported onto each Reserved Matters site shall be assessed for chemical or other potential contaminants in accordance with a scheme of investigation to be submitted to and approved in writing by the Local Planning Authority in advance of its importation. Only material approved by the Local Planning Authority shall be imported. All measures specified in the approved scheme shall be undertaken in accordance with the relevant Code of Practice and Guidance Notes. Subject to approval of the above, verification sampling of the material received at the development site shall be undertaken to verify that the imported aggregate is free from contamination and shall be undertaken in accordance with a scheme which shall be submitted to and agreed in writing by the Local Planning Authority.
Reason: To ensure that the safety of future occupiers is not prejudiced in accordance with policy EN13 of the Cardiff Local Development Plan.

ROAD TRAFFIC NOISE

59. No reserved matters application shall be approved by the Local Planning Authority until there has been submitted to and approved in writing by the Local Planning Authority a scheme for that reserved matters site that provides for all habitable rooms exposed to external road traffic noise in excess of 63 dBA Leq 16 hour [free field] during the day [07.00 to 23.00 hours] or 57 dBA Leq 8 hour [free field] at night [23.00 to 07.00 hours] to be subject to sound insulation measures to ensure that all such rooms achieve an internal noise level of 35 dBA Leq 16 hour during the day and 30 dBA Leq 8 hour at night.

The details of the sound insulation and ventilation scheme, which shall include either active or passive means of ventilation, shall be submitted to and approved in writing by the Local Planning Authority. No habitable room shall be occupied until the approved sound insulation and ventilation measures have been installed in that room. Any private open space (excepting terraces or balconies to any apartment) shall be designed to

provide an area which is at least 50% of the area for sitting out where the maximum day time noise level does not exceed 55 dBA Leq 16 hour [free field].

Reason: To ensure that the amenities of future occupiers are protected in accordance with policy EN13 of the Cardiff Local Development Plan.

60. NON-RESIDENTIAL PREMISES

No non-residential premises shall be occupied until the following details for that premises have been submitted to and approved in writing by the Local Planning Authority:

- a) proposed hours for the arrival, departure, loading and unloading of delivery vehicles
- b) proposed hours that any member of the public shall be admitted to or allowed to remain on the premises
- c) proposed hours that any sales of hot food for consumption off the premises shall take place from the premises
- d) a scheme for sound insulation of any room where amplified music will be played at any time
- e) a scheme of sound insulation works to the floors/ceiling and/or party wall structure between any retail/commercial unit and adjoining residential unit
- f) a scheme for the provision and maintenance of extract ventilation equipment for the mechanical extraction of all fumes from the food preparation areas in any premises which is to involve the preparation and cooking of hot food at any time. The scheme shall include, but shall not be limited to, details of: the point that fumes shall be mechanically extracted to, details of the equipment, de-odourising filter and chimney.

Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (or any Order amending or revoking and re-enacting that Order), the development shall be carried out, operated and maintained in accordance with the approved details and, in respect of kitchen extraction

equipment, shall be maintained in accordance with the manufacturer's guidelines.

Reason: To ensure the amenities of occupiers of other premises are protected in accordance with policy EN13 of the Cardiff Local Development Plan.

FLOODLIGHTING SCHEME

61. No floodlighting shall be installed on any reserved matters site until a floodlighting scheme for that reserved matters site has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details prior to beneficial use of the approved floodlighting.

Reason: To protect residential amenity and to avoid disturbance to other sensitive receptors in accordance with policies KP16, KP18 and EN7 of the Cardiff Local Development Plan.

ARCHAEOLOGY

62. No reserved matters application shall be approved by the Local Planning Authority and no development on any Reserved Matters site shall take place prior to the implementation of a programme of archaeological work for that reserved matters site in accordance with a written scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To identify and record any features of archaeological interest discovered during the works in order to mitigate the impact of the works on the archaeological resource in accordance with policy EN9 of the Cardiff Local Development Plan.

DETAILED SURFACE WATER DRAINAGE SCHEME

63. No reserved matters application shall be approved by the Local Planning Authority and no development shall commence on any reserved matters site until a scheme for the disposal of surface water for that reserved matters site has been submitted to and approved in writing by the Local Planning Authority.

The sustainable drainage scheme shall:

- a) incorporate sustainable drainage principles and indicate how the development will comply with the requirements of Section 8.3 of TAN 15
- b) provide information about the design storm return, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution to the receiving infrastructure;
- c) assess the performance of the proposed surface water drainage system in relation to the impact of a 1 in 100 year return period storm and climate change allowance of +30%
- d) demonstrate that surface water runoff from any impermeable surfaces within the proposed development shall be attenuated to greenfield rates
- e) demonstrate consideration given to and the assessment of the impact of phasing of the development in relation to the Strategic

Sustainable Surface Water Drainage Masterplan submitted in discharge of condition 23, including the interaction between adjoining drainage catchments and demonstrate that the necessary sustainable drainage network for each reserved matters site will be provided to enable the development of that reserved matters site

- f) demonstrate that appropriate control and mitigation measures are employed to prevent surface water and land drainage run off to properties/land within and adjoining the site or from land adjoining the site, and any associated nuisance, contamination, pollution, silting, flooding and subsidence issues
- g) in respect of f) above, particular consideration shall be given to proposals to demonstrate no adverse hydrological effects (including increased/reduced water quantity, reduced quality and/or changes to existing drainage routes) to the Ty Du Moor SSI via the Nant Dowlais, wetland SINC, marshy grassland, ponds and watercourses
- h) include details of locations, plans, cross sections, proposed ground levels and depths of attenuation facilities (including surface and sub-surface), along with their exceedance flow routes and proposed method of on-site management
- i) include drainage models of all attenuated drainage systems to prove viability and demonstrate that all exceedance flows do not cause surface water flooding to existing or proposed properties or other adverse hydrological effects to sensitive ecological habitats, including wetlands, watercourses and ponds. The mdx files shall be forwarded to the Local Planning Authority for verification and approval
- j) include details of all watercourses as determined by Section 72 of the Land Drainage Act 1991 and an assessment of how they will be impacted by the development. Those details shall include any existing culverted sections of watercourses and any proposals for the diversion, culverting or in-filling of watercourses within the reserved matters site and associated flood risk management measures
- k) include a timetable for its implementation
- l) provide a surface water drainage management and maintenance plan of the development which shall include the arrangements for adoption by any public body, statutory undertaker or private management company and any other arrangements to secure the operation of the drainage system throughout its lifetime, details of maintenance responsibility and a detailed maintenance schedule. The submitted details clearly show who is responsible for each element of drainage and shall include the approach to safety of all ponds and SUDs features for the general public.
- m) details submitted as part of l, shall include proposals for the maintenance of a culvert and channel near Fairwater Leisure Centre

that are assessed in the application as being the cause of localised flooding within Zone B of the Development Advice Maps.

- n) demonstrate the protection of open and culverted sections of the existing watercourse during and after construction.

The above will take the form of a Hydrological Impact Assessment, including an assessment of the development in a hydrological and hydrogeological context of the development and conform to the hierarchical approach for the principles of storm water drainage strategy for the development. The assessments shall be carried out in accordance with a written scheme of investigation which shall be first submitted to and approved in writing by the Local Planning Authority and the results of the assessments shall be submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the detailed surface water drainage scheme

has been implemented in accordance with the approved details, and the scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan. The scheme shall demonstrate that post-development flows from the site replicate pre-development flows. Reason: To ensure that drainage from the development does not cause or exacerbate any adverse condition on the development site, adjoining properties, environment and infrastructure with regard to flood risk.

DETAILED FOUL DRAINAGE SCHEME

- 64. No reserved matter application shall be approved by the Local Planning Authority until a detailed foul drainage scheme for that reserved matters site has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall provide for the disposal of foul flows and shall accord with the approved strategic foul drainage masterplan submitted under condition 24. No building on that reserved matters site shall be occupied until the detailed foul drainage scheme has been completed in accordance with the approved details and until the necessary reinforcement works, identified by the Hydraulic Modelling Assessment and through part C of condition 24 (Strategic Foul Drainage Masterplan), have been completed on the public sewerage system serving that reserved matters site. The scheme shall be constructed in full.

Reason: To prevent hydraulic overloading of the public sewerage system, protect the health and safety of existing residents, ensure no pollution of or detriment to the environment and to ensure the site can be effectively drained.

DETAILED POTABLE WATER SCHEME

- 65. No reserved matters application shall be approved by the Local Planning Authority until a scheme for the improvement and / or extension of the potable water supply system to serve that reserved matters site has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall accord with the approved Strategic Potable Water Supply Masterplan submitted under condition 25 (Strategic Potable Water Supply Masterplan). No building on that reserved matters site shall be occupied until the scheme has been implemented in accordance with the approved details and until the necessary improvement works, identified by the Hydraulic Modelling

Assessment and through part C of condition 25 (Strategic Potable Water Supply Masterplan), have been completed on the water supply system serving that reserved matters site.

Reason: To ensure an adequate water supply and to protect the integrity of the public water supply system.

PART 4 : COMPLIANCE CONDITIONS

RETAIL USES

66. The A1, A2 and A3 retail floorspace hereby permitted shall not exceed 19,900 sq m (gross) and shall be located in the District and Local Centres identified on the Land Use Parameter Plan. No individual Class A1/A2/A3 unit shall exceed 500 sq m (gross) except for the 2 no. foodstores located in the District Centre which shall be up to 5,000sq m gross in total and the foodstore located in Local Centre (4) (North) which shall be up to 1,500 sq m gross.

Reason: In order to safeguard the retail vitality and viability of existing designated centres and to ensure the proposed units are commensurate to the scale, role and function of the designated centre in the interests of forming a planned centre which reinforces a sense of place.

SCHOOL SITE SIZES

67. Notwithstanding the provisions of condition 3, each of the three primary schools shall have a minimum site size of 19,928sq m and the secondary school shall have a minimum site size of 70,247m².

Reason: To reflect the Council's preferred strategy for schools provision and new Planning Obligations SPG.

FULL ENGINEERING DETAILS FOR EACH JUNCTION

68. Notwithstanding the provisions of condition 3, the details to be submitted in relation to junctions 1, 2, 3, 4, 5, 11, 12, 13, 14, 15 and 16 under conditions 26 – 34 shall include the following full engineering details as required:

- a) Reduction of speed limit to 30 mph on Llantrisant Road and Croffy Y Genau Road with details of appropriate signage scheme;
- b) CCTV camera infrastructure at junctions and between junctions;
- c) Accessible and safely located maintenance bays for equipment, including signals;
- d) Appropriate and accessible locations for cabinets;
- e) Provision of fibre infrastructure along the length of the site frontage (to Crofft Y Genau);
- f) Bus lane enforcement ANPR infrastructure for any bus lanes;
- g) Detection loops;
- h) Incorporation of UTC, SCOOT MOVA, following agreements with Cardiff Council;
- i) Street lighting linked to a Central Management System to allow

- phased dimming;
- j) Variable Message Sign (VMS) and associated infrastructure on Llantrisant Road;
- k) Clear and uncongested access to any crossings and push buttons for all users;
- l) Bus stops facilities, including details of existing stops, new stops and any proposed relocations. Bus stop locations shall be agreed with Cardiff Council in consultation with bus operators.

Reason: To make provision for satisfactory access and to ensure effective pedestrian, cycle and vehicular links to the wider strategic site and to allow the phased dimming of street lights.

KEY PEDESTRIAN / CYCLING / HORSE RIDING ROUTE

69. Notwithstanding the provisions of condition 3 and unless otherwise approved at reserved matters stage, the key pedestrian / cycling / horse riding route shown on the Access Parameter Plan (drawing ref R.0319_17j-3) shall include a separate path for horses of a min width of 2m and a min 3m shared path for pedestrians/ cyclists.

Reason: To promote sustainable travel and to protect the amenities and safety of users.

ECOTONE

70. Notwithstanding the provisions of condition 3, a minimum 15m wide buffer shall extend along the length of all retained woodland which shall be designed as an 'ecotone' and no development within it shall be permitted except for soft landscaping and footpaths and cycle paths, unless otherwise approved at Reserved Matters stage.

Reason: To protect the arboricultural and ecological resource of the site.

ENHANCED GREEN CORRIDOR

71. Notwithstanding the provisions of condition 3, a minimum 60m wide green corridor shall be provided between Halfwrt and Coed y Trenches which shall include, within the 60m, provision of new woodland and a 15m eco-tone buffer to each side of the woodland (as measured from tree trunks). No development within it shall be permitted except for soft landscaping and footpaths and cycle paths, unless otherwise agreed at Reserved Matters stage.

Reason: To retain satisfactory ecological connectivity and avoidance of habitat fragmentation.

ADDITIONAL HOP OVERS

72. Notwithstanding the provisions of condition 3, additional hop overs shall be provided where the eastern access road intersects eastern 'limb' of green infrastructure connectivity running North South and between Coed y Gof and the Former Llantrisant Branch Line, as indicated in the drawing attached to the comments of the Council's Ecologist dated 05/01/17.

Reason: To retain satisfactory ecological connectivity and avoidance of habitat fragmentation.

PITCH SIZES

73. Notwithstanding the provisions of condition 3, adult size pitches shall be at least 100m x 64m plus 3m run off (giving an overall size for each pitch of 106m x 70m) and mini pitches shall be at least 55m x 37m plus 3m run off (giving an overall size for each pitch of 61m x 43m with run off), unless otherwise approved through reserved matters applications.
Reason: To ensure an acceptable provision of public open space.

PUBLIC OPEN SPACE PROVISION

74. Notwithstanding the provisions of condition 3, the development shall accord with the POS Provision Plan (drawing no R.0319_45A) subject to:
- a) the provision of an additional play area which shall be provided in the 'Phase 3 area' shown on the Indicative Phasing Plan (drawing no R.0319_51) to the south of the disused railway line
 - b) the 'formal sports provision' identified on the POS Provision Plan on land to the south of the application site of pp 14/02188MJR providing a level and well-drained open space of a minimum 70m x 60m (excluding eco-tone provision) to be used as active recreation open space, including as a kick about area.
 - c) the precise location and dimensions of the destination play areas, teen facilities and play areas (LEAPs) being fixed at RM stage
 - d) the implementation of the outcome of the assessment of provision for teen facilities within 1500m of the outline site boundary, required under condition 19 (STRATEGIC GREEN INFRASTRUCTURE MANAGEMENT STRATEGY), and proposals for a range of new facilities within the outline site to serve the new population.

Reason: To ensure an acceptable provision of on-site open space.

PLANT NOISE

75. The rating level of the noise emitted from fixed plant and equipment on the site shall not exceed 10dB below the existing background noise level at any time when measured and corrected in accordance with BS 4142: 1997 (or any British Standard amending or superseding that standard).
Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected.

RADYR FARM WIND TURBINE

76. Details submitted in discharge of condition 59 (ROAD TRAFFIC NOISE) in respect of any land within the outline application site north of Llantrisant Road shall also take into account the siting of the wind turbine at Radyr Farm and ensure that any future residential properties approved on land within the outline application site north of Llantrisant Road would be suitably sited and attenuated from the noise from the wind turbine such that they would not prejudice the ability of the owners of the turbine from complying with condition 2 of planning permission 07/01380w. Notwithstanding the provisions of condition 3, details submitted in relation to the reserved matters submitted to

the Local Planning Authority in compliance with condition 1 in respect of land north of Llantrisant Road shall accord with the approved scheme including any buffer zone restricting development approved as part of the approved noise scheme.

Reason: To ensure the amenities of future occupiers are protected.

LANDSCAPE IMPLEMENTATION

77. In relation to any landscaping scheme approved in discharge of conditions 15 (LANDSCAPE SCHEME FOR EACH RESERVED MATTERS SITE) and 35 (LANDSCAPE SCHEME FOR DETAILED HIGHWAY IMPROVEMENT WORKS), any trees, plants or hedgerows which within a period of five years from the date of first planting die, are removed, become seriously damaged or diseased, or become (in the opinion of the Local Planning Authority) otherwise defective, shall be replaced in the current planting season or the first two months of the next planting season, whichever is the sooner.
Reason: To maintain and improve the appearance of the area in the interests of visual amenity.

NESTING BIRDS

78. No removal of hedgerows, trees, scrub or shrubs shall take place between 1st March and 15th August inclusive unless otherwise approved in writing by the Local Planning Authority.
Reason: To avoid disturbance to nesting birds which are protected under the Wildlife and Countryside Act 1981: Part 1 1(1)(b), it is an offence to intentionally take, damage or destroy the nest of any wild bird while that nest is in use or being built.

SITES OF IMPORTANCE FOR NATURE CONSERVATION

79. No materials, waste, arisings or plant shall be stored or operated within any SINC, or be allowed to fall, be washed or blown into them except for those parts of the SINC that are to be developed as part of this permission.
Reason: To protect the features of interest for nature conservation for which the SINC has been designated.

PROVISION OF ROAD BEFORE OCCUPATION OF DWELLINGS/BUILDINGS

80. No dwelling or building shall be occupied until that part of the road and footpath which provides access to it from the existing highway and all surface water drainage works for the said road have been laid out, constructed and completed up to base course level and lit in accordance with the approved plans. The roads and footpaths shall be constructed to surface level prior to the occupation of the last dwelling or building served by that road, unless otherwise

agreed in writing by the Local Planning Authority.

Reason: To ensure an orderly form of development and to make provision for satisfactory access to the dwelling by the future occupants.

HSE ADVICE

81. Notwithstanding the provisions of condition 3, no development shall take place in contravention of Health and Safety Executive (HSE) advice in respect of the three high pressure gas pipelines that cross the site dated 29/04/15 and any subsequent advice provided by the HSE prior to the determination of reserved matters.

Reason: In the interests of health and safety.

WALES AND WEST UTILITIES APPARATUS

82. Notwithstanding the provisions of condition 3, no buildings shall be built within the Wales and West Utilities recommended Building Proximity Distances of the following pipelines shown on the Land Use parameter plan (drawing no R.0319_17j-2):

- 7m either side of the outer edge of the High Pressure Pipeline ref 1561 - Nantgarw/Pentrebane [p2](HS013)
- 15m either side of the outer edge of the High Pressure Pipeline ref 1565 – Pentrebane/St Athan [p1] (HS0330)
- 15m either side of the outer edge of the High Pressure Pipeline ref 2684 – Pentrebane to Dyffryn

Reason: In the interests of health and safety, and to minimise risk to the pipeline.

132kv OVERHEAD POWERLINE

83. Notwithstanding the stated intention to underground the 132kv overhead cable in the future, no buildings shall be built within 10m of any steel lattice pylon pertaining to the 132kv overhead cable and a minimum statutory clearance of 6.6m shall be maintained at all times between the nearest overhead line conductor and any part of a building.

Reason: In the interests of health and safety, and to minimise risk to the apparatus.

BUILDING OUTSIDE SETTLEMENT BOUNDARY

84. Notwithstanding the provisions of condition 3, no building shall be constructed to the south of Pentrebane Road beyond the settlement boundary identified on the Local Development Plan Proposals Map.

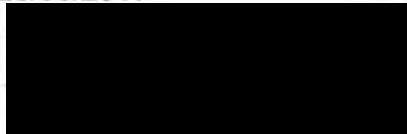
Reason: For the avoidance of doubt.

IT IS IMPORTANT THAT YOU SHOULD READ THOSE NOTES ON THE ATTACHED SHEET WHICH ARE RELEVANT TO THIS TYPE OF APPLICATION.

All policies and proposals in the Development Plan which are relevant to this decision are listed in the report on the Application.

IT IS IMPORTANT THAT YOU SHOULD READ THOSE NOTES ON THE ATTACHED SHEET WHICH ARE RELEVANT TO THIS TYPE OF APPLICATION.

Dated: 20/03/2017



James Clemence
HEAD OF PLANNING
County Hall, Cardiff, CF10 4UW

It should also be noted :

1. CONSTRUCTION SITE NOISE

To protect the amenities of occupiers of other premises in the vicinity attention is drawn to the provisions of Section 60 of the Control of Pollution Act 1974 in relation to the control of noise from demolition and construction activities.

Further to this the applicant is advised that no noise audible outside the site boundary adjacent to the curtilage of residential property shall be created by construction activities in respect of the implementation of this consent outside the hours of 0800-1800 hours Mondays to Fridays and 0800 - 1300 hours on Saturdays or at any time on Sunday or public holidays. The applicant is also advised to seek approval for any proposed piling operations.

2. RADON GAS PROTECTION

This development falls within a radon affected area and may require basic radon protective measures, as recommended for the purposes of the Building Regulations 2010.

3. CONTAMINATION AND UNSTABLE LAND ADVISORY NOTICE

The contamination assessments and the effects of unstable land are considered on the basis of the best information available to the Planning Authority and are not necessarily exhaustive. The Authority takes due diligence when assessing these impacts, however you are minded that the responsibility for the following rests with the developer:

- (i) determining the extent and effects of such constraints;
- (ii) ensuring that any imported materials (including, topsoils, subsoils, aggregates and recycled or manufactured aggregates/ soils) are chemically suitable for the proposed end use. Under no circumstances should controlled waste be imported. It is an offence under Section 33 of the Environmental Protection Act 1990 to deposit controlled waste on a site which does not benefit from an appropriate waste management license. The following must not be imported to a development site:
 - Unprocessed / unsorted demolition wastes.
 - Any materials originating from a site confirmed as being

contaminated or potentially contaminated by chemical or radioactive substances.

- Japanese Knotweed stems, leaves and rhizome infested soils. In addition to section 33 above, it is also an offence under the Wildlife and Countryside Act 1981 to spread this invasive weed; and

(iii) the safe development and secure occupancy of the site.

Proposals for areas of possible land instability should take due account of the physical and chemical constraints and may include action on land reclamation or other remedial action to enable beneficial use of unstable

land. The Local Planning Authority has determined the application on the basis of the information available to it, but this does not mean that the land can be considered free from contamination.

4. That the Developer be advised that records indicate a history of and potential for subsurface voids in the area and that they should be fully aware of this in relation to their responsibilities regarding the safe development and occupancy of the site. For the avoidance of doubt, the responsibility for the safe development and occupancy of the site rests with the developer.
5. That the developer be advised that the City of Cardiff Council will not permit the stopping up of any watercourses. Any obstruction to the flow, in accordance with Section 23 of the Land Drainage Act 1991, will require ordinary watercourse consent that is determined with a statutory 2 month determination period and would only be considered where appropriate. The City of Cardiff Council has adopted an anti-culverting policy. The Council will not permit the building over of culverts; culverts will only be allowed for access purposes. It is recommended that landowners and developer contact the City of Cardiff Council to discuss proposals in order to determine if such consent is required.
6. That the developer be advised of the advice from NRW dated 26/02/15, 07/12/16 and 10/02/17 including:
 - advice in relation to European Protected Species – Where an EPS is present, and a development proposal is likely to contravene the protection afforded to it, development may only proceed under a licence issued by Natural Resources Wales (NRW). The Applicant must seek an EPS licence from NRW under Regulation 53(2)e of The Conservation of Habitats and Species Regulations 2010 before any works on site commence that may impact upon EPS. Please note, the granting of planning permission does not negate the need to obtain a licence.
 - Both the Nant Dowlais and River Ely are classed as main river watercourses therefore any works within 7 metres or new outfalls will require the consent of NRW as stated in the Water Resources Act 1991
 - the responsibility for the maintenance of all watercourses and structures thereon rests, in the first instance, with the riparian owner. Land Drainage legislation does not seek to remove this responsibility.
 - Duties of care and guidance in relation to the management of waste and materials, including controlled waste
 - Request for updates on the programme of works and timetable
 - Their Planning Advice Note for further advice and guidance, including

advice on regulatory requirements outside of the Town and Country Planning process including environmental permits and exemptions; pollution prevention measures; water resources; and waste management matters.

7. That the developer be advised of the advice of 16/11/16 from Wales and West Utilities, forwarded to the Agent, advising that their apparatus may be at risk during construction works and that the developer should contact WWU directly to discuss their requirements, noting that should diversion works be required these will be fully chargeable.
8. That the developer be advised of the advice from Parks Services dated 15/02/17 in respect of the design of Destination or Larger Play Areas.
9. That the developer be advised that the litter bin specifications for adopted land are as follows:
Free standing litter bins:
 - Black with Council logo, and the lettering "Litter/Sbwriel" in gold
 - 120 litre capacity
 - Include ash tray/ stub plate
 - Heavy duty polythene plastic with hinge slam shut door (self-locking) and hex/t-bar key
 - Drip space and fixing holes for bolting to the floor
 - Approximately 100 litre plastic liner with outside handles*Post mounted litter bins:*
 - Black with Council logo in gold
 - 50 litre capacity
 - Hooded with cigarette stub plate
 - Release drop-out and click back with triangular key mechanism
 - Drip holes
 - Secured to post with band wire kit.
10. The highway works conditions and any other development related works to existing or proposed adopted public highway are to be subject to agreements under Section 278 and/or Section 38 of the Highways Act 1980 between the developer and Local Highway Authority.
11. The grant of planning permission does not give a developer any right to interfere with, obstruct or move a public right of way. No works to PROW footpaths that cross the site shall be undertaken a legal order has been applied for by the developer and confirmed by the Local Highway Authority. In the event that the legal orders are not confirmed, the existing path alignments shall be retained.
12. Sustainable Drainage is defined as per the definition contained in Schedule 3 of the Flood and Water Management Act 2010:

"Sustainable drainage" means managing rainwater (including snow and other precipitation) with the aim of— (a) reducing damage from flooding, (b) improving water quality, (c) protecting and improving the environment, (d) protecting health and safety, and (e) ensuring the stability and durability of drainage systems."

13. That the Developer be advised that prior to the commencement of development, the Developer must notify the local planning authority of the commencement of development, and must display a site notice and plan on, or near the site, in accordance with the requirements of Article 12 of the Town & Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016.
14. That the Developer be advised of the advice from the Council's Tree Officer dated 15/11/16 regarding a provisional planting palette to inform reserved matters details.
15. That the Developer be advised of the advice from South Wales Police Design Out Crime Officer, dated 21/11/2016.
16. The highway works conditions and any other development related works to existing or proposed adopted public highway are to be subject to agreements under Section 278 and/or Section 38 of the Highways Act 1980 between the developer and Local Highway Authority.

ACCESS

R.0319_17j-3

The Access Parameter Plan identifies the main movement corridors within which primary vehicular routes and primary pedestrian/cycle routes are to be constructed. Land within any movement corridor not occupied by a primary vehicular and/or pedestrian/cycle route may be developed for any purpose for which any zone abutting or overlapping with that corridor may be developed.

KEY PEDESTRIAN/CYCLE ROUTE

A shared pedestrian/cyclepath will be provided along the alignment shown and shall not be less than 3m. Additional pedestrian and cycle movement corridors within the application site and linking to existing surrounding development will also be provided (but shall not be limited to) the areas shown on the Access Parameter Plan.

STRATEGIC CYCLING ROUTE

A segregated two way cyclepath will be provided along the alignment shown and shall not be less than 3m.

PRIMARY HIGHWAY CORRIDOR

A highway corridor with a maximum width of 20m will be located within the zone shown. Cycle provision separate to the carriageway will be included within this corridor.

ZONE RESERVED FOR RAPID TRANSPORT

Along this route provision for stops and associated supporting facilities will be required to be accommodated (e.g. cycle parking, toilets etc). The future design must ensure the rapid transport does not create a barrier to movement across the site and between facilities.

STRATEGIC BUS ROUTE

A bus only route will be provided along the alignment of the rapid transport corridor before the LRT is delivered. This will provide express public transport at an early stage.

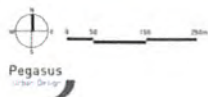
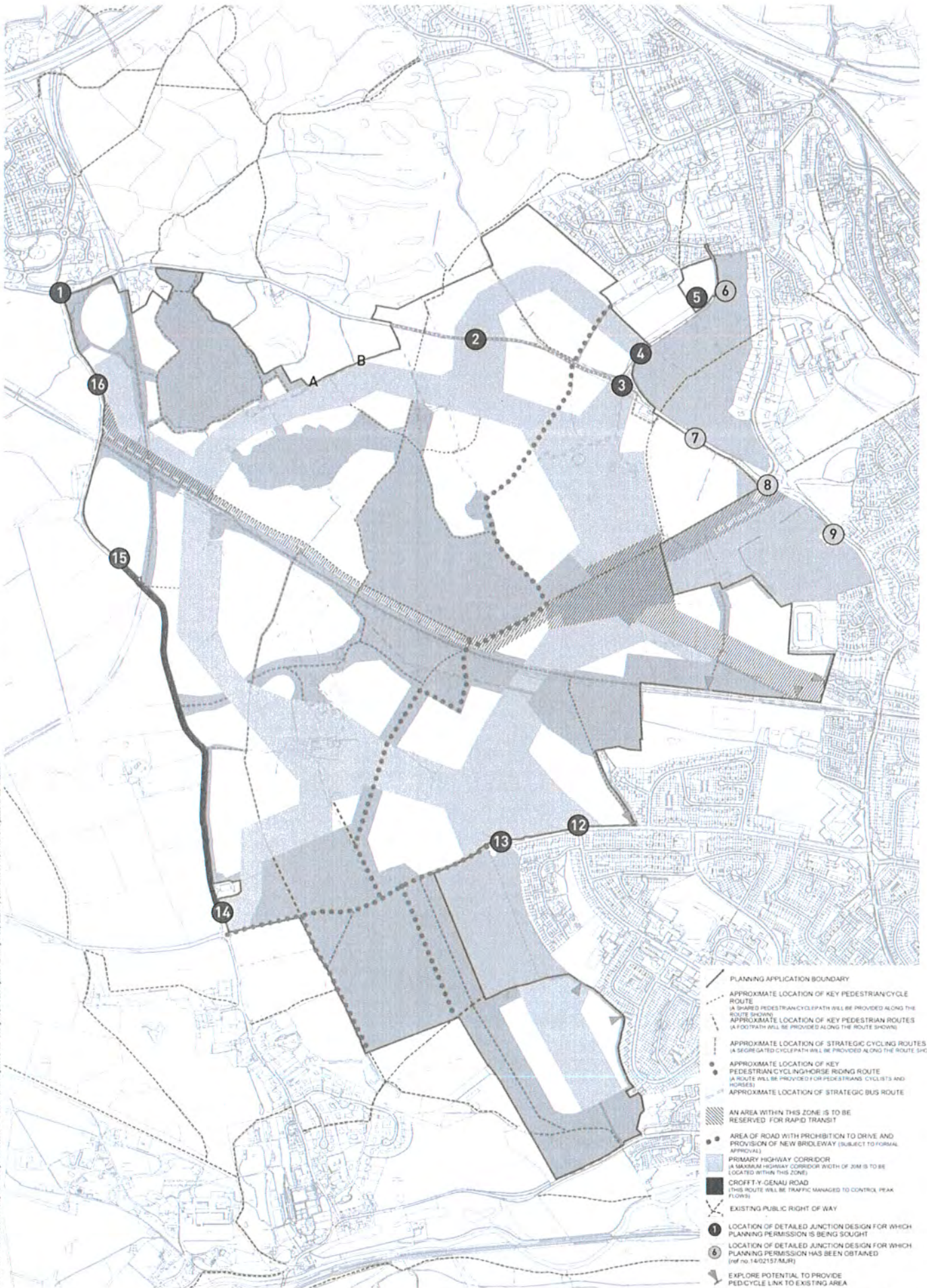
CROFFT-Y-GENAU ROAD TREATMENT

A Traffic Management system will operate along Crofft-Y-Genau Road where sensors and signs will control the direction of traffic flow along this route in response to demand.

POTENTIAL ACCESS TO GOITRE FACH FARM SITE

A vehicular link will be made between the site and the Goitre Fach Farm site to the north west between points A and B on the plan. Cycle provision separate to the vehicular carriageway will be provided as part of this link.

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Date: 18th October 2016 | Scale: 1:10,000 (BA3, 1:5000 (BA1) | dwg: R.0319_17-3 | Client: Redrow Homes [South Wales] | Team: EJ/TM/AV

P.338

ACCESS PARAMETER PLAN

PLASDŴR, NORTH WEST CARDIFF -





TRAFNIDIAETH
CYMRU
TRANSPORT
FOR WALES

Llawr 5, Tŷ South Gate
Stryd Wood
Caerdydd CF10 1EW

029 2167 3434
cyswllt@trc.llyw.cymru
trc.llyw.cymru

5th Floor, South Gate House
Wood Street
Cardiff CF10 1EW

029 2167 3434
contact@tfw.gov.wales
tfw.gov.wales

Mr Ceiri Rowlands
The Vale of Glamorgan Council
Dock Office, Barry Docks
Vale of Glamorgan
CF63 4RT

Reference: Land at Model Farm, Port Road, Rhoose

Application Ref: 2019/00871/OUT

Date: 27 November 2019

Dear Mr Rowlands,

In consideration of the above planning application we make the following comments, which we trust are helpful.

LDP Policy MG10 requires the provision of sustainable transport infrastructure and for the Cardiff Airport Development Zone requires “...consideration of a route for a potential rail link to Cardiff Airport across the site to ensure the development does not compromise future proposals to enhance sustainable access proposals to the airport.”

In 2016, Transport for Wales commissioned a review of rail connection options in this area for potential further consideration. The shortlisted options include a rail spur to the airport terminal from the east with a new Cardiff Airport Station. Whilst the shortlisted options have not yet been developed, Transport for Wales is currently undertaking extendibility assessments to determine future phases of the Metro including new rail links, stations, interchanges, addressing bottlenecks and improving service frequency.

Very recently, we have also been working with the Welsh Government and local authorities (including the Vale of Glamorgan Council) to develop an understanding of future transport requirements across the region. This early work has so far identified the Vale of Glamorgan Corridor (Barry – Rhoose – Llantwit Major) as a priority corridor demonstrating significant challenges. These include limited access to employment, healthcare and education

opportunities, social exclusion risk for the older generation, the presence of Enterprise zones, an International Gateway at Cardiff Airport, and at least 10 strategic development sites along the corridor.

We are now engaging with other developers, such as at Plasdwr in North West Cardiff to safeguard corridors of land for potential future Metro links. Given the above, we are of the view that as a minimum, the Outline Planning Application for the Land at Model Farm should safeguard a future rail corridor and station site between the existing line and Cardiff Airport Terminal.

To aid developers in safeguarding appropriate corridors, Transport for Wales is currently preparing a Developer's Guide for publication in 2020 that will clarify expectations in respect of corridor widths, track geometry, clearances, and the position of typical alignments (e.g. parallel highway and cycleways), crossings and operational/ maintenance considerations.

Active Travel Connections

We would like to see the site developed in such a way as to promote greater permeability by active travel modes, including the introduction of a larger number of access points for both pedestrians and cyclists into the estate from Port Road to the North, and sufficient crossing points to facilitate safe and convenient movement across the central spine road.

The spine road corridor and access roads should include provision for active travel through either:

- a) the inclusion of a footway of a width greater than the minimum identified in the Welsh Government's Active Travel Design Standards on one side, and on the other side a shared-use route for pedestrians and cyclists of sufficient width to meet the standards in the design guidance; or
- b) provision of a footway of appropriate width on both sides of the carriageway with provision for cyclists within the carriageway that is separated from general traffic (i.e. by light segregation or a kerblin).

An assessment should be undertaken to understand the condition of the active travel routes (particularly the pedestrian routes) leading from the development to the surrounding area, in line with the audit tools contained within the Active

Travel Act Design Guidance. This should be undertaken to determine whether the routes are suitable for active travel or not, and to help identify whether any enhancements may be required with a contribution from the development.

There is a potential opportunity to provide access between:

- c) existing communities at Rhoose, Rhoose Point and Font-Y-Gary and the development site, to increase local access to employment opportunities;
- d) the development site and Rhoose Cardiff International Airport Rail Station, to extend and integrate active travel connectivity; or
- e) the development site and Porthkerry park, to increase access to green space and improve the wellbeing offer to staff and visitors.

The Indicative Concept Masterplan should recognise the existing active travel route which connects Rhoose railway station to the development site (VALE-RH-C0010 as shown on the Council's Existing Route Map here:

<https://www.valeofglamorgan.gov.uk/Documents/Our%20Council/consultation/Active-Travel/WG-INMs/Rhoose-Cycling-A3-Landscape.pdf>. This presents an opportunity to encourage sustainable transport access to the site and to enhance that route to make it more attractive to users of the business park.

Active travel route VALE-PROP-RH-P020 is planned to run along the frontage of the development on Port Road. We anticipate this route could reasonably be accommodated within the works for the site by setting back the boundary of the development. As a minimum we would expect to see a corridor identified for the development of the route in future together with a financial contribution to its future implementation. We would like to see consideration to upgrading active travel route VALE-INM-RH-C0040 to ensure it exceeds the Welsh Government's Active Travel Design Guidance standards.

We would be pleased to engage with you and/or the applicant to discuss these matters further.

Yours sincerely,



Geoff Ogden (Consultancy and Corporate Services Director)



**TRAFNIDIAETH
CYMRU
TRANSPORT
FOR WALES**

3 Llys Cadwyn
Pontypridd
Rhondda Cynon Taf CF37 4TH
029 2167 3434
cyswllt@trc.cymru
trc.cymru

3 Llys Cadwyn
Pontypridd
Rhondda Cynon Taf CF37 4TH
029 2167 3434
contact@tfw.wales
tfw.wales

Mr Ceiri Rowlands
The Vale of Glamorgan Council
Dock Office, Barry Docks
Vale of Glamorgan
CF63 4RT

Reference: Land at Model Farm, Port Road, Rhoose
Application Ref: 2019/00871/OUT

Date: 04 March 2021

Dear Mr Rowlands

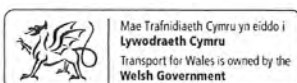
In respect of outline planning application 2019/00871/OUT for a business park development on land at Model Farm (Port Road, Rhoose) a representation was made by WYG on 14 October 2019 on behalf of the Welsh Government to the Vale of Glamorgan Council. The representation confirmed the Welsh Government's support in principle for the development but noted that a route for a potential rail link to Cardiff Airport had not been identified in the Indicative Concept Masterplan, potentially preventing the ability to achieve a rail link to the airport in the future.

Transport for Wales (TfW) has been asked by the Welsh Government to identify the most suitable corridor for a rapid transit link to the airport and therefore to identify the area(s) of land that should be safeguarded, and engage with you in this regard. The corridor must be of a suitable width for a rail solution, should this be selected in future as the preferred transport mode for the rapid transit link.

The attached plans identify a suitable rapid transit corridor, which is acceptable to both TfW and the Welsh Government.

1. Route Safeguarding Corridor – Consultation Zone
2. Indicative area to safeguard

In relation to the development site, the corridor follows the south-western boundary, alongside Porthkerry Road, and includes a suitable area for a potential intermediate station to serve the business park. This land will need to be safeguarded.



Mae Trafnidiaeth Cymru yn eiddo i
Lywodraeth Cymru
Transport for Wales is owned by the
Welsh Government

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FOR WALES**

3 Llys Cadwyn
Pontypridd
Rhondda Cynon Taf CF37 4TH
029 2167 3434
cyswllt@trc.cymru
trc.cymru

3 Llys Cadwyn
Pontypridd
Rhondda Cynon Taf CF37 4TH
029 2167 3434
contact@tfw.wales
tfw.wales

Your attention is drawn to an additional area of the development land that would also need to be safeguarded to allow for approximately 1500 square metres of parking at the adjacent hotel to be relocated away from the rapid transit corridor.

The rationale for safeguarding this particular rapid transit corridor is that it will:

- Provide sufficient land for a rapid transit shuttle service that can connect to Vale of Glamorgan line rail services via a new interchange to the east of Rhoose
- Allow the airport and surrounding Gateway Development Zone to be served but without the need to divert rail services away from communities along the Vale of Glamorgan line
- Minimise the extent of land required by following the development site boundary
- Allow for an intermediate station to serve the business park, which is accessible from an existing public highway rather than through the development site

The corridor cannot be provided on the opposite side of Porthkerry Road to the development, due to the presence of the airport's fuel farm.

Land for an intermediate station is included at a location approximately 800 metres south west of the airport passenger terminal in order to provide direct connectivity between the rapid transit service and the business park. This would also mean that service users from the business park would not need to enter airport property in order to access the service.

As there is no current funding commitment to develop a scheme at this time, it is requested that the corridor and associated land for an intermediate station and hotel parking relocation should currently be safeguarded for at least 10 years.



**TRAFNIDIAETH
CYMRU**
**TRANSPORT
FOR WALES**

3 Llys Cadwyn
Pontypridd
Rhondda Cynon Taf CF37 4TH
029 2167 3434
cyswllt@trc.cymru
trc.cymru

3 Llys Cadwyn
Pontypridd
Rhondda Cynon Taf CF37 4TH
029 2167 3434
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tfw.wales

The mechanism for transfer of land will need to be agreed directly with the Welsh Government.

On this basis, and subject to the indicated land being safeguarded, I have been asked to confirm that the Welsh Government would be willing to withdraw its previous objection to this planning application based on the absence of route safeguarding option(s) for a potential future rail link.

Yours sincerely



Geoff Ogden
Consultancy & Corporate Services Director

Attached:

1. Route Safeguarding Corridor – Consultation Zone
2. Indicative area to safeguard

Route safeguarding corridor – consultation zone

Indicative location of terminus station at Cardiff Airport subject to future site masterplanning.

Maes Awyr Caerdydd / Cardiff Airport

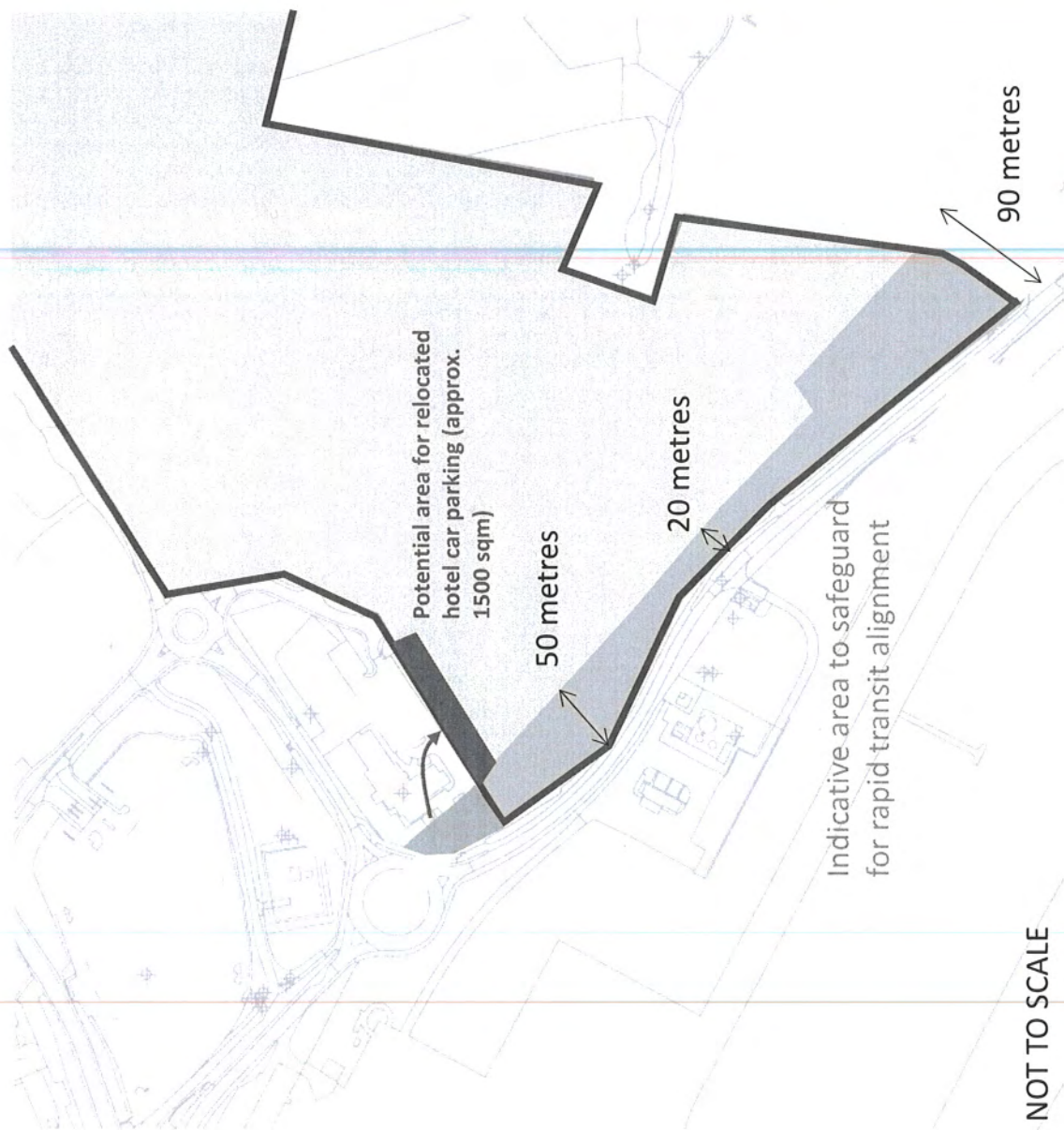
Rhoose / Y Rhws

KEY

- Indicative station boundaries
- Indicative rapid transit corridor
- Indicative road access to new station, subject to development site masterplanning.

Scale 1:2500 | Contains OS data © Crown copyright and database right 2020

0 100 200 300 400 500 m



CONSULTATION RESPONSE: COUNTRYSIDE AND ENVIRONMENT (ECOLOGY)

To / I:	Operational Manager Development & Building Control	From / Oddi Wrth:	Ecology, Development Services Countryside and Economic Projects.
FAO	Mr. Ceiri Rowlands		Ms Erica Dixon
Date / Dyddiad:	7 January 2020	Tel / Ffôn:	(01446) 704855
Your Ref / Eich Cyf:	2019/00871/OUT	My Ref / Fy Cyf:	
Location Land at Model Farm, Port Road, Rhoose			
Proposal 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.			

ECOLOGY RESPONSE	
<input type="checkbox"/> No comment	<input type="checkbox"/> Notes for applicant
<input checked="" type="checkbox"/> Object (holding objection)	<input type="checkbox"/> Request for further information
<input type="checkbox"/> Object and recommend refusal	<input type="checkbox"/> Recommend planning conditions

Summary

Holding objection

We object to this application at the current time for the following reason(s)

Negative impact on priority / protected species with insufficient mitigation / compensation proposals required to demonstrate no net loss and enhancement.

Detailed Comments

These comments are made with respect to the documents submitted in support of the outline application, in particular:

- *Preliminary Ecological Appraisal, Version A, May 2019 by RPS*
- *Model Farm, Ecological Surveys Report, Revision A, October 2019*
- *NRW consultation responses (latest version 12/12/19)*

We note that NRW have no significant concerns although a licence will be required for the bat roosts; NRW have recommended the inclusion of several conditions to secure protection measures for European Protected Species.

We have concerns regarding the status of breeding birds on site. Although the survey appears to have been carried out to nationally accepted standards, there remains a high proportion of "probable" records within the results. We would expect, over the course of 3 surveys for the probable records to be confirmed as breeding or non-breeding (or failed breeding attempt). This information is required to inform future compensation/mitigation measures and must be addressed prior to determination. The results are particularly relevant to the ground-nesting birds, as the vegetation-nesting birds can be adequately compensated for through landscape planting.

The development proposals will need to demonstrate enhancement for biodiversity on the site. At the current time, there are no secure proposed enhancements. There are enhancements suggested for farmland birds, however, it is unclear as to how or where this can be delivered. We understand that the retained farmland fields will not be retained long term after construction. Therefore it appears as though the proposed mitigation is not deliverable. We would suggest that compensation / mitigation for birds is discussed further with the Vale of Glamorgan regarding the transferred land. If this option is to be pursued, then a commuted sum will need to be agreed for the ongoing management and monitoring.

We welcome the plans to extend the retained woodland, however this is not appropriate to compensate for loss of hedgerows as hedgerows are a priority habitat and any net loss would be counter to the Supplementary Planning Guidance. The hedgerows must be replaced at a minimum of 1.5:1 (gain:loss).

The development will result in the loss of a waterbody, again a priority habitat and as such, there will be a requirement for its replacement. This must be integral to the supporting information for the application, including details of location, size and construction details.

We welcome proposals for bird boxes in the woodland, however, we would recommend that the boxes are not attached to ash trees.

We note that the proposed drainage features are situated on land to be transferred to Local Authority ownership. We recommend that the applicant discuss this further with the Drainage and Engineering team of the Vale of Glamorgan Council. Please liaise with Clive Moon.

Recommendations

- 1) Address the issue of farmland / ground nesting birds on site, including confirming breeding status or alternatively providing secured breeding habitat for a minimum of 10 years post development.

- 2) Provide details of replacement waterbodies
- 3) Provide details (including location, species composition) of replacement hedgerow.
- 4) Do not erect bird boxes on ash trees
- 5) Replacement habitat for ground nesting birds – need to address issue of land ownership, responsibility for the management, and the means to secure compensation measures
- 6) Liaise with Clive Moon regarding drainage / SUDS features.

Conclusion

At the current time there are issues that need to be resolved, therefore the local authority is not currently in a position to determine this application. The above issues must be addressed prior to determination.

**CONSULTATION RESPONSE:
COUNTRYSIDE AND ENVIRONMENT (ECOLOGY)**



To / I:	Operational Manager Development & Building Control	From / Oddi Wrth:	Ecology, Development Services Countryside and Economic Projects.
FAO	Ceiri Rowlands		Mr Colin Cheesman
Date / Dyddiad:	11 th January 2021	Tel / Ffôn:	(01446) 704855 0780 3713587
Your Ref / Eich Cyf:	2019/00871/OUT	My Ref / Fy Cyf:	
Location	Land at Model Farm, Port Road, Rhoose		
Proposal	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.		

ECOLOGY RESPONSE	
<input type="checkbox"/> No comment <input type="checkbox"/> Object (holding objection) <input type="checkbox"/> Object and recommend refusal	<input type="checkbox"/> Notes for applicant <input checked="" type="checkbox"/> Request for further information <input type="checkbox"/> Recommend planning conditions <input type="checkbox"/> Approve

Summary

Current status: Outline Planning Permission sought

Previous status:

Comments

These observations update and supersede those of my predecessor, Erica Dixon, dated 7th January 2020.

They also refer to: *Proposed Additional Mitigation and Wildlife Enhancement Drawing Number - ECO01271-002 revision A - dated November 2020*

This follows further discussions with the applicant and their agents.

In January 2020 there were concerns over the impacts on priority and protected species and a holding objection was asked for.

There remain concerns over some protected species but through the introduction of planning conditions they can be dealt with in the detailed planning stages.

Bats

In particular, and despite the approach of NRW in terms of limiting their interaction to licensing activity, the loss of the farm buildings through demolition, the routing of the 'Spine Corridor Road' close to boundaries with high bat counts from the transect survey (Bat Activity Transects Results October 2019, drawing 5A, dated October 2019), the limitation of the bat surveys to the development site rather than the whole land holding to the detriment of Lesser Horseshoe bats, *Rhinolopus hipposideros* as pointed out by Hawkeswood Ecology (correspondence dated 29/04/2020 & 24/10/2019) and the lack of a lighting plan, albeit that this is an outline application, are a cause of concern.

The mitigation suggested relies on a range of Schwegler boxes affixed to trees and the incorporation of roosting cavities and tubes into new buildings without the identification of those buildings or their locations. Experience of such sites elsewhere indicates that development will be phased as demand for plots arises. Therefore the applicant is asked to determine which building locations will be required to incorporate the features and that it be a condition in determining reserved matters when planning permission for those buildings is sought. How effective will the mitigation be if these plots remain unoccupied for several years?

In addition an overall lighting plan should be submitted to the LPA so that the effects on bats and other nocturnal animals can be determined. This will also be a requirement within the phases of development of the site for each unit proposed where there will be a need to reduce light pollution and maintain dark corridors.

In determining the route of the Spine Corridor Road ensure the absolute minimal loss of hedgerows, which could then be allowed to mature, and siting low impact timed lighting on the opposite side of the highway away from designated dark corridors.

Depending on timescales, consider undertaking a bat survey of the entire area of land in the ownership of L & G to properly assess the impacts of the development for foraging and to assist in the transfer of management for the allocated extension. This would focus on the unsurveyed area and not repeat the previous surveys.

Farmland Birds

There is concern over the impact of this development on farmland bird's especially ground-nesting birds.

The additional mitigation and enhancement submitted by the applicant after discussions on the ground is helpful in addressing these concerns. It addresses the location of where the mitigations and enhancements will take place and their nature in addition to those already suggested previously.

It is noted that they are entirely within that area that is suggested to come into the curtilage of Porthkerry Country Park. In order to be effective then management must be relevant to those farmland species for whom the mitigation is intended over a significant period of time. The management of the 'allocated extension' area will need to be agreed in detail and its funding resolved as it is not the role of publicly funded and managed land to compensate for the ecological impacts of development.

Hedgerow loss

The last response raised the concern that there would be losses of hedgerows which it was proposed to compensate through additional planting especially to increase woodlands and existing boundaries. This was not thought appropriate.

Although an extensive survey for Hazel Dormouse, *Mucadinus avellanarius*, was undertaken, no records were found though the general impression of the site was that it could hold dormice.

The opportunity to create more suitable habitat through planting predominantly hazel in adding to existing woodlands and hedgerows will be beneficial.

In addition the additional mitigation and enhancement submitted by the applicant includes a number of new hedgerows. If the applicant can quantify the additional area of planting, the length of new hedgerows and the length of hedgerows to be lost in the development then a final judgement can be made.

Waterbody

The application results in the loss of an agricultural waterbody that does not hold Great-crested Newts. The proposal to have three SUDS attenuation areas/swales will create a number of wet, marshy areas as part of the water management of the development. This presents the opportunity to deliver habitat of a more diverse nature than the existing water body which will have a greater impact for biodiversity.

The previous recommendations were:

Recommendation	Current Situation
1) Address the issue of farmland / ground nesting birds on site, including confirming breeding status or alternatively providing secured breeding habitat for a minimum of 10 years post development.	A proposal for management of the transfer land to mitigate for farmland birds has been agreed. However a 10 year costed plan has not been formulated and will be required ahead of any transfer.
2) Provide details of replacement waterbodies	Completed. Details of any planting to be resolved at the detailed application stage.
3) Provide details (including location, species composition) of replacement hedgerow.	New hedgerow and scrub/coppice planting in revised plan. Quantities need to be confirmed before resolution.
4) Do not erect bird boxes on ash trees	The advice still stands
5) Replacement habitat for ground nesting birds – need to address issue of land ownership, responsibility for the management, and the means to secure compensation measures	Duplicates Recommendation 1. Need for costed plan.
6) Liaise with Clive Moon regarding drainage / SUDS features.	Unknown

Conclusion

Further Information required

1. Consider undertaking a bat survey of the rest of the land in L & G ownership to capture the Lesser Horseshoe bat interest and to assist in the future management of land.
2. Quantify the area of scrub/coppice to be planted, the length of hedgerows to be lost and the length of hedgerows to be planted to allow a final assessment.
3. Outline planting and management of the three SUDS swales/attenuation ponds.
4. Contingencies for bat mitigation if units that would have contained mitigation features are not bought forward early in the site development.

To be conditioned

1. A Bat mitigation strategy detailing the locations of all the mitigation measures and identifying the building location sites for roost cavities and tubes so that they can be dealt with under reserved matters when proposals come forward. It should also identify a network of dark corridors and be linked to 2. below.
2. An overall lighting strategy for the development for the 'common' areas including the Spine Corridor Road to be able to assess impacts on bats and other nocturnal mammals.

To be agreed

1. A 10 year management plan with costings for the land proposed to be transferred to Portherry Country Park to be agreed between the applicant and the Countryside Section of the Council.

RELEVANT POLICIES FOR INFORMATION

MG21 - SITES OF IMPORTANCE FOR NATURE CONSERVATION, REGIONALLY IMPORTANT GEOLOGICAL AND GEOMORPHOLOGICAL SITES AND PRIORITY HABITATS AND SPECIES.

Development proposals likely to have an adverse impact on sites of importance for nature conservation or priority habitats and species will only be permitted where it can be demonstrated that:

1. The need for the development clearly outweighs the nature conservation value of the site;
2. Adverse impacts on nature conservation and geological features can be avoided;
3. Appropriate and proportionate mitigation and compensation measures can be provided; and
4. The development conserves and where possible enhances biodiversity

MD9 – PROMOTING BIODIVERSITY

New development proposals will be required to conserve and where appropriate enhance biodiversity interests unless it can be demonstrated that:

1. The need for the development clearly outweighs the biodiversity value of the site; and
2. The impacts of the development can be satisfactorily mitigated and acceptably managed through appropriate future management regimes.

CONSERVATION OF HABITATS AND SPECIES REGULATIONS 2017

Known as the Conservation of Habitats and Species Regulations 2017 “Habitats Regulations” transpose the Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora (the Habitats Directive) instrument transposes the into UK law. The Directive is the means by which the European Union meets its obligations under the Bern Convention. The most vulnerable and rarest of species internationally (in the European context) are afforded protection under this legislation. The species listed on Schedule 2 of the Habitats Regulations are termed “European Protected Species” and are afforded the highest levels of protection and command strict licensing requirements for any works which may affect them. The species include all British bats, Otter, Dormouse and Great Crested Newt. They are fully protected against disturbance, killing, injury or taking. In addition any site regarded as their “breeding site or resting place” is also protected. It is generally regarded that the site is protected whether the animals are present or not.

The Habitats Regulations clearly outline the role of Planning Authorities in the implementation of the Habitats and Birds Directives; by stating [Section 10]

10.—(1)a competent authority must take such steps in the exercise of their functions as they consider appropriate to secure the objective in paragraph (3), so far as lies within their powers.

(3) The objective is the preservation, maintenance and re-establishment of a sufficient diversity and area of habitat for wild birds in the United Kingdom, including by means of the upkeep, management and creation of such habitat, as appropriate, having regard to the requirements of Article 2 of the new Wild Birds Directive (measures to maintain the population of bird species).

Habitats Regulations Licensing

Where works will affect a EPS, then the developer must seek a derogation (licence) prior to undertaking the works. The licence can only be issue once the “3 tests” are satisfied, that is:

- | | |
|----------|---|
| Test 1 – | the purposes of “preserving public health or safety, or for reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment”. |
| Test 2 – | there must be “no satisfactory alternative”; and |
| Test 3 – | the derogation is “not detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range”. |

Licences are issued by Natural Resources Wales (NRW), with NRW assessing Test 3, and the LPA assessing tests 1 & 2 (where proposals are not subject to planning, then NRW alone will assess all three tests). Where Planning regulations apply, the NRW will only issue a licence after determination of the planning application. Planners failing to do so will be in breach of the Habitats Regulations (see also Case Law, Morge Case and Woolley Ruling below).

WILDLIFE AND COUNTRYSIDE ACT 1981 (AS AMENDED)

The WCA protects the UK's most vulnerable and rare species as outlined below.

Section 1 – breeding birds. The basic protection afforded to all birds is:

- Protection from killing, injury or taking of any wild bird
- Protection from taking, damaging or destroying the nest of any wild bird
- Protection from taking or destroying the egg of any wild bird

Further, some species, specifically those listed on Schedule 1 of the Act are afforded extra levels of protection to include:

- Protection from disturbance whilst it is nest building; or, is at or near a nest with eggs or young, or disturb the dependant young of such a bird.

There are exemptions from this basic protection for, for example: sale, control of pest species and sporting eg. game birds outside of the close season.

Section 9 (Schedule 5) - protected animals (other than birds) All animals listed on Schedule 5 are protected against killing, injury or taking. Any structure/place used for shelter or protection is protected against damage, destruction or obstructing access to. And it is an offence to disturb an animal whilst using such a structure / place. Some species are afforded "Part Protection" meaning that they enjoy only some of the protection outlined above – eg the animals may be protected, but not their structure used for shelter/protection (such as slow worm).

Section 13 (Schedule 8) – protected plants. Protected plants are afforded protection against: being picked, uprooted or destroyed. They are also protected against sale (or advertising for sale) – this is particularly relevant with respect to bluebells.

THE PROTECTION OF BADGERS ACT 1992

This protects badgers from killing, injury and taking; or attempting to kill, injure or take. Badger setts are also afforded protection and it is an offence to:

- Damage a badger sett or any part of it
- Destroy a badger sett
- Obstruct access to any entrance of a badger sett
- Disturb a badger when it is occupying a badger sett

Development which will destroy or disturb a badger sett (within 30m) is subject to licensing. The licensing body is NRW. However, badgers are considered a species protected under UK legislation (see PPW) and are therefore a material consideration during the planning decision.

ENVIRONMENT (WALES) ACT 2016

The Environment (Wales) Act became law in March 2016 and replaces the earlier Natural Environment and Rural Communities Act 2006. It puts in place legislation to enable Wales' resources to be managed in a more proactive, sustainable and joined up manner and to form part of the legislative framework necessary to tackle climate change. The Act supports the Welsh Governments wider remit under the Well-Being of Future Generations (Wales) Act 2015 so that Wales may benefit from a prosperous economy, a healthy and resilient environment and vibrant, cohesive communities.

Section 6 of the Environment Act requires all that public authorities "***must seek to maintain and enhance biodiversity in the exercise of functions in relation to Wales, and in so doing promote the resilience of ecosystems, so far as consistent with the proper exercise of those functions***". The intention of this duty is to ensure biodiversity becomes an integral part of decision making in public authorities.

Welsh Government, with consultation with NRW must prepare and publish a list of habitats and species which, in their opinion, are of principal importance for maintaining and enhancing biodiversity in Wales ("Section 7 list"). Public bodies must take all reasonable steps to maintain and enhance the living organisms and types of habitat on this list. At the current time, this list directly replaces the list created under the now defunct Section 42 of the Natural Environment of Rural Communities (NERC) Act 2006 (Habitats and Species of Principal Importance for Conservation in Wales).

PLANNING POLICY WALES SEPTEMBER 2009 (TECHNICAL ADVICE NOTE 5: NATURE CONSERVATION AND PLANNING)

Section 6.2.1 – the presence of a protected species is a material consideration when a local planning authority is considering a development proposal, that, if carried out, would be likely to result in disturbance or harm to the species or its habitat.

Section 6.2.2 – It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted.

Section 6.3.5 – any step in the planning or implementation of a development likely to affect a European Protected Species could be subject to a licence to permit or the survey or implement the proposal are under a duty to have regard to the requirements of the Habitats Directive in exercising their functions.

PLANNING POLICY WALES (EDITION 10, DECEMBER 2018)

Planning Policy Wales, Section 6.4 places a duty on local authorities to ensure that biodiversity and resilience are fully considered by Local authorities.

Particular reference is made to The Section 6 Duty (Environment Act) to ensure that planning authorities demonstrate that they have sought to fulfil the duties and requirements of Section 6 of the Environment Act by taking all reasonable steps to maintain and enhance biodiversity in the exercise of their functions.

Protected Species under European or UK legislation, or under section 7 of the Environment Act are a material consideration when a planning authority is considering a development proposal which, if carried out, would be likely to result in disturbance or

harm to the species or its habitat and to ensure that the range and population of the species is sustained. (Section 6.4.22)

Paragraph 6.4.23 outlines the process whereby European Protected Species are considered in Planning.

VALE OF GLAMORGAN COUNCIL - SUPPLEMENTARY PLANNING GUIDANCE

Supplementary Planning Guidance – Biodiversity and Development

WOOLLEY RULING

This case confirmed that local planning authorities must apply the same three tests as Natural England (in Wales, CCW) when deciding whether to grant planning permission when one or more of the European protected species offences under the Habitats Regulations may be committed.

This judgment clarifies a legal duty which was already in existence although many planning authorities were not applying it correctly. His Honour Judge Waksman QC, in the High Court in June 2010, handed down this ruling in the case of R (on the application of Simon Woolley) v Cheshire East Borough Council concerning a development with a bat roost. **This judgment makes it clear that the local planning authority must apply the “3 tests” when determining a planning application.**

MORGE CASE (SUPREME COURT CASE 19 JANUARY 2011)

The case gives clarification to deliberate disturbance and to the interpretation of “damage or destruction of a breeding site or resting place”. It also gives guidance on how LPA should discharge their duties with respect to the Habitats Directive.

CORNWALL RULING

Judgement that a planning authority had acted unlawfully by granting planning permission without sufficient information on flora and fauna.

Sometimes planning authorities grant planning permission before some or all ecological surveys have been carried out, making ecological surveys a planning condition, or Section 106 Agreement, under the Town and Country Planning Act 1990.

For development that requires an Environmental Impact Assessment this practice was subject to judicial review proceedings in the High Court and it was determined that the planning authority had acted unlawfully by granting planning permission without sufficient information on flora and fauna (known as the Cornwall Ruling because the planning authority in this case was Cornwall County Council). Requiring surveys as a condition of the Section 106 Agreement was not sufficient, as this would exclude the consultation process that is required under the Town and Country Planning (EIA) Regulations (1999).

**CONSULTATION RESPONSE:
COUNTRYSIDE AND ENVIRONMENT (ECOLOGY)**



To / I:	Operational Manager Development & Building Control	From / Oddi Wrth:	Ecology, Development Services Countryside and Economic Projects.
FAO	Ceiri Rowlands		Mr Colin Cheesman
Date / Dyddiad:	20 th May 2021	Tel / Ffôn:	(01446) 704855 07514 623147
Your Ref / Eich Cyf:	2019/00871/OUT	My Ref / Fy Cyf:	
Location	Land at Model Farm, Port Road, Rhoose		
Proposal	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.		

ECOLOGY RESPONSE	
<input type="checkbox"/> No comment <input checked="" type="checkbox"/> Object (holding objection) <input type="checkbox"/> Object and recommend refusal	<input type="checkbox"/> Notes for applicant <input checked="" type="checkbox"/> Request for further information <input type="checkbox"/> Recommend planning conditions <input type="checkbox"/> Approve

Summary

Current status: Outline application

Previous status:

Comments

These comments update those of the 11th January 2021.

Issues still unresolved

Bat mitigation

There appears to have been no response to the issue raised in my previous response, namely that if the mitigation is a series of bat boxes and features incorporated into new buildings then what are the timings for the erection of the new buildings to compensate in a timely fashion as mitigation. As pointed out such developments tend to have a phased and drawn out development period that may well not provide a

smooth and direct mitigation. The only other option is the erection of a standalone bat mitigation building.

Farmland Birds

To emphasise that the management of land indicated as arable on the plans that falls within the transfer portion will be managed primarily for farmland birds rather than agricultural production. This will be factored into any agreement between the applicant and the Council.

New or Arising Issues

Hedgerows

In the previous response details were asked of the lengths of hedgerow creation and restoration.

The SPG for Biodiversity and Development in the vale of Glamorgan states in the section under Mitigation (paragraph 10.5.6) that the ratio is 1: 1.5 or 50% above the amount/length of habitat lost.

For hedgerows the loss is stated at 1,420 metres whilst the new hedgerow planting is 1,240 metres with an additional 583 metres of hedgerow improvement.

Even with these figures they are short of the minimum target 2,130 metres required as a minimum in the SPG.

The applicant is asked to look at further options for hedgerow planting and/or restoration.

Conclusion

Because the issue of phasing of bat mitigation has yet to be resolved and that the proposed hedgerow creation and restoration falls below the minimum target set in the Biodiversity and Development SPG then a holding objection is maintained until further information is provided.

RELEVANT POLICIES FOR INFORMATION

MG21 - SITES OF IMPORTANCE FOR NATURE CONSERVATION, REGIONALLY IMPORTANT GEOLOGICAL AND GEOMORPHOLOGICAL SITES AND PRIORITY HABITATS AND SPECIES.

Development proposals likely to have an adverse impact on sites of importance for nature conservation or priority habitats and species will only be permitted where it can be demonstrated that:

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(3) The objective is the preservation, maintenance and re-establishment of a sufficient diversity and area of habitat for wild birds in the United Kingdom, including by means of the upkeep, management and creation of such habitat, as appropriate, having regard to the requirements of Article 2 of the new Wild Birds Directive (measures to maintain the population of bird species).

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Where works will affect a EPS, then the developer must seek a derogation (licence) prior to undertaking the works. The licence can only be issue once the “3 tests” are satisfied, that is:

- Test 1 – the purposes of “preserving public health or safety, or for reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment”.
- Test 2 – there must be “no satisfactory alternative”; and
- Test 3 – the derogation is “not detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range”.

Licences are issued by Natural Resources Wales (NRW), with NRW assessing Test 3, and the LPA assessing tests 1 & 2 (where proposals are not subject to planning, then NRW alone will assess all three tests). Where Planning regulations apply, the NRW will only issue a licence after determination of the planning application. Planners failing to do so will be in breach of the Habitats Regulations (see also Case Law, Morge Case and Woolley Ruling below).

WILDLIFE AND COUNTRYSIDE ACT 1981 (AS AMENDED)

The WCA protects the UK's most vulnerable and rare species as outlined below.

Section 1 – breeding birds. The basic protection afforded to all birds is:

- Protection from killing, injury or taking of any wild bird
- Protection from taking, damaging or destroying the nest of any wild bird
- Protection from taking or destroying the egg of any wild bird

Further, some species, specifically those listed on Schedule 1 of the Act are afforded extra levels of protection to include:

- Protection from disturbance whilst it is nest building; or, is at or near a nest with eggs or young, or disturb the dependant young of such a bird.

There are exemptions from this basic protection for, for example: sale, control of pest species and sporting eg. game birds outside of the close season.

Section 9 (Schedule 5) - protected animals (other than birds) All animals listed on Schedule 5 are protected against killing, injury or taking. Any structure/place used for shelter or protection is protected against damage, destruction or obstructing access to. And it is an offence to disturb an animal whilst using such a structure / place. Some species are afforded "Part Protection" meaning that they enjoy only some of the protection outlined above – eg the animals may be protected, but not their structure used for shelter/protection (such as slow worm).

Section 13 (Schedule 8) – protected plants. Protected plants are afforded protection against: being picked, uprooted or destroyed. They are also protected against sale (or advertising for sale) – this is particularly relevant with respect to bluebells.

THE PROTECTION OF BADGERS ACT 1992

This protects badgers from killing, injury and taking; or attempting to kill, injure or take. Badger setts are also afforded protection and it is an offence to:

- Damage a badger sett or any part of it
- Destroy a badger sett
- Obstruct access to any entrance of a badger sett
- Disturb a badger when it is occupying a badger sett

Development which will destroy or disturb a badger sett (within 30m) is subject to licensing. The licensing body is NRW. However, badgers are considered a species protected under UK legislation (see PPW) and are therefore a material consideration during the planning decision.

ENVIRONMENT (WALES) ACT 2016

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Section 6 of the Environment Act requires all that public authorities "***must seek to maintain and enhance biodiversity in the exercise of functions in relation to Wales, and in so doing promote the resilience of ecosystems, so far as consistent with the proper exercise of those functions***". The intention of this duty is to ensure biodiversity becomes an integral part of decision making in public authorities.

Welsh Government, with consultation with NRW must prepare and publish a list of habitats and species which, in their opinion, are of principal importance for maintaining and enhancing biodiversity in Wales ("Section 7 list"). Public bodies must take all reasonable steps to maintain and enhance the living organisms and types of habitat on this list. At the current time, this list directly replaces the list created under the now defunct Section 42 of the Natural Environment and Rural Communities (NERC) Act 2006 (Habitats and Species of Principal Importance for Conservation in Wales).

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Section 6.2.1 – the presence of a protected species is a material consideration when a local planning authority is considering a development proposal, that, if carried out, would be likely to result in disturbance or harm to the species or its habitat.

Section 6.2.2 – It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted.

Section 6.3.5 – any step in the planning or implementation of a development likely to affect a European Protected Species could be subject to a licence to permit or the survey or implement the proposal are under a duty to have regard to the requirements of the Habitats Directive in exercising their functions.

PLANNING POLICY WALES (EDITION 10, DECEMBER 2018)

Planning Policy Wales, Section 6.4 places a duty on local authorities to ensure that biodiversity and resilience are fully considered by Local authorities.

Particular reference is made to The Section 6 Duty (Environment Act) to ensure that planning authorities demonstrate that they have sought to fulfil the duties and requirements of Section 6 of the Environment Act by taking all reasonable steps to maintain and enhance biodiversity in the exercise of their functions.

Protected Species under European or UK legislation, or under section 7 of the Environment Act are a material consideration when a planning authority is considering a development proposal which, if carried out, would be likely to result in disturbance or

harm to the species or its habitat and to ensure that the range and population of the species is sustained. (Section 6.4.22)

Paragraph 6.4.23 outlines the process whereby European Protected Species are considered in Planning.

VALE OF GLAMORGAN COUNCIL - SUPPLEMENTARY PLANNING GUIDANCE

Supplementary Planning Guidance – Biodiversity and Development

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This case confirmed that local planning authorities must apply the same three tests as Natural England (in Wales, CCW) when deciding whether to grant planning permission when one or more of the European protected species offences under the Habitats Regulations may be committed.

This judgment clarifies a legal duty which was already in existence although many planning authorities were not applying it correctly. His Honour Judge Waksman QC, in the High Court in June 2010, handed down this ruling in the case of R (on the application of Simon Woolley) v Cheshire East Borough Council concerning a development with a bat roost. **This judgment makes it clear that the local planning authority must apply the “3 tests” when determining a planning application.**

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Judgement that a planning authority had acted unlawfully by granting planning permission without sufficient information on flora and fauna.

Sometimes planning authorities grant planning permission before some or all ecological surveys have been carried out, making ecological surveys a planning condition, or Section 106 Agreement, under the Town and Country Planning Act 1990.

For development that requires an Environmental Impact Assessment this practice was subject to judicial review proceedings in the High Court and it was determined that the planning authority had acted unlawfully by granting planning permission without sufficient information on flora and fauna (known as the Cornwall Ruling because the planning authority in this case was Cornwall County Council). Requiring surveys as a condition of the Section 106 Agreement was not sufficient, as this would exclude the consultation process that is required under the Town and Country Planning (EIA) Regulations (1999).

**CONSULTATION RESPONSE:
COUNTRYSIDE AND ENVIRONMENT (ECOLOGY)**



To / I:	Operational Manager Development & Building Control	From / Oddi Wrth:	Ecology, Development Services Countryside and Economic Projects.
FAO	Ceiri Rowlands		Mr Colin Cheesman
Date / Dyddiad:	14 th June 2021	Tel / Ffôn:	(01446) 704855 07514 623147
Your Ref / Eich Cyf:	2019/00871/OUT	My Ref / Fy Cyf:	
Location	Land at Model Farm, Port Road, Rhoose		
Proposal	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.		

ECOLOGY RESPONSE	
<input type="checkbox"/> No comment <input type="checkbox"/> Object (holding objection) <input type="checkbox"/> Object and recommend refusal	<input checked="" type="checkbox"/> Notes for applicant <input type="checkbox"/> Request for further information <input type="checkbox"/> Recommend planning conditions <input type="checkbox"/> Approve

Summary

Current status: Outline Planning Application submitted

Previous status:

Comments

Supplementary comments

Preliminary Ecological Appraisal

The applicant employed RPS Group to undertake a Preliminary Ecological Assessment (PEA) dated the 18th June 2018.

A Proposed Additional Mitigation and Wildlife Enhancement Plan was submitted in November 2020.

An addendum containing a Proposed Wildlife and Mitigation Strategy on the 15th December 2010

A Hedgerow, Scrub and Woodland Management Plan was submitted in June 2021.

The original PEA conformed to the standard set out by the Chartered Institute for Ecology and Environmental Management, 'Guidelines for Preliminary Ecological Appraisal' Second edition, December 2017.

Both the previous County Ecologist and myself do/did not regard the PEA as deficient though both of us have raised issues that have resulted in both further surveys and amendments to the plans.

This will continue to be an iterative process as this is an outline application and further details will be worked through as the development moves forward and the concomitant biodiversity mitigations and enhancements.

Rare species

A number of rare species have been recorded on site but none of these has any protection in law through either the Wildlife and Countryside Act 1981 (as amended) nor in the Section 6 species list of the Environment (Wales) Act 2016. In reviewing the application, it has been our view that such species are unlikely to be adversely affected by the development.

Platycis minutus

A beetle found in and around rotting wood, mainly beech, birch and oak, in woodland and parkland settings. 46 records in Wales with 30 since 2000 in 20 hectads. (Aderyn)

Platyrhinus resinosus – Resin Weevil

Nationally scarce but increasing in range and abundance recently. Associated with the fungus *Daldinia concentrica* found growing on Ash and some other broadleaved trees. 21 records in Wales with 18 since 2000 in 18 hectads (Aderyn)

Pluteus aurantiorugosus – Flame Shield mushroom

A wood rotting fungus that occurs on stumps and buried logs of broadleaved trees principally elm and ash. 13 records in Wales in 9 hectads, all since 2000. (Aderyn)

Perenniporia ochroleuca

A small polypore (bract) fungus that is normally found on blackthorn, hawthorn and oak. 7 records in Wales in three tetrads all since 2006 (Aderyn). The Kew Lost and Found Project (2014 – 2020) added 96 records in the UK including 6 in Wales at 5 separate locations.

All of these species are principally woodland species and the existing woodlands are not affected by the development close to Port Road but within the area to be managed for nature conservation by Porthkerry County Park.

Hedgerows

The applicants have now provided a table listing the losses of hedgerow at 2.04 km. and a length of 3.01 km of new hedgerows and 0.3km of hedgerows to be restored through additional planting. Therefore, the target set out in the Biodiversity and Development SPG has been met. The applicants also propose to plant 1.5 hectare of hazel dominated scrub, 1 hectare of scrub and 2.5 hectares of new broadleaved woodland planting.

Conclusion

THE PEA and supporting documents are to the standards set out by CIEEM.

Rare Species – none have statutory protection, and most are confined to the woodlands which are unaffected by the development.

The applicant has met the requirements in the Biodiversity and Development SPG for the compensation by length of lost hedgerows.

RELEVANT POLICIES FOR INFORMATION

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From: [Cheesman, Colin R](#)
To: [Rowlands, Ceiri](#)
Subject: Council's Ecology Comments_201900871OUT
Date: 17 February 2023 17:18:22
Attachments: [Council's Ecology Comments_201900871OUT.doc](#)

Hi Ceiri

Thank you for asking me to review the latest PEA - ECO02103 Model Farm Preliminary Ecological Appraisal (PEA) B - February 2023

Apart from an amendment in respect of bat flight paths being identified as 'dark corridors' and the need to reflect this in subsequent applications for individual sites, then the rest of the PEA is satisfactory.

Let me know if I can be of any further assistance.

Many thanks
Colin

Colin Cheesman
County Ecologist / Ecolgydd Sirol
Regeneration and Planning / Adfywio a Chynllunio
Vale of Glamorgan Council / Cyngor Bro Morgannwg
tel / ffôn: 01446 704855 (not manned / heb staff ar hyn o bryd)
mob / sym: 07514 623147
e-mail / e-bost: [REDACTED]

[REDACTED] *you really need to.*
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Ewch i'n gwefan yn www.bromorgannwg.gov.uk

[Find us on Facebook / Cewch ddod o hyd i ni ar Facebook](#)
[Follow us on Twitter / Dilynwch ni ar Twitter](#)

Correspondence is welcomed in Welsh or English / Croesewir Gohebiaeth yn y Gymraeg neu yn Saesneg.

**CONSULTATION RESPONSE:
COUNTRYSIDE AND ENVIRONMENT (ECOLOGY)**



To / I:	Operational Manager Development & Building Control	From / Oddi Wrth:	Ecology, Countryside Services Planning Section
FAO	Ceiri Rowlands		Mr Colin Cheesman
Date / Dyddiad:	17 th February 2023	Tel / Ffôn:	(01446) 704855 07514 623147
Your Ref / Eich Cyf:	2019/00871/OUT	My Ref / Fy Cyf:	
Location Land at Model Farm, Port Road, Rhoose			
Proposal			

ECOLOGY RESPONSE	
<input type="checkbox"/> No comment <input type="checkbox"/> Object (holding objection) <input type="checkbox"/> Object and recommend refusal	<input checked="" type="checkbox"/> Notes for applicant <input type="checkbox"/> Request for further information <input type="checkbox"/> Recommend planning conditions <input checked="" type="checkbox"/> Approve

Summary

Current status: Outline planning application submitted

Previous status:

Comments

Following my email of the 7th February 2023 the applicant has ammended the PEA to cover the points that I raised.

These are principally changes to Table 5.1 to ensure the completeness of the mitigation measures required for a range of species recorded on site or using the site.

I would only make one addition. Under Bats it would be useful to mention that flight lines will need to be 'designated' as dark corridors and subsequent planning applications for developing individual sites will require lighting plans that respect these flight lines.

The rest of the Species Management Objectives are fine

Conclusion

Amend bat flight lines to include 'dark corridors' and to be aware that future proposal must respect these through Ligting Strategies/Plans.

RELEVANT POLICIES FOR INFORMATION

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Habitats Regulations Licensing

Where works will affect an EPS, then the developer must seek a derogation (licence) prior to undertaking the works. The licence can only be issue once the “3 tests” are satisfied, that is:

- Test 1 – the purposes of “preserving public health or safety, or for reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment”.
- Test 2 – there must be “no satisfactory alternative”; and
- Test 3 – the derogation is “not detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range”.

Licences are issued by Natural Resources Wales (NRW), with NRW assessing Test 3, and the LPA assessing tests 1 & 2 (where proposals are not subject to planning, then NRW alone will assess all three tests). Where Planning regulations apply, the NRW will only issue a licence after determination of the planning application. Planners failing to do so will be in breach of the Habitats Regulations (see also Case Law, Morge Case and Woolley Ruling below).

WILDLIFE AND COUNTRYSIDE ACT 1981 (AS AMENDED)

The WCA protects the UK's most vulnerable and rare species as outlined below.

Section 1 – breeding birds. The basic protection afforded to all birds is:

- Protection from killing, injury or taking of any wild bird
- Protection from taking, damaging or destroying the nest of any wild bird
- Protection from taking or destroying the egg of any wild bird

Further, some species, specifically those listed on Schedule 1 of the Act are afforded extra levels of protection to include:

- Protection from disturbance whilst it is nest building; or is at or near a nest with eggs or young or disturb the dependant young of such a bird.

There are exemptions from this basic protection for, for example: sale, control of pest species and sporting e.g., game birds outside of the close season.

Section 9 (Schedule 5) - protected animals (other than birds) All animals listed on Schedule 5 are protected against killing, injury or taking. Any structure/place used for shelter or protection is protected against damage, destruction or obstructing access to. And it is an offence to disturb an animal whilst using such a structure / place. Some species are afforded "Part Protection" meaning that they enjoy only some of the protection outlined above – e.g., the animals may be protected, but not their structure used for shelter/protection (such as slow worm).

Section 13 (Schedule 8) – protected plants. Protected plants are afforded protection against being picked, uprooted or destroyed. They are also protected against sale (or advertising for sale) – this is particularly relevant with respect to bluebells.

THE PROTECTION OF BADGERS ACT 1992

This protects badgers from killing, injury and taking; or attempting to kill, injure or take. Badger setts are also afforded protection and it is an offence to:

- Damage a badger sett or any part of it
- Destroy a badger sett
- Obstruct access to any entrance of a badger sett
- Disturb a badger when it is occupying a badger sett

Development which will destroy or disturb a badger sett (within 30m) is subject to licensing. The licensing body is NRW. However, badgers are considered a species protected under UK legislation (see PPW) and are therefore a material consideration during the planning decision.

ENVIRONMENT (WALES) ACT 2016

The Environment (Wales) Act became law in March 2016 and replaces the earlier Natural Environment and Rural Communities Act 2006. It puts in place legislation to enable Wales' resources to be managed in a more proactive, sustainable and joined up manner and to form part of the legislative framework necessary to tackle climate change. The Act supports the Welsh Governments wider remit under the Well-Being of Future Generations (Wales) Act 2015 so that Wales may benefit from a prosperous economy, a healthy and resilient environment and vibrant, cohesive communities.

Section 6 of the Environment Act requires all that public authorities “***must seek to maintain and enhance biodiversity in the exercise of functions in relation to Wales, and in so doing promote the resilience of ecosystems, so far as consistent with the proper exercise of those functions***”. The intention of this duty is to ensure biodiversity becomes an integral part of decision making in public authorities.

Welsh Government, with consultation with NRW must prepare and publish a list of habitats and species which, in their opinion, are of principal importance for maintaining and enhancing biodiversity in Wales (“Section 7 list”). Public bodies must take all reasonable steps to maintain and enhance the living organisms and types of habitat on this list. At the current time, this list directly replaces the list created under the now defunct Section 42 of the Natural Environment of Rural Communities (NERC) Act 2006 (Habitats and Species of Principal Importance for Conservation in Wales).

PLANNING POLICY WALES SEPTEMBER 2009 (TECHNICAL ADVICE NOTE 5: NATURE CONSERVATION AND PLANNING)

Section 6.2.1 – the presence of a protected species is a material consideration when a local planning authority is considering a development proposal, that, if carried out, would be likely to result in disturbance or harm to the species or its habitat.

Section 6.2.2 – It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted.

Section 6.3.5 – any step in the planning or implementation of a development likely to affect a European Protected Species could be subject to a licence to permit or the survey or implement the proposal are under a duty to have regard to the requirements of the Habitats Directive in exercising their functions.

PLANNING POLICY WALES (EDITION 10, DECEMBER 2018)

Planning Policy Wales, Section 6.4 places a duty on local authorities to ensure that biodiversity and resilience are fully considered by Local authorities.

Particular reference is made to The Section 6 Duty (Environment Act) to ensure that planning authorities demonstrate that they have sought to fulfil the duties and requirements of Section 6 of the Environment Act by taking all reasonable steps to maintain and enhance biodiversity in the exercise of their functions.

Protected Species under European or UK legislation, or under section 7 of the Environment Act are a material consideration when a planning authority is considering a development proposal which, if carried out, would be likely to result in disturbance or

harm to the species or its habitat and to ensure that the range and population of the species is sustained. (Section 6.4.22)

Paragraph 6.4.23 outlines the process whereby European Protected Species are considered in Planning.

VALE OF GLAMORGAN COUNCIL - SUPPLEMENTARY PLANNING GUIDANCE

Supplementary Planning Guidance – Biodiversity and Development

WOOLLEY RULING

This case confirmed that local planning authorities must apply the same three tests as Natural England (in Wales, CCW) when deciding whether to grant planning permission when one or more of the European protected species offences under the Habitats Regulations may be committed.

This judgment clarifies a legal duty which was already in existence although many planning authorities were not applying it correctly. His Honour Judge Waksman QC, in the High Court in June 2010, handed down this ruling in the case of R (on the application of Simon Woolley) v Cheshire East Borough Council concerning a development with a bat roost. **This judgment makes it clear that the local planning authority must apply the “3 tests” when determining a planning application.**

MORGE CASE (SUPREME COURT CASE 19 JANUARY 2011)

The case gives clarification to deliberate disturbance and to the interpretation of “damage or destruction of a breeding site or resting place”. It also gives guidance on how LPA should discharge their duties with respect to the Habitats Directive.

CORNWALL RULING

Judgement that a planning authority had acted unlawfully by granting planning permission without sufficient information on flora and fauna.

Sometimes planning authorities grant planning permission before some or all ecological surveys have been carried out, making ecological surveys a planning condition, or Section 106 Agreement, under the Town and Country Planning Act 1990.

For development that requires an Environmental Impact Assessment this practice was subject to judicial review proceedings in the High Court and it was determined that the planning authority had acted unlawfully by granting planning permission without sufficient information on flora and fauna (known as the Cornwall Ruling because the planning authority in this case was Cornwall County Council). Requiring surveys as a condition of the Section 106 Agreement was not sufficient, as this would exclude the consultation process that is required under the Town and Country Planning (EIA) Regulations (1999).

Rowlands, Ceiri

From: Cheesman, Colin R
Sent: 07 February 2023 15:24
To: Rowlands, Ceiri
Subject: RE: 2019/00871/OUT - Land at Model Farm, Port Road, Rhoose - Ecology Data

Follow Up Flag: Follow up
Flag Status: Completed

Hi Ceiri

Let me know if you want this in a formal note.

I have read through the updated PEA from RPS (ECO02103 Model Farm).

It has now included all the recent biodiversity records since 2019 that have been lodged with SEWBRcC.

Several species are now recorded on site notably Brown Hare, Badger, Slow Worm, Linnet, Peregrine Falcon, Spotted Flycatcher, Starling and Yellowhammer.

The PEA refers to the locations and habitat preferences of these species. Some, such as badger, are users of a large area of landscape that will include the development areas close to the road. Many are not found in the development area and even where they are the change in management of the Ecological Mitigation Area should make it more attractive to these and other species.

Table 5 needs to reflect more closely the Parameter Plan produced by RPS (JCD0064-006). For example, the more relaxed and time managed management of the hedgerows in the Ecological Mitigation Area will have beneficial impacts for bats, dormice, invertebrates and hedgehogs. Similarly, the sacrificial arable area will benefit the Brown Hare, Breeding Birds and wintering flocks of birds.

My understanding is that after the provision of access works each development location will be treated as a new development within the planning system and require environmental assessment, prevention and/or mitigation and the provision of biodiversity enhancements.

The demolition of the farmhouse and barns will require a Protected Species Licence from Natural Resources Wales because of the bat roosts.

If there is anything further I can help with then do let me know.

Many thanks
Colin

From: Rowlands, Ceiri <cerowlands@valeofglamorgan.gov.uk>
Sent: 03 February 2023 10:01
To: Cheesman, Colin R <crcheesman@valeofglamorgan.gov.uk>
Subject: YML/FW: 2019/00871/OUT - Land at Model Farm, Port Road, Rhoose - Ecology Data

Hi Colin,

The applicant has produced the attached further to the recent review/ conversation. There are a number of new records on or near to the site, as was probably to be expected. I've had a quick look and as well as brown hare, there

has been sight of otter, slow worm, and several birds. If we are to discuss the PND maybe we can have a quick chat about it at the same time. Have a good weekend.

Thanks,

Ceiri

Oddi wrth: Darren Parker <Darren.Parker@rpsgroup.com>

Anfonwyd: 02 February 2023 16:41

At: Rowlands, Ceiri <cerowlands@valeofglamorgan.gov.uk>

Copi/Cc: Robinson, Ian <I.Robinson@valeofglamorgan.gov.uk>

Pwnc: 2019/00871/OUT - Land at Model Farm, Port Road, Rhoose - Ecology Data

Ceiri,

This revised PEA makes reference to surveys having been completed rather than recommending them. There is also reference to the additional measures agreed with the LPA at 2021 as well as the original biodiversity mitigation strategy (2019).

Updates include a feasibility review for an artificial sett creation (to be conditioned) and low intensity grassland management along a proportion of the field margins for brown hare.

If you have any queries I will obtain a response from the ecologist.

Regards,

Darren

Darren Parker

Operations Director
RPS | Consulting UK & Ireland
2 Callaghan Square
Cardiff
CF10 5AZ, United Kingdom
T +44 2920 668 662
D +44 29 20 550 665 **M** +44 7825 402087
E darren.parker@rpsgroup.com



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RPS Group Plc web link: <http://www.rpsgroup.com>

[REDACTED]

From: Dig (Shared Mailbox) <Dig2@wwutilities.co.uk>
Sent: 26 April 2021 13:40
To: Planning
Subject: RE: Planning Application Consultation 2019/00871/OUT Land at Model Farm, Port Road, Rhose

Good afternoon,

Wales & West Utilities plans should now be obtained from LSBUD (<https://www.linesearchbeforeudig.co.uk/>).

If you are working on behalf of a utility company, local authority or contractor working on behalf of a local authority and would still like to continue receiving asset information directly from WWU's Plant Protection Team, an administration fee of £45.00 + VAT will now be applicable.

If you would like to proceed with your request, please let us know whether you will be paying by card or cheque and we will process your request.

Please note that your request will not be processed until we receive payment.

Regards

Scott Johnson
Plant Protection
Wales & West Utilities Ltd
Wales & West House
Spooners Close
Coedkernew
Newport
NP10 8FZ

Telephone – 02920 278912

E-mail – scott.johnson@wwutilities.co.uk

Our privacy notice can be found on our website (<http://www.wwutilities.co.uk/legal/>) or a paper copy can be provided to you on your request. This sets out how we will collect and use information about you.

From: Vale of Glamorgan Council Development Services <Planning@valeofglamorgan.gov.uk>

Sent: 26 April 2021 11:22

To: Andrew Wason <Andrew.Wason@wwutilities.co.uk>

Subject: Planning Application Consultation 2019/00871/OUT Land at Model Farm, Port Road, Rhose

[Caution: This email has been sent from outside Wales & West Utilities]

Please find attached a letter regarding a planning application submitted to the Vale of Glamorgan Council. If this is a consultation letter, please respond to this consultation through the link provided in the attached letter. Please note that your comments may be made available online for interested persons to view.

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Our Ref: VOG1421/JBHD

ARCHAEOLOGICAL PLANNING



Head of Planning and Transportation
The Vale of Glamorgan Council
Dock Office
Barry Docks
BARRY
CF63 4RT

Archaeological
Planning

27th April 2021

FAO: Ceiri Rowlands

Dear Sir

Re: Hybrid Application Comprising an 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: Land at Model Farm, Port Road, Rhoose.
Pl.App.No.: 2019/00871/OUT.

Thank you for consulting us regarding the amended details and description of this application: it remains the case that **the proposal will require archaeological mitigation.**

You will recall from our previous correspondence, most recently of 30th August 2019, that information in the Historic Environment Record shows that there are a number of archaeological and historic environment sites and findspots within the proposed development area. These range from findspots from Neolithic to modern date, and features of platforms related to buildings for agriculture, modern military features, including a crash site, and quarrying and transport. These are described in the supporting documentation in the archaeological desk based assessment (CGMS, July 2019). The impact upon these of the proposed development has been assessed and concluded that the mitigation can be by condition rather than pre-determination.

We understand that the amendments to the application include the updated description, and an addendum to the ES to update relevant sections. There are no updates envisaged for the historic environment, and therefore our response remains the same.

In order to mitigate and inform further investigation, therefore, our recommendation is for a condition to be attached to any consent granted by your Members; this will ensure the submission and implementation of a detailed written scheme of investigation for a programme of archaeological work to protect the historic environment and archaeological resource.

We envisage that this programme of work would include but not be limited to: geophysical survey, which may enable targeted fieldwork, which may include a strip, map and record of some areas if these cannot be excluded from a final

The Glamorgan-Gwent
Archaeological Trust
Limited

Heathfield House
Heathfield
Swansea
SA1 6EL

Tel: (01792)655208
www.ggat.org.uk

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No. 505609



masterplan, and would also include an archaeological watching brief during groundworks required for the development, including any demolition, construction of roads and foundations, and services installation and any hard landscaping, with detailed contingency arrangements including the provision of sufficient time and resources to ensure that any archaeological features or finds that are located are properly investigated and recorded; it should include provision for any hand excavation and sampling that may prove necessary, post-excavation recording and assessment; reporting and possible publication of the results. To ensure adherence to the recommendations we recommend that the condition should be worded in a manner similar to model condition 24 given in Welsh Government Circular 016/2014

No development shall take place until the applicant, or their agents or successors in title, has secured agreement for a written scheme of historic environment mitigation which has been submitted by the applicant and approved by the local planning authority. Thereafter, the programme of work will be fully carried out in accordance with the requirements and standards of the written scheme.

Reason: *To identify and record any features of archaeological interest discovered during the works, in order to mitigate the impact of the works on the archaeological resource.*

We also recommend that a note should be attached to the planning consent explaining that:

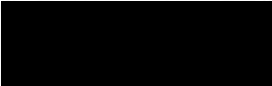
The archaeological work must be undertaken to the Chartered Institute for Archaeologists (CIfA), "Standard and Guidance for an Archaeological Watching Brief" (www.archaeologists.net/codes/cifa) and it is our Policy to recommend that it is carried out either by a CIfA Registered Organisation (<https://www.archaeologists.net/civicism-contact-distance-search>) or an MCIfA level accredited Member.

If you have any questions or require further advice on the matters covered in this letter, please do not hesitate to contact us.

Yours faithfully

Judith Doyle

Judith Doyle BA MBA MCIfA
Stewardship Officer



From: Fryer, Warren D. <wfryer@westernpower.co.uk>
Sent: 14 August 2019 09:20
To: Planning
Subject: Model Farm -FAO Ceri Rowlands

Hi MR Rowlands,

We have looked at the application for the proposed development at Model Farm, Port Road and have the following comments:-


- There is extensive 11kV network within the proposed development that will require diversion.
- There are LV supplies to buildings within the development and on the boundary of the development that will require attention.

We would expect the developer to contact us when they are in a position to progress the development to discuss the above.

Regards,

Warren Fryer

Planner
Western Power Distribution
Dyffryn Bach Terrace
Church Village Depot
Pontypridd
CF38 1BN

 01443 219161
 01443 494778
 wfryer@westernpower.co.uk

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From: Fryer, Warren D. <wfryer@westernpower.co.uk>
Sent: 15 March 2021 15:38
To: Planning
Subject: Land At Model Farm

Follow Up Flag: Follow up
Flag Status: Completed

Hi Mr Rowlands,

We have looked at the application for the proposed development at Model Farm, Port Road and have the following comments:-

- There is extensive 11kV network within the proposed development that will require diversion.
- There are LV supplies to buildings within the development and on the boundary of the development that will require attention.

We would expect the developer to contact us when they are in a position to progress the development to discuss the above.

Please do not hesitate to contact me if you require any further information.

Regards,

Warren Fryer / Planner / Cardiff Construction

Western Power Distribution | Church Village Depot | Duffryn Bach Terrace | Church Village | Pontypridd | CF38 1BN

☎ - Direct Dial: +44 (0)1443 219161 – Internal: 219161

☎ - Mobile: 07544 158211

✉ - Email: wfryer@westernpower.co.uk

Team Support: Joshua Pamplin 01443 219010 jpamplin@westernpower.co.uk

Team Support: John Harley-Fox | 01443 219192 | jfox@westernpower.co.uk

Team Manager: David Roberts 01443 219045 droberts@westernpower.co.uk



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[REDACTED]

From: Evans, Rhys T. <rtevens@westernpower.co.uk>
Sent: 29 April 2021 11:45
To: Planning
Cc: Ivey, Kevin P.
Subject: Your Ref: P/DC/CR/2019/00871/OUT

Dear Mrs Robinson

For reference, I have attached our GIS location map, showing Overhead LV = Solid Blue line 11kv overhead = Solid red 33kv overhead line = Solid green 132kv overhead line = Solid Purple.

We would state at present our immediate concerns are the close proximity of the development to our overhead lines, to ensure they comply with current ESQCR Regulations, statutory distances must be kept from any fixed objects as per GS6 guidance from the Health and Safety Executive.

Furthermore, if there are new sub-stations installed/required on site to feed the development, we would request as part of the new connections process, the freehold for these sites, to ensure we have full control for any future maintenance of the sub-stations.

The developer in the first instance, will need to make an application for a quotation directly with us, to divert any overhead and underground lines, which are affected by the development and for any new connections that are required.

I trust this clarifies everything.

Kind regards

Rhys Evans

Estates Specailist


Church Village

Tel: 01443 219036

Team Support: Kathryn Davies Tel: 01443 219044 email: Kmdavies@westernpower.co.uk

Team Manager: Paul Morgan Tel: 01443 219049 email: pmorgan@westernpower.co.uk



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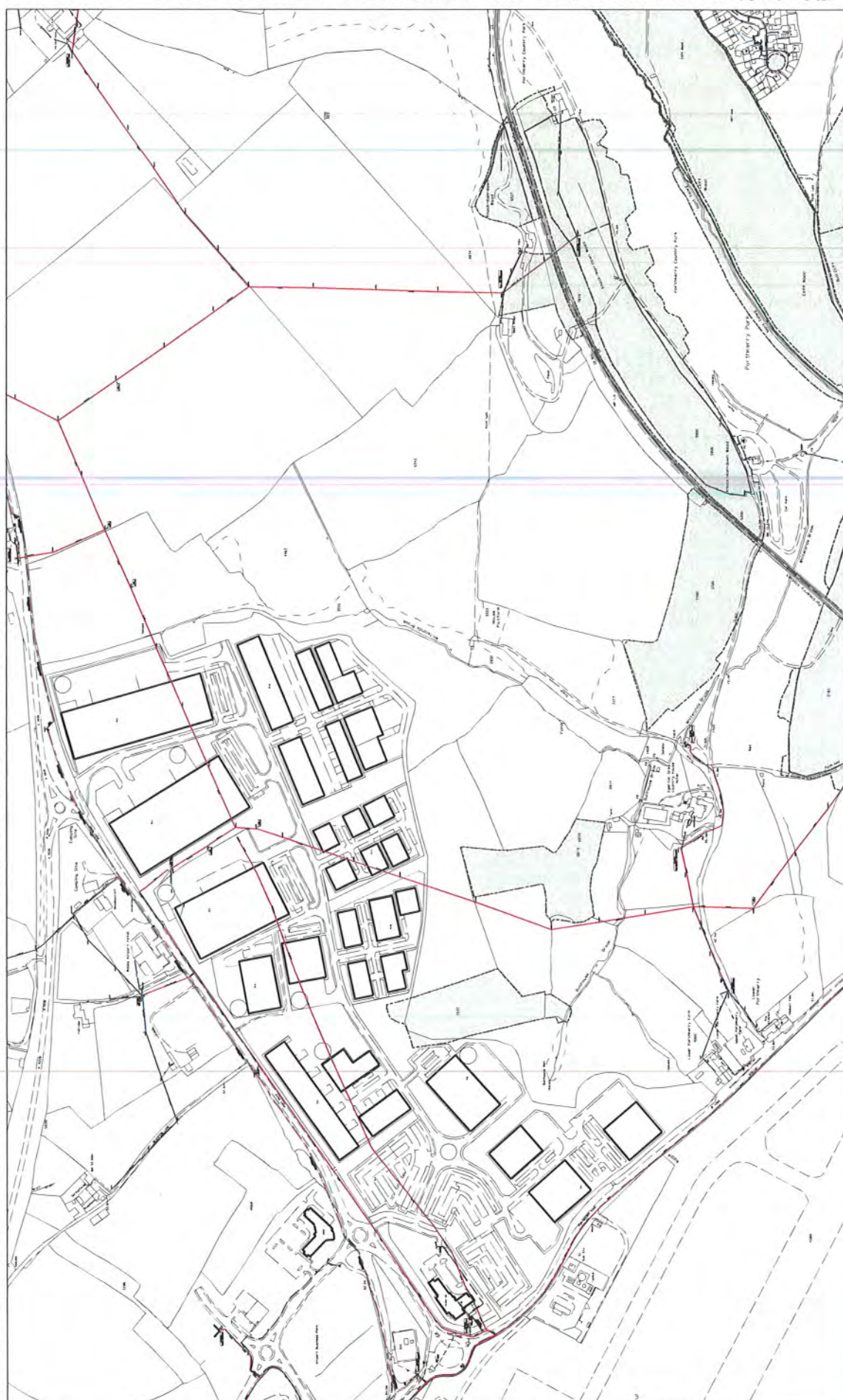
PLOT CENTRE: 308169.992, 167410.183

Information is given as a guide only and its accuracy cannot be guaranteed.

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The diagram illustrates a typical 35kV underground cable system. It shows the following components and connections:

- Overhead Line:** Represented by a horizontal line with four insulators.
- Service Lines:** Four lines labeled PL, LV, HW 11kV, HW 13.8kV, HW 16.9kV, and HW 13.2kV. Each line has a transformer symbol (a circle with a cross) connected to it.
- Substation Apparatus:** A box labeled "SUBSTATION APPARATUS" with a transformer symbol inside.
- Pole Mounted Transformer:** A circle with a cross inside, labeled "Pole Mounted Transformer".
- Ground Mounted Transformer:** A square with a cross inside, labeled "Ground Mounted Transformer".
- Underground Cable:** A dashed line labeled "UNDERGROUND CABLE".
- Earth Connections:**
 - "PME Earth" (Protective Main Earth) is shown as a horizontal line with three vertical lines connecting to it.
 - "Underground Earth" is shown as a horizontal line with three vertical lines connecting to it.
- Star Symbol:** A star symbol is placed on the HW 13.2kV line.
- Star Symbol:** A star symbol is placed on the HW 13.2kV line.

ADVICE SHOULD BE SOUGHT FROM THE WESTERN POWER DISTRIBUTION CONTACT CENTRE (0845 601 2989) FOR ANY WORK THAT IS TO TAKE PLACE IN PROXIMITY TO 35kV UNDERGROUND CABLES AND 132kV OVERHEAD LINES

ADVICE SHOULD BE SOUGHT FROM THE WESTERN POWER DISTRIBUTION CONTACT CENTRE 5, WEST 10645 601 2989) FOR ANY WORK THAT IS TO TAKE PLACE IN PROXIMITY TO 32KV UNDERGROUND CABLES AND 132KV OVERHEAD LINES



Vale of Glamorgan Highway Authority Observation Sheet

Planning Application Ref:	2019/00871/OUT
Observations By:	Nigel Rees
Date:	10 th June 2021
Location:	Land at Model Farm, Port Road, Rhoose
Proposal:	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.
Case Officer:	Mr. Ceiri Rowlands

I refer to the planning application and have considered the highway implications in relation to the revised Transport Implementation Strategy and Access statement and associated plans:

Transport Implementation Strategy.

- It has been suggested that a baseline mode share of existing movements be reduced by 30% taking account of the pandemic and future remote working. –
As discussed a reduction of either 20% or 30% was agreed and to be modelled on those assumptions.
After due consideration a figure of 20% is acceptable for modelling.
- Proposed PBPC trip generation or base mode shares & build out rate – no change.
Agreed.
- Cardiff International Airport passenger numbers.
Agreed, the statements that passenger growth will be adjusted if data is available or if not available adjusted for -5 years.

Design Access statement and associated plans.

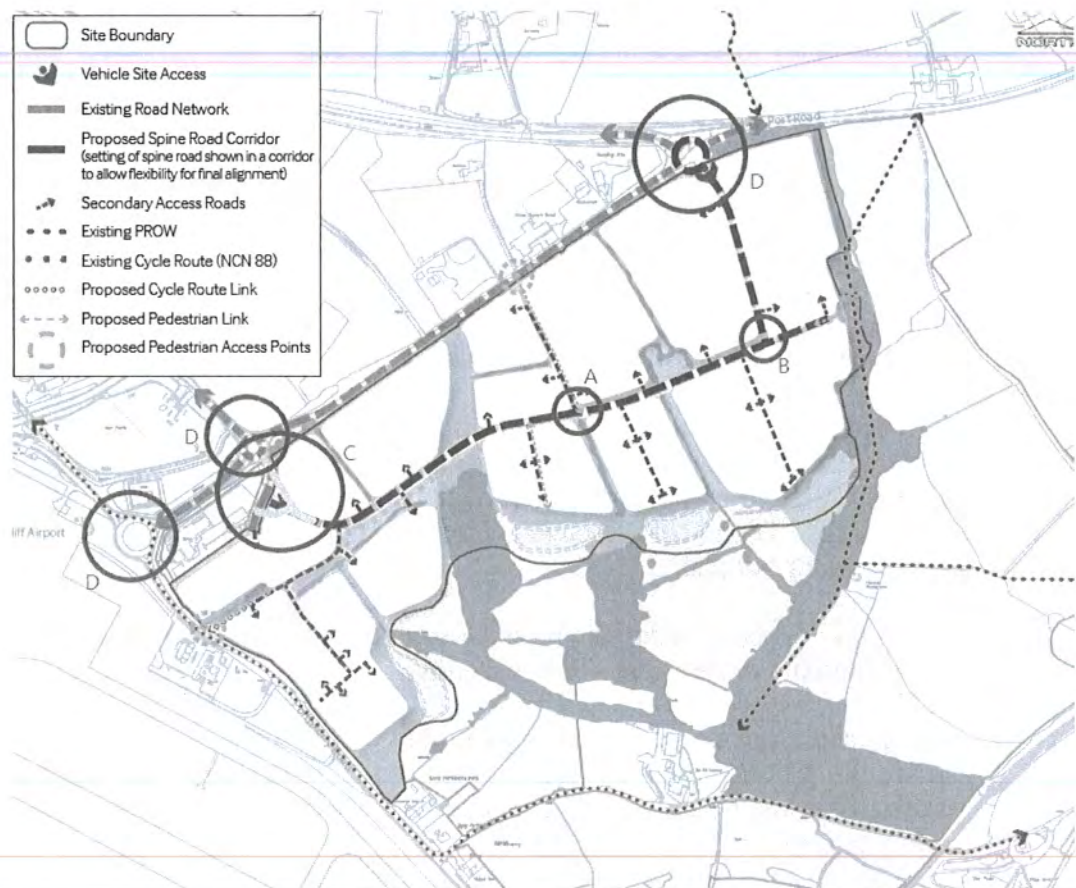
Internal road layout to be agreed through a reserved matters application, however initial comments on the block plan layout provided:

- All internal roads to be designed and constructed to an adoptable industrial & commercial estate standards for geometry and road construction makeup.
Internal road widths to be 7.3m wide, carriageway widening at bends to 8m
Junction kerb radii to be 15m.
Carriageway gradients to be 1:12max.
Junction spacing 80 same side and 40m opposite.
Main internal access roads to be designed for 30mph design speeds, forward visibilities and alignment radii to be designed to suit. visibility splays at junctions: 'Y' dist to suit 30mph design speed with an 'X' dist of min 45. max 9.0m.
Suitable turning heads at cul-de-sac, to be tracked for articulated vehicles.
All roads to be cambered with a fall of 1:36.
 - Provide suitable active travel routes connections and routes through the development, to be either shared or segregated, type and dimensions to be agreed depending on current AT guidelines at the time.
 - Provide public transport facilities with bus laybys, stops and shelters.
 - Proposed pedestrian links and access points to be for shared use pedestrian and cycle to tie in with proposed shared surfaces throughout the development.
- A. Due to the nature of the development land parcel the access road has long straights which will promote high speeds, provide a roundabout at this location which will serve as a speed reducing feature and access to the side land parcels
- B. The highway alignment at this point shows a 90 degree bend which is not ideal, provide a roundabout at this location.

The access points to the development off the existing adopted highway take in three number existing roundabouts. The access application to be conditioned and dealt with separately from the internal road layout which will be dealt with under reserved matters.

Initial comments on the preliminary plans included within the design access statement showing the access details:

- C. The access shown at this location gives priority to the existing hotel, priority to be changed to give priority to the proposed development with a side access to the hotel with a possible ghost right hand turning lane depending on vehicle modelling flows.
- D. Existing roundabouts to be modelled and size and layout to be determined within the scope of the existing adopted highway and any land in the ownership of the applicant. To take account of footways/shared surfaces and verges and embankments supporting the highway.
- The drawings show the provision of 10m wide verge running along port Road fronting the site to be dedicated as highway verge to provide land provision to the VoGCC for future active travel routes.



Site plan Ref A

Conditions

1. Notwithstanding the submitted plans, no works whatsoever shall commence on the development until full Engineering details of the proposed access roundabouts, access roads and associated works to the existing highway infrastructure have been submitted incorporating roundabout/highway design, vision splays, street signage, street lighting, surface water drainage strategy and any retaining structures retaining or adjacent to the highway / public open space have been submitted to and approved in writing by the Local Planning/Local Highway Authority. These details shall fully comply with the Design Manual for Roads and Bridges / Technical Directives / Local transport Notes/ Vale of Glamorgan Councils Standards for adoption.

Reason: - To ensure the minimum Design and Construction Standards are achieved in the interests of Highway / Public Safety.

2. No works whatsoever shall commence on site until the design calculations, duly certified by a Professional Engineer, and full Engineering details of any structures, drainage systems, street lighting, water culverts etc. abutting or within close proximity to the existing / proposed highway have been submitted to and approved by the Local Planning Authority.

Reason: - To ensure the minimum Design and Construction Standards are achieved in the interests of Highway / Public Safety.

3. Notwithstanding the submitted plans, no work shall commence on site until a full highway signing strategy has been submitted and approved in writing by the Local Planning/Local Highway Authority. These details shall fully comply with the Design Manual for Roads and Bridges / Technical Directives / Local transport Notes/ Vale of Glamorgan Councils Standards for adoption.

Reason: - To ensure the minimum Design and Construction Standards are achieved in the interests of Highway / Public Safety.

4. The applicant/developer will be required to enter into a legally binding agreement to secure the proper implementation of the proposed highway works, connections with the existing highway network and associated works which shall incorporate the appropriate bond and fees.

Reason: - To ensure the minimum Design and Construction Standards are achieved in the interests of Highway / Public Safety.

5. The provision of a Construction Management / Traffic Plan together with any Proposed Temporary Road Closures and other Temporary or Permanent Traffic Regulations required associated with the Development to be submitted to and approved by the Local Planning Authority prior to commencing any works. The Construction Management and Traffic Plan shall include measure of storage of materials and plant,

parking of construction vehicles, control of mud and debris on site and information regarding deliveries to site including haulage routes and delivery times.

Reason: - In the interest of highway / Public Safety and the free flow of traffic along the adopted highway network.

6. The Highway Authority will require at the developers expense to carry out prior to commencing any works a Condition Survey along agreed haulage route the extent to be agreed with The Councils Highway Network Manager which shall undertaken by a suitably qualified and experienced an independent Highway Maintenance Consultant to be approved by the Local Highway / Planning Authority.

Reason: - In the interest of highway / Public Safety

7. The Highway Authority will require at the developers expense a Second Condition Survey along agreed haulage route the extent to be agreed with The Councils Highway Network Manager to be undertaken by the approved independent Highway Maintenance Consultant on completion of the works or such time that the Highway Authority instruct.

Reason: - In the interest of highway / Public Safety

8. The Highway Authority will require at the developers expense to carry out any remedial works identified with the second condition survey or at any time during the works that the Highway Authority Considers necessary as direct result of the works.

Reason: - In the interest of highway / Public Safety.

9. From 7 January 2019, all new developments in Wales of more than 1 dwelling house or where the construction area is 100m² or more will require Sustainable Drainage Systems (SuDS) for surface water. This needs to be considered as part of the detailed design for the internal road with the potential use of block paving. These SuDS must be designed and built in accordance with standards published by Welsh Government and approved by the local authority acting in its role as a SuDS approval body (SAB). The SAB will then have the duty to adopt any compliant systems; serving multiple properties. Early discussions with the SAB is advised

Vale of Glamorgan Highway Authority Observation Sheet

Planning Application Ref:	2019/00871/OUT
Observations By:	Nigel Rees
Date:	5 May 2020
Location:	Land at Model Farm, Port Road, Rhoose
Proposal:	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.
Case Officer:	Mr. Ceiri Rowlands

I refer to the above planning application and with regard to the Redacted JNY9624-06A Technical Note – 9th April 2020 and JNY9624-07B Access Strategy (002) – 2nd Feb 2020 a review has been undertaken by Steven Arthur, Mott MacDonalds considering the highway implications of the proposal. The review comments as follows:-

Redacted JNY9624-06A Technical Note – 9th April 2020

The Technical Note has been prepared in response to the initial Transport Assessment Review we (Mott MacDonald) undertook in October 2019. The note details the key items raised following the review and provides an appropriate comment and/or additional work in support of the response. The key items have been summarised below:

(Item 1) Personal Injury Accident Data - the note clarifies that due to data protection the Welsh Government will not release detailed information in relation

to road traffic collisions. Therefore, the concern raised in the TA review still stands, on the basis it cannot be concluded that there are no common contributory factors. However, it is acknowledged that this is through no fault of RPS. It is recommended that TVoGC provide RPS with the level of detail required for a full review. If this is not possible (due to data protection) then TVoGC should undertake their own review. Any road safety issues should be highlighted and mitigation measures agreed with RPS.

(Item 2) Model Share – the note confirms that the adjusted trip reduction has been applied to commuting trips only, which is considered appropriate.

(item 3) Car Parking Requirements – the note provides an initial estimate of parking numbers, estimated between 2,181-2,919 based on maximum parking standards. The estimate reinforces the need to keep parking levels below the maximum standard and based on the potential future zones. This is recognised and proposed in the Transport Assessment.

(Item 4) Highway Capacity Assessment of Sycamore Cross Junction – the note includes a technical section that summarises the assessment of Sycamore Cross junction using the software LINSIG. It is agreed that the impact on the junction as a result of the development is not considered to be significant. It is noted that the junction is forecast to be over capacity in 2026 and 2029 (PM). However, this is due in part to background traffic growth and not a direct consequence of the proposed development trips.

(Item 5) Phasing - the note includes a section on development build-out and phasing. This was not raised in the TA review, however, was discussed during a meeting between TVoGC, Legal & General (Strategic Land) Ltd and RPS on 21st October 2019. It is recommended that (although hypothetical) the phasing provides a good indication of the potential build-out programme and should be used to identify key milestones and agree planning obligations.

JNY9624-07B Access Strategy (002) – 2nd Feb 2020

The access strategy supports outline planning application for the proposed development at Model Farm, which forms part of the Cardiff Airport and Bro Tathan Enterprise Zone. The document seeks to demonstrate that an access strategy could be delivered for the entire enterprise zone based on known and emerging access improvements, with the purpose of informing the Model Farm planning application and sustainable transport planning obligations.

It is agreed that the access strategy is not definitive in setting out a full and detailed strategy for the enterprise zone, but it does consider the emerging access improvements in the area and the requirements for the enterprise zone, in the context of the likely build-out of the proposed development at Model Farm.

Although an initial consideration based on estimations and assumptions, the strategy is a comprehensive document and considers the transport demand for the enterprise zone, and committed transport improvement schemes (identifying

those both funded and unfunded). Vehicle movements for the enterprise zone have been estimated for the years 2021-2026, 2028, 2030 and 2040, identifying at which point transport improvements may be required. Table 12 in the strategy document summaries the trigger points for the transport infrastructure.

It is agreed that Table 12 provides an initial overview and timescale for the transport infrastructure needed to deliver and service the enterprise zone based on the existing growth aspirations. It is recommended that the Access Strategy (and Table 12) are used as a basis for discussions to agree sustainable transport obligations and highway improvements. It is also agreed that the focus should be on sustainable modes of transport to achieve a mode shift away from the private car.

Summary

- The Technical Note provides additional information and/or clarification in relation to all of the items raised in the original TA review.
- In addition, the note provides a hypothetical build-out programme to inform the TA and Access Strategy.
- The Access Strategy considers the development of the wider enterprise zone in its entirety and sets-out indicative milestones for the delivery of key transport infrastructure.

It is concluded that the items raised in the TA review have been adequately addressed by the Technical Note. The Access Strategy provides an appropriate framework from which suitable planning obligations can be agreed, to deliver sustainable transport and highway improvements, along with the development of the Enterprise Zone.



Vale of Glamorgan Highway Authority Observation Sheet

Planning Application Ref:	2019/00871/OUT
Observations By:	Nigel Rees
Date:	1 st December 2022
Location:	Land at Model Farm, Port Road, Rhoose
Proposal:	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.
Case Officer:	Mr. Ceiri Rowlands

I refer to the Transport Implementation Strategy Addendum (TIS-A, dated 18th November 2022.

The TIS-A has been prepared by the applicant due to the timescales since the original revised TIS (RPS Report Ref JNY9624-10A) was prepared and issued in 2020. The document review has been undertaken to review in particular:

- The relevance/recency of the traffic survey work that informed the revised TIAS.
- Post Covid-19 assumptions in light of observed trends.

On reviewing the updated traffic counts, it is noted that the Waycock Cross junction analysis have been based on only one day's count on 31st March 2022. Although a 7-day traffic count is required the Highway Authority will accept this one-day snapshot of the traffic flows to validate the original counts.

Considering all the updated traffic counts and assumptions made for home working, Cardiff International Airport passenger growth and increased train services to Rhoose, the highway Authority can confirm that the original TIS (RPS Report Ref JNY9624-10A) is still relevant.

The Highway Authority can confirm that there are no changes or amendments to the previous highway comments and conditions as dated 20th May 2021.

Vale of Glamorgan Highway Authority Observation Sheet

Planning Application Ref:	2019/00871/OUT
Observations By:	Nigel Rees
Date:	10 th February 2022
Location:	Land at Model Farm, Port Road, Rhoose
Proposal:	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.
Case Officer:	Mr. Ceiri Rowlands

I refer to the planning application and have considered any revised information with regards to the highway implications and in conjunction with the Transport Implementation Strategy and Access statement and associated plans:

The highway Authority can confirm that there are no changes or amendments to the previous highway comments and conditions as dated 20th May 2021.

Vale of Glamorgan Highway Authority Observation Sheet

Planning Application Ref:	2019/00871/OUT
Observations By:	Nigel Rees
Date:	20 th May 2021
Location:	Land at Model Farm, Port Road, Rhoose
Proposal:	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.
Case Officer:	Mr. Ceiri Rowlands

I refer to the planning application and have considered the highway implications in relation to the revised Transport Implementation Strategy and Access statement and associated plans:

Transport Implementation Strategy.

- It has been suggested that a baseline mode share of existing movements be reduced by 30% taking account of the pandemic and future remote working. –
As discussed a reduction of either 20% or 30% was agreed and to be modelled on those assumptions.
After due consideration a figure of 20% is acceptable for modelling.
- Proposed PBPC trip generation or base mode shares & build out rate – no change.
Agreed.
- Cardiff International Airport passenger numbers.
Agreed, the statements that passenger growth will be adjusted if data is available or if not available adjusted for -5 years.
- Cardiff International Airport potential rail transport link - an indicated 15.8% mode share has been assumed based on figures relating to Birmingham & Luton airports.
It is felt that this figure maybe too high as the comparison with these locations does not fit the same demographic characteristics to the Cardiff International Airport.

Design Access statement and associated plans.

Internal road layout to be agreed through a reserved matters application, however initial comments on the block plan layout provided:

- All internal roads to be designed and constructed to an adoptable industrial & commercial estate standards for geometry and road construction makeup.
Internal road widths to be 7.3m wide, carriageway widening at bends to 8m
Junction kerb radii to be 15m.
Carriageway gradients to be 1:12max.
Junction spacing 80 same side and 40m opposite.
Main internal access roads to be designed for 30mph design speeds, forward visibilities and alignment radii to be designed to suit. visibility splays at junctions: 'Y' dist to suit 30mph design speed with an 'X' dist of min 45. max 9.0m.
Suitable turning heads at cul-de-sac, to be tracked for articulated vehicles.
All roads to be cambered with a fall of 1:36.
 - Provide suitable active travel routes connections and routes through the development with 3.5m wide shared footway surfaces and suitable pedestrian/cycle crossings.
 - Provide public transport facilities with bus laybys, stops and shelters.
 - Proposed pedestrian links and access points to be for shared use pedestrian and cycle to tie in with proposed shared surfaces throughout the development.
- A. Due to the nature of the development land parcel the access road has long straights which will promote high speeds, provide a roundabout at this location which will serve as a speed reducing feature and access to the side land parcels
- B. The highway alignment at this point shows a 90 degree bend which is not ideal, provide a roundabout at this location.

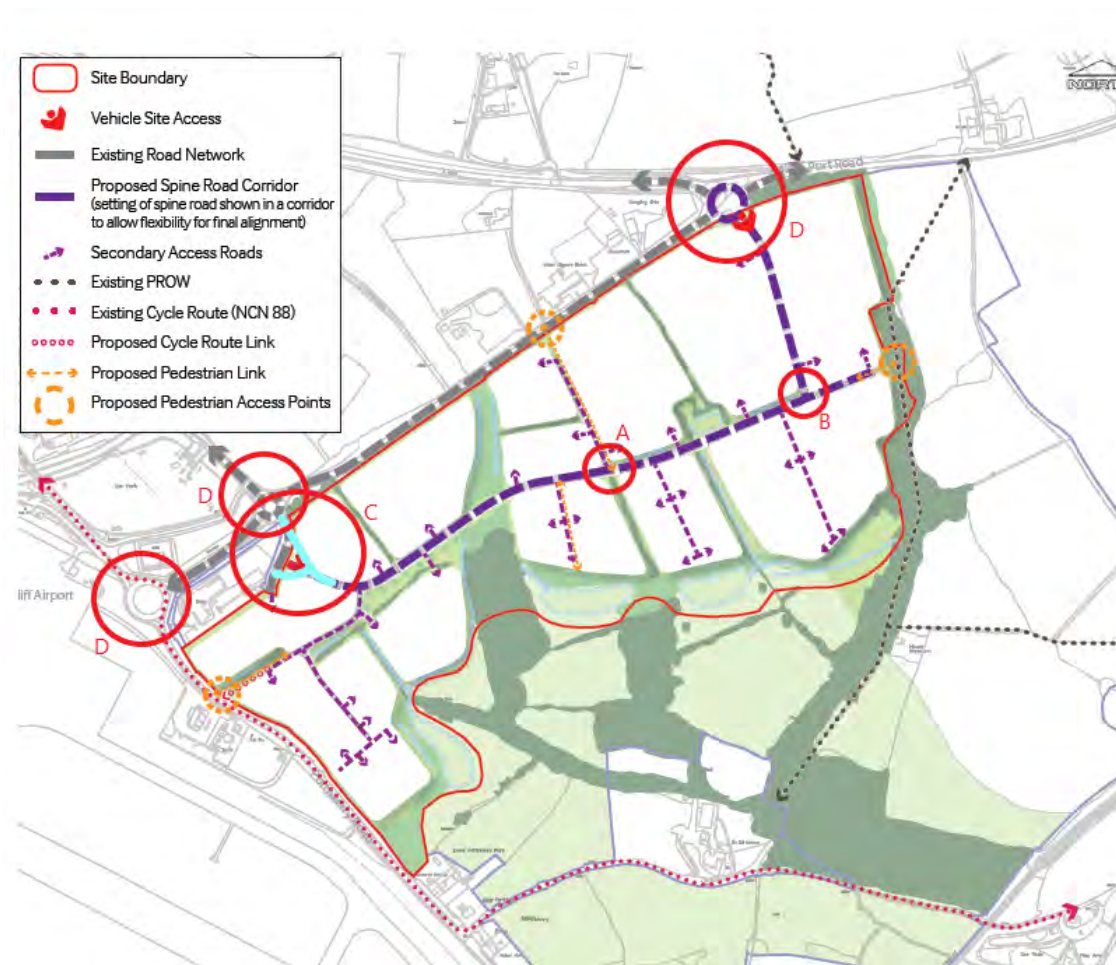
The access points to the development off the existing adopted highway take in three number existing roundabouts. The access application to be conditioned and dealt with separately from the internal road layout which will be dealt with under reserved matters.

Initial comments on the preliminary plans included within the design access statement showing the access details:

- C. The access shown at his location gives priority to the existing hotel, priority to be changed to give priority to the proposed development with a side access to the hotel with a possible ghost right hand turning lane depending on vehicle modelling flows.

D. Existing roundabouts to be modelled and size and layout to be determined within the scope of the existing adopted highway and any land in the ownership of the applicant. To take account of footways/shared surfaces and verges and embankments supporting the highway.

- The drawings show the provision of a 3m plus wide verge running along Port Road adjacent to the development. The highway Authority would look for the developer to provide a 3.5m wide shared footway from the roundabout on A4226 along Port Road to the roundabout on Porthkerry Road and along Porthkerry Road within the frontage of the proposed development, to provide active travel routes from the surrounding areas into the development. Existing footway/cycle facilities on A4226 to tie into proposed along Port Road.



Site plan Ref A

Conditions

1. Notwithstanding the submitted plans, no works whatsoever shall commence on the development until full Engineering details of the proposed access roundabouts, access roads and associated works to the existing highway infrastructure have been submitted incorporating roundabout/highway design, vision splays, street signage, street lighting, surface water drainage strategy and any retaining structures retaining or adjacent to the highway / public open space have been submitted to and approved in writing by the Local Planning/Local Highway Authority. These details shall fully comply with the Design Manual for Roads and Bridges / Technical Directives / Local transport Notes/ Vale of Glamorgan Councils Standards for adoption.

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Vale of Glamorgan Highway Authority Observation Sheet

Planning Application Ref:	2019/00871/OUT
Observations By:	Nigel Rees
Date:	5 May 2020
Location:	Land at Model Farm, Port Road, Rhoose
Proposal:	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.
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JNY9624-07B Access Strategy (002) – 2nd Feb 2020

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It is agreed that the access strategy is not definitive in setting out a full and detailed strategy for the enterprise zone, but it does consider the emerging access improvements in the area and the requirements for the enterprise zone, in the context of the likely build-out of the proposed development at Model Farm.

Although an initial consideration based on estimations and assumptions, the strategy is a comprehensive document and considers the transport demand for the enterprise zone, and committed transport improvement schemes (identifying those both funded and unfunded). Vehicle movements for the enterprise zone have been estimated for the years 2021-2026, 2028, 2030 and 2040, identifying at which point transport improvements may be required. Table 12 in the strategy document summarises the trigger points for the transport infrastructure.

It is agreed that Table 12 provides an initial overview and timescale for the transport infrastructure needed to deliver and service the enterprise zone based on the existing growth aspirations. It is recommended that the Access Strategy (and Table 12) are used as a basis for discussions to agree sustainable transport obligations and highway improvements. It is also agreed that the focus should be on sustainable modes of transport to achieve a mode shift away from the private car.

Summary

- The Technical Note provides additional information and/or clarification in relation to all of the items raised in the original TA review.
- In addition, the note provides a hypothetical build-out programme to inform the TA and Access Strategy.
- The Access Strategy considers the development of the wider enterprise zone in its entirety and sets-out indicative milestones for the delivery of key transport infrastructure.

It is concluded that the items raised in the TA review have been adequately addressed by the Technical Note. The Access Strategy provides an appropriate framework from which suitable planning obligations can be agreed, to deliver sustainable transport and highway improvements, along with the development of the Enterprise Zone.

[REDACTED]

From: LANGSTONE, Myles <LANGSTONEM@parliament.uk>
Sent: 13 July 2021 08:54
To: Planning
Subject: FW: Model Farm Planning Application

Dear Sir/Madam,

Please see the email below from Alun Cairns MP in relation to planning application 2019/00871/OUT which is due to be considered by the Planning Committee.

A number of concerns have been raised and Alun would be grateful if these could be considered and responded to.

Kind regards,
Myles

From: Alun Cairns <alun.cairns.mp@parliament.uk>
Date: Wednesday, 7 July 2021 at 16:06
To: Cabinet Responses <cabinetresponses@valeofglamorgan.gov.uk>
Cc: "LANGSTONE, Myles" <LANGSTONEM@parliament.uk>
Subject: Model Farm Planning Application

Dear Cabinet Member,

I am writing in relation to the planning application 2019/00871/OUT, which proposes a business park at Model Farm in Rhoose. I have been contacted by local residents who have raised a number of concerns, as set out below. I would be grateful if this could be shared with the Planning Department and the relevant officers.

Their concerns are primarily centred around the correct protocols being followed before planning is granted by the Vale Council. Therefore, the Council must have the full and complete survey details of the effects that such a development would have on the wildlife, insects, flora and fauna, and protected species such as horseshoe bats, skylarks and badgers, all of which are present on the farm.

My constituent explained that there are numerous cases where planning has been granted with the proviso that full surveys must be done before work commences. However, they state:

"This is not the correct procedure. As the Cornwall ruling cited that the planning authority acted unlawfully by granting planning permission without sufficient information on flora and fauna. This is relevant where a development requires an Environmental Impact Assessment. The Vale of Glamorgan Council did indeed request an EIA for this proposed development. Full detailed surveys have not been carried out. Model Farm is rich in wildlife, contains ancient woodland, is home to some protected species, yet the developers are giving scant regard to environment they are destroying."

I look forward to your response and appreciate the Planning Department looking into these concerns.

Kind regards,
Alun

Rt Hon Alun Cairns MP
Vale of Glamorgan

Unit 6, BSC 2, Hood Road, Barry, CF62 5QL
t: 01446 748657

Keep up to date with Alun - [Facebook](#) | [Twitter](#)

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Rowlands, Ceiri

Subject: FW: 2023-01-12 - Application number 2019/00871/OUT - consultation response AC62746 (A Cairns) to M Goldsworthy

From: [REDACTED]
Sent: 12 January 2023 10:32
To: [REDACTED]
Subject: Model Farm - Application number 2019/00871/OUT - consultation response AC62746

Dear Jaci/Angela

Please find below an email from Alun Cairns regarding Model Farm/ Newport City Council Freeport bid – can you please forward this on to the relevant officer? Many thanks, Louise

Dear Cabinet Member

I would like to write to the council supporting my constituent's email below and to raise the same objections and concerns. I appreciate that you may already have responded to my constituent regarding this matter, but I would like to add my voice to his concerns.

Kind regards



Rt Hon Alun Cairns MP
MP for the Vale of Glamorgan
01446 748657

Unit 6, BSC 2, Hood Road, Barry, CF62 5QL
Email: alun.cairns.mp@parliament.uk

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From: [REDACTED]
Sent: 23 December 2022 17:05
To: [REDACTED]
Subject: Model Farm - Application number 2019/00871/OUT - consultation response

Dear Sirs,

Model Farm/ Newport City Council Freeport bid – new material consideration.

In response to Ceiri Rowlands letter of the 6th December 2022, regarding new information received on Transport, ecology and built heritage I would like to make the following points.

VOG Planners have failed to inform the Planning Committee of a Freeport Bid at Cardiff Airport and how it could affect Model Farm. The Council are trying to sneak the Model Farm Planning application through, without giving the public the facts.

Legal and General and their agents RPS Consulting, must be aware of the Freeport bid, yet have not mentioned the implications in their latest transport assessment about future road capacity.

I request that consideration of the Model Farm Planning application be postponed until the outcome of the bid for a Freeport in Wales is concluded by the UK Government.

A bid has been made by Newport City Council (hereafter referred to the 'NCC bid') under the UK Government's Freeport Programme in conjunction with the Welsh Government. The bid includes reference to Cardiff Airport being a site for one element of the bid. This is **a new material consideration** in determining the application for planning approval by Legal and General on Model Farm. **With so much uncertainty, as set out below, it is impossible for you to process the Model Farm application until the Freeport bidding process is concluded. If you continue to do so, ample grounds exist for further challenge and expense to the Council.**

It is disappointing that Planning Officers failed to include mention of the Freeport Bid in their report to the Planning Committee in October 2022, and we question the absence of any details of discussions that the Vale of Glamorgan Council's Planning function have had with the bidders.

The Vale of Glamorgan Council have provided planning reports to the Public, it's Planning Committee and Welsh Government that are potentially misleading and have excluded important facts and information.

It is my reasonable and legitimate expectation that this new material consideration prevents appropriate determination of the proposed Model Farm Industrial Estate for the following reasons :-

1. The NCC Freeport bid is not included in the Local Development Plan and the planning parameters applied to the Model Farm development would substantially change. Planners must have had discussions on this issue but have failed to report this in planning reports.
2. **The Leader of the Council and the Cabinet Member have allowed Planning Reports to be produced that keep the NCC Freeport Bid secret.**
3. The aim of the Freeport is to increase freight revenues at Cardiff Airport to be in excess of 50 per cent of total revenue. This means substantial extra traffic and road haulage movements which the Planning Reports need to take into account.
4. Legal and General and their agents RPS Consulting must be aware of the Freeport bid, and yet have not mentioned the implications in their latest transport assessment about future road capacity.
5. There are implications for additional traffic flows through the villages of **Bonvilston and St. Nicholas** that the latest transport update from RPS Consulting does not address, or provide any attempt at mitigation. There are already concerns being expressed in those communities about road noise and potential breaches of Environmental Law and this latest update fails to take account of the potential increases in traffic flows as a result of Model Farm and the potential Freeport development.
6. A new masterplan for Cardiff Airport would be required, as the current plans do not mention any Freeport plans, risks or ramifications. How much land would be required, and the location of such land.
7. The possibility of a Freeport at Cardiff Airport would have implications for other partners. Has the issue been discussed, for example, with **Barry Town Council**, who have expressed concerns about, and objected to the Model Farm application?
8. A new Freeport status which includes Cardiff Airport would require an Environmental Impact Assessment screening process. This is clearly a new material consideration which prevents determination.
9. As the Bidding process is private and all interested parties are not able to access the individual bids, this means that no interested parties – including the Vale of Glamorgan

Council – knows what the possible ramifications are on Employment, additional road traffic movements, active travel routes or indeed which land is intended to be used for the Freeport in the vicinity of the Airport. I believe that land at St Athan (Owned by Welsh Government) would be the most sensible location, where substantial brownfield land is currently available. Therefore, why would the bid developers want to purchase expensive development land from Legal and General? There is however a crucial issue that Planning Committee reports have not addressed in relation to the Freeport bid. There are very specific requirements about land use and availability within the bidding prospectus. The size of suitable sites for Freeport Status, their connectivity to other sites within the bid and their current use. The land intended to be used must have formed part of the original pre-application discussions with the UK Government and Newport City Council. That has resulted in a bid meeting the initial bidding requirements. The Vale of Glamorgan Council has remained silent on these matters.

10. There is uncertainty whether the Cardiff Airport arm's length Company could be included in any successful Freeport bid as questions will be asked within the planning process about financial viability, which is a key material consideration in such planning decisions. But nonetheless, there is a bid in place for Freeport status and associated activity for which the Vale of Glamorgan planning function must take into account. The Subject cannot be ignored and kept secret. How many meetings with developers, Welsh Government and other Local Planning Authorities have taken place to discuss the Freeport?
11. Approving the Model Farm application for B1/B2/B8 employment land would be contrary to Technical Advisory Note (TAN) 23 – Economic Development. The requirements of TAN 23 – as set out at paragraph 4.5.2 – is that 'persistent oversupply of employment land may cause harm where the planned land supply exceeds demand, so that allocated employment sites remain vacant for long periods and frustrate development for other land uses'. If you approve the Model Farm application, without knowing what the outcome of the Freeport bidding process is, it could result in a substantial oversupply of Employment Land. If you grant planning permission to the Model Farm development prior to the outcome of the Freeport Bid process you could enable the eviction of the farmer and then if the Freeport Bid in South-East Wales is unsuccessful, an act of agricultural vandalism would have been carried out unnecessarily.
12. Welsh Government have clearly stated, in regard to Freeport Bids, that 'We expect the relevant local authorities to have discussed the fit with relevant development plans and policies (and the potential use of place-based planning approaches referred to above) as part of compiling the application.' **When did Planning Officers discuss the NCC Freeport bid with developers, and why has this not been mentioned in Planning reports.**
13. There are technical reasons relating to the NCC Freeport bid, that without knowing the specific content of the bids, the public and other interested parties cannot effectively scrutinise implications. For example, the Bidding Prospectus for Freeport Status has critical statements about Planning, and the need for compliance with the following:-

For each relevant site successful applications should:

- a. explain the current planning status including status in relation to Future Wales and the local development plan
- b. explain the planning needs for the anticipated development
- c. detail how these development needs will be met, including what options have been considered
- d. explain the steps taken (or planned) to engage with local communities to consider how proposals will maintain and enhance where possible the quality of the locality within which the proposal is located

e. explain how any relevant requirements for environmental assessment will help to mitigate any adverse impacts and offer net positive environmental benefits. Applications can also usefully indicate whether any early engagement with key agencies has been undertaken as part of this

f. provide evidence of early discussions with planning authorities on the potential use of place-based planning tools

Each of these issues has a relevancy, and a requirement, that the means you cannot approve the Model Farm development without addressing the implications of having a Freeport located at Cardiff Airport.

I believe that there are many procedural weaknesses in the planning reports and supporting evidence, that would make the premature, unevidenced approval of the Model Farm planning application an inappropriate action by the Vale of Glamorgan Council until the outcome of the NCC Freeport bid is known.

I have a reasonable and legitimate expectation that you will now postpone further consideration of the Model Farm application and welcome confirmation of your agreement to this.

Ron Price

Sent from [Mail](#) for Windows

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8th March 2022

2019/00871/OUT – Land at Model Farm, Port Road, Rhoose

Objection

The St Nicholas with Bonvilston Community Council reconsidered this planning application to develop 44.79ha of agricultural land at Model Farm at our meeting of March 7, 2022 and resolved to again object.

The proposal documents acknowledge that development at Model Farm will result in increase traffic volumes using the A4226 to Sycamore Cross, then onwards along the A48 through the villages of St Nicholas and Bonvilston.

Both villages already **suffer road noise levels that are harmful to the health and well-being of residents**, and increased traffic will make this worse. This problem has been recognised by the Welsh Government, and the Vale Council has been actioned, and has a duty to reduce the harm to residents of St Nicholas and Bonvilston from road noise.

It's been suggested that Officer recommendation for approval of this proposal, without first addressing the traffic and road noise issue along the A48, and reducing it to "safe levels", may be **unlawful**.

On the following pages, are the results of Environmental Noise Mapping from 2017. This mapping is now outdated, as the opening of the new (A4226) road in 2019, to replace Five Mile Lane, has greatly increased the number of heavy vehicles taking this route, and as a result the level of road noise, particularly in St Nicholas.

We have also included the Transport Assessment below that shows significant and unacceptable increases in traffic volumes projected to pass through St Nicholas, should the development proceed.

Cllr Ian Perry

For and on behalf of St Nicholas with Bonvilston Community Council

[REDACTED]

From: Perry, Ian AN (Cllr)
Sent: 17 October 2022 15:04
To: Robinson, Ian
Cc: Planning
Subject: Land at Model Farm, Port Road, Rhoose

I have a couple of concerns with the Final Report in relation to: Land at Model Farm, Port Road, Rhoose

The report states:

“...land in locations such as Barry docklands, Llandow, and those further afield are unlikely to be suitable for businesses in the aviation industry or those reliant on international connectivity, for example. It is employment opportunities arising from these sorts of sectors which the designation of the Enterprise Zone seeks to exploit.”

This statement seems subjective – to be an opinion. Aerospace companies are operating successfully away from airports in Wales. For example:

- GE Aviation Wales (jet engines) – Nantgarw
- Nordam Europe – Blackwood
- Aerfin – Caerphilly
- STG Aerospace – Cwmbran
- British Airways Avionics Engineering – Pontyclun
- Safran Seats – Cwmbran
- Aermach – Newport
- BAE Systems – Usk
- Drone Tech Aerospace – Ffordd Pengam, Cardiff

Opinions must be clearly identified as opinion, and the source of opinions must be made clear in a Final Report on planning matters. As written, the statement does not appear to be supported by facts – and companies compete successfully internationally, without need of an airport adjacent to offices or warehouse to provide connectivity.

A further claim in the report is questionable:

“The proposed development therefore brings with it the potential for creation of high quality jobs, such that are in demand in the locality.”

Do we have an excess of people with the skills sought by the aviation industry living in the Vale of Glamorgan?

A 2015 report for the Vale Council by the BE Group talked about the gradual relocation of aerospace businesses to the Vale of Glamorgan. Can you confirm that the intention isn't to stimulate new businesses, but to relocate existing businesses? The report states, “its high profile position on the M4 and large sites mean that it would still be attractive to potential users.” The report mentions accessibility for workers from other parts of South Wales (Rhondda Cynon Taff

specifically). The site is some distance from the M4, and linked via the A4232 and Culverhouse Cross. Is there sufficient spare capacity on these roads and the A470?

Are you able to clarify/correct these matters ahead of the meeting of the Planning Committee?

Best regards,

Ian

Ian Perry
Councillor
Elected Member
Vale of Glamorgan Council / Cyngor Bro Morgannwg
mob / sym: 07927588943
e-mail / e-bost: 

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Find us on Facebook / Cewch ddod o hyd i ni ar Facebook
Follow us on Twitter / Dilynwch ni ar Twitter

Correspondence is welcomed in Welsh or English / Croesewir Gohebiaeth yn y Gymraeg neu yn Saesneg.

re. Drainage, flooding and foul sewage issues

- the main sewer to Cog Moors frequently discharges into Barry Dock (175 times in 2020) also from CSOs at Rhoose Point (26) and Barry Town (40)
- Cog Moors sewage works is overloaded, it 'spills' untreated sewage frequently, not just under exceptional weather conditions but 70-90 times a year.

therefore the Env Statement should record the problems and supply assessments of

a) the environmental impacts from current and additional discharges and b) alternative on-site treatment or use of cess pits

Welsh Water have made their statistics public and disclose the performance of Cog Moors on request.

<https://www.dwrcymru.com/en/our-services/wastewater/combined-storm->

[overflows/valleys-and-south-east-wales; Cog Moors STW - cais Rhyddid Gwybodaeth i Corff Adnoddau Naturiol Cymru - WhatDoTheyKnow](#)

Annual Spill Performance Data Cog Moors WwTW					
	2017	2018	2019	2020	2021 YTD
Spill Number	59	90	77	74	34
Duration of Spills (h)	363.75	1113.25	844.5	845	483.5
Data Completeness (%)	93.55	99.94	98.03	98.17	99.77

CogMoors Overflows in 2020 Bathing Season (April-Sept)

	start	Duration hours	Spill litres/s	Total spill M-litres	Rain times	Rain depth	Comments
18/9 Jun	12:30	22:15	750	61	<i>no data</i>	<i>no data</i>	
28-Jun	12:15	10:45	..	1.2	
29-Jun	00:00	08:15	..	0.9	
08-Jul	03:30	03:15	550	4.7	18:00*-6:00	16.2mm	
27-Jul	12:45	01:00	500	1.8	04:00-16:00	17.0mm	follows 8.6mm 24-5 July
19-Aug	11:30	02:00	600	4.3	06:00-11:00	14.8mm	follows 4mm on 17th Aug.
25-Aug	05:45	06:30	850	20	01:00-06:00	26.2mm	follows quite dry week
27-Aug	19:30	24:15:00	950	83	11:00-15:00	32.6mm	} extended rainstorm with
28-Aug					21:00*-4:00	26.6mm	} second rainfall after 6 hours
30-Sep	16:15	01:30	550	3	08:00-15:00	21.8mm	follows 2.6mm on 26th Sept

* rain started previous day

The ES has to consider the problems locally of adding foul sewage to the overloaded system that's by far non-compliant with the UWWT Regs. Receptors affected by additional sewage from this development would include Barry Bathing waters, Barry Dock water sports, Severn marine protected area. It should report on any moves to bring the sewerage system into compliance.

Duty-of-Care over foul sewage waste The developers cannot rely on the word of DCWW that they can accommodate the foul sewage generated on site, in view of the factual records on discharges of untreated sewage. They have a duty-of-care when they hand over their waste to a contractor, which they cannot fulfil via DCWW

unless they have plans to expand capacity of the main sewer and the STW or otherwise bring them into compliance within the development time frame

Compliance with the Water Framework Directive – the requirement to restore the Severn's good water quality status would be contradicted by the increased sewage overflows caused by the development.

Bathing Water policy and regulations require attainment of 'excellent' microbiological condition in waters used for bathing and immersion sports at times and places where there is significant number of users. The last official survey of usage by Environment Agency Wales about 2008 is quite out-of-date; the ES should report current usage.

The EIA Regs(Wales) 2017 require the issue to be addressed under the Schedule 4 s.5:

5. A description of the likely significant effects of the development on the environment resulting from, inter alia—

- (a) the construction and **existence of the development**, including, where relevant, demolition works;
- (b) the use of natural resources in particular land, soil, water and biodiversity, considering as far as possible the sustainable availability of these resources;
- (c) the emission of pollutants, noise, vibration, light, heat and radiation, the **creation of nuisances and the disposal and recovery of waste**,
- (d) the **risks to human health**, cultural heritage or the environment (for example due to accidents or disasters);
- (e) the **cumulation of effects** with other existing and/or approved projects, **taking into account any existing environmental problems relating to areas of particular environmental importance likely to be affected** or the use of natural resources;
- (f) the impact of the project on climate (for example the nature and magnitude of greenhouse gas emissions) and the vulnerability of the project to climate change.

Dwr Cymru Welsh Water's assurances cannot be taken at face value. Their previous response to the VoG shows a lack of candour. As scandalous levels of discharge of untreated sewage have come out publicly in recent months, the VoG Planning officers can no longer rely on DCWW statements, but require the ES to report data.

Here is DCWW's statement followed by points on the lack of candour:

Cog Moors Treatment Works - I can advise we have made considerable investment at our asset and within the wider catchment over the past 15 years. This investment has included significant upgrades to the sewer network, pumping station, Combined Sewer Overflow and introduction of UV disinfection at the WwTW. We have also jointly invested in a sustainable drainage project with Cardiff City Council and NRW, Greener Grangetown, to sustainably reduce the amount of surface water entering our network. In instances where the treatment capacity at Cog Moors WwTW is exceeded during periods of heavy rainfall, the excess flows are initially passed to storage tanks and returned to treatment once the incoming flow drops. When all storage is utilised, storm water is passed to a UV treatment plant (during the bathing season) before being discharged to the Bristol Channel via a long sea outfall located at the southern limit of Severn Estuary marine conservation area. The WwTW and CSO operate within the conditions permitted by Natural Resources Wales (NRW) and the majority of flow from the catchment (treated and storm effluent) is discharged offshore in a highly dispersive environment, ensuring least impact on the coastline and Severn Estuary marine conservation area.

DCWW claim investment in UV treatment, yet that was as an urgent measure in the 2000s to comply with Bathing Water standards, as the shortage in capacity could not be made up quickly. It's never been made up since.

They turn off the UV Sept to March so the many users of the sea are subject to high bacterial and viral levels.

the plan was licensed to meet the 3-spills per bathing season limit, but it exceeds this by 2-3 times. Since immersion sports are now enjoyed year-round, the limit should be 3 spills per year.

they claim the 'Greener Grangetown' investment, but not how little surface water this kept out of the sewers (the area served is ~1-2% of the total urban area with combined sewers) and that such SuDS programmes are hardly progressing in the Cog Moors catchment

they don't admit the works discharge untreated sewage about 80 times a year. (Table above)

they don't admit that even the limit on untreated foul sewage spilling over the 3 weirs is met sometimes, when they accommodate the flow by discharging directly via Barry Storm overflow into Barry Dock

This means they meet the limit on the system's hydraulic capacity only by diverting flows into CSOs. At these times they are treating only 40% of the flow reaching Cog Moors.

they in effect admit the untreated flows would impact the *Severn Estuary marine conservation area*, when discharged close to it on the incoming tide.

The VoG's S.19 report on the 23 Dec 2020 storm showed that was not 'extreme', but only a 1-in-20yr storm. However, the main sewer stopped accepting run-off and flooded about 1km length of streets in lower Penarth/Cosmeston, implying the hydraulic capacity was exceeded.

DCWW say they plan for a more severe 1-in-30 yr storm, but don't explain their failure in the 1-in-20yr storm of 23 Dec. Moreover, their planning is for storms of the past decade or two, rather than the next decades of more intense storms. The Minister has said that the 1-in-50 year storm now occurs every few years, so Welsh Water's forward planning does not meet the 1 in 30yr storm either in principle or in practice.

Flooding from storm-time run-off

Attenuation ponds built in new developments to the VoG's current standards do not cope with peak rain-storms. The new car-parking at Llandough hospital built recently with holding tanks appears to have worsened the flooding of the East Brook; the officers haven't replied how much of the 47mm rainfall would the system have held back. Attenuation ponds were seen to overflow on 23 Dec 2020, as did that at the Culverhouse Cross HTV development.

As attenuation capacity will be too little, the Env Statemen has to include a flood consequences assessment to assess

- a) the size of floods expected, including allowance for climate change
- b) the consequences for receiving watercourses.

Surface water drainage in the Rhoose Point/eastern Rhoose area is beset with problems, so it cannot be presumed that any discharge via attenuation tanks to an adjacent water course will be permitted. The ES should therefore include an assessment of a new surface water discharge to the sea and whether it is feasible and/or necessary.

Cannot be left to 'Reserved Matters'

Welsh Guidance and case-law does not allow these Issues to be left to Conditions for approval as "Reserved Matters". They go to the viability of the development. Sewage and drainage are omitted from the list of possible reserved matters in Reg. 2 of the *Development Management Procedure (Wales) Order 2012*.

We are aware that the LPA is allowed one month from receipt of the application to decide if the "reserved matters" requested should be included in the outline application ([article 3\(2\)](#) of the DMPWO). However, there is no such limit on requiring extra information in the Env. Statement for EIA development.

The nearby Rhoose development has now learned they may need to fund a sewage pumping station costing ~£1 million. Run-off from land is trapped by the railway embankment and undermining it. Rainstorm water has been flooding the Rhoose Point ponds.

The Vale has to build in climate resilience into all developments under Welsh and VoG policies. The VoG as drainage authority needs to coordinate plans so they meet not only existing problems but also the increasingly severe rainstorms under climate change.

When developments fail to sort out wayleaves in advance, it can mean as in a recent case that sewage is carted away for many months, with the smell causing a “nuisance” to the community.

Vale of Glamorgan Council
Civic Offices
Holton Road
Barry
CF63 4RU

26th May 2022

Dear Mr Rowlands,

Application: 2019/00871/OUT

Proposal: Hybrid application comprising an 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 ... | Land at Model Farm, Port Road, Rhoose

As the UK's leading woodland conservation charity, Coed Cadw (The Woodland Trust) aims to protect native woods, trees and their wildlife for the future. Through the restoration and improvement of woodland biodiversity and increased awareness and understanding of important woodland, these aims can be achieved. The Woodland Trust owns and cares for over 100 sites covering more than 2,800 hectares across Wales and we have 500,000 members and supporters across the whole of the UK.

Impact to ancient woodland

The Woodland Trust would like to lodge a **holding objection** to planning application 2019/00871/OUT on the basis of potential deterioration and detrimental impact to an area of Ancient Semi Natural Woodland (grid ref: ST077673) designated on Natural Resources Wales' Ancient Woodland Inventory (AWI)¹. The Ancient Woodland Inventory places woodland into one of four categories:

- **Ancient Semi-Natural Woodland (ASNW)** – broadleaf woodlands comprising mainly native tree and shrub species which are believed to have been in existence for over 400 years
- **Plantation on Ancient Woodland Sites (PAWS)** – sites which are believed to have been continuously wooded for over 400 years and currently have a canopy cover of more than 50 percent non-native conifer tree species
- **Restored Ancient Woodland Sites (RAWS)** – woodlands which are predominately broadleaf now and are believed to have been continually wooded for over 400 years. These woodlands will have gone through a phase when canopy cover was more than 50% non-native conifer tree species and now have a canopy cover of more than 50 percent broadleaf.
- **Ancient Woodland Site of Unknown Category (AWSU)** – woodlands which may be ASNW, RAWS or PAWS. These areas are predominantly in transition and existing tree cover is described as 'shrubs', 'young trees', 'felled' or 'ground prepared for planting'

¹ <https://naturalresources.wales/guidance-and-advice/environmental-topics/woodland-management/woodlands-and-the-environment/ancient-woodland-inventory/?lang=en>

Elusen gofrestredig Rhif 294344. Cwmni di-elfw a gyfyngir o dan warant. Cofrestrwyd yn Lloegr Rhif 1982873.

Swyddfa Gofrestredig: Kempton Way, Grantham, Lincolnshire NG31 6LL. Mae logo Coed Cadw (the Woodland Trust) yn nod masnachu cofrestredig.

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Registered office: Kempton Way, Grantham, Lincolnshire, NG31 6LL. The Woodland Trust logo is a registered trademark.

Ancient woodlands ecosystems, and the soils on which they have developed, are of special importance because of their long history of ecological and cultural continuity. This contributes to ancient woodland being one of the most diverse terrestrial habitats in the UK. By definition, ancient woods are irreplaceable and cannot be replaced by new planting. Therefore, the loss of ancient woodland represents a permanent loss of biodiversity.

All ancient woodlands come within the definition of priority woodland habitats listed in Section 7 of the Environment Act (Wales). The Environment Act places a duty on public authorities to seek to maintain and enhance biodiversity in the exercise of functions in relation to Wales and take all reasonable steps to maintain and enhance those species and habitats as listed in Section 7.

Planning Policy

The Welsh Government recognises that areas of ancient woodland are declining and becoming increasingly fragmented and emphasises the importance of conserving ancient woodland and its value as a biodiversity resource through the publication of Planning Policy Wales version 11 (2021) (PPW 11).

In PPW 11, paragraph 6.4.26 states *“Ancient woodland and semi-natural woodlands and individual ancient, veteran and heritage trees are irreplaceable natural resources, and have significant landscape, biodiversity and cultural value. Such trees and woodlands should be afforded protection from development which would result in their loss or deterioration unless there are significant and clearly defined public benefits; this protection should prevent potentially damaging operations and their unnecessary loss. In the case of a site recorded on the Ancient Woodland Inventory, authorities should consider the advice of NRW. Planning authorities should also have regard to the Ancient Tree Inventory.”*

We would like to note that in a letter to local authorities and national park authorities across Wales (dated 7 July 2020), Julie James MS, Minister for Climate Change, stated the following in respect of planning and post Covid-19 recovery: *“It is my strongly held view that we must not sacrifice the principles of sustainable development and place making in the pursuit of economic recovery at any cost.”* We consider this a clear commitment from Welsh Government towards ensuring that future development in a post Covid-19 world respects and protects natural assets, such as ancient woods and trees.

The Council should also have regard for **Policies SP10 (Built and Natural Environment), MG21 (Sites of Importance for Nature Conservation, Regionally Important Geological and Geomorphological Sites and Priority Habitats and Species) and MD9 (Promoting Biodiversity)** of the **Vale of Glamorgan Local Development Plan 2011-2026** with respect to the protection of the natural environment.

Impacts to ancient woodland

We are particularly concerned about the following impacts to the ancient woodland from the close proximity of a large-scale commercial development:

- Fragmentation as a result of the separation of adjacent semi-natural habitats, such as small wooded areas, hedgerows, individual trees and wetland habitats.
- Noise, light and dust pollution occurring from adjacent development, during both construction and operational phases.
- Where the wood edge overhangs public areas, trees can become safety issues and be indiscriminately lopped/felled, resulting in a reduction of the woodland canopy and threatening the long-term retention of such trees.

- Adverse hydrological impacts can occur where the introduction of hard-standing areas and water run-offs affect the quality and quantity of surface and ground water. This can result in the introduction of harmful pollutants/contaminants into the woodland.
- Any effect of development can impact cumulatively on ancient woodland - this is much more damaging than individual effects.

When land use is changed to a more intensive use such as in this situation plant and animal populations are exposed to environmental impacts from outside of the woodland. In particular, the habitats will become more vulnerable to the outside influences, or edge effects, that result from the adjacent land's change of use.

Mitigation

Detrimental edge effects have been shown to penetrate woodland causing changes in ancient woodland characteristics that extend up to three times the canopy height in from the forest edges. As such, it is necessary for mitigation to be considered to alleviate such impacts. Potential mitigation approaches for the protection of ancient woodland can help ensure that development meets policy requirement and guidance. Such mitigation may include, but is not limited to, the following:

- Adhering to BS 5837:2012 to provide adequate tree and root protection.
- Measures to control noise, dust and other forms of water and airborne pollution.
- Sympathetic design and use of appropriate lighting to avoid light pollution.
- Producing and funding an access management plan for the woodland, and/or providing alternative natural greenspace to reduce additional visitor pressure.
- Retaining and enhancing natural habitats around ancient woodland to improve connectivity with the surrounding landscape.
- Introduction of sympathetic management for neglected woodlands or trees.
- Implementation of an appropriate monitoring plan to ensure that proposed measures are effective over the long term and accompanied by contingencies should any conservation objectives not be met.

This development should allow for a buffer zone of **at least 30 metres** to avoid root damage and to allow for the effect of pollution from the development. The council should ensure that it is satisfied the width of the proposed buffer is adequate to protect the adjacent ancient woodland. The buffer should be part-planted before construction commences on site. HERAS fencing fitted with acoustic and dust screening measures should also be put in place during construction to ensure that the buffer area does not suffer from encroachment of construction vehicles/stockpiles, and to limit the effects of other indirect impacts.

In addition, Natural Resources Wales has recently published standing advice² which outlines the potential impacts of development on ancient woodland, and also provides recommendations for their protection. We would like to refer the Council to this guidance for further information on how to ensure ancient woodland is appropriately protected from the impacts of development.

Veteran trees

Veteran trees can be individual trees or groups of trees within wood pastures, historic parkland, hedgerows, orchards, parks or other areas. They are often found outside ancient woodlands. They are

² [Natural Resources Wales / Advice to planning authorities considering proposals affecting ancient woodland](#)

irreplaceable habitats. A veteran tree may not be very old, but it has decay features, such as branch death and hollowing. These features contribute to its biodiversity, cultural and heritage value.

Trees are susceptible to change caused by construction/development activity. As outlined in '*BS5837:2012 - Trees in relation to design, demolition and construction*' (the British Standard for ensuring development works in harmony with trees), construction work often exerts pressures on existing trees, as do changes in their immediate environment following construction. Root systems, stems and canopies, all need allowance for future movement and growth, and should be taken into account in all proposed works on the scheme through the incorporation of the measures outlined in the British Standard.

While BS5837 guidelines state that trees should have a root protection area (RPA) of 12 times the stem diameter (capped at 15m), this guidance does recognise that veteran trees need particular care to ensure adequate space is allowed for their long-term retention. The applicant should ensure that any trees displaying veteran characteristics within or adjacent to the site are retained and afforded a suitable root protection area of 15 times the trunk diameter or 5 metres beyond the crown of the tree, whichever is greater. This view is supported by the Ancient Tree Forum.

Conclusion

The Trust wishes to lodge a **holding objection** to this planning application unless the applicant is able to provide the ancient woodland on-site with a larger buffer zone to ensure appropriate protection from the impacts of the development.

If you would like clarification on any of the points raised within this letter, then please contact us via campaigning@woodlandtrust.org.uk

Yours sincerely,

Nicole Hillier
Campaigner – Woods Under Threat
Woods Under Threat Team

Comments from Cllr S Campbell

1.

Legal and Generals proposed development of Model Farm should not be granted permission.

As the local Councillor, I know how much residents are opposed to this. As a local resident, I am heavily opposed to this also.

Rhose is a village, and with most villages, we have very limited road infrastructure. In fact, there is only one road either side of the village. We have seen on many occasions due to road works, RTC's etc that we are cut off from our nearest town, Barry. Weycock Cross, even after sustaining vast improvements in recent year, struggles daily with the volume of traffic that travels from the rural Vale into Barry and beyond. The proposal from L&G gives a heavy emphasis on personal vehicle travel, and constantly through all the media associated with this proposed development, public transport is identified as being able to sustain a significant influx of new travellers which is not the case. We have a substandard public transport network in Rhose. Our buses are extremely unreliable and only service a third of the village. We have been promised over and over more frequent trains, but this has been pushed back again by Transport for Wales. Without an adequate public transport network, it is inevitable that more cars will be on the road; creating more traffic.

Also, further vehicles on the road will erode the road surface quicker leading to increased public service costs by residents across the entire Vale.

Green initiatives are an ever developing area. The Vale of Glamorgan Council declared a climate emergency in 2019 and a nature emergency in 2021, and this development will actively increase the needs for these emergencies through the abolition of 100 acres of greenspace that local wildlife call home. 100 acres of green space is a significant area. Significant enough to not only change the lineage of the Jenkins family, but also the lives of thousands of Vale residents. The Well Being of Future Generations (Wales) Act 2015 requires the Vale of Glamorgan Council to think about the long term decisions; specifically focusing on the impact to future generations and how to tackle persistent problems such as climate change, however this seems to have been overlooked in the decision making process. We should be conserving green space areas, not granting planning to destroy them. This directly conflicts with our climate emergency pledges.

We have many brownfield sites across the Vale such as Bro Tathan and Llandow. Bro Tathan is sitting unoccupied and is currently for sale. This shows that if this industrial park was built it would not be occupied. It would be a massive expensive derelict smudge on the beautiful Vale landscape. At no point in this process has any business come forward and expressed an interest in being on this industrial park, so who will be the tenants? It has been shown time after time that there is no need for this development.

Over the past two years, we have seen a significant rise in the cost of materials and labour, and increased lead times of products. As these plans were submitted almost 3 years, I fully believe that an up-to-date costings must be produced by Legal and General to show how much the development would cost now, and the timescale for building. In the Development Viability Appraisal, it is forecasted over £6million loss in the first 8 years of this development. Given we are now in a cost of living crisis, as well as unprecedented financial times, can we afford to throw away £6million when we have residents who can't afford to put the heating on, or have a hot meal? Legal and General must provide a current financial forecasting for this development if they wish it to even be considered. Not doing so would show their lack of forethought and preparedness in their business endeavours.

It's spoken of in a lot of the documentation surrounding this development that it will be indirectly responsible for thousands of jobs. However, I suspect the majority of these jobs will not go to local

2.

residents. The businesses this development is hoping to attract are highly skilled specialised workers, which will already be employed by these companies. Therefore, this is just a job relocation not creation. With this influx of new workers, the Vale housing crisis will surely increase, leading to more financial outlay by the Vale of Glamorgan Council and the potential of more greenspace building to keep up with demand.

This development should not just been seen a Rhoose issue. This will negatively affect everyone in the Vale on a daily basis.

I love the vastly green countryside that encapsulates our wonderful village. The fantastic wildlife and the beautiful fauna and flora. To grant permission for Model Farm to be concreted over would destroy that, not just for me and other residents, but for our children and their children. I want my daughter to grow up appreciating nature, not watching it be decimated.

[REDACTED]

From: Hennessy, William (Cllr)
Sent: 17 October 2022 06:58
To: Rowlands, Ceiri
Subject: My objection model Farm development

Follow Up Flag: Follow up
Flag Status: Flagged

Cllr William Hennessy

I would like to put forward my objection to the proposed development of model Farm on the grounds that

1. It has been stated it is not financially viable proposal
2. It is situated in the wrong place
3. it will taking away good farming land
4. It is going to destroy wildlife habitation
5. It will destroy 2 viable local businesses
6. This all goes against all Welsh government policy.

These are some reasons why I personally believe this development should not go ahead at model Farm.

Cllr William Hennessy