



Appendix E

Site Notice and Declaration

SCHEDULE 1 Article 4(4)
Pre-application notices
SCHEDULE 1B Articles 2C & 2D

PUBLICITY AND CONSULTATION BEFORE APPLYING FOR PLANNING
PERMISSION

Town and Country Planning (Development Management Procedure) (Wales) Order 2012

PUBLICITY AND CONSULTATION BEFORE APPLYING FOR PLANNING PERMISSION
NOTICE UNDER ARTICLES 2C AND 2D

(to be served on owners and/or occupiers of adjoining land and community consultees; and displayed
by site notice on or near the location of the proposed development)

Purpose of this notice: this notice provides the opportunity to comment directly to the developer on a proposed development prior to the submission of a planning application to the local planning authority ("LPA"). Any subsequent planning application will be publicised by the relevant LPA; any comments provided in response to this notice will not prejudice your ability to make representations to the LPA on any related planning application. You should note that any comments submitted may be placed on the public file.

Proposed development at **Land at Port Road, Rhoose, Cardiff**

I give notice that **Legal & General (Strategic Land) Ltd**

is intending to apply for planning permission for *Outline application comprising demolition of existing buildings and erection of 44.75ha Class B1/B2/B8 Business Park, car parking, landscaping, drainage infrastructure, biodiversity provision, and ancillary works. All matters reserved aside from access.*

You may inspect copies of:

- the proposed application;
- the plans; and
- other supporting documents

online at <http://www.pbpc-consultation.cymru> and computer facilities are available to view this information online at

Rhoose Community Library, Fontygary Road, Rhoose, CF62 3DS during normal opening hours.

Anyone who wishes to make representations about this proposed development must write to the agent **Rhian Lees at RPS, Park House, Greyfriars Road, Cardiff. CF10 3AF**

By: **9th July 2019**

Signed:

RPS

Date: **11th June 2019**

ATODLEN 1 Erthygl 4.(4)
Hysbysiadau cyn-ymgeisio

ATODLEN 1B Erthyglau 2C a 2D

CYHOEDDUSRWYDD AC YMGYNGHORI CYN GWNEUD CAIS AM
GANIATÂD CYNLLUNIO Gorchymyn Cynllunio Gwlad a Thref (Gweithdrefn Rheoli Datblygu)
(Cymru) 2012

CYHOEDDUSRWYDD AC YMGYNGHORI CYN GWNEUD CAIS AM GANIATÂD CYNLLUNIO
HYSBYSIAD O DAN ERTHYGLAU 2C A 2D

(i'w gyflwyno i berchnogion a/neu feddianwyr tir cyffiniol ac ymgylgoreion cymunedol; ac i'w arddangos drwy hysbysiad safle ar neu gerllaw lleoliad y datblygiad arfaethedig)

Diben yr hysbysiad hwn: mae'r hysbysiad hwn yn rhoi cyfle i wneud sylwadau yn uniongyrchol i'r datblygwr ynglŷn â datblygiad arfaethedig cyn cyflwyno cais am ganiatâd cynllunio i'r awdurdod cynllunio lleol ("ACLI"). Bydd unrhyw gais cynllunio dilynol yn cael ei hysbysebu gan yr ACLI perthnasol; ni fydd unrhyw sylwadau a ddarperir gennych wrth ymateb i'r hysbysiad hwn yn lleihau dim ar eich gallu i gyflwyno sylwadau i'r ACLI ar unrhyw gais cynllunio cysylltiedig. Dylech nodi y gellir gosod unrhyw sylwadau a gyflwynir gennych yn y ffeil gyhoeddus.

Datblygiad Arfaethedig yn **ar dir ar Port Road, y Rhŵs**

Rwyf yn hysbysu bod **Legal and General (Strategic Land) Ltd**

yn bwriadu gwneud cais am ganiatâd cynllunio ***Cais amlinellol yn cynnwys dymchwel adeiladau presennol a chodi Parc Busnes Dosbarth B1/B2/B8 44.75ha, lleoedd parcio, tirweddu, seilwaith draenio, darpariaeth bioamrywiaeth, a gwaith atodol. Cedwir pob mater yn ôl ac eithrio mynediad.***

Gellwch archwilio copïau o'r canlynol:

- y cais arfaethedig;
- y planiau; a
- dogfennau ategol eraill

ar-lein yn <http://www.pbpc-consultation.cymru> ac mae cyfleusterau cyfrifiadur ar gael i archwilio'r wybodaeth hon ar lein yn

Rhose Community Library, Fontygary Road, Rhose, CF62 3DS.

Yn ystod oriau agor arferol.

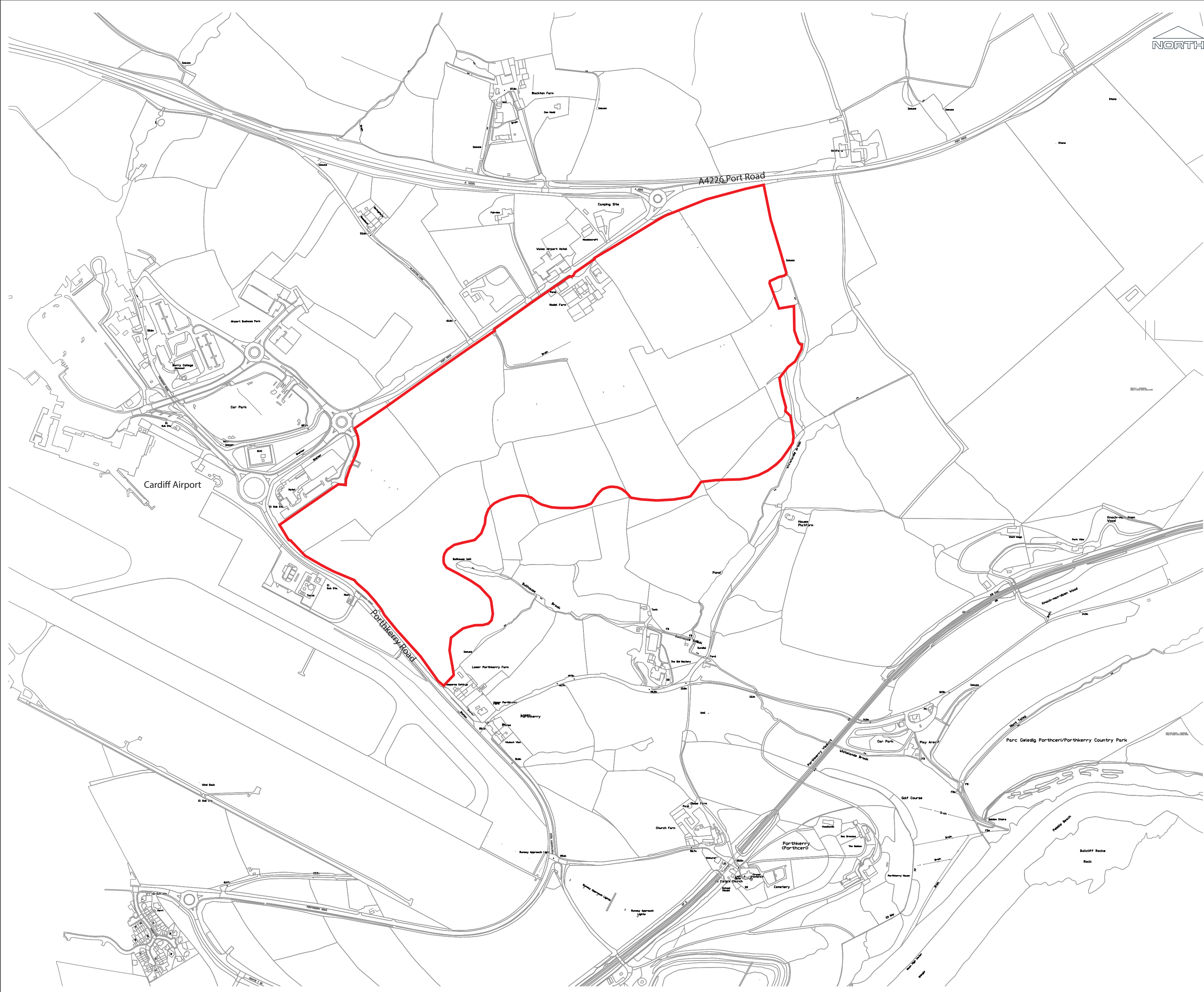
Mae'n rhaid i unrhyw un sy'n dymuno gwneud sylwadau ynglŷn â'r datblygiad arfaethedig hwn ysgrifennu at y yr asiant **Rhian Lees, RPS, Park House, Greyfriars Road, Cardiff. CF10 3AF**

erbyn **9 Gorffennaf 2019**

Llofnod:

RPS

Dyddiad: **11 Mehefin 2019**



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Notes

1. This drawing has been prepared in accordance with the scope of RPS's appointment with its client and is subject to the terms and conditions of that appointment. RPS accepts no liability for any use of this document other than by its client and only for the purposes for which it was prepared and provided.

2. If received electronically it is the recipients responsibility to print to correct scale. Only written dimensions should be used.

Land In Ownership of L&G

Site Boundary

Rev	Description	Date	Initial	Checked

rps

MAKING
COMPLEX
EASY

Park House, Greyfriars Road, Cardiff, CF10 3AF
T: +44(0) 2920 668 662 E: rpsca@rpsgroup.com

Client Legal and General
 (Strategic Land) Ltd

Project Parc Busnes Porth Cymru

Title Site Boundary Plan

Status
DRAFT

Drawn By
PO

PM/Checked by
RL

Job Ref
JCD0064

Scale @ A2
1:5000

Date Created
MAY 2019

Drawing Number
JCD0064-001

Rev
C

rpsgroup.com

File path: 04 JOBS\01 OPEN JOBS\JCD00xx\JCD0064\4. Drawings\1. RPS Drawings\AI

I, Rhian Lees, declare the Site Notices were displayed in accordance with the statutory requirements for a minimum of 28 days.

Signed: *R E Lees*

Date: 26th July 2019

Appendix F

Owner/Occupier and Community Councillor Notices

SCHEDULE 1 Article 4(4)
Pre-application notices
SCHEDULE 1B Articles 2C & 2D

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is intending to apply for planning permission for *Outline application comprising demolition of existing buildings and erection of 44.75ha 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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- other supporting documents

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Rhoose Community Library, Fontygary Road, Rhoose, CF62 3DS during normal opening hours.

Anyone who wishes to make representations about this proposed development must write to the agent **Rhian Lees at RPS, Park House, Greyfriars Road, Cardiff. CF10 3AF**

By: **9th July 2019**

Signed:

RPS

Date: **11th June 2019**

ATODLEN 1 Erthygl 4.(4)
Hysbysiadau cyn-ymgeisio

ATODLEN 1B Erthyglau 2C a 2D

CYHOEDDUSRWYDD AC YMGYNGHORI CYN GWNEUD CAIS AM
GANIATÂD CYNLLUNIO Gorchymyn Cynllunio Gwlad a Thref (Gweithdrefn Rheoli Datblygu)
(Cymru) 2012

CYHOEDDUSRWYDD AC YMGYNGHORI CYN GWNEUD CAIS AM GANIATÂD CYNLLUNIO
HYSBYSIAD O DAN ERTHYGLAU 2C A 2D

(i'w gyflwyno i berchnogion a/neu feddianwyr tir cyffiniol ac ymgylgoreion cymunedol; ac i'w arddangos drwy hysbysiad safle ar neu gerllaw lleoliad y datblygiad arfaethedig)

Diben yr hysbysiad hwn: mae'r hysbysiad hwn yn rhoi cyfle i wneud sylwadau yn uniongyrchol i'r datblygwr ynglŷn â datblygiad arfaethedig cyn cyflwyno cais am ganiatâd cynllunio i'r awdurdod cynllunio lleol ("ACLI"). Bydd unrhyw gais cynllunio dilynol yn cael ei hysbysebu gan yr ACLI perthnasol; ni fydd unrhyw sylwadau a ddarperir gennych wrth ymateb i'r hysbysiad hwn yn lleihau dim ar eich gallu i gyflwyno sylwadau i'r ACLI ar unrhyw gais cynllunio cysylltiedig. Dylech nodi y gellir gosod unrhyw sylwadau a gyflwynir gennych yn y ffeil gyhoeddus.

Datblygiad Arfaethedig yn **ar dir ar Port Road, y Rhŵs**

Rwyf yn hysbysu bod **Legal and General (Strategic Land) Ltd**

yn bwriadu gwneud cais am ganiatâd cynllunio ***Cais amlinellol yn cynnwys dymchwel adeiladau presennol a chodi Parc Busnes Dosbarth B1/B2/B8 44.75ha, lleoedd parcio, tirweddu, seilwaith draenio, darpariaeth bioamrywiaeth, a gwaith atodol. Cedwir pob mater yn ôl ac eithrio mynediad.***

Gellwch archwilio copïau o'r canlynol:

- y cais arfaethedig;
- y planiau; a
- dogfennau ategol eraill

ar-lein yn <http://www.pbpc-consultation.cymru> ac mae cyfleusterau cyfrifiadur ar gael i archwilio'r wybodaeth hon ar lein yn

Rhose Community Library, Fontygary Road, Rhose, CF62 3DS.

Yn ystod oriau agor arferol.

Mae'n rhaid i unrhyw un sy'n dymuno gwneud sylwadau ynglŷn â'r datblygiad arfaethedig hwn ysgrifennu at y yr asiant **Rhian Lees, RPS, Park House, Greyfriars Road, Cardiff. CF10 3AF**

erbyn **9 Gorffennaf 2019**

Llofnod:

RPS

Dyddiad: **11 Mehefin 2019**

Land Reg Ref	Name and/or Address
WA587225	Cardiff Wales Airport Limited, Rhoose, The Vale of Glamorgan, CF62 3BD
WA437940	Wales & West Utilities Limited, Celtic Springs, Coedkernew, Newport, NP10 8FW
CYM68656	Cardiff International Airport Limited, The Vale of Glamorgan, CF62 3BD
WA188955	The Vale of Glamorgan Council, Civic Offices, Holton Road, Barry, CF63 4RU
WA355173	Michael Andreou and Christalla Andreou, 2-3 Regent Street, Barry,
WA197347	Kevan Kynaston and Marlene Kynaston, Fairview Bungalow, Port Road, Rhoose, Barry, CF62 3BT
WA625669	Cord Investments (Cardiff) Limited, 78 Whitchurch Road, Cardiff, CF4 3LX
CYM680207	Surinder Singh Khehra and Ruminder Kaur Khehra, Tynyarn, Upper High Street, Cefn Coed, Merthyr Tydfil, CF48 2HW
WA83780	Sharon Ann Burton, 31 Llwyn Y Gog, Rhoose, Barry, CF62 3LS
WA960764	Susan Gwilliam, Meadowcroft, Porthkerry Road, Rhoose, Barry, CF62 3BT
WA379639	Jeffrey Mark White, Welford Farm, Port Road, Rhoose, Barry, CF62 3BT
CYM752280	David Graham Stevens and Heather Vivienne Steven, Old Rectory, Porthkerry, Barry, CF62 3BZ
WA818671	Paul Harrison and Caroline Harrison, Lower Porthkerry Farm, Porthkerry Road, Rhoose, Barry, CF62 3BX
CYM657595	Gwilym Davies and Mary Davies, Harvest Cottage, Porthkerry Road, Rhoose, Barry, CF62 3BX
CYM179400	Claire Louise Croft, Upper Porthkerry Farm, Porthkerry Road, Rhoose, Barry, CF62 3BX
WA87786	Ronald Holland and Susan Holland, The Stables, Porthkerry Road, Rhoose, Barry, CF62 3BX
WA92358	Gareth Jones and Anita Jones, 74, Lougher Place, St Athan.
WA927537	The Vale of Glamorgan Council, Civic Offices, Holton Road, Barry, CF63 4RU
CYM180584	Century Investments Limited, Canada Court, Upland Road, St Peter Port, Guernsey
CYM179307	Century Investments Limited, Canada Court, Upland Road, St Peter Port, Guernsey
WA384837	The Old Rectory, Porthkerry, Barry, CF62 3BZ
WA448657	Francis William Lister, Blackton Farm, Penmark, Barry, CF62 3BB
CYM1695	Legal & General (Strategic Land) Limited
	Rhys Jenkins, Model Farm, Port Road, Rhoose, CF62 3BY
	Gethin Jenkins, Model Farm, Port Road, Rhoose, CF62 3BY
	Cllr Andrew RT Davies, Vale of Glamorgan Council, Civic Offices, Holton Road, Barry, CF63 4RU
	Cllr Gordon Kemp, Flaxland Fach, Walterston, Llanccarfan, CF62 3AS

Appendix G

Specialist Consultee Letter

SCHEDULE 1C Article 2D
CONSULTATION BEFORE APPLYING FOR PLANNING PERMISSION
Town and Country Planning (Development Management Procedure) (Wales) Order
2012

CONSULTATION BEFORE APPLYING FOR PLANNING PERMISSION
NOTICE UNDER ARTICLE 2D

(to be served on specialist consultees, as defined by article 2(1) of the Town and Country
Planning (Development Management Procedure) (Wales) Order 2012

Purpose of this notice: this notice comprises a formal request for a pre-application consultation response under article 2D of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012.

Proposed development at **Land at Port Road, Rhoose, Cardiff**

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is intending to apply for planning permission *Outline application comprising demolition of existing buildings and erection of 44.75ha Class B1/B2/B8 Business Park, car parking, landscaping, drainage infrastructure, biodiversity provision, and ancillary works. All matters reserved aside from access.*

A copy of the proposed application; plans; and other supporting documents are can be viewed online at <http://www.pbpc-consultation.cymru>

In accordance with the requirements of article 2E of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012, a consultation response must be sent to the agent:

Rhian Lees
RPS
Park House,
Greyfriars Road,
Cardiff
CF10 3AF

By: **9th July 2019**

Signed:

RPS

Date: **11th June 2019**

ATODLEN 1C Erthygl 2D
YMGYNGHORI CYN GWNEUD CAIS AM GANIATÂD
CYNLLUNIO
Gorchymyn Cynllunio Gwlad a Thref (Gweithdrefn Rheoli
Datblygu) (Cymru) 2012

YMGYNGHORI CYN GWNEUD CAIS AM GANIATÂD CYNLLUNIO HYSBYSIAD O
DAN ERTHYGL 2D

(i'w gyflwyno i ymgynghoreion arbenigol, fel y'u diffinnir gan erthygl 2(1) o Orchymyn Cynllunio Gwlad a Thref (Gweithdrefn Rheoli Datblygu) (Cymru) 2012.

Diben yr hysbysiad hwn: mae'r hysbysiad hwn yn ddeisyfiad ffurfiol am ymateb i ymgynghoriad cynymgeisio o dan erthygl 2D o Orchymyn Cynllunio Gwlad a Thref (Gweithdrefn Rheoli Datblygu) (Cymru) 2012.

Datblygiad arfaethedig yn **ar dir ar Port Road, y Rhŵs**

Rwyf yn hysbysu bod **Legal & General (Strategic Land) Ltd**

yn bwriadu gwneud cais am ganiatâd cynllunio ***Cais amlinellol yn cynnwys dymchwel adeiladau presennol a chodi Parc Busnes Dosbarth B1/B2/B8 44.75ha, lleoedd parcio, tirwedd, seilwaith draenio, darpariaeth bioamrywiaeth, a gwaith atodol. Cedwir pob mater yn ôl ac eithrio mynediad.***

Mae copi o'r cais arfaethedig; planiau; a dogfennau ategol eraill wedi eu hatodi/ar gael i'w harchwilio ar lein yn <http://www.pbpc-consultation.cymru>

Yn unol â gofynion erthygl 2E o Orchymyn Cynllunio Gwlad a Thref (Gweithdrefn Rheoli Datblygu) (Cymru) 2012, rhaid anfon ymateb i'r ymgynghoriad at

Rhian Lees
RPS
Park House,
Greyfriars Road,
Cardiff
CF10 3AF

erbyn **9 Gorffennaf 2019**

Llofnod:

RPS

Dyddiad: **11 Mehefin 2019**

Appendix H

EIA Screening Decision and Report

Date/Dyddiad: 15 May 2019

Ask for/Gofynwch am: Administration

Telephone/Rhif ffon: (01446) 704656

Your Ref/Eich Cyf:

My Ref/Cyf: P/DC/2019/00254/SC1

e-mail/e-bost: Planning@valeofglamorgan.gov.uk

The Vale of Glamorgan Council
Dock Office, Barry Docks, Barry CF63 4RT
Tel: (01446) 700111

Cyngor Bro Morgannwg
Swyddfa'r Doc, Dociau'r Barri, Y Barri CF63 4RT
Ffôn: (01446) 700111

www.valeofglamorgan.gov.uk



Darren Parker
RPS Consulting Services Ltd.
Park House,
Greyfriars Road,
Cardiff
CF10 3AF

Dear Sir

**Town and Country Planning (Environmental Impact Assessment)
(England and Wales) Regulations 1999 : Part II Screening Paragraph 5
Request for screening opinion
at Land at Model Farm, Port Road, Rhoose**

The Council has considered the details of the proposed scheme as detailed in the information submitted with the request for a screening opinion as to the requirement for an Environmental Impact Assessment received 1 May 2019.

The Local Planning Authority would advise that in their opinion an Environmental Impact Assessment is required for the following reason(s):

1. Having regard to the key issues identified in Schedule 3 of the 2017 Regulations and WO Circular 11/99, the Local Planning Authority is of the view that the characteristics, location and any potential impact of the development as outlined in the supporting documentation are likely to be significant upon the environment for the reasons identified in the screening opinion attached.

Accordingly, there is considered to be a requirement for a formal Environmental Impact Assessment to be submitted under the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017.

Please note that the Council's Screening Opinion comprises this decision letter and the accompanying Screening Report.

Yours faithfully,

M. J. Goldsworthy

Head of Regeneration and Planning

Darren Parker RPS Consulting Services Ltd., Park House, Greyfriars Road,
Cardiff. CF10 3AF
Darren Parker RPS Consulting Services Ltd., Park House, Greyfriars Road,
Cardiff. CF10 3AF

Land at Model Farm, Port Road, Rhoose

Request for screening opinion

SITE AND CONTEXT

The site is located on land at Model Farm, Port Road, Rhoose and presently comprises open agricultural land.

The land forms part of the Cardiff Airport – St Athan Enterprise Zone as identified within the Vale of Glamorgan Local Development Plan (LDP). It forms part of land allocated for employment use under Policies SP2, MG9 & MG10 of the LDP. Policy MG28 also refers to the allocation of the land proposed to form an extension to Porthkerry Park.

There are two listed buildings located to the south of the development parcel, at Upper and Lower Porthkerry Farm and the Porthkerry Viaduct is approx. 700m distance from the site.

The Porthkerry Conservation Area is located approx. 700m south of the site. Archaeological resource has been recorded within the site and there are also ancient scheduled monuments (Bulwarks Camp and Medieval Mill and Mill Leat Cliffwood) some 900m south to the south.

DESCRIPTION OF DEVELOPMENT

The proposal is for the development of the site for a business park. It is to be subject to an outline planning application with all matters reserved except site access.

The site is proposed to be accessed at two points, one at the A4226 roundabout junction with Port Road and another via the Port Road roundabout serving the airport and Express Holiday Inn. The site is then indicatively split into ten development parcels accessed through internal roads. The indicative layout illustrates some existing areas of hedgerow to be retained and a southern landscape buffer.

The development is illustrated in the below framework plan extract:



- (d) the production of waste;
- (e) pollution and nuisances;
- (f) the risk of accidents
- (g) the risk to human health

Indicative thresholds for EIA development are provided at Annex A of the Circular. It states that for industrial estate development, sites are more likely to require EIA if the site area of the new development is more than 20 hectares and particular consideration should be given to the potential increase in traffic, emissions and noise. In addition, the Circular states that for urban development projects, previously undeveloped sites in non-urban areas are more likely to require EIA if the site is more than 5 hectares in size or comprises more than 10,000sq.m of commercial floor space.

The development would occupy a built area of approx. 40 hectares and comprise approx. 159,000sq.m new commercial floor space, in a rural location. The guidance within the Circular would suggest that the development is of a size that is 'more likely' to require EIA as a result.

The proposed development is part of a wider employment land allocation totalling 77.4 hectares of land, proposed to form part of the St Athan – Cardiff Airport Enterprise Zone. There are no outstanding planning applications, approved or committed development on the other parcel of allocated land north of this site. The site at Model Farm could, feasibly, proceed in isolation to the remainder of the allocation and therefore it is appropriate to consider its impacts in isolation of the remainder of the allocated land, in this case.

The site is within a predominantly rural location and comprises undeveloped agricultural land. There is a degree of urbanisation already caused by Cardiff Airport and its infrastructure and the proposed development would add to this significantly. It is considered that the proposed development alone is of a size that is likely to have significant environmental impacts. In this respect the WO Circular, at para. 35, does also advise that in some cases the scale of a development can be sufficient for it to have wide ranging environmental effects that would justify EIA.

In terms of traffic, any planning application would have to be accompanied by a full assessment of impacts within a Transport Assessment (TA) and a Travel Plan. The TA would need to consider the modelled impact of the development, based on the existing circumstances along with projected future development. It is recognised that there may be scope for the TA and Travel Plan to mitigate some of the impacts of the development and promote a modal shift in transport. It is nevertheless anticipated that the size of the development could have significant associated impacts relating to traffic congestion, in particular, and in conjunction with the Airport.

The development would utilise natural resources during its construction and operation, as well as produce non-hazardous waste. These impacts are however typical of new development and are unlikely to be of more than local significance.

There is also likely to be a level of polluting activities during both construction and operation of the site, including noise and traffic emissions. It is considered that there is limited risk of accidents from the development.

Location of development:

- (a) the existing and approved land use;
- (b) the abundance of natural resources in the area;
- (c) the absorption capacity of the natural environment.

The site is not located within a *sensitive* location as defined by the regulations. It is, however, located in a rural coastal location. It is within approx. 500m of part of the Barry Woodlands SSSI and approx. 1km from the Cliff Wood SSSI. The development would not, however, have a direct impact upon these areas.

The site comprises semi-natural broadleaved woodland areas, hedgerows as well as the predominant arable/ pastureland. There are also two small watercourses within the site (Whitelands Brook and Bullhouse Brook). There are also agricultural buildings within the site. The areas surrounding Bullhouse Brook have been identified as a Site of Importance for Nature Conservation. The development is near to a country park which supports habitats such as ancient woodland and saltmarsh and there will be other wildlife and biodiversity of interest within the site.

It is understood that ecological surveys of the site have been undertaken and are on-going. The woodland and hedgerows provide suitable foraging and commuting habitat for bats and the trees and buildings have moderate potential to support roosting bats. The hedgerows have a good potential to support dormice and these have been recorded nearby.

The site is not located within or close to any nationally designated landscapes that would be considered *sensitive* as defined by the EIA regulations. The site is however located on the southern edge of the Nant Llancarfan Special Landscape Area, which is a local designation. The Nant Llancarfan Registered Historic Landscape is also located approx. 2km from the site.

No Public Rights of Way (PRoW) pass directly through the developable area of the site.

The land is predicted to be of moderate to poor agricultural quality.

A part of the site is located on an historic landfill associated with a former quarry site at Model Farm, where the nature and extent of infilling at the site is unknown. It is indicated within the submission documents that a desk based risk assessment has been carried out and that the site is not contaminated.

There are no designated archaeological assets within the bounds of the site and it is noted within the submissions that the recorded resource at the site suggests resource at the site is unlikely to be of more than local significance.

There are Scheduled Ancient Monuments (Bulwarks Camp and Medieval Mill and Mill Leat Cliffwood) some 900m south to the south, which are noted to be *sensitive* sites as defined by the EIA Regulations. It is noted that there the views of the development site from the above monuments are likely screened by dense vegetation, which appears to be the case based on desk assessment. Given the development site has an area of more than 1ha, scheduled monuments within 5km of the development site will also need to be considered and in this regard it is more likely to be visible from the Moulton Roman Site (approx. 1.8km distance) nr. Llancarfan.

The development would be in relatively close proximity to listed buildings and structures, in particular the Upper and Lower Porthkerry Farmhouses, the Porthkerry Viaduct, as well as the Porthkerry Conservation Area. The Porthkerry Viaduct would be particularly sensitive to change within its landscape setting, albeit the development is likely to be screened from typical views. It is, however, likely to be visible from the listed farmhouses and parts of the Conservation Area.

The site is not known to be at risk of flooding or in a Flood Risk Zone.

In relation to transportation, the site is located in relative close proximity to Barry and Rhoose, but at a distance that is likely to discourage travel and commute by foot. The site is served by a cycle and footpath connecting to Rhoose at reasonable, but the only connection to Barry is via the carriageway.

In conclusion, the site is not considered to be in or directly impact upon a *sensitive* location as defined by the EIA Regulations. It may, however, be visible from some sensitive areas.

Characteristics of the potential impact:

- (a) the extent of the impact (geographical area and size of the affected population);
- (b) the nature of the impact;
- (c) the transboundary nature of the impact
- (d) the intensity and complexity of the impact;
- (e) the probability of the impact;
- (f) the onset, duration, frequency and reversibility of the impact
- (g) the cumulation of impact
- (h) the possibility of effectively reducing the impact

The nature of the impacts is considered in turn below:

Landscape and visual impact

The site is not located within a designated landscape, as described above, but does lie in close proximity to the Nant Llancarfan SLA, in particular. It is likely that tall, multi-storey development would be visible from some parts of the SLA. This impact would require further consideration and it is understood that a full Landscape and Visual Impact assessment would be carried out.

The development is also likely to be dense and have a significant urbanising impact. The existing site has a rural and open character and this would be unavoidably and permanently altered by the development. It is possible to offer some mitigation through high quality design, layout and landscaping, however it is unlikely to soften the visual impact of the development to a degree where it could be considered insignificant, or even moderate. The development is, as noted above, significant in size and it is considered that the associated landscape impact would also require EIA. While it is noted that the land is allocated within the LDP, this is not considered to weigh significantly against the need for an EIA. The allocation of the land, which accepts the principle of the development, does not infer that there would not/could not be significant impacts.

Traffic and transportation

It is noted that initial transport appraisal work has provided preliminary vehicular trip forecasts as well as initial access and public transport strategies. It is anticipated that the development would be primarily accessed via a larger and remodelled roundabout between the A4226 and Port Road, with a secondary access from an existing stub on the Holiday Express access road.

The operational impact of the development can likely be reduced by mitigation measures; these require further assessment but could include increased public transport provision, active travel measures such as the provision of a cycle and footway connecting to Barry and physical highway improvements to accommodate increased levels of traffic.

The development, despite the potential for mitigation measures, is still likely to result in a significant impacts relating to traffic and transportation that could extend beyond the immediate locality, due to the size of the development. This impact to the wider highway network is considered to require EIA.

Ecology

As noted above, the site is not within an ecologically sensitive area; but has the potential to support protected species. The impact upon protected species and ecology within the site would need to be assessed as part of an ecological appraisal, together with associated surveys. The results of this process would identify the potential and extent of the impact of the development and inform potential mitigation and enhancement measures.

The Council's Ecologist has advised that in their opinion the development is not likely to give rise to *significant* effects on the environment. It was noted that though potential impacts on protected, priority and important habitats and species are possible, these would be identified through targeted surveys to be submitted with a planning application. It is therefore considered that the impact of the development in relation to ecology can, in likelihood, be mitigated.

Pollution and ground conditions

It is also noted that a Ground Conditions Report would be submitted as part of planning submissions. It is considered on this basis that the extent of ground contamination is likely of a local significance and can be adequately assessed and mitigated through the development. The Ground Conditions Report should also assess the extent of potential contamination from farming activities on the site and a ground gas assessment should also be carried out prior to commencement.

The use of the site is likely to involve some noise-generating activities, noting a mix of B1, B2 and B8 uses is proposed. The impact of the development upon local receptors in relation to noise will require further consideration, but are likely to be of more local significance. In addition, some disruption through noise and vibration is possible during construction, but would be temporary, concentrated during daytime and be dependent upon development phasing. It is likely that pollution during construction could be mitigated through development phasing and the adoption of standard preventative and mitigation measures within a Construction and Environmental Management Plan.

The projected operational impact upon air quality would require further consideration and it is recommended that a planning application be supported by an Air Quality Assessment. The impact during construction would also be limited in duration, as noted above, but the operational impact should be quantified. The site is not within an Air Quality Management Area.

In consideration of the development, the site context it is considered that these impacts are likely to be of more local significance and would not warrant EIA.

Drainage and hydrology

The planning application should be supported by an overarching drainage strategy for the site, which would identify how foul and surface water from the development would be managed. The development would also be subject to the SAB regulation in this regard. The impact of the development would be permanent, but it is likely that the impacts of the development can be mitigated and reduced to such a degree that it is not *significant* in reference to the EIA Regulations.

Heritage

It is possible that the development would be visible from some of the several Ancient Monument sites that lie within a 5km radius of the site and this impact will require further consideration. The visual impact would be permanent, with limited mitigation by way of screening for the tallest parts of the development from the most wide-ranging views. There would also be some cumulative impact with the other built development that surrounds Cardiff Airport. The views are, nevertheless likely to be distant in nature.

There are several other structures and areas in relative close proximity to the site that, although not *sensitive* as defined by the EIA Regulations, are of significance and could be affected permanently. It would be possible to reduce the likely impact through high quality design, by adopting appropriate scale parameters, layout and landscaping. The listed buildings at Upper and Lower Porthkerry Farmhouse are of particular sensitivity given their proximity to the site.

These listed buildings are examples of traditional rural farmhouses and agricultural buildings. Further assessment of the extent of their setting would be required; however the allocation of land to extend Porthkerry Country Park is likely to ensure that a significant degree of the openness and the rural character to their settings can be retained. This impact clearly requires further consideration, as well as the extent to which the development would be visible from part of the Porthkerry Conservation Area, which is at a distance of some 700m.

It is indicated that a Built Heritage Statement would be submitted as part of a planning application. The statement would address the significance of these historic assets and their settings and the extent of impact from the development, including the potential for mitigation. In view of the aforementioned size, density and overall scale of the development this impact is considered to also require EIA.

REASON FOR RECOMMENDATION

Welsh Office Circular 11/99 states that EIA will usually only be needed for Schedule 2 developments in three main types of case: a) for major developments which are of more than local importance; b) for developments which are proposed for particularly environmentally sensitive or vulnerable locations); and c) for developments with unusually complex and potentially hazardous environmental effects.

In this respect, and taking into account each of the above, it is concluded that there is a requirement for a focussed Environmental Impact Assessment to be submitted under the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017. This is due to the size and urbanising effect of the development, its visual impact within the landscape of a rural and coastal area, the presence of historically sensitive sites and buildings nearby, and the potential for significant increases in traffic and potential congestion to the highway network beyond the immediate locality.

RECOMMENDATION

An Environmental Impact Assessment is required.

1. Having regard to the key issues identified in Schedule 3 of the 2017 Regulations and WO Circular 11/99, the Local Planning Authority is of the view that the characteristics, location and any potential impact of the development as outlined in the supporting documentation are likely to be significant upon the environment for the reasons identified in the screening opinion attached.

Accordingly, there is considered to be a requirement for a formal Environmental Impact Assessment to be submitted under the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017.

NOTE:

- 1. Please note that the Council's Screening Opinion comprises this decision letter and the accompanying Screening Report.**

Please note that this consent is specific to the plans and particulars approved as part of the application. Any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. You (or any subsequent developer) should advise the Council of any actual or proposed variations from the approved plans immediately so that you can be advised how to best resolve the matter.

In addition, any conditions that the Council has imposed on this consent will be listed above and should be read carefully. It is your (or any subsequent developers) responsibility to ensure that the terms of all conditions are met in full at the appropriate time (as outlined in the specific condition).

The commencement of development without firstly meeting in full the terms of any conditions that require the submission of details prior to the commencement of development will constitute unauthorised development. This will necessitate the submission of a further application to retain the unauthorised development and may render you liable to formal enforcement action.

Failure on the part of the developer to observe the requirements of any other conditions could result in the Council pursuing formal enforcement action in the form of a Breach of Condition Notice.

Appendix I

Specialist Consultee Responses



Llywodraeth Cymru
Welsh Government

Plas Carew, Uned 5/7 Cefn Coed
Parc Nantgarw, Caerdydd CF15 7QQ
Ffôn 03000256000
Ebost cadw@llyw.cymru
Gwefan www.cadw.llyw.cymru

Plas Carew, Unit 5/7 Cefn Coed
Parc Nantgarw, Cardiff CF15 7QQ
Tel 03000256000
Email cadw@gov.wales
Web www.cadw.gov.wales

Rhian Lees
RPS

By e-mail: rhian.lees@rpsgroup.com

Eich cyfeirnod
Your reference

JCD0064 1C Ltr

Ein cyfeirnod
Our reference

MR

Dyddiad
Date

02 July 2019

Llinell uniongyrchol
Direct line

0300 0255350

Ebost
Email:

cadwplanning@gov.wales

Dear Ms. Lees,

Pre-Planning Application – Demolition of existing buildings and erection of 44.75ha Class B1/B2/B8 business park, car parking, landscaping, drainage, infrastructure, biodiversity provision, and ancillary works, Land at Port Road, Rhoose

Thank you for your letter of 10 June 2019 inviting our comments on the pre-planning application consultation for the proposed development described above.

Advice

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

The following comments are based on information made available to us as part of the pre-application consultation and we will review our comments when we are consulted on the final planning application. Our assessment of the pre-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

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

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 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, the proposed development will not have any impact on any scheduled monument or registered historic park and garden or their settings.

Finally, there may also be undesignated historic assets that could be affected by the proposed development and, if you have not already done so, we would advise that you consult the Historic Environment Record held by the Glamorgan-Gwent Archaeological Trust (www.ggat.org.uk).

Yours sincerely,

Moirá Richards

Diogelu a Pholisi / Protection and Policy

Ms Rhian Lees
RPS Planning & Development
Park House
Greyfriars Road
Cardiff
CF10 3AF

Date: 28/06/2019
Our Ref: PPA0004091

Dear Ms Lees

Grid Ref: 307875 167540

Site Address: Land at Port Road, Rhoose

Development: Schedule 1C, Article 2D - Demolition of existing buildings and erection of 44.75ha Class B1/B2/B8 Business Park

We refer to the letter received and your formal request for a pre-application consultation response from Dwr Cymru Welsh Water (DCWW), as a 'Specialist Consultee' as defined by Paragraph (y) of Schedule 4 of the Town & Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016, before applying for planning permission. It is acknowledged that the consultation request relates to a major development site and thus seeks a substantive response within 28 days from the date of the notice, 11th June 2019, as per the requirements of Article 2E. This request includes our views on the capacity of our network of assets and infrastructure to accommodate your proposed development.

Having reviewed the draft application pack, we are unable to support this proposed development and would offer the following standing advice to any forthcoming planning application:

SEWERAGE

Firstly, we acknowledge that the notice received follows a recent formal pre-planning enquiry submission to Dwr Cymru Welsh Water (DCWW) on behalf of this agent albeit, in this instance, comprising a smaller site area. The site is crossed by a foul water public sewer and the 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 and therefore no operational development will be permitted within 3 metres either side of the centreline of the public sewer. Our strong recommendation is that your site layout takes into account the location of the assets crossing the site and should be referred to in any master-planning exercises or site layout plans submitted as part of any subsequent planning application. Further information regarding Asset Protection is provided in the attached Advice & Guidance note.

As previous, 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 your development without causing detriment to the existing services we provide to our customers, or in regard to the protection of the environment; no improvements are planned within DCWW's Capital Investment Programme. Accordingly, we are unable at this stage to provide you with a point of adequacy on the network and our recommendation is that you instruct us to undertake a Hydraulic Modelling Assessment of the local public sewerage network, which is at the developer's expense and consistent with our representations to the LDP consultation process. This Assessment will examine the existing network and consider the impact of the introduction of flows from your development upon its performance. Where required and appropriate, the Assessment will then identify solutions and points of communication to ensure that your site can be accommodated within the system.

For the developer to obtain a quotation for the hydraulic modelling assessment, we will require a fee of £250 + VAT. Please note that we will seek to control the outcomes of the Hydraulic Modelling Assessment via appropriate planning conditions. However in the absence of known solutions to accommodate your site we will not be able to support your development through the planning process. We therefore recommend that the Assessment is undertaken in advance of the planning application being submitted in order to avoid any subsequent delays. Further information on Hydraulic Modelling Assessments as well as any implications on the planning process is provided in the attached Advice & Guidance note.

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.

In addition, you may need to apply to Dwr Cymru Welsh Water for any connection to the public sewer under Section 106 of the Water Industry Act 1991. However, 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 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.

You are 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 you may contact Dwr Cymru Welsh Water on 0800 085 3968 to establish the location and status of the apparatus in and around your site. Please be mindful that under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.



Welsh Water is owned by Glas Cymru – a 'not-for-profit' company.
Mae Dwr Cymru yn eiddo i Glas Cymru – cwmni 'nid-er-elw'.

We welcome correspondence in
Welsh and English

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

Rydym yn croesawu gohebiaeth yn y
Gymraeg neu yn Saesneg

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

Furthermore, 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.

SEWAGE TREATMENT

No problems are envisaged with the Waste Water Treatment Works for the treatment of domestic discharges from this site.

WATER SUPPLY

The proposed development is in an area where there are water supply problems for which there are no improvements planned within our current Capital Investment Programme AMP7 (years 2020 to 2025). Therefore, in order to establish what would be required to serve the site with an adequate water supply, it will be necessary for the developer to fund the undertaking of a hydraulic modelling assessment on the water supply network. For the developer to obtain a quotation for the hydraulic modelling assessment, we will require a fee of £250 + VAT.

I trust the above information is helpful and will assist you in forming water and drainage strategies that should accompany any future planning application. I also attach copies of our water and sewer extract plans for the area, and a copy of our Planning Guidance Note which provides further information on our approach to the planning process, making connections to our systems and ensuring any existing public assets or infrastructure located within new development sites are protected.

Please note that our response is based on the information provided in your enquiry and should the information change we reserve the right to make a new representation. Should you have any queries or wish to discuss any aspect of our response please do not hesitate to contact our dedicated team of planning officers, either on 0800 917 2652 or via email at developer.services@dwrcymru.com

Please quote our reference number in all communications and correspondence.

Yours faithfully,



Owain George
Planning Liaison Manager
Developer Services

Please Note that demands upon the water and sewerage systems change continually; consequently the information given above should be regarded as reliable for a maximum period of 12 months from the date of this letter.



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Mae Dwr Cymru yn eiddo i Glas Cymru – cwmni 'nid-er-elw'.

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

PLANNING AND NEW DEVELOPMENT

Pre-Planning Advice & Next Steps

Dŵr Cymru Welsh Water has a key role to play in the town and country planning process as the services provided are at the forefront of public health and protection of the environment.

Our engagement in the planning process allows us to ensure that we can suitably service new development from a clean water and sewerage treatment perspective, but also provides us with the controls to enable us to mitigate any potential negative impact that new development is likely to have on the performance of our infrastructure, the service we provide to customers, and the wider environment. Crucially, the planning process also enables us to identify where new development and growth is planned so that we are able to target investment in our existing infrastructure within these areas.

Our Pre Planning Advice to you

You have now received our pre-planning advice which will provide you with information regarding the impact of your proposed development upon our assets and apparatus. Our letter will advise whether the local network can support the proposal, whether off-site water mains and/or sewers will need to be provided, and whether there are any apparatus located within the land you wish to develop and the requirements for these apparatus.

However, in some circumstances we may require further information from you to fully evaluate the impact of your development. If this is the case please proceed to submit the required detail as requested in the letter. Upon receipt of the

information we can consider our position and provide you with an updated pre-planning response.

Please note that the advice provided is valid for a period of 12 months from the date of issue and will help us inform our response to the planning application for the development.

Next Steps....

You may now be proceeding to submit your planning application to the Local Planning Authority. Our preference is to see that drainage matters are resolved at pre-planning stage which will allow us to provide positive comments at planning consultation stage. In light of our pre-planning advice to you, it may therefore be in your interest to:

- Consider the drainage requirements and how the installation of new water mains/ sewers shapes the layout of your development. You will need to ensure that the design of the drainage layout will (where relevant) meet the appropriate standards for formal adoption by us (see further advice provided overleaf regarding Connecting to our Networks)
- Consider how your site layout ensures that any assets/ apparatus that may be located at the site are protected in line with the requirements set out in our letter
- Submit further information and/ or drainage plans so that we can review your proposal in greater detail
- Where further assessments are recommended, to commission those before the planning

application is submitted to avoid any delays (see further advice provided overleaf on Network Modelling/WwTW Feasibility Studies)

- Provide a copy of our pre-planning enquiry response to the Local Planning Authority as part of your planning application submission to demonstrate you have considered drainage aspects of your development at pre-application stage, and that we are aware of your proposal.

Our Involvement in the Planning Application Process

We provide Local Planning Authorities with advice on the ability of our assets to accommodate proposed development. Our comments are crucial in providing comfort to the Local Authority that new development sites can be effectively drained and can be supplied with clean water.

When sites can be accommodated in our networks we will recommend drainage related planning conditions which may seek to control the point of communication with our networks and the type of discharges that we may permit. We may also recommend conditions to secure the submission of further details, such as drainage plans and strategies (please note that we will resist the physical communication to our networks until drainage related conditions have been discharged)

However, there are instances where further assessments are required and we will seek to work collaboratively with you and the Local Planning Authority to establish a positive outcome for all parties.

PLANNING AND NEW DEVELOPMENT

General Advice and Guidance

Our pre-planning response will provide advice dedicated to your development. However, we also offer the following general advice around drainage matters and communicating to our networks.

Managing Surface Water at your Development Site

As with all new development sites, you will need to consider how to deal with the surface water runoff from new buildings and hard standings. Traditionally, surface water has been managed by installing new pipes and large storage tanks to take flow away from land as quickly as possible. However, Dŵr Cymru actively encourage the use of Sustainable Urban Drainage Systems (SUDS), which is an approach to managing surface water run-off by imitating natural drainage systems and retaining water on or near the site.

SUDS involve a range of techniques including green roofs, rainwater harvesting, permeable pavements, etc. SUDS offer significant advantages over conventional piped drainage systems in reducing flood risk by attenuating the rate and quantity of surface water run-off from a site, promoting groundwater recharge, and improving water quality and amenity. The variety of SUDS techniques available means that virtually any development should be able to include a scheme based around these principles. Good justification would be required not to incorporate a SUDS scheme on the site.

All new developments will therefore be expected to consider surface water management techniques and

fully exhaust all technical options outlined under Sections 3.2 and 3.4 of Part H of the publication 'Building Regulations 2000'. These regulations ensure that disposal should be made through the hierarchical approach, preferring infiltration and, where infiltration is not possible, disposal to watercourses in liaison with the Land Drainage Authority and/or Natural Resources Wales or the Environment Agency in England. Discharge of surface water to the public sewer is only to be made as a last resort. The management of highway or land drainage run off will also need to be considered as these flows will not be allowed to discharge directly or indirectly into the public sewerage system.

Network Hydraulic Modelling/ WwTW Feasibility Studies

Our pre-planning advice will provide you with an indication of whether our networks can accommodate your development. However there may be instances where our assets cannot at present service your site.

Our aim is to support economic development and growth within our operational area and we do not want to resist new development where possible. However we must be mindful of our assets, existing customers and the environment. In areas where there are issues either on our network or at the Wastewater Treatment Works (WwTW), we may already have proposals in place to address these concerns and to create capacity within the network for new developments.

However, there may be instances where you intend to develop your site in advance of Dŵr Cymru

undertaking improvements. If this is the case, to ensure there is no detriment to our existing customers you may be required to implement solutions identified by an assessment of either the network or Wastewater Treatment Works. Please note that you will not be expected to resolve any operational issues that exist.

Where further assessments are recommended, please be advised that you will need to allow sufficient time in your development program for these studies to be undertaken and for any improvements to be implemented, as in some circumstances we will not permit a communication to our networks until these works are completed.

Where possible, we will seek to control the delivery of any solutions as part of the planning process. Dependent on the progress of the assessment, we may be in a position to recommend appropriate planning conditions so that the outcomes of the assessment can be delivered as part of any planning permission. This approach allows us to support the progression of the site through the planning process, however in the absence of a completed assessment and known solutions we may need to work with you and the Local Planning Authority until the assessment is completed and the outcomes are known.

PLANNING AND NEW DEVELOPMENT

Making Connections to our Networks

Installing Your Drainage System and Making Connections to the Public Sewer

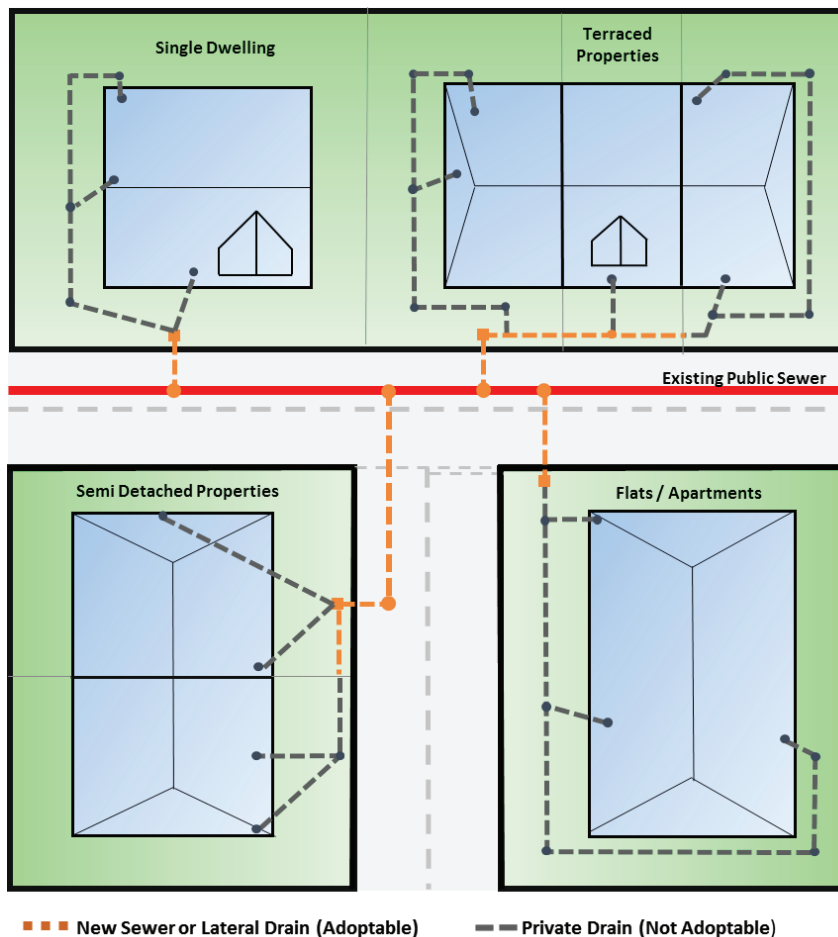
You will need to apply to us to make a connection to the public sewer, and depending on the layout of the drainage system you are proposing for your site, you may also be required to enter into an Adoption Agreement with us.

If your 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) with us.

The design of the sewer and lateral drain 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.

Please be advised that we will not enter into a sewer adoption agreement for any sewer or lateral drain which is constructed in advance of the adoption agreement being in place. Further information on whether you will require a Section 104 Adoption Agreement and the adoption process can be obtained by contacting us.

To make the physical communication to the public sewer you will need to apply under Section 106 of the Water Industry Act 1991. An application pack can be obtained from our website and as part of the submission you will need to demonstrate that an adoption



agreement (if applicable) is in place, and that you have the relevant planning permissions in place for your development. Please be advised that if your site is subject to an Adoption Agreement we will not permit your communication until the agreement is in place.

Your New Water Supply

Our pre-planning advice will indicate whether your site can be adequately serviced by our clean water network. If new connections are required, we would invite you to submit an application to us at www.dwrcymru.com under Developer Services. Here you will find information about the services we have available and all

our application forms and guidance notes. You can complete forms online and also make payments via our website.

Upon approval of your Application and Water Regulations Notification we will notify you accordingly, send you a quotation for our estimated cost of your connection and a plan advising you of the work you need to carry out.

Our quotation is valid for 6 months. If payment is not received during this period you will need to re-submit a new application plus application fee if you wish to continue.

PLANNING AND NEW DEVELOPMENT

Requisitions and Asset Protection



Requisition a Water Main or Public Sewer

As the Statutory Water and Sewerage Undertaker we have a duty under the Water Industry Act 1991 to comply with a Requisition Notice served on us for the provision of a water main and/or public sewer to serve the development site.

Two main reasons exist for the person(s) exercising the rights to serve Notice. The first is where a person(s) wishes us to lay water mains and/or sewers in private land (by us serving Notice under Section 159 (WIA91) so that a communication with an existing watermain or public sewer can be achieved; the second is where, as a consequence of the provision of the new watermain/public sewer, reinforcement of the existing network is required to ensure that the development, and the local area, has an effective system (refer to Section 37 (water) and Section 94 (sewers) of the Water Industry Act 1991)

Under the provisions of the WIA 1991, we are entitled to recover the costs we incur in providing a requisitioned watermain or sewer. This includes, among other things, the reasonable costs of design, labour, plant, materials, reinstatement, land purchase (if applicable), compensation, and quality testing, inspection, supervision, administration and overhead costs.

Further information on the Requisition process can be obtained by contacting our team of dedicated Engineers or by visiting the Developer Services pages of our

website.

Assets Located at your Development Site

Our pre-planning advice letter may have drawn your attention to assets and/or apparatus located within your development site. It is important to note that under section 159 of the Water Industry Act 1991, Welsh Water has rights of access in order to inspect, maintain adjust repair or alter any asset or apparatus at all times.

Locating an Asset

Our pre-planning letter will be accompanied by water main and sewer extract plans, providing you with an indication of the asset location within the site. However, we provide this information as general guidance only and on the strict understanding that it is on the best information available (see notes within our plans for further information). The onus of locating the apparatus before carrying out any excavation rests entirely with you. To accurately locate any assets, please contact our team of planning officers for further guidance.

Protecting an Asset

The presence of an asset within the development site will have an impact on the layout and general arrangement of the site. Our pre-planning advice letter will provide you with the requirements for the protection of the asset(s) and you will need to ensure that the layout incorporates these requirements. Our recommendation is that our assets are incorporated into any site layout plan that is submitted as part of any planning application, so that

we and the Local Planning Authority can be satisfied that you have acknowledged the presence of such assets and have taken the necessary steps to protect them at the site.

Diverting a Water Main or Public Sewer

If you have concluded that the asset located within the site could not be incorporated within the layout of the new development, or our rights of access to the asset may be hindered by your proposal, you may request the alteration or removal, including diversion of that apparatus to accommodate a proposed improvement of that land (e.g. development or change of use). This provision is provided under Section 185 of the Water Industry Act 1991. Further information on diverting an asset can be obtained by contacting our team of dedicated Engineers or by visiting the Developer Services pages of our website.

Contact Us

For more information, contact Welsh Water's Planning team:

Email: developer.services@dwrcymru.com

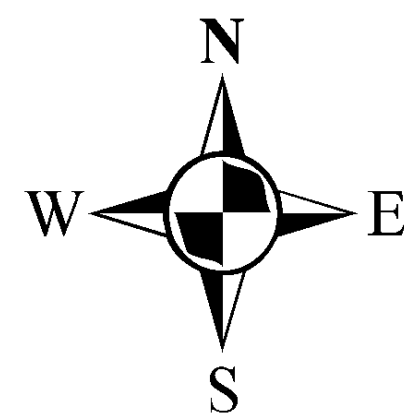
Visit: www.dwrcymru.com

Tel: 0800 917 2652



Dŵr Cymru
Welsh Water

PPA0004091



LEGEND(Representative of most common features)

Waste network:			
●	Foul chamber	⌋	Outfall
○	Surface water chamber	LH	Lampole
○	Combined chamber	---	Storm Overflow
⌋	Combined sewer overflow	---	Rising main
⌋	Special purpose chamber	---	Gravity sewer
⌋	Treatment works	---	Private sewer
△	Pumping station	S 104	Private sewer subject to Sect. 104 adoption agreement
---	Combined	---	Private Sewer Transfer
---	Surface Water	---	Lateral Drain
---	Foul	---	Inspection Chamber
---	Former S24 sewers (for indicative purposes only)		

NB: Sewer symbol colour indicates the type.
RED - Combined
GREEN - Surface Water
BROWN - Foul
Purple - Former S24 sewers (for indicative purposes only)

Notes:

Whilst every reasonable effort has been taken to correctly record the pipe material of DCWW assets, there is a possibility that in some cases, pipe material (other than Asbestos Cement (AC) or Pitch Fibre (PF)) may be found to be asbestos cement (AC) or Pitch Fibre (PF). It is therefore advisable that the possible presence of AC or PF pipes be anticipated and considered as part of any risk assessment prior to excavation

Dŵr Cymru Cyllyngeity (the Company) gives this information as to the position of its underground apparatus by way of general guidance only and on the strict understanding that it is based on the best information available and to warranting as to its correctness is made (not in the event of excavations or other works made in the vicinity of the Company's apparatus. The onus of locating apparatus before carrying out any excavations rests entirely on you. The information which is supplied by the Company is made as in accordance with statutory requirements of sections 198 and 199 of the Water Industry Act 1991 which is based upon the best information available and, in particular, but without prejudice to the generality of this, it should be noted that the records that are available to the Company may not disclose the existence of a water, main, service pipe, sewer, lateral drain or disposal main and any associated apparatus laid before 1 September 1989, or if they do, the particulars thereof including their position underground may not be accurate. It must be understood that the furnishing of this information is entirely without prejudice to the provision of the New Roads and Street Works Act 1991 and the Company's right to be compensated for any damage to its apparatus.

Service pipes are not generally shown but their presence should be anticipated.

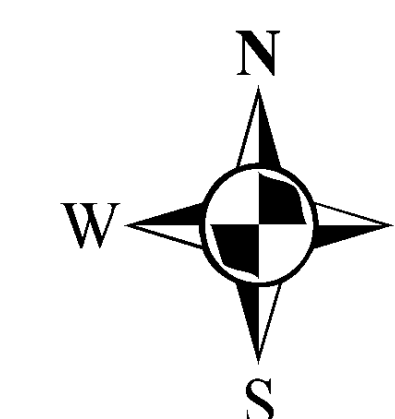
EXACT LOCATIONS OF ALL APPARATUS TO BE DETERMINED ON SITE.

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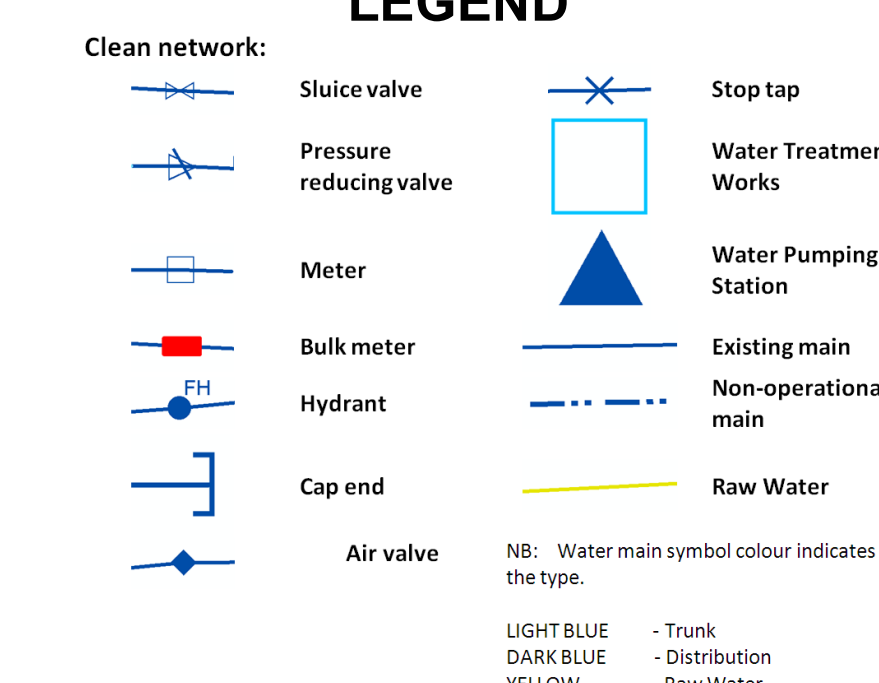
Map Ref: 307923,167525
Map scale: 1:1250
Printed by: Williams Gillian
Printed on: 28 Jun 2019



PPA0004091



LEGEND



Notes:

Whilst every reasonable effort has been taken to correctly record the pipe material of DCWW assets, there is a possibility that in some cases, pipe material (other than Asbestos Cement or Pitch Fibre) may be found to be asbestos cement (AC) or Pitch Fibre (PF). It is therefore advisable that the possible presence of AC or PF pipes be anticipated and considered as part of any risk assessment prior to excavation

Dŵr Cymru Cynhyddig (the Company) gives this information as to the position of the underground apparatus by way of general guidance only and on the strict understanding that it is based on the best information available and no warranty as to its correctness is relied upon in the event of excavations or other works made in the vicinity of the Company's apparatus. The onus of locating apparatus before carrying out any excavations rests entirely on you. The information which is supplied is based on the best information available and, in particular, without prejudice to the generality of the foregoing, I should be noted that the records that are available to the Company may not disclose the existence of a water main, gas pipe, sewer, cable or other underground apparatus which may be located in the vicinity of the Company's apparatus, the particulars thereof including their position underground may not be accurate. It must be understood that the furnishing of this information does not prejudice to the provision of the New Roads and Street Works Act 1991 and that you are still to comply with the provisions of that Act.

Service pipes are not generally shown but their presence should be anticipated.

EXACT LOCATIONS OF ALL APPARATUS TO BE DETERMINED ON SITE.

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Map Ref: 307923.167525

Map scale: 1:1250

Map scale: 1:1250
Printed by: Williams Gillian

Printed on: 28 Jun 2019

RPS Group Ltd
Park House
Greyfriars Road
Cardiff
CF10 3AF

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

Dyddiad/Date: 5 July 2019

Annwyl Syr/Madam / Dear Sir/Madam

**STATUTORY PRE-APPLICATION CONSULTATION – TOWN AND COUNTRY
PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (WALES) (AMENDMENT)
ORDER 2012**

**OUTLINE APPLICATION COMPRISING DEMOLITION OF EXISTING BUILDINGS AND
ERECTION OF 44.75HA CLASS B1/B2/B8 BUSINESS PARK, CAR PARKING,
LANDSCAPING, DRAINAGE INFRASTRUCTURE, BIODIVERSITY PROVISION, AND
ANCILLARY WORKS. ALL MATTERS RESERVED ASIDE FROM ACCESS. LAND AT
PORT ROAD, RHOOSE**

Thank you for providing a requisite notice to us under Article 2D of the above Order.

Based on the information submitted in support of the application we have significant concerns with the proposed development. We would recommend to the LPA that they should only grant planning permission if the scheme can meet the following requirement.

Requirement - European Protected Species (EPS) – further information is required to ensure there are no detrimental impacts to EPS.

We welcome the submission of the preliminary ecological appraisal report entitled 'Preliminary Ecological Appraisal', by Kate Davies of RPS, dated 24 May 2019.

We note from the survey report that a phase 1 habitat assessment was undertaken at the site and an assessment of potential EPS presence was undertaken. The report concluded that habitat suitable for otters, bats, dormouse and great crested newt were present on site and that numerous records for each were found within the immediate vicinity. Section 5.3 of the report recommended that further surveys for each species are undertaken, to ascertain the potential impacts of the proposed development on the protected species present. It does not appear that these surveys have been undertaken to date.

Otters, dormice, great crested newts and all species of British bats are European Protected Species, legally protected under The Conservation of Habitats and Species Regulations 2017. Legal protection relates to the animals themselves and the places they use to rest and breed.

Where a European Protected Species is present and development proposal is likely to contravene the legal protection they are afforded, the development may only proceed under licence issued by Natural Resources Wales, having satisfied the three requirements set out in the legislation. One of these requires that the development authorised will 'not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status (FCS) in their natural range'.

These requirements are translated into planning policy through Planning Policy Wales (PPW) December 2018, section 6.4.22 and 6.4.23, and Technical Advice Note (TAN) 5, Nature Conservation and Planning (September 2009). The planning authority should take them into account when considering development proposals where a European Protected Species is present.

Based on the information submitted in support of the application, we are unable confirm that the proposals are unlikely to result in a detrimental impact to the maintenance of the favourable conservation status of the otter, bats, dormice and great crested newt. Therefore, further information is therefore required, to confirm whether these species are present or are likely to be impacted by the proposal.

We advise that further surveys are undertaken in line with recommendations in Section 5.3 of the Preliminary Ecological Appraisal and the results submitted to the LPA in support of your formal planning application. Should protected species be confirmed and likely to be impacted by the development, your planning submission should also include full proposals to mitigate or compensate for the impacts of the development on the species in question.

Land Potentially Affected by Contamination

The Desk Study and Preliminary Risk Assessment – Land at Model Farm, Vale of Glamorgan, RPS, Ref: JER1539, May 2018, submitted in support of the application, proposes intrusive ground investigation. We advise as follows:

We consider that the controlled waters at this site not to be of the highest environmental sensitivity, therefore we will not be providing detailed site-specific advice or comments with regards to land contamination issues for this site.

It is recommended that the requirements of Planning Policy Wales and the Environment Agency Guiding Principles for Land Contamination (GPLC 1, 2, and 3), March 2010, should be followed. GPLC can be downloaded from the Environment Agency website.

These comments are based on our assumption that gross contamination is not present at this location. If, during development, gross contamination is found to be present at the site, the Local Planning Authority may wish to re-consult us.

Informative/ advice to applicant

The treatment and disposal of contaminated soils and groundwater is regulated by waste legislation and requires an environmental permit.

Excavated materials that are recovered via a treatment operation can be re-used on-site under the CL:AIRE Definition of Waste: Development Industry Code of Practice. This voluntary Code of Practice provides a framework for determining whether or not excavated material arising from site during remediation and/or land development works are waste.

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on site operations are clear. If in doubt, we should be contacted for advice at an early stage to avoid any delays.

We recommend that developers should refer to our:

- Position statement on the Definition of Waste: Development Industry Code of Practice and;
- website at www.naturalresourceswales.gov.uk for further guidance.

Contaminated soil that is excavated, recovered or disposed of, is controlled waste. Therefore, its handling, transport, treatment and disposal is subject to waste management legislation, which includes:

- Duty of Care Regulations 1991
- Hazardous Waste (England and Wales) Regulations 2005
- Environmental Permitting (England and Wales) Regulations 2010

Historic Landfill

The proposal site is located on a historic landfill. The Environment Agency provided the Local Authority with Historic Landfill data in 2007. You may wish to consult the Local Authority's Environmental Health department with regard to this matter.

Please note, if further information is prepared to support any application, it may be necessary for us to change our advice in line with the new information.

You should be advised that, in addition to planning permission, it is the applicant's responsibility to ensure all other permits/consents relevant to the development are secured.

If 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

From: James Cooke<James.Cooke@gov.wales>
To: Gareth Gardener
Cc: Arwel Williams<Arwel.Williams@gov.wales>
Subject: RE: Schedule 1C Notice - Land at Port Road, Rhose
Date: 17 June 2019 17:06:08
Attachments: [image001.png](#)
[image002.jpg](#)

CAUTION: This email originated from outside of RPS.

Dear Gareth

(Arwel for info and filing)

Thank you for consulting the Department under the above notice. In this case, the Department is only assessing the implications of the proposal against PPW BMV Policy.

I will contact IT and see what can be done about the firewall.

Agricultural Land Classification:

The online ALC viewer provides ALC survey information which overrides the Predictive ALC Map. I can confirm this site was surveyed in 2011 – *Model Farm, Barry* – conducted by Reading Agricultural Consultants; and, by the Welsh Government in 1990, *Land at Rhose Airport Cardiff* ALC030-90.

This confirms that the majority of the site is non-BMV with ~c. 1ha ALC grade 3a. See attached screenshot.

The Planning Statement:

The Planning Statement provides a map of the predicted ALC Grades across the proposal area. When referencing the ALC Grade, ALC survey derived information should be used in this case.

Page 12 (4.32) reference TAN6 paragraph 6.2.4. The Provisional ALC Map at 1:250,000 was withdrawn in 2017. TAN6 has not been updated. The Predictive ALC Map and survey layers have been provided as the replacement and guidance on their use and when to conduct a survey is provided for on the Welsh Government website <https://gov.wales/sites/default/files/publications/2018-02/agricultural-land-classification-predictive-map-guidance.pdf>

Advice:

The Department does not object to the proposal on the grounds BMV Planning Policy does not apply in this case. Any view expressed here does not bind any other part of the Department or Government.

It is recommended that the Planning Statement is revised to reflect actual survey information across the site and the latest guidance for use of the Predictive Map.

I would be pleased to discuss

Kind regards

James

RJ Cooke
Department for Energy, Environment and Rural Affairs
Welsh Government



From: Gareth Gardener <GardenerG@rpsgroup.com>
Sent: 17 June 2019 14:06
To: Cooke, James (ESNR - ERA - Land, Nature & Forestry) <James.Cooke@gov.wales>
Subject: RE: Schedule 1C Notice - Land at Port Road, Rhose

I think it's the Welsh Governments firewall might need to be amended, its:
www.pbpc-consultation.cymru

I attach the planning statement if you require anything else please let me know.
Regards
Gareth

Gareth Gardener
Principal Consultant
T +44 2920 668 662
E gardenerg@rpsgroup.com

From: James Cooke<James.Cooke@gov.wales> <James.Cooke@gov.wales>
Sent: 17 June 2019 13:29
To: Gareth Gardener <GardenerG@rpsgroup.com>
Subject: RE: Schedule 1C Notice - Land at Port Road, Rhose

CAUTION: This email originated from outside of RPS.

Dear Gareth

I can't access the planning documents. Could you send a new link or the documents directly?

Many thanks

James

From: Gareth Gardener <GardenerG@rpsgroup.com>

Sent: 12 June 2019 15:48

To: Cooke, James (ESNR - ERA - Land, Nature & Forestry) <James.Cooke@gov.wales>

Subject: Schedule 1C Notice - Land at Port Road, Rhoose

Please find attached a Schedule 1C Notice relating to pre-application consultation on land at Port Road Rhoose as it relates to agricultural land that maybe developed.

Regards

Gareth

Gareth Gardener

Principal Consultant
RPS | Consulting UK & Ireland
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CF10 3AF, United Kingdom
T +44 2920 658 662
D 02920 550674 **M** 07813826334
E gardenerg@rpsgroup.com
rpsgroup.com



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