

## AM, MP SUPPORT, COUNCILLORS OBJECTION & PETITION

COMMITTEE DATE: 13/12/2017

APPLICATION No. **17/01735/MJR** APPLICATION DATE: 13/07/2017

ED: **WHITCHURCH/TONGWYNLAIS**

APP: TYPE: Outline Planning Permission

APPLICANT: Velindre NHS Trust

LOCATION: Land to the north-west of Whitchurch Hospital Playing Fields

PROPOSAL: PROPOSED VELINDRE CANCER CENTRE INCLUDING SPECIALIST CANCER TREATMENT CENTRE, CENTRE FOR LEARNING, RESEARCH AND DEVELOPMENT, PRIMARY MEANS OF ACCESS (FROM CORYTON INTERCHANGE), EMERGENCY ACCESS (VIA HOLLYBUSH ESTATE), TEMPORARY CONSTRUCTION ACCESSES, PARKING, ENERGY CENTRE, LANDSCAPE WORKS, PEDESTRIAN PATHS, AND MAGGIE'S CENTRE

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**RECOMMENDATION 1** : That, subject to relevant parties entering into **SECTION 106** legal agreement for the points outlined in paragraph 9 of this report within six months of the date of this resolution, unless otherwise agreed by the Council in writing, planning permission be **GRANTED** subject to the following conditions:

1. A. Subject to condition 2 below approval of the details of the layout, scale and appearance of the building(s), and the landscaping of the site (hereinafter called the "reserved matters") shall be obtained from the Local Planning Authority in writing before any development, bar the approved access roads and their enabling works, is commenced.  
B. Plans and particulars of the reserved matters referred to in condition 1A above, relating to the siting, design and external appearance of any buildings to be erected, and the landscaping of the site shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.  
C. Application for the approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.  
D. The development hereby permitted shall be begun either before the expiration of 5 years from the date of this permission or before the expiration of 2 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, C and D. In accordance with the provisions of Section 92 of the Town and Country Planning Act 1990.

2. Details submitted in respect of condition 1 the proposed layout shall have regard to illustrative Master Plan reference 011282-HSL-00-ZZ-DR0L-0802-SO.P05, the proposed scale of any building shall not exceed that shown in maximum Parameters plan and Enabling works reference 011282-HSL-00-ZZ-DR-A-PL11-A, and sectional drawings reference 011282-HSL-00-ZZ-DR-A-PL31-A. The details, in relation to scale, shall also include a sectional plan of existing ground level and proposed finished levels and their relationship with the adjoining buildings. The proposed landscaping shall have regard to Landscape Masterplan reference GA 011282-HSL-00-ZZ-DR-L-0801-SO.P05.

Reason : To ensure an orderly form of development.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order amending, revoking, or re-enacting that Order) no structure, extension or means of enclosures shall be placed within the site or any alteration undertaken to any roof.

Reason: To ensure the orderly development of the area with adequate space about buildings and in the interests of the visual amenity of the area.

4. The proposed access roads to the site are approved and shall accord with the following drawings:

- MMD-23621662-D-DR-00-XX-2020 Rev P1 Proposed Highway Alignment General Arrangement Key Plan;
- MMD-23621662-D-DR-00-XX-2021 Rev P1 Proposed Highway Alignment General Arrangement (sheet 1 of 5);
- MMD-23621662-D-DR-00-XX-2022 Rev P1 Proposed Highway Alignment General Arrangement (sheet 2 of 5);
- MMD-23621662-D-DR-00-XX-2023 Rev P1 Proposed Highway Alignment General Arrangement (sheet 3 of 5);
- MMD-23621662-D-DR-00-XX-2024 Rev P1 Proposed Highway Alignment General Arrangement (sheet 4 of 5);
- MMD-23621662-D-DR-00-XX-2025 Rev P1 Proposed Highway Alignment General Arrangement (sheet 5 of 5);
- MMD-23621662-D-DR-00-XX-2026 Rev P1 Proposed Emergency Access Layout;
- MMD-23621662-D-DR-00-XX-2027 Rev P1 Proposed Highway Alignment Corryton station to Velindre Footpath link;
- MMD-23621662-D-DR-00-XX-2028 Rev P1 (Proposed highway alignment Cross Sections (sheet 1 of 4);
- MMD-23621662-D-DR-00-XX-2029 Rev P1 (Proposed highway alignment Cross Sections (sheet 2 of 4);
- MMD-23621662-D-DR-00-XX-2030 Rev P1 (Proposed highway alignment Cross Sections (sheet 3 of 4);

- MMD-23621662-D-DR-00-XX-2031 Rev P1 (Proposed highway alignment Cross Sections (sheet 4 of 4);
- MMD-361662-D-DR-00-XX-2007 Rev P2 (Proposed highway alignment Cross Sections (sheet 3 of 4);
- MMD-23621662-D-DR-00-XX-2008 Rev P2 Construction Access Vehicle Swept Path (sheet 1 of 3);
- MMD-23621662-D-DR-00-XX-2009 Rev P2 Construction Access Vehicle Swept Path (sheet 2 of 3);
- MMD-23621662-D-DR-00-XX-2010 Rev P2 Construction Access Vehicle Swept Path (sheet 3 of 3);
- MMD-23621662-D-DR-00-XX-2200 Rev P1 Access Bridge Plan and Cross section;
- MMD-23621662-D-DR-00XX-2201 Rev P1 Access Bridge Elevations;
- MMD-23621662-D-DR-00XX-2202 Rev P1 Emergency Access Bridge General Arrangement;
- MMD-23621662-D-DR-00XX-2400 Rev P1 Drainage Design Surface Water Enabling works Proposals (sheet 1);
- MMD-23621662-D-DR-00XX-2401 Rev P1 Drainage Design Surface Water Enabling works Proposals (sheet 2);
- L(90) 0101 Revision P3 LANDSCAPE PROPOSALS: VCC/ASDA NORTHERN ACCESS ROAD;
- L(90) 0102 Revision P3 LANDSCAPE PROPOSALS; EMERGENCY ACCESS ROUTE;
- L(90) 0103 Revision P2 LANDSCAPE PROPOSALS:CORYTON STATION/PENDWYALLT ROAD PEDESTRIAN LINKS

Reason: To ensure the proposed access is undertaken in accordance with the submitted details, in accordance with Policy KP5, KP6 & T6 of the adopted Cardiff Local Development Plan (2006-2026).

5. No development shall take place until details showing the provision of cycle parking spaces have been submitted to and approved in writing by the local planning authority. The approved details shall be implemented prior to the development being put into beneficial use. Thereafter the cycle parking spaces shall be maintained and shall not be used for any other purpose.

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

6. No part of the development hereby permitted, bar the access road and their enabling works, shall be occupied until details of the layout, operation and management of the car parking provision, to include details of systems and measures to prevent staff using patient/visitor spaces have been submitted to and approved in writing by the Local Planning Authority. A maximum allocation of 773 car parking spaces shall be provided, of which no less than 36 shall be laid out and allocated for disabled users. The car parking is to be provided on the basis of the following breakdown:

Main car parks	Parking spaces	Disabled Allocation
Staff	429	18
Patients	283	12
Conference/visitor	43	3
Total	755	33
Elsewhere on-site		
Maggies Centre	12	3
Hospital transport staff/volunteers	6	
Total	773	36

The hereby approved car parking provision shall be laid out in accordance with the approved details before the development is brought into beneficial use and thereafter be maintained for purposes associated with the development.

Reason: To make appropriate provision for car parking clear of adjacent roads, in accordance with Council policy and in the interest of highway safety, to regulate the impact of the development on use of the adjacent highway with Policies KP8 & T5 of the adopted Cardiff Local Development Plan (2006-2026)

7. No part of the development hereby permitted shall be occupied until a travel plan to include, but not limited to, the promotion of walking, cycling, public transport and other alternatives to the use of single occupancy private cars; the management and control of vehicular access to the site; and the control of car parking on the site, including the appointment of a Travel Plan Coordinator, has been submitted to and approved in writing by the Local Planning Authority.  
Reason: In the interest of highway safety and to regulate the impact of the development on use of the adjacent highway in accordance with Policy KP8 of the adopted Cardiff Local Development Plan (2006-2026).
  
8. No part of the development hereby permitted, bar the access road and their enabling works, shall be commenced until full details of the roads and footpaths within the site, including layout, construction, surface water drainage and lighting, have been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until the hereby approved details have been implemented in accordance with the approved plans.  
Reason: To ensure an orderly form of development and provide safe commodious access to the proposed development in accordance with Policy KP6 of the adopted Cardiff Local Development Plan (2006-2026).
  
9. No part of the development hereby permitted, bar the access road and their enabling works, shall be commenced until a scheme of highway works to Coryton Interchange slip road/Longwood Drive and the main Asda site road as shown in principle on the approved plans has been submitted to and approval in writing by the LPA. No part of the development shall be occupied until the approved scheme has been implemented to the satisfaction of the Local Planning Authority.

Reason: To provide safe commodious pedestrian, cycle and vehicle access to the proposed development in the interests of highway safety; in accordance with Policy KP6 & T6 of the adopted Cardiff Local Development Plan (2006-2026).

10. No part of the development hereby permitted shall be commenced until a scheme of highway works to provide an emergency access connection to the Hollybush Estate road (including details of the proposed barriers and their operation) and pedestrian and cycle connection to Park Road and Coryton Station as shown in principle on the approved plans has been submitted to and approval in writing by the LPA. No part of the development shall be occupied until the approved scheme has been implemented to the satisfaction of the LPA.

Reason: To provide safe commodious pedestrian, cycle and emergency vehicle access to the proposed development in the interests of highway safety in accordance with Policy T5 of the adopted Cardiff Local Development Plan (2006-2026).

11. No part of the development hereby permitted, bar the access road and their enabling works, shall be commenced until a scheme for the provision of a bus turning/loop and stop, to include shelter, boarder kerb and RTI, has been submitted to and approval in writing by the LPA. No part of the development shall be occupied until the approved scheme has been implemented to the satisfaction of the LPA.

Reason: To make adequate provision for a future bus service to promote sustainable travel in accordance with Policy KP7 & KP8 of the adopted Cardiff Local Development Plan (2006-2026).

12. The bridge adjoining the Hollybush Estate shall only be used in an emergency. An emergency is defined as that where there is a risk to life or building.

Reason: To ensure the amenities and traffic within the Hollybush Estate are protected in accordance with Policy KP5 of the adopted Cardiff Local Development Plan (2006-2026).

13. Prior to commencement of development, details of the finish and colour of the proposed bridges shall be submitted to and approved in writing with the Local Planning Authority, and implemented in accordance with the approved details.

Reason: To ensure the development harmonises with its environment in accordance with Policy KP5 of the adopted Cardiff Local Development Plan (2006-2026).

14. No development shall take place until a Soil Resource Survey and Plan, prepared in accordance with the 2009 DEFRA Construction Code of Practice for the Sustainable Use of Soils on Construction Sites, and covering each phase of development, has been submitted to and approved in writing by the LPA.

Reason: to ensure that a valuable soil resource is efficiently and effectively protected from harm and re-used as appropriate for

landscaping purposes in accordance with Policy KP15 of the adopted Cardiff Local Development Plan (2006-2026).

15. The Development shall accord with the submitted details and recommendations as outlined in the Arboricultural Impact Assessment dated 10<sup>th</sup> October, 2017 from Mott MacDonald.  
Reason: To ensure the impact upon the protected trees is limited to that as assessed in accordance with Policy KP15 of the adopted Cardiff Local Development Plan (2006-2016).
16. No Reserved Matters application shall be approved by the Local Planning Authority and no development and site clearance shall take place until a Green Infrastructure Management Strategy (GIMS) for the delivery, establishment and ongoing management, maintenance and monitoring of green infrastructure for the whole site, for both the establishment phase and long term, has been submitted to and approved in writing by the Local Planning Authority. The GIMS shall accord with the Landscape Masterplan and mitigation measures set out in the Environmental Statement and its addendum, and in the Environmental Mitigation Plan. The GIMS shall include the following details:
  - a) Proposals for the retention, creation, enhancement and management and maintenance of ecosystems and their constituent habitats, including woodlands, hedgerows and trees, grasslands, water features and SuDs, highway trees/verges, and other habitat providing foraging, community and breeding opportunities for wildlife, and phasing of that provision, including a description of the habitats, their desired condition, key indicators to show when the desired condition has been achieved and management operations
  - b) As part of a) details shall include: a plan and proposals for the retention, creation and enhancement of an ecotone of a minimum of 15m width along the edge of the Glamorgan Canal / Long Wood SSSI. The Plan and proposal of the buffer zone scheme shall be free from built development including lighting, gardens and formal landscaping. The scheme shall include:
    - Plans showing the extent and layout of the buffer zone;
    - Details of proposed planting scheme for the buffer zone (the scheme should only incorporate local native species);
    - details of how existing vegetation will be managed in the buffer zone;
    - Details demonstrating how the buffer zone will be protected during development and managed/maintained over the longer term including adequate financial provision and named body responsible for management, if necessary
  - c) Mitigation, compensation and enhancement measures to be delivered for protected species affected by the development. These measures shall relate to, but shall not be limited to,
    - Bat roosts and bat habitat connectivity as outlined in Table 6.9

in Chapter 6 (Ecology) of the Environmental Statement dated October 2017

- Precautionary methods of vegetation clearance to avoid harm to dormice if present
- A contingency for the eventuality that dormice are detected during vegetation clearance
- A contingency for the discovery of previously undetected Great Crested Newts in terrestrial habitats on site
- Provision of bird nesting habitat, including within new buildings on site.

Enhancement measures for bats and birds shall be in accordance with the advice given in 'Designing for Biodiversity: A Technical Guide for New and Existing Buildings, Second Edition. RIBA Publishing, London. Gunnell, K. et al., 2013', or most recent subsequent edition thereof.

- d) Appropriate scheduling and timing of management and maintenance operations
- e) Proposals for habitat and species monitoring, and updating of the GIMS
- f) Treatment for the eradication of any invasive non-native species found at the site to be undertaken in accordance with Chapter 6 of the Environmental Statement (October 2017).
- g) A lighting scheme and implementation plan to control light spillage to wildlife corridors and habitats. The scheme shall include, but not be limited to, details of the siting and type of lighting to be used, measures to control light spillage, drawings setting out light spillage in key areas for wildlife, measures to monitor lux levels and remedial action to be undertaken where problems are identified. The scheme shall include cross sections of roads, footpaths and cyclepaths and adjacent properties where they intersect with any identified sensitive receptors and those cross sections shall also show green infrastructure and lighting proposals
- h) Approach to safety of any SuDs features for the general public.
- i) A plan showing areas for adoption by the Council, any statutory undertaker and areas to be maintained by a private management company
- j) Implementation programme.
- k) A landscaping implementation programme.
  - Scaled planting plans prepared by a qualified landscape architect.
  - Proposed finished levels.
  - Earthworks.
  - Hard surfacing materials.
  - Existing and proposed services and drainage above and below ground level.

Planting plans shall be supplemented by:

- Schedules of plant species, sizes, numbers or densities prepared by a qualified landscape architect.
- Scaled tree pit sectional and plan drawings prepared by a qualified landscape architect.
- Topsoil and subsoil specification for all planting types, including full details of soil assessment, protection, stripping, storage, handling, amelioration and placement to ensure it is fit for purpose. Where imported planting soils are proposed, full specification details shall be supplied, including certification in accordance with British Standards and interpretive reports by a soil scientist demonstrating fitness for purpose and a methodology for handling, amelioration and placement.
- Planting methodology and post-planting aftercare methodology prepared by a qualified landscape architect.

The submitted details shall be consistent with other plans submitted in support of the application and the landscaping shall be carried out in accordance with the approved design and implementation programme. The approved GIMS, and any subsequent amendments as shall be agreed in writing by the Local Planning Authority, shall be implemented in accordance with the approved details and programme for implementation. Should monitoring and/or surveys indicate a failure of the mitigation measures or a decline in population or distribution, remedial measures shall be agreed in writing with the Local Planning Authority and shall be implemented as agreed.

Reason: To protect and enhance the Green Infrastructure resource of the site and to protect priority habitats and species.

17. Prior to the commencement of any site clearance, construction works or development (except for demolition), a Construction Environmental and Management Plan (CEMP) for the whole site shall be first submitted to and approved in writing by the Local Planning Authority. The CEMP shall accord with the Landscape Masterplan and mitigation measures set out in the Environmental Statement and its addendum, and in the Environmental Mitigation Plan. The CEMP shall include:
- a) An implementation programme;
  - b) A Construction Traffic Management Plan, to include but not limited, to the management of site access, parking (to be within the main body of the site) and wheel washing facilities;
  - c) Details of site hoardings (including the erection, maintenance, security and any decorative displays) and means of enclosure to prevent unauthorized access during construction;
  - d) Details of the storage of plant and materials (including any oils, fuels and chemicals), construction compounds, any temporary facilities for construction staff;
  - e) A Dust Management Plan and measures to control the emission of dust and dirt from construction and minimise sediment loading
  - f) A Noise Management Plan and measures to control and monitor noise, the details to be submitted shall include the suggested information (including phasing) outlined in Chapter 9 : Noise and

- vibration Environmental Statement dated October, 2017;
- g) Measures to control cementitious materials;
  - h) A Site Waste Management Plan for the recycling and/ or disposal of all waste resulting from construction works;
  - i) A Construction Drainage Scheme indicating how surface water and land drainage run off will be dealt with to prevent contamination, nuisance, subsidence or flooding to i) a Green Infrastructure Construction Protection Strategy (GICPS) detailing measures for the protection of the ecological (habitats & protected species), aboricultural, landscape, soil, open space and SuDs resource during clearance and construction, 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:
    - an assessment of the impacts
    - a plan showing green infrastructure to be lost, retained, enhanced, translocated and newly created and its phasing
    - a plan showing protection zones for the ecological (habitats & protected species), aboricultural, landscape, soil, open space and SUDS resource for the construction phase, which shall include but not be limited to a 15m wide buffer zone alongside the Glamorgan Canal / Long Wood SSSI precautionary measures to avoid harm to previously undetected dormice and badgers
    - pre-construction checks
    - details of site clearance and construction methods and measures to be taken to minimize the impact of any works
    - phasing / timing of works
    - a lighting scheme, including measures to reduce light spillage from construction onto key habitats and corridors.
  - k) List of on-site contacts and their responsibilities and arrangements for ecological site inductions for contractors working on site;  
The details so approved and any subsequent amendments as shall be agreed in writing by the Local Planning Authority shall be complied within in full throughout the construction period.
  - l) Details of the remediation and timescale of the triangular piece of land to the east of the Hollybush Estate.
  - m) The details so approved and any subsequent amendments as shall be agreed in writing by the Local Planning Authority shall be complied within in full throughout the construction period

Reason: To manage the impacts of construction in the interests of highway safety, and protection of the environment and public amenity in accordance with Policy KP16 of the adopted Cardiff Local Development Plan (2006-2026)

18. Prior to beneficial occupation of the centre details of the storage and disposal of waste (including radioactive) shall be submitted to and approved in writing with the Local Planning Authority. The approved details shall have regard to the submitted Waste Strategy dated 6<sup>th</sup> January, 2017. The Approved details shall be implemented on site prior to beneficial occupation and shall thereafter be retained.  
Reason: To ensure sufficient waste strategy in accordance with Policy W2 of the adopted Cardiff Local Development Plan (2006-2026).
19. No fixed plant and/or machinery shall come into operation until details of the fixed plant and machinery serving the development hereby permitted, and any mitigation measures to achieve this condition, are submitted to and approved in writing by the local planning authority. The rating level of the sound emitted from the site shall not exceed 37dB(A) from the nearest noise sensitive receptor point at all times. The rating levels shall be determined by the objective acoustic feature methodology of BS4142:2014 and calculated to the nearest noise sensitive premises.  
Reason: to ensure the amenities of the adjoining neighbours in accordance with Policy EN13 of the adopted Cardiff Local Plan (2006-2026).
20. No development, bar the access road and their enabling works, shall be undertaken until details of drainage have been submitted and approved in writing with the Local Planning Authority. The submitted details shall have regard to the submitted Drainage Strategy dated 3 March 2017. The approved details shall be implemented before the development is operational.  
Reason: To ensure a satisfactory drainage development in accordance Policy EN10 of the adopted Cardiff Local Plan (2006-2026).
21. Prior to the commencement of any development , bar the access road and their enabling works, and following completion of the approved monitoring scheme ( as outlined with the Motts MacDonald Preliminary Contamination Risk Assessment dated February 2017), 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 than 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 in accordance with policy EN13 of the Cardiff Local Development Plan.

22. 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 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 in accordance with policy EN13 of the Cardiff Local Development Plan.

23. Any topsoil [natural or manufactured], or subsoil, 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 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 in accordance with policy EN13 of the Cardiff Local Development Plan.

**RECOMMENDATION 2** : 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.

**RECOMMENDATION 3:** The applicant is advised of the comments from Welsh Government Transportation Section in relation to the following:

The proposed junction improvements shall meet the relevant standards required by the Design Manual for Road and Bridges (DMRB) and detailed design drawings will need to be submitted for approval to the Welsh Government prior to a section 278 being entered into.

The proposed traffic signal improvements shall meet the relevant standards required by the Design Manual for Road and Bridges (DMRB) and detailed signal timings will need to be submitted for approval to Welsh Government prior to a Section 278 being entered into.

The Applicant shall include plans detailing any necessary adjustment to, including but not limited to, public utilities apparatus, highway drainage, street lighting, signage, guard-railing, noise barriers, and street furniture and road markings arising from the works. Detailed drawings of any proposed adjustments required shall be submitted for approval to the Welsh Government.

The Applicant shall commission and pay for a Safety Audit of the scheme, (Stages 1 - 4) in accordance with the DMRB HD 19, and implement any measures required as a result of this audit, unless otherwise agreed by the Welsh Government. This will include a requirement that the Designers Response issues are fully considered and implemented to the satisfaction of the Welsh Government and will include antiskid surfacing, drainage and street lighting issues.

The Applicant shall commission and pay for a revalidation of the MOVA/SCOOT traffic signal system at Coryton (M4 Junction 32) and implement any measures including infrastructure, signal equipment and software, etc) required as a result of this revalidation, unless otherwise agreed by the Welsh Government. This will also include an annual review of the signal operations at once the development is operational.

The Applicant shall comply with the requirements of DMRB HD 22 and submit drawings and calculations for approval / certification by the Welsh Government prior to the commencement of any works.

No drainage from the development site shall be connected to or allowed to discharge into the trunk road drainage system, and the proposed junction shall be constructed such that the connecting roads do not drain onto the trunk road. The form and detailed design of the drainage to be incorporated within the proposal shall be agreed with the local planning authority and the trunk road agent.

During the construction phase, the Applicant shall provide wheel-washing facilities at the site exit.

**RECOMMENDATION 4 :** 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

- (i) determining the extent and effects of such constraints and;
- (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.

**RECOMMENDATION 5:** The applicant is to ensure the structural integrity of the bridges and buildings.

**RECOMMENDATION 6 :** The applicant is advised that the granting of this consent does not authorise development from the council as a land owner and that consent should be sought from the Council's legal section.

## 1. DESCRIPTION OF PROPOSED DEVELOPMENT

1.1 Outline permission is sought for a 42 bed cancer centre, conference/learning and research centres and Maggie's Centre with associated infrastructure, including a double decked car park and energy centre.

1.1.1 Matters for consideration under this application are: the principle of development (including setting maximum parameters for the development) and access to the site. Subsequent applications for layout, scale appearance and landscaping (known as the 'reserved matters') will be submitted at a later date. However, indicative maximum and minimum Parameters Plans, along with indicative sectional and elevation drawings, have been submitted to allow assessment of the potential development. Each element of the proposal has been described in Chapter 4 of the submitted Environmental Statement and is summarised below.

### 1.2 Velindre Specialist Cancer Centre

The proposed Velindre Cancer Centre will comprise a maximum 40,000 sq.m. of gross internal floor area for cancer health services (planning use classes: C2 Residential Institutions and D1 Non-residential institutions). No surgical treatment will be undertaken at the centre, but space for the delivery of the following critical services will be provided: radiotherapy; chemotherapy; pharmacy; inpatient beds; outpatients' services; support services; and imaging with a conference centre facility and a centre for learning, including a Research and Development section. As the overall design of the building is reserved, internal configuration of the use has not been submitted.

The maximum parameters of the centre are identified in the table below.

*Table 4.1: Maximum building parameters of the Velindre Cancer Centre*

Height	Width	Length
4.5m-23m*	100m-150m	180m-220m

### 1.3 Energy Centre

An Energy Centre is proposed on the site to provide the main source of heat and electricity to the proposed Velindre Cancer Centre. The energy centre would be located away from the main centre and sited in the northwest corner of the site. The Energy Centre would consist of gas fired Combined Heat and Power (CHP) boilers that would also have the potential to run on oil. Diesel generators would also be provided in the energy centre to be used only as emergency backup. The total output from the Energy Centre would be 2MWp.

*Table 4.2: Maximum building parameters of the Energy Centre*

	Height	Width	Length
<b>Main Building</b>	5m-10m*	12m-18m	15m-23m
<b>Flue</b>	19m-24m*		

#### 1.4 Maggie's Centre

The Maggie's Centre (which is a separate organisation and provides help and relief to cancer patients and carers) would be located in the north-west corner of the site. The minimum and maximum building parameters are identified in the table below. The maximum gross internal area (GIA) would be 650 sq. m over two floors.

*Table 4.3: Maximum building parameters of the Maggie's Centre.*

<b>Height</b>	<b>Width</b>	<b>Length</b>
5m-10m*	14m-22m	14m-22m

\* The height of the various buildings are measured from an assumed datum point (which is a central point within the site circa 50.00 above ordnance datum (AOD)) and not from natural ground level.

#### 1.5 Main Site Access (for consideration under this application)

The main site access route would be provided from the north of the site via the existing roundabout on Longwood Drive. To facilitate the development it is proposed to upgrade the roundabout, in particular the existing arm that serves Asda, and the access road into Asda. A new access road would spur off from the upgraded Asda access road and cross the disused railway cutting (via a three span bridge) and enter the meadow fields to the northwest of the main site area. From these fields, the access road would pass through an area of woodland and enter the site through the north-west boundary. The access would provide for two-way vehicle movement, and would include a pedestrian footway and cycle lane. This would link with the crossings that would be located to provide access to Asda and the wider pedestrian and cyclist network in the local area.

It is proposed that the maximum width of the access road would be 11.3m (7.3m carriageway and 4m cycle/pedestrian lane with segregation widths).

A new bridge is proposed to enable the access road to cross the former railway cutting. The width of the bridge would be up to 11.6m to account for the carriageway, segregated pedestrian and cycle lane and bridge parapets and span circa 100 metres and have clearance of circa 12 metres from the floor of the railway cutting.

#### 1.6 Emergency Access (for consideration under this application)

An emergency access is proposed through the site's eastern boundary via the Hollybush Estate. This access road would be created from the existing highway network that dissects Sycamore House and Poplar House in the south of the estate and enter the site by passing through the woodland and the former railway cutting (including the surrounding woodland). As it enters the site, the access would join with the main internal site access road. The carriageway of the emergency access would be up to 5.5m wide with a span the railway cutting circa 45 metres and again would have a clearance of 12 metres from the floor of the railway cutting.

The total width of the emergency access bridge across the railway cutting would be up to 7.6m (6.7m for the carriageway and verges and 0.9m for the bridge parapets). The access would be closed to vehicles except for a major emergency and would therefore be gated to prevent uncontrolled use by vehicles and pedestrians.

1.7 Pedestrian Access (for consideration under this application)

An adopted highway currently follows the south-east boundary of the main site area from the main highway (A4054)/ eastern boundary of the Hollybush Estate to connect with the public path which follows outside the boundary of the main site.

It is proposed to upgrade the adopted highway along the south-east boundary as a pedestrian and cycle access to the site. To ensure that this route is fit for purpose it is proposed to resurface the route using an asphalt surface and provide sufficient levels of lighting.

Works would also include the refurbishment of the footpath that links Park Road to the site via the existing arched bridge adjacent to the Hollybush Estate.

A new pedestrian route is also proposed between the site and Coryton Railway Station. The route would be provided from the station to the site via the railway cutting under the existing Park Road overbridge. This route would be re-surfaced and provided with suitable lighting.

1.8 Internal Pedestrian Routes (Reserved Matter)

The Illustrative masterplan shows a series of internal pedestrian routes to connect the parking areas, the Velindre Cancer Centre, the Maggie's Centre and the Energy Centre. The routes would also connect with the formal footpath network to ensure that walkers are able to pass through the site. Where possible, the routes would replicate the existing prominent pathways.

1.9 Service Yard (Reserved Matter)

A service yard will be located adjacent to the cancer centre. All delivery vehicles to the site will enter this space. The yard will be accessible from the main internal site road and will be approximately 25m in width and 60m in length. The illustrative master plan indicates this would be to the north of the main cancer centre.

1.10 Parking

755 parking spaces are proposed to accommodate staff and patients (773 in total, including the proposed Maggie's Centre and hospital transport staff/volunteer spaces). The plans as submitted indicate that 500 of these spaces would be provided beneath the Velindre Cancer Centre within an undercroft area, with 255 spaces in a decked parking area accessible from the main site access. The decked parking area would be located adjacent to the Velindre Cancer Centre.

12 parking spaces are proposed as surface parking at the Maggie's Centre, and 6 no. additional spaces allocated to hospital transport staff/volunteers.

*Table 4.4: Minimum and maximum building parameters of the decked car park*

<b>Height</b>	<b>Width</b>	<b>Length</b>
4m-5m*	40m-50m	70m-80m

1.11 Drainage

A drainage strategy has been submitted which covers matters in relation to the access roads and reserved matters. It states that the site's ground conditions make the provision of soakaways unviable, as connecting to a watercourse would require drainage infrastructure to be delivered through the SSSI, which would increase the development's ecological impact.

The limited presence of open and ground level SUDS features in the surface water strategy (such as swales, ponds and detention basins) is required to satisfy Welsh Water (DCWW), which would not permit land drainage to enter surface water sewers located adjacent to the site.

1.12 Lighting

Lighting plans of the access routes and a lighting assessment has been submitted for the development. The assessment proposes measures to be incorporated into the design including: reducing the height and tilt of luminaires; avoiding use of mounted columns on the main access bridge; applying baffles, shields or louvres; utilising luminaires with low ultraviolet light output; and, incorporating dimming technology to be used at times of decreased use.

1.13 Landscape (Reserved Matter)

A landscape strategy has been submitted which seeks to retain and restore as much of the existing grassland habitat that characterises the site (this grass land is the reason the site has been designated as a SINC) and to provide wildflower planting to enhance the biodiversity of the landscaped areas. Areas of grassland are proposed adjacent to buildings, parking areas and pedestrian footpaths, and to the embankments of the access road and parking areas.

Tree planting is proposed alongside the grassland, to create outdoor 'pocket' spaces and screen views of essential development infrastructure.

On the outskirts of the site, the emphasis would be on better management of the scrub that frames the site. Along the south-western boundary where the informal pedestrian route and Public Right of Way are located, the scrub would be managed and enhanced to provide a screened and defined route for pedestrians to pass through the site.

A 15m buffer is proposed along the south-west boundary adjacent to the Site of Special Scientific Interest (SSSI). The 15m zone would include the existing Public Right of Way and non-statutory footpaths and would be subject to landscape enhancement. No building development would be undertaken in this zone. Invasive species including Himalayan Balsam are located on the fringes of the site and in the surrounding area (including the SSSI). It is proposed to treat and remove this as part of the development proposals.

#### 1.14 Hours of Operation

The main hours of operation would be Monday to Friday, 07:30-17:00; however parts of the centre would remain open 24 hours a day since there would be up to 42 inpatients accommodated overnight. There would be limited treatment taking place on the weekend, but areas of the centre would remain active, for instance the inpatients area.

#### 1.15 Patient and Staff Numbers.

It is forecast that 698 patients would visit the Centre on a daily basis in 2022, and by 2032 this is expected to rise to 801 patients a day.

The existing Velindre Cancer Centre has almost 900 staff working on site. To cater for future increases in patient numbers it is envisaged that the health requirements (staff) is forecast to increase to 978 staff by 2022 (this is the proposed opening date of the new centre, if granted permission) and 1,041 by 2032 (fully operational). Not all staff would be on the site at the same time due to factors such as annual leave, shift patterns and sickness etc. Rather, it is assumed that approximately 66% of staff would be on site at any one time. It is therefore forecast that there would be 646 staff on site in 2022 and 687 in 2032.

The Velindre Cancer Centre would not receive 'blue light' traffic on an everyday basis, only when emergencies require its use. Emergency waiting areas are proposed for these vehicles within the envelope of the new cancer centre.

#### 1.16 The following documentation has been submitted in support of the application:

- Environmental Statement Vol.1: *chapters on Introduction, Legislative Context and EIA Process, Site Description, Development Description, Alternative Site Assessment, Ecology Assessment, Transport Assessment, Air Quality Assessment, Noise Assessment, Cultural Heritage Assessment, Landscape and Visual Impact Assessment and Summary of Residual Impacts*);
- Environmental Statement Vol. 2: Figures and Appendices to Vol.1;
- Environmental Statement vol. 3: Non- Technical Summary (English and Welsh);
  
- Design and Access Statement;
- Planning Statement;
- Drainage Strategy, soils, Geology, hydrogeology and Hydrology studies; Utilities Strategy,
- Preliminary Arboriculture Implications Assessment, Waste Strategy, Lighting Impact Assessment;
- Transport Assessment;
- Transport Assessment Audit;
- Travel Plan
- Whitchurch Green Masterplan.

#### Pre-Application Consultation Report (PAC) Report: July 2017.

The PAC report is a statutory Welsh Government requirement for major

applications. The report supplements the planning application and outlines the consultation undertaken and the responses to the consultation from the developer in advance of submitting the formal application.

- 1.17 Addendums to the Environmental Statement have been submitted, these changes are:

Chapter 5 (Assessment of Alternative sites)

Updated to provide further explanation on why Royal Gwent, Prince Charles Hospital and Rookwood sites are not suitable for the proposed development. Further information explaining why Whitchurch Hospital buildings and grounds are not suitable.

Chapter 6 (Ecology)

Updated to amend the likely magnitude of the impact on the Local Nature Reserve from low to medium (following mitigation). The bat survey Report (appendix 6.6 of this chapter) has also been updated to include finding of the survey of additional trees suitable features that could accommodate bats. Finally, the Reptile Survey Report (Appendix 6.5 of this chapter) has been amended to provide proposed translocation sites identified by the Council's Green Infrastructure group.

Chapter 7 (Transport):

Updated to reflect parking numbers now proposed (basis that 65% of staff would travel by car and average patient time have increased). The assessment of the impact on the local highway remains of the basis of 77% of staff traveling to the unit (this is in line with the current travel pattern). Velindre Trust has developed a travel plan that would seek to reduce the number of staff travelling by car to 65% by 2022.

The Transport Assessment (now Appendix 7.1 to this chapter) has been updated to reflect the above.

A Travel Plan is provided for the development as an additional appendix. The Travel Plan replaces the Transport Statement as Appendix 7.2 (to avoid duplication).

Chapter 8 (Air Quality) and Chapter 9 (Noise)

Minor amendment to confirm that the development is still assessed on a 77% of staff travelling by private car.

Non Technical Summary (English and Welsh versions)

Updated to reflect the above.

Arboriculture Impact Assessment

Updated to provide detailed assessment of the likely impact on trees located on and adjacent to, the development site.

Planning Statement

Updated to provide further analysis against policy KP8 (Sustainable Transport)

of the LDP in relation to the 50-50 modal split as required by this policy.

## 2. **DESCRIPTION OF THE SITE**

- 2.1 The planning application site is 14.5 hectares in area and is an undeveloped land that is characterised by rough grassland and scrub, enclosed by dense, broadleaved woodland and shrubs. The boundary of the application site includes the main site for development of the hospital facility, and those areas required to facilitate access from the Coryton Gyrotory and the emergency access route from the Hollybush Estate. The land is gently undulating former pastoral farmland (The highest point of the main site area is the north-west boundary which ranges between 51m AOD (Above Ordnance Datum) and 57m AOD with the site sloping down to the south-east boundary where the ground level is between 41m AOD and 43m AOD). The site is subdivided into a network of fields of varying scales with some overgrown field hedgerows remaining in private ownership. The site is no longer grazed by horses, but is crossed by informal and formal footpaths. The site has a non-statutory designation as a Site of Importance for Nature Conservation (SINC) for its neutral grassland.

### 2.1.1 The Site Boundaries

The vegetation is particularly dense along the north-east and south-west boundaries where it continues beyond the site to form woodland. The woodland to the north includes the former railway cutting, while the woodland to the south includes the Glamorganshire Canal/ and Longwood SSSI. The vegetation along the north-west boundary separates the site from a further field that is also framed by vegetation.

The vegetation along the south-east boundary separates the site from the Whitchurch Hospital grounds and is dissected by an adopted highway. This route contains dilapidated fencing, and is overgrown with surrounding vegetation.

### 2.1.2 Access to the site

The site is not currently accessible by vehicle from the local highway network, but is accessible via the footpath network surrounding the site. The site is accessible from the north-west and south-west boundaries by a Public Right of Way (PRoW) (reference: Whitchurch 12) which follows approximately half way along the south-west boundary before becoming an informal route. The PRoW is connected to a series of other PRoWs which provide access north to Longwood Drive and south into the Long Wood Nature Reserve (reference: Whitchurch 13-16). The site is also accessible from the south-west and south-east boundaries by a PRoW (reference: Whitchurch 11). The PRoW does not enter the site, but is connected to the informal route connected to PRoW Whitchurch 12. The PRoW connects to Forest Farm Road located south of the site.

An adopted highway (overgrown) provides access into the site at the north-east and south-east boundaries. The route is accessible from Park Road and approaches the site adjacent to the Hollybush Estate, where it crosses the former railway cutting. The route then dips gently and follows the entirety of the

site's south-eastern boundary and connects to PRow Whitchurch 11. A series of informal access routes cross the site from these main access points.

### 2.1.3 Cultural Heritage

The site is not part of a conservation area, world heritage site, historic battlefield site or archaeological priority area. There are no scheduled monuments, no grade I, grade II\* or grade II Listed Buildings nor any Locally Listed buildings on the site. There is low potential to encounter buried remains on the site.

## 2.2 Surrounding Area

### 2.2.1 Whitchurch Hospital Campus and Historic Park and Garden

The Whitchurch Hospital Park and Garden is located to the southeast of the development site. It is grade II Listed on the Register of Landscape Parks and Gardens of Special Historic Interest in Wales.

The Historic Park and Garden includes the core of the Whitchurch Hospital grounds and includes eight Grade II Listed Buildings. The closest Listed Building to the site is the Grade II Listed Whitchurch Hospital chapel (180m from the site). A large car park is located to the front of the chapel.

### 2.2.2 Residential Developments

Clos Coed Hir is located to the east and sited circa 50 metres from the main application site but will abut the proposed new access route from Coryton railway station. The site is also adjacent to the Whitchurch recreational fields. It is a private residential estate that consists of detached properties (two storey) and a terrace of town housing (three storey). It is accessed from Park Road.

The Hollybush Estate is a residential development located to the north-east of the application site. On the eastern side of the railway cutting

The residential estate includes four ten-storey tower blocks that are prominent features on the local townscape and landscape, and four other smaller residential blocks (two-four storeys). One of the smaller blocks includes commercial units. Access to the estate is provided from Pendwyallt Road.

Coryton Primary School is located north of the Hollybush Estate and sited circa 42 metres at its nearest point from the proposed emergency access road.

Whitworth Square, a recent residential development is located to the north of Coryton Primary School and to the north east of Coryton House and sited approximately 100m from the application boundary at its closest point

### 2.2.3 Coryton House Historic Park and Gardens

Coryton House (converted into a children's school) is located north of the site and will abut the proposed main access road. The House is a large Edwardian town house. Extensive gardens surrounded the house and include an orchard, walled garden, glasshouse and pond. Most of the formal and informal gardens remain undeveloped from their original layout as commissioned by Cory. The

gardens consist mainly of woodland, made of tall, dense trees and smaller areas of grass lawn. The house is Grade II Listed and gardens are Grade II Listed on the register of Landscape Parks and Gardens of Special Historic Interest in Wales.

#### 2.2.4 Asda supermarket

An Asda retail store is located to the north of the application site. The store is accessible from Longwood Drive and is served by a large car park (the main access to the proposal will be from this site). A McDonald's outlet is located in the west of the Asda site and is accessible from the same access that serves the superstore. The Village Hotel is located to the east of the Asda site.

#### 2.2.5 Former Railway Cutting

A former railway cutting is located adjacent to the development's north-east boundary. The wooded sides of the former railway cutting fall within a Local Nature Reserve designation. The cutting is very steep and wooded. Public access is available along the floor of the cutting. Access into the cutting is provided from the south via the adopted highway / footpath that connects to Pendwyallt Road or from the north via a steep flight of steps that connect to the masonry bridge near Asda.

### 2.3 Other Statutory and Local Ecological Designations adjoining the application site:

#### 2.3.1 Glamorgan Canal / Long Wood SSSI

The SSSI is located south-west and north-west of the site and is legally protected under the Wildlife and Countryside Act 1981 (as amended). The SSSI falls steeply away from the application site. The SSSI is an artificial wetland ecosystem adjoining a river terrace woodland of considerable antiquity. Beech is a major constituent of the woodland. A range of habitats from open-water, Alder Carr, scrub and deciduous woodland are included within the designation. The Glamorganshire Canal is located within the designation, the eutrophic water from which supports a characteristic flora and fauna that includes a range of macrophytes and a number of macro-invertebrates that are locally important.

#### 2.3.2 Glamorgan Canal Local Nature Reserve (LNR)

The LNR is managed by Cardiff Council and includes the SSSI and land south-west of the SSSI, the former railway cutting north of the site, and the remaining area of open meadowland to the north-west of the site. The LNR was formed in 1967.

#### 2.3.3 Coryton Heronry Wood Site of Importance for Nature Conservation

The Coryton Heronry Wood Site of Importance for Nature Conservation is sited in close proximity to the existing ASDA car park and is located some 100 metres north of the main site area, but adjacent to a section of the proposed northern access. The site is designated for birds and includes mixed woodland containing conifers and ornamental trees.

### 3. **SITE HISTORY**

- 3.1 95/01195/N – outline application for mixed use development of hospital, residential, leisure, employment, community and retail facilities with playing fields – refused- allowed on appeal by the Chair of the Planning Decision Committee of the National Assembly July 2001;
- 3.2 97/00771/N- outline application for mixed use development of hospital, residential, leisure, employment, community and retail facilities with playing fields – refused;
- 3.3 05/02689/W- Modification of conditions 1C and 1D of planning permission ref 95/01195/N to allow extension of time period for submission of reserved matters application and commencement of development for an additional 5 years- approved 25/5/2010
- 3.4 10/02301/DCO- modification of conditions 1c and 1d of planning permission 95/1195N for mixed use development at Whitchurch hospital comprising hospital, residential, leisure, employment, community and retail uses with playing fields (as modified by planning permission 05/2689w) to allow extension of time period for submission of reserved matters applications and for commencement of development, for an additional five years. – approved 9/11/2014;
- 3.5 16/01530/MJR - Variation of conditions 1C and 1D of outline planning permission 10/02301/DCO to extend period of time for the application of approval of reserved matters and commencement of development. Removal of conditions 2, 3 & 4 relating to Code for Sustainable Homes – approved 08/09/2017.

### 4. **POLICY FRAMEWORK**

- 4.1 The screening and scoping opinions for the Environmental Impact Assessment were submitted before 16 May 2016. The application, therefore, has been assessed under Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2016. Regulation 3 states “*The relevant planning authority or the Welsh Ministers or an inspector must not grant planning permission or subsequent consent pursuant to an application to which this regulation applies unless they have taken the environmental information into consideration, and they must state in their decision that they have done so.*”

Regulation 24 requires the Local Planning Authority to:

- (a) *inform the Welsh Ministers of the decision;*
- (b) *inform the public of the decision, by local advertisement, or by such other means as are reasonable in the circumstances; and*
- (c) *make available for public inspection at the place where the appropriate register (or relevant section of that register) is kept, a statement containing :*
  - (i) *the content of the decision and any conditions attached to it;*

- (ii) *the main reasons and considerations on which the decision is based including, if relevant, information about the participation of the public;*
- (iii) *a description, where necessary, of the main measures to avoid, reduce and, if possible, offset the major adverse effects of the development; and*
- (iv) *information regarding the right to challenge the validity of the decision and the procedures for doing so.*

4.2 Planning Policy Wales Ed. 9 (2016);

4.3 Technical Advice Notes (TAN):

5: Nature Conservation and Planning (2009);

10: Tree Preservation Orders (1997);

11: Noise (1997);

12: Design (2016);

16: Sport, Recreation and Open Space (2009);

18: Transportation (2007);

20: Planning and the Welsh Language (2017);

21: Waste (2014);

24: The Historic Environment (2017).

4.4 Development Manual;

4.5 The adopted development plan for the purposes of section 36(6) of the Planning and Compulsory Purchase Act (2004) is the Cardiff Local Development Plan (2006-2026). The site falls within the settlement boundary as defined on the Proposals Map and the majority of the site is identified as open space in the most recent open space survey, therefore the following policies apply:

KP5: Good Quality and Sustainable Design;

KP6: New Infrastructure;

KP7: Planning Obligations;

KP8: Sustainable Transport;

KP11: Crushed rock aggregates and other minerals;

KP12: Waste;

KP14: Healthy Living;

KP16: Green Infrastructure;

KP17: Built Heritage;

KP18: Natural Resources;

EN4: River Corridors;

EN5: Designated Sites;

EN6: Ecological networks and features of importance for biodiversity;

EN7: Priority habitats and species;

EN8: Trees, Woodlands and Hedgerows;

EN9: Conservation of the Historic Environment;

EN10: Water Sensitive Design;

EN11: Protection of water resources;

EN12: Renewable Energy and low;

EN13: Air, Noise, Light Pollution and Land Contamination;  
T5: Managing Transportation Impacts;  
T6: Impact on Transport Networks and services;  
T8: Strategic Recreational routes;  
T9: Cardiff City Region 'Metro' Network;  
C4: Protection of Open space;  
C6: Health;  
M7: Safeguarding of Sand and Gravel, coal and Limestone Resources;  
W2: Provision for Waste Management facilities in development

4.6 Supplementary Planning guidance (approved to the adopted LDP)  
Planning obligations (January, 2017);  
Waste Collection and storage Facilities (October, 2016);  
Green Infrastructure (2017);  
Planning for Health and Well-being (2017)

4.7 Supplementary Planning guidance (approved the City of Cardiff Local Plan):  
Access, Circulation and Parking Standards (2010);

*The SPG in para 4.6 was approved as supplementary guidance to the City of Cardiff Local Plan (1996). Although the City of Cardiff Local Plan (1996) has recently been superseded by the Cardiff Local Development Plan (2016), the advice contained within the SPG is pertinent to the assessment of the proposal and remains consistent with the aims of both LDP Policies and guidance in Planning Policy Wales and are afforded significant weight.*

## 5. **INTERNAL CONSULTEE RESPONSES**

### 5.1 **Mineral Policy Comments:**

A small part of the application site falls within the Sand and Gravel Safeguarding Area, as shown on Proposals Map of the Cardiff Local Development Plan (2006-2026). As such, the application should be assessed against Policy M7 'Safeguarding of Sand and Gravel, Coal and Limestone Resources'. This states that development will not be permitted within the Sand and Gravel Safeguarding Area that would permanently sterilise the mineral resource unless:

- i. The applicant can demonstrate to the satisfaction of the LPA that the mineral concerned is no longer of any resource value or potential resource value; or
- ii. The mineral can be extracted satisfactorily prior to the incompatible development taking place; or
- iii. The incompatible development is of a temporary nature and can be completed and the site restored to a condition that does not either sterilise the resource or inhibit extraction within the timescale that the mineral is likely to be needed; or
- iv. There is an overriding need for the incompatible development which overrides the need for the resource, including a requirement for prior extraction if practicable.

As the part of the proposal which would affect the Sand and Gravel

Safeguarding Area would involve minor amendments to the footpaths leading up to the roundabout at the start of Longwood Drive, it is not considered that the proposal would lead to any significant sterilisation of the sand and gravel resource, such that it would need to be justified under the terms of the policy set out above.

The application raises no minerals policy concerns.

## 5.2 **Ecology Officer:**

### Ecosystems

In my comment on the EIA Scoping Report of 10/11/16, I advised that the EIA should set out how the ecosystems present in this area would be likely to be affected by the proposed development. I subsequently noted that the original ES made only brief references to impacts upon ecosystems, and in no way was there a systematic evaluation of the ecosystems on site and the impacts upon them, taking into account the five attributes of resilience.

Looking at the ES Addendum, I note the inclusion of a Table at 6.11 setting out an analysis of the impacts upon the five aspects of ecosystem resilience. Whilst this is welcomed, it does appear as a standalone table with limited integration into the ecological impact assessment as a whole. For example at no point are the descriptions of habitats present brought together into a description of the main ecosystems present in and around the proposed development site. Furthermore, whilst the impacts upon the five resilience aspects are discussed, these are not brought together to form a coherent assessment of the impacts upon the ecosystems present. Table 6.8, which lists the 'Valued Ecological Receptors' does not include ecosystems, and the subsequent 6.6.48 does not list ecosystems either.

However, ecosystem services are referred to in table 6.9 'Construction and operational impacts assessment', though I would have preferred a focus on ecosystems themselves.

Despite these caveats, I would say that there is enough information present to understand the impacts of the proposed scheme upon ecosystem resilience, and that a GIMS as suggested in my previous response can set out in more detail how these impacts can be addressed.

### Designated Sites:

#### Glamorgan Canal/ Long Wood SSSI

I accept the mitigation measures put forward in respect of potential direct impacts upon the SSSI, and details of fencing to protect a 15m 'buffer zone' from the edge of the SSSI boundary should be set out in a Construction Environmental Management Plan (CEMP) or similar. I welcome the proposal in Table 6.9 that this 'buffer zone' should consist of existing bramble scrub and grassland, and this should be secured in a GIMS.

#### Glamorgan Canal LNR

The ES Addendum has taken on board my comments to the effect that the

impact, after mitigation, upon the LNR, is 'moderate' rather than 'low'. As the main habitat type which would be affected in this part of the LNR is semi-natural broad-leaved woodland, it would make sense therefore that the impact upon that habitat as set out in Table 6.9 is also 'moderate' rather than 'low'.

Therefore I agree with the conclusion of table 6.10 that the impact of the proposed scheme upon the Glamorganshire Canal LNR, and the woodlands within it, are permanent, or long-term-reversible, adverse, and of county-level significance.

### SINCs

Where a SINC is affected by development, mitigation and compensation measures may be needed. Sections 5.3.11 and 5.5 of TAN 5 are relevant here, and Section 5.5.3 states:

*'The conservation and enhancement of locally designated sites is an important contribution to the implementation of Biodiversity Action Plans and to the management of features of the landscape of major importance for wild flora and fauna. Developers should avoid harm to those interests where possible. Where harm is unavoidable it should be minimised by mitigation measures and offset as far as possible by compensation measures designed to ensure there is no reduction in the overall nature conservation value of the area or feature.'*

In this instance, the ES acknowledges that a 40% reduction in the area of the Whitchurch Green Field SINC would have a significant, permanent, adverse effect on a county-level nature conservation resource, in the absence of mitigation.

The mitigation measures put forward include enhancement planting in retained fields, habitat management conducive to species-rich grassland habitats within and outside the main development site, and removal of invasive non-native species. Whilst the fine details of these measures would need to be set out in a Green Infrastructure Mitigation Strategy, I am satisfied that there is scope to secure adequate mitigation measures within and around the proposed development site.

I am satisfied that the measures proposed in Table 6.9 of Chapter 6 of the ES are sufficient to protect the features of interest of the Coryton Heronry SINC.

### Protected Species

#### Bats

Detailed surveys of the trees within the proposed alignment of the access points have been undertaken, and these have identified several trees with varying degrees of bat roost potential, although no actual roosts were detected.

I note in Table 6.9 of the ES that the predicted impact of the proposed scheme upon bats in the absence of mitigations would be significantly adverse and permanent, at a local level. Bat boxes are proposed to compensate for any loss of roosting opportunity, and replacement tree planting may compensate for any loss of habitat. Details of these measures can be provided in a GIMS, as

in principle they are likely to be successful.

Mitigation for the fragmentation of habitat caused by construction of the access routes has not been adequately addressed at this outline stage, and further details will be required in a CEMP and GIMS. Proposed measures such as minimising the width of the access route and controlling the lighting scheme at these points to avoid light spillage are welcomed. However, the proposed Landscape Plan, which suggests the inclusion of flowering plants to encourage an insect feeding resource for bats, is not likely to combat the impact of fragmentation.

### Dormice

The Dormouse survey is generally satisfactory though ideally I would have like to have seen dormouse nest boxes used as well as nest tubes, as we have had instances in Cardiff whereby dormice have been detected in wooden nest boxes but not plastic nest tubes on the same site. I would say that the Index of Probability score is 20, the minimum required to have confidence in the result, as no survey took place in June and the 28<sup>th</sup> and 30<sup>th</sup> October surveys would count as one. However I am pleased to see that a survey visit took place on October, as this is the peak month for Dormouse occurrence in nest tubes / boxes in Cardiff.

I do not accept the conclusions of Table 3 of the Dormouse survey report regarding the lack of fruiting hazel on site; I have seen fruiting hazel on this site and it is likely that there is more on site that I have seen.

Therefore I do not agree with the statement in section 3.2 of the Dormouse survey report that '*...dormice are considered to be absent from the site.*' In reality, it is virtually impossible to be certain that a species is absent from an area of suitable habitat, and no survey methods are able to provide this guarantee.

However, I do not see that these concerns give justification to reject the Dormouse survey report, and in my view Dormice are either likely to be absent from the site or present in very low numbers. This being the case I would not expect a series of specific mitigation measures, but any GIMS should at least acknowledge the low probability of this species being present, for example by setting out contingency measures in the event that it is discovered during construction, or by favouring the retention and planting of dormouse food plants such as hazel.

### Great Crested Newts (GCN)

GCN have been recorded close to this site, which offers suitable foraging and hibernating habitats for this species. Whilst I would not advocate any survey work for GCN, any eventual GIMS for the site as a whole should set out measures to avoid harm to GCN during construction, and assurance that sufficient foraging and hibernating habitat remains post-construction.

### Reptiles

The principles of reptile mitigation and in particular the receptor sites for

translocated populations, are now agreed.

### 5.3 **Tree Officer**

The applicant confirms the significant level of uncertainty regarding the impact of the proposed development on trees. Foundations are yet to be determined for example. Whilst the footprint for such is unlikely to result in significant tree loss, the construction of such may result in significant tree loss, dependent on how they are to be constructed. Therefore, without a contractor methodology having informed the tree assessment, I must assume that the worst case scenario will apply (the current assessment suggests 143 category A trees will be lost with another 43 for the emergency access road). The alignment of and installation methodology for services remains uncertain, but again, I must assume a worst case scenario based on the 'illustrative' alignments submitted, and the possibility that services cannot be 'moled' and will require easements.

I note that the arboriculturist considers edge effects unlikely. This may be true, but evidence either way is lacking, and in any event, edge effects may be *desirable* in some cases, in the interests of habitat diversity. This is why I asked for detailed assessment of the proposed 'edge', so that vulnerabilities, but also opportunities could be identified. Filling the gap with an 'instant' woodland, is neither practical nor sensible in my view. Woodlands develop slowly over time, and planting large nursery trees into a disturbed environment equates to plantation woodland, with a high risk of planting failure and tree forms that have developed in nurseries, not in a woodland. In any event, it is impossible to mitigate the loss, since the bridge footprints, whatever they equate to, cannot be woodland.

What I would like to see is a tree assessment that has been informed by a contractor methodology, so that we have an accurate baseline in terms of direct tree loss. I would then like to see pro-active engagement with the new woodland edge, to assess vulnerabilities and opportunities, in allowing woodland to regenerate effectively, but at the same time offer habitat diversity on a greater level than was previously the case. At least this way it can be said 'we are losing this but gaining this', whereas under the current scenario we are simply losing secondary woodland to be replaced, in part, by plantation woodland. My default preference is for an ecotone treatment, but this depends in part on the assessment of vulnerabilities and opportunities with the new woodland edge, and any overriding ecological concerns.

### 5.4 **Operational Manager (Transportation):**

The submission has been assessed and is considered to be acceptable in principle subject to the following comments, conditions and S106 matters.

#### On-site Car Parking Provision.

The Transport Assessment identifies parking for the new regional Velindre Hospital and initially proposed to provide 575 staff parking spaces (equating to 77% of staff on-duty). The application is supported by a draft travel plan which encourages staff to change their mode of travel to a more sustainable option. Whilst the Council aims to achieve a 50/50 modal split, between car borne journeys and alternative sustainable modes (walking, cycling, public transport),

it is understood that the nature of the Velindre Cancer Centre is likely to draw a greater number of car borne journeys. Given that the hospital will be providing a regional cancer centre for South Wales it is likely to draw specialist staff from a wider base, who may find cycling and walking unviable and may not readily use public transport. In addition, given the nature of their treatments, the majority of patients are expected to either drive or be driven to the facility. Taking these issues and limitations into account a reduced modal split will be accepted by the Council.

Following discussions with the NHS Trust relating to the Council's stated policy (LDP Policy KP8) to achieve a 50/50 modal between single car occupancy and alternative modes it has been accepted that a less favourable ratio would be appropriate in this instance. To accommodate 50% of staff on duty there would be a need to be a provision of 344 staff parking spaces. However, as indicated, it is considered appropriate to relax the policy aim in this particular instance due to the special regional nature of the facility and the specialist skills of some staff. It is proposed that the parking supply ratio should achieve a 65/35 ratio, providing for 65% of staff on duty (taking regard of the stated target in the Travel Plan of achieving 60% of staff travelling by non-car modes). The staff parking numbers would therefore equate to 429 spaces, which could be accommodated within the proposed undercroft parking.

Given the nature of the visits, parking provision for patients aims to provide for 95% of patient visits to the facility. The Transport Assessment (TA) demonstrates that typically 5% (or 41) of patients will travel using dedicated hospital transport (ambulances etc.). It has been assumed during the application process that the duration of a patient visit to the facility is likely to increase from the current 120 minutes (which would have required 189 parking spaces) toward a typical session duration of 180 minutes per session, thus increasing the potential parking accumulation on-site. Assuming that the working days/hours do not change and that the arrival/departure profile outlined in the TA remains constant, then to accommodate patient numbers on-site (using projected 2032 patient numbers) there would be a need for some 283 patient parking spaces.

The proposed site will also include a conference centre, which would be an integral part of the facility, with additional parking only being required for those attending a conference/event in the centre. Despite the reasonably sustainable nature of the location, with direct rail links to Cardiff Central railway station (via the half hourly service from the adjacent Coryton Station) it is considered that additional parking would still be required for those attending the facility. The applicants transport consultants have stated (deriving the quantum from TRICS analysis) that the conference centre would require 43 parking spaces.

In addition to the 755 parking spaces to be provided in dedicated car parks (as detailed above) additional parking facilities will be required elsewhere on the site. These would be at the proposed Maggies centre (12 spaces), hospital transport spaces (6 spaces) and on-site motorcycle parking. Dedicated disabled parking spaces would be provided within the overall quantum(s) in accordance with the council's Access, Circulation and Parking Standards

(January 2010) requirements.

The provision of parking will be conditioned to ensure that the patient parking space allocation (283 spaces) is protected from inappropriate staff usage. These spaces will be reserved for patient parking.

#### Car Parking Breakdown.

Main car parks	Parking spaces	Including Disabled Allocation
Staff	429	18
Patients	283	12
Conference/visitor	43	3
<i>Total</i>	<i>755</i>	<i>33</i>
Elsewhere on-site		
Maggie's Centre	12	3
Hospital transport staff/volunteers	6	
<i>Total</i>	<i>773</i>	<i>36</i>

#### Cycle Parking Provision

The TA proposes to provide 6 cycle parking spaces, in accordance with the Access, Circulation and Parking standards (Jan 2010) relating to hospital beds as the facility will provide a small in-patient unit. Alternatively it might be considered more appropriate to provide one cycle space per consulting room in accordance with the parking standards associated with a health centre. Either way it is not anticipated that patients would be cycling to/from the facility. However, it is stated within the draft Travel Plan that the Trust has a target for 8% of staff to be cycling to work within five years of the plan being adopted (Table 6: Staff Travel Targets). It would therefore follow that secure and covered cycle parking to accommodate at least the Travel Plan target numbers for staff should be provided, and as such a requirement for 84 secure covered cycle parking spaces to be provided on-site is subject to a proposed condition.

I am therefore satisfied that the proposal is compliant with adopted parking policy subject to the requested, detailed conditions. Active travel and specifically demand for cycle parking will also be monitored as part of the conditioned Travel Plan and, in addition to any other measures, I would expect provision of cycle parking enhanced as may be required to respond to any identified shortfall.

#### Access and Connection to the Highway Network

The submission and supporting documents provide details of proposed highway improvement works, to facilitate primary access to/egress from the site via the north, from the Asda slip road M4/A470 Coryton roundabout. The primary access includes improvements to and widening of Longwood Drive, the Asda roundabout and the main Asda car park access road. A new bridge connects the improved highway, over the disused rail line/cutting to the proposed internal site road network. Southern, emergency only, access is also

proposed to connect via a second bridge within the public highway at the Hollybush Estate and onto Pendency Road. To avoid any possible inappropriate use, the southern access will be gated and only used in case of an emergency. Both north/primary and south/emergency accesses will span the disused rail line/cutting on bridge structures (as opposed to infilling), so as not to prevent use of the cutting for sustainable transport, walking/cycling and possible future Metro use.

The submitted Transport Assessment also demonstrates that there is more than sufficient capacity on the adjacent highway network to accommodate the traffic generated by the proposed development.

#### Requested Conditions and Section 106

Conditions are sought to ensure the required access provision, onsite and offsite transport infrastructure, car and cycle parking, travel planning and construction is provided and managed in accordance with Council policy.

A Section 106 contribution is also sought towards provision and support of a new and/or extended bus service (or services) to provide direct bus public transport connections between the new Cancer Centre, the City Centre and Heath Hospital. The supported services would need to be provided for a minimum of 3 years to ensure they become established and typically a half hourly Monday to Friday daytime service for an outlying site such as this would require a subsidy circa £150,000 per year. A contribution of £450,000 (£150,000 X 3 years) is therefore sought to support the provision bus based public transport services, in support of LDP Policy KP8 which requires development to be integrated with existing transport infrastructure and services with the aim of achieving a balanced modal split. The supported bus services will also assist the Trust in achieving its stated target in the Travel Plan of achieving 60% of staff travelling by non-car modes.

#### Conclusion:

No objection to the application subject to the above conditions, S106 and associated 278 Agreement.

#### **5.5 Drainage Officer:**

Whilst I have no objection in principle to the consent of this application, the applicant refers to the disposal of surface water by sustainable drainage system. However, no drainage details or scheme have been provided for the disposal of surface water via sustainable drainage techniques.

In light of the above, and in order to minimise any risk of flooding and pollution, it is requested that a condition requiring drainage detail, including calculations, is added to any planning permission.

#### **5.6 Noise and Air Section:**

No objections subject to conditions on construction activities (CEMP) and plant and machinery maximum noise level.

#### **5.7 Contaminated Land Team:**

Based upon the Mott MacDonald Preliminary Contamination Risk Assessment,

dated February 2017, the Contaminated Land Officer raises no objections, subject to conditions

**5.8 Waste Management:**

No objection subject to the impositions of a refuse storage condition

**5.9 Public Rights of Way Team:**

These comments refer to PROW as shown on the Illustrative masterplan.

The adopted highway which runs between the proposed development and Whitchurch Hospital grounds. Currently the path is like an alleyway with fencing and vegetation which is not preferable and is difficult to maintain. The path is well walked as a link to school and local community facilities.

PROW footpath, Whitchurch No.11 would benefit by being upgraded to create a good transition from the exiting network of paths onto the new proposed network of paths within the development.

There is adopted highway and a footpath, Whitchurch No.12 which runs within the boundary of the proposed development. Keeping the footpath as a natural mown path will be great in keeping with a natural countryside path as there are other paths within the site which are hard surfaced. The path will need to have good drainage to ensure it isn't subject to becoming boggy or muddy at any point to keep the path as accessible as possible as it will be a great asset to the site.

As there are a number of paths across the site currently being used by the local community, it is good to see a number of footpaths being created on the site with a mix of mown and hard surfaced paths. The zig zag path leading down to the disused railway will also be a great benefit to improving access around the site.

Velindre Hospital Access Road

Alignment Option 1 (Ref: Figure 13): This appears to be the route with the least amount of impact and access for both horses and pedestrians along the disused railway line and appears to be retained from the Access Bridges Elevations drawings which is what would be expected. At no point along the disused railway would we want access for pedestrians and horses to be blocked.

Contribution for improvements:

We are currently working on creating educational trails across Cardiff and this site and surrounding area would benefit greatly by having the opportunity to enhance the routes with orienteering and/or wildlife explorer trails. Sections of the footpath network will need to be upgraded, signage and infrastructure installed along some of the routes as part of the trails/teaching tools, therefore, we would like to see a contribution from the developer to be able to carry out these schemes. These trails will also benefit those visiting Velindre as they can link to the hospital and across to Forest Farm. The draft Forest Farm Public

Realm scoping study outlines £400,000 of enhancements that can be linked to the proposal.

5.10 **Strategic Estates:**

No objection. The applicant will require consent from the Council as a land owner

5.11 **Parks:**

No objection subject to appropriate conditions and monitoring.

6. **EXTERNAL CONSULTEE RESPONSES**

6.1 Natural Resources Wales:

Recommend that planning permission should only be granted if you attach the following conditions. These conditions would address significant concerns that we have identified and we would not object provided you attach them to the planning permission.

Condition 1 - Protected Sites (SSSI): through a 15 metre buffer zone;

Condition 2 - Invasive Species: as outlined in the Environmental Mitigation Plan (prepared by Mott MacDonald, dated June 2017) and specifically 3.1 Construction Phase – Impacts and Mitigation which states a programme of invasive species removal / management is to be completed as part of the construction works;

Condition 3 – Protected Species (Bats): The scheme to be implemented in accordance with Bat mitigation measures set out in Table 6.9 within Chapter 6: Ecology of the Environmental Statement and the Landscape Masterplan GA (revision 5);

Condition 4 – Lighting: advise this is controlled through planning condition or within a wider lighting scheme planning condition:

Condition 5 – Land Contamination: Given the close proximity of the former railway corridor, we advise that a planning condition is secured to assess contamination of the site:

6.2 Welsh Government (Highways Transport Group): No objections subject to condition linking the proposal road improvement to submitted plans and the applicant entering into a S.278 agreement with the Welsh Government Transportation section

6.3 Welsh Government (Planning Division) have been consulted and no comments have been received.

6.4 CADW: The application is accompanied by an Environmental Impact Assessment and this includes Chapter 10 Archaeology and Cultural Heritage. This document has identified all of the likely impacts of the proposed developments on the above registered historic parks and gardens and their

settings. These impacts have been assessed and it is concluded that there will be slight adverse impacts to the settings of the registered historic parks and gardens. We concur with this assessment and agree that the proposed development will not cause significant damage to the setting of the registered historic parks and gardens known as PGW (Gm) 66(CDF) Whitchurch Hospital and PGW (Gm) 67(CDF) Coryton House..

6.5 Health and Safety Executive: No objections

6.6 Police Architectural Liaison Officer: are in discussions with an applicant. Any comments will be reported to committee

6.7 Glamorgan Gwent Archaeological Trust:

Note the submission of an Archaeology and Cultural Heritage Chapter of an Environmental Statement (Chapter 10, Mott McDonald, The Urbanists and HLM, dated July 2017). The chapter assesses the nature and extent of the archaeological resource in the proposed development area, as well as the potential effect of the application on any remains. The proposal is located in close proximity to both Coryton House and Whitchurch Hospital Registered Park and Gardens (both Grade II, Cadw ref. PGW (Gm) 67 (CDF) and PGW (Gm) 66 (CDF). However, the impact would be significantly reduced due to the screening effect of existing woodland. Two bridges are proposed to allow traffic over the Cardiff Railway Line and cutting (02998.0s) to allow access to the Centre, although it is of relatively limited archaeological importance and the significance of the impact is slight. The proposal will entail large scale ground intrusion works for the construction of the Centre itself, although there is no indication that archaeological remains are present in the area, and the archaeological potential is considered to be low.

The document includes mitigation measures regarding the height of the buildings and the planting of trees to further screen the proposal. As a result there is unlikely to be an archaeological restraint to this proposed development and consequently, as the archaeological advisors to your Members, we have no objections to the positive determination of this application.

6.8 Garden History Society:

Everybody wants to see better provision for treating cancer sufferers and at a site that is convenient for patients and their families, but as noted by most of the objectors this is not the right site.

The Planning Statement evaluates all of the requirements for future cancer health care provision including what space will be needed. This is quite an extensive development with a considerable number of parking spaces to service it, albeit many underground due to the narrow and limited scale of the site.

If this application is approved it admits that environmental impacts are inevitable but will be reduced through mitigation and enhancement. This assertion raises two questions; is mitigation and enhancement really that effective and are community impacts considered? If the latter is not considered

an important consideration in this application, how does this decision sit comfortably with the requirements of the Well Being of Future Generations Act?

We are constantly being told that we should get more exercise and de-stress in a natural setting, and of the benefits of green spaces acting as 'sinks' for carbon and particulates. (There is a deficit of recreational open space in this ward).

Cardiff's own Draft Liveable City Report of this year, notes 'access to parks and green spaces significantly contributes to physical and mental health and well-being contributes to strong and cohesive communities by providing a space for interaction and engagement'. It also notes the importance of the network of habitats, parks and green spaces with a high level of connectivity. Further 'levels of NO<sub>2</sub> found in the city centre are the highest in Welsh local authorities and exceed EU pollution limits'. We need as many of the green wedges and as much of the green belt as possible to absorb the pollutants.

Some years ago the City used to produce Habitat Action Plans and Biodiversity Action Plans which stressed the importance of the four river corridors acting as green wedges to help sustain a healthy inter-connected environment that counters the polluting effects of an intensively developed city. This area, along the Taff, was considered the most important corridor as it is relatively under developed along its length through the city. The river corridors are so important for ecology and biodiversity to thrive. If the green spaces are too fragmented this cannot happen. Is this role no longer considered important?

The site was chosen after evaluation of alternatives. It is a very sensitive, problematic site near a long list of designated natural and historic areas (notably two registered gardens, many listed buildings, SSSI, SINC, LNR etc.) with a lot of interventions to lessen its impact and to make it work, not least its access roads. The increased movements to and from the site, during construction, and then later when it is operational as a cancer centre will have an enormous impact on the nearby designated areas. The cumulative effects of all of these interventions will have a very damaging effect on this precious green space in the North West of Cardiff and all of its residents, from tiny dormice and herons to the local community.

Many of the objectors have asked about the validity of re-purposing Whitchurch Hospital for the Maggie's Centre. This idea has been dismissed because of the number of listed buildings and cost of refurbishing them. Surely £300 million would be sufficient to renovate the interiors to a world class standard. Operationally the layout proposed around a corridor system such as at Rhydlafer Hospital could work at Whitchurch Hospital based as it is on the echelon plan?

The loss of the playing fields to the north is 'considered unlikely to be acceptable' (5.5.11). This statement is made without irony and acknowledgement that the partial loss of pastures (SINC) enjoyed by a different sector of society is somehow considered acceptable.

Another brownfield site should be considered if the above alternative cannot.

## 6.9 Welsh Water:

### Sewerage

We have reviewed the information submitted as part of this application with particular focus on the Drainage Strategy dated 03/03/2017 and the Utilities Strategy Report. These documents provide a detailed account of the investigations undertaken and an assessment to dispose of surface water flows via sustainable means. With regards to the surface water strategy we confirm that there is an agreement in place for the proposed development to convey flows to the public sewer. We acknowledge and welcome the inclusion of sustainable drainage methods to reduce the overall quantity of water communicating to the public sewer.

### Water Supply

A water supply can be made available to serve this proposed development. The developer may be required to contribute, under Sections 40 - 41 of the Water Industry Act 1991, towards the provision of new off-site and/or on-site water mains and associated infrastructure. The level of contribution can be calculated upon receipt of detailed site layout plans which should be sent to the address above. The proposed development is crossed by a 24 inch trunk water main, and 6 inch and 110mm distribution water main, the approximate position being shown on the attached plan. Dwr Cymru Welsh Water as Statutory Undertaker has statutory powers to access our apparatus at all times. It may be possible for this water main to be diverted under Section 185 of the Water Industry Act 1991, the cost of which will be re-charged to the developer. The developer must consult Dwr Cymru Welsh Water before any development commences on site.

6.10 Western Power Distribution have been consulted and no comments have been received.

6.11 Wales & West Utilities have no objections to these proposals, however our apparatus may be at risk during construction works and should the planning application be approved, we require the promoter of these works to contact us directly to discuss our requirements in detail. Should diversion works be required, these will be fully chargeable.

6.12 Network Rail: No objections

6.13 Ramblers Association have been consulted and no comments have been received.

6.14 Woodland Trust have been consulted and no comments have been received.

## 7. **REPRESENTATIONS**

7.1 409 Neighbours have been directly notified. In addition, 7 Site Notices have been placed around the site and the application has been advertised in the

local press in accordance with statutory procedures.

187 representations in total have been received. Of these, 181 were letters of objection and 6 were letters of support for the proposal. In addition, a 698 signature on-line petition of objection has also been submitted. An additional petition of 15 signatures has been received from the residents of the Hollybush Estate.

A summary of the objections received, either by letter or petition, are identified below:

- **Impact on the Environment**

*Impact on the environment of the meadows will be high (total destruction). All the surrounding boundaries will be impacted and include some of Nature Reserve Forest Farm, Railway Cutting, Hollybush Estate, Clos Coed Hir, Lady Cory Field, SSSI, and upon the Heronry and its feeding grounds will be totally destroyed by this development. The suggested mitigation measures cannot in anyway make up for the loss of flora and fauna that have taken generations to develop.*

*These views are supported by NRW, Woodland Trust and other charitable organisations. Even the developers own assessment states that without mitigation the development would have adverse impact upon the site ecology and the surrounding designations*

- **Unacceptable Overdevelopment**

*Unacceptable overdevelopment next to a site of special scientific interest (SSSI). Velindre claim only 39% of the Meadow will be developed, we disagree as in reality 100% will be lost forever including part of the nature reserve and wildlife corridors and the area will be fragmented.*

- **Road Safety & Parking Concern**

*There are road safety & parking concerns during both construction and operation. We anticipate significant compromise to road safety and residential parking on local roads (Park Road, Pendwyallt Road, Hollybush Estate) and to the safety of the children using Coryton Primary school. Currently there are parking issue with the current site this will be worse with a bigger centre the proposed parking is not sufficient to meet the needs of this site. This unacceptable impact upon parking and access with the residents of Whitchurch will become worse once with any redevelopment of the Whitchurch Hospital site is taken into account.*

*The proposed access of the Coryton interchange is unacceptable as this is already congested and this development would make it worse.*

*Question the number of vehicles and speed as recent surveys undertaken by the PACT group on Wednesday 5<sup>th</sup> July, 2017 between*

09:30-10:30 showed 30% heading south (of 115) exceed the 30mph speed limit. Vehicles heading north showed 25% exceed the 30mph limit (of 103) the proposal would impact on what is already an unacceptable highways situation. It is a PACT priority to improve road safety in this area.

- **Hollybush Emergency Access**

*Residents of the Hollybush Estate feel this access will impact on the wellbeing of elderly and vulnerable residents living nearby, destroying a large section of the wildlife corridor. Emergency access for high-rise blocks will be compromised in case of major incidents.*

- **Loss of Green Space**

*Loss of green space and adverse effects on health and wellbeing are becoming critical in Cardiff. The Local Development Plan is destroying more and more green spaces in Cardiff. The loss of this meadow for future generations to enjoy and learn about wildlife is contrary to the requirements of the Wellbeing and Future Generations Act. This is last area of green open space in Whitchurch and if developed would leave resident nowhere to go and enjoy nature.*

- **Whether there is a Plan B**

*In the community engagement meetings the question was asked many times, and some participants who attended felt the answer led them to believe there was a Plan B.*

- **Other Suitable Sites**

*There are numerous brownfield sites within South Wales that could accommodate this development why have they not been considered? Why can't the trust use Whitchurch Hospital, the building is vacant and was used as a hospital before and has sufficient grounds to expand but this site is not being considered because the NHS wishes to make money from its redevelopment.*

- **Inefficient use of Taxpayers Money**

*The cost (estimated to be £300million) of building a new hospital on such an environmentally sensitive site, this cost could be better spent on treating patients.*

- **Drainage Issues:** *It is not clear how the site would be drained without affecting the surrounding area;*

- **Noise and Air Pollution**

*The proposal will create unacceptable noise and air pollution on surrounding properties. The residents of Holly Bush Estate are elderly or have medical conditions and will be severely affected by the proposed construction activities and its operation;*

- **Lack of Community Engagement**

*The Trust undertook its consultation during purdah therefore restricting*

*political scrutiny.*

*The manner in which the consultation was undertaken did not allow elderly residents the ability to engage.*

*There has been a wilful neglect of consultation with young people*

- **Impact Upon the Lady Cory Field**

*This area is identified as the main route for construction traffic, which given its location is wholly unacceptable and dangerous. This land was gifted to the residents of Cardiff for their enjoyment not as a dumping ground and destroyed.*

- **Lack of Strategic Planning**

*The proposal cannot be assessed on its own there should be a whole application for all the area, similar to that of the previous application to allow full assessment of the impact the proposals will have on Whitchurch.*

7.1.1 Various chapters of The Environmental Statement have been amended (see paragraph 1.14 of this Report). Re-notification has been undertaken (as required by Regulation 22 T&CP (Environmental Impact Assessment) (Wales) Regulations 2016) by notifying those who had made comments on the initial application along with site and Local Press Notices (publicised in the Western Mail on 19/10/2017).

An additional 25 responses were received and all objected on similar grounds, as outlined above. The following new points were also raised as summarised below:

- *The reduced number of parking spaces would further increase parking pressure/ congestion within the area;*
- *As 75% of their patients are from outside Cardiff it would make sense for the new hospital to be closer to their patients rather than destroy this green area;*
- *There is no current planning application for the proposed roads;*
- *The Council has failed to meet the requirements set within Reg 22 of the EIA regulations;*
- *The impact upon Whitworth Square and Coryton School has not been assessed;*
- *The impact upon the herons is incorrect;*
- *The suggestion that this land will have either housing or a hospital is incorrect, (the Trust could do nothing);*

- *The Development would affect Cardiff's 'Healthy city' status granted by WHO in 2009;*
- *Need to undertake a Health Impact Assessment (HIA)*
- *All note the good work Velindre do and note the need for a modern hospital but all believe there are better sites than this one.*
- *The emergency access is being sited next to elderly or people with medical conditions who will be severely affected by the development.*

1 additional letter of support from a resident in Barry, who sits as a patient/carer panel member of Velindre, but lived on the Coryton Estate, and believes this is an acceptable site given its accessibility;

#### 7.1.2 Friends of Forest Farm state the following:

*"It is noted that the width of the road is affected by the requirement in planning legislation which requires the provision of separate pedestrian and cycle routes.*

*This is obviously having a serious impact on the amount of the Reserve being used for the road, the number of trees being removed, and the continuity of biodiversity being affected.*

*It is requested that due to the limited number of pedestrians and cyclists who are likely to use this route, that discussions are undertaken with the Highways Department at Cardiff Council to review the present requirement to a dual route on one side of the road only for both pedestrian and cyclists, as used, for example, on the Taff Trail. The consultation should be with both Highways and Parks.*

*This will therefore reduce the width of the road and reduce the impact on the Reserve, in particular the width of the gap in the wildlife corridor where the bridge crosses the cutting.*

*The same consideration should be applied to the other bridge, which is to be used for emergency purposes only.*

#### *Movement of biodiversity*

*The documents state that mitigation will be implemented to reduce of the effects on biodiversity move by the new road. It should be documented what species are expected to be affected and the mitigating design that will be used.*

#### *Replacement of trees due to the construction of road*

*The developers should be aware that there is an existing plan for biodiversity management plan for the Reserve with the Parks Department and produced in consultation with the Friends of Forest Farm. This plan is in the process of being revised and updated. Any replacement trees, and mitigation work should use this document for reference purposes.*

### Access during and after construction

*There is an important link between the top meadows and the existing public right of way. It is requested that the detailed plans show how this access and all permissive pathways that link to the Reserve will be maintained during construction; in particular in the cutting of the path during the initial stages of work to construct the bridges.*

### Financial implications of effect of the development

*Any section 106 funding should be directed to the Reserve to mitigate the effects of the development and also to upgrade existing footpaths to meet the increased use due to the development. In addition, whilst not part the developer's application, any financial benefit to Cardiff Council from the sale of land to the developers should be re-invested into the Reserve and not spent elsewhere within the Council's boundaries.*

*Confirmation is also required that Cardiff Council will only be disposing of what is required for the road to the development in the top meadow and not the whole field. The plans need to show the extent of the Reserve that is being sold, transferred or will be the subject of an easement.*

*We do appreciate that during construction of the road that the developers may need to extend onto the field, but after construction the land should be reinstated and returned to the Reserve.*

### Location of Maggie's centre

*Whilst we appreciate the importance of the Maggie's Centre being part of the natural environment, we feel that it is too close to the SSSI and should be moved further south, closer to the main complex. We feel that the design of the building can enable views that face the natural environment, so the building can feel very separate, as befits the ethos of the Maggie's Centre. The move would be beneficial for both the Reserve and Maggie's, as the existing proposed site is in deep shade for much of the year. We also request that any accompanying gardens should not be in the 15 metre protection zone for the SSSI.*

### 15 metre buffer zone for SSSI

*The Friends of Forest Farm appreciate that the existing plans include a 15 metre buffer zone between the development and the SSSI. We recognise that this is the minimum requirement. It is requested that the protection zone should be extended to a minimum of 20m to protect the SSSI.*

*The SSSI immediately adjacent the development is ancient woodland that can easily be adversely affected by the development of that adjacent land, from things such as:*

- Fragmentation and loss of ecological connections with surrounding woodland/ veteran trees and the wider natural landscape;*
- Effects on the root protection area of individual trees (including ground compaction);*

- *Reduction in the area of other semi-natural habitats adjoining ancient woodland;*
- *Increased exposure to pollutants from the surrounding area;*
- *Impacts on local hydrology through drainage or water table levels changing;*
- *Changes to the landscape context for ancient woods and veteran trees;*
- *Erosion*

*In addition, any garden developed as part of the Maggie's Centre must be outside the buffer zone. This is because there will be very limited control over how the garden may be used or developed in the future. This would minimise the future potential for garden plants from landscaping to escape into the SSSI.*

*The Reserve will be losing land for the bridges as part of the development. It is therefore requested that ownership of the buffer zone between the development and the SSSI is legally transferred to Cardiff Council to formally become part of the Reserve.*

*This will therefore allow the management of this area to be protected and controlled by the relevant Council department allowing public access and implementation of the Forest Farm Management Plan to this area.*

#### *Gas Supply*

*It is noted that it is proposed that a new gas supply is established from the present gas substation south of GE on Longwood Drive, and that the supply will be tunnelled under a present forestry plantation within the reserve.*

#### *Waste water*

*It is noted that the existing sewer that runs alongside the bottom of the canal and onto Forest Farm Road is proposed to be used. We are concerned that since the housing development was built in the vicinity of Forest Farm Road, there have been regular issues that have required drains to be unblocked. With the increased use, the sewer outlet could back up and pollute the canal and therefore also flow into the River Taff.*

#### *Run-off and/or leaching during construction*

*The SSSI is located on a steep slope to the Glamorganshire Canal. We are concerned that during times of high rainfall there could be run-off and/or leaching from the development. The Glamorganshire Canal is already heavily silted, and any run-off will have a major impact on this area. It should be noted that the Friends of Forest Farm have recently part-financed an environmental report on the canal, which detailed that the silt is organic in nature. Any future contamination will, therefore, easily be identified. It is therefore requested that plans to prevent any run-off both during construction and once the site is operational are provided.*

#### *GENERAL CONCERN*

*Should planning consent be given to this development, the Friends of Forest Farm would like to know the level of monitoring\* which will be in place to protect the Reserve's biodiversity during the construction phase and to ensure that mitigation measures are put in place to the specifications to be agreed. (\* Is*

*monitoring paid for by the developers and/or ad hoc/planned visits by the Council's Ecology Officer?). Obviously, the site will be 'off limits' to the general public.*

*The Friends of Forest Farm continue with their position on the proposed development i.e. that over many years we have fought against a housing development on this site - a battle which was lost after a Public Inquiry. Planning permission is already in place for development on this land and in respect of ecology matters this present proposal is an improvement. However, the construction of the access road into the site takes more of the land than was originally agreed and the construction of the bridges are a major concern in relation to their additional impact on the environment and biodiversity.*

*We need clarification on the points raised to ensure that the effect on the Reserve is minimised as much as possible."*

7.1.3 Glamorgan Bird Club raise concerns in relation to the Heronry and the assessment of impact upon for the following reasons:

- Seriously understates the importance of the Heronry on the region ( this sites represents 30% of the East Glamorgan population);
- Fails to recognise the Grey Heron's amber-listed conservation status in Wales, and
- Fails to recommend a mitigation strategy for the habitat removal that recognise the early breeding season of the grey Heron which often starts in January each year.

They also believe that the submitted survey is incorrect as they believe there are 16 active nests and not the 5 confirmed breeding territories stated by the applicant

7.2 Ward Councillors for Whitchurch and Tongwynlais (Councillors Morgan, Davies and Philips) have been consulted and make the following combined comments:

*Following the pre-planning consultation exercise conducted by the applicant and much engagement with the community in and around Whitchurch and with the applicant, Cllrs Timothy Davies, Linda Morgan and Michael Phillips have concluded to object to the proposal.*

*We have two main areas of concern:*

1. *Loss of green space to permanent development that goes much further than the existing permissions*
2. *Lack of any strategic planning and potential for over development of vital green space and the detrimental effect on the environment and character of Whitchurch.*

*We are in full support of the Velindre NHS Trust to deliver first class patient care however we do feel that in providing vastly changed services for the future the proposals and their consideration by the planning committee must adhere to:*

1. *Requirements for full and transparent consultation form the outset*
2. *Planning guidelines both technically and in consideration of the benefit*

- to the community within which public investments are made
3. *The broader protections afforded to the area by the initial permissions given to develop on the meadows site and the nature of the development of the whole site.*

*We shall explain how we have reached these conclusions.*

#### *Existing Permissions*

*The current permission, for mixed use development, included a new 200 bed hospital, housing, leisure and retail facilities, community use and playing fields, was granted on appeal in 1999. The decision notice of November 1999 makes a number of observations of positive benefits to the city, which are relevant to our current consideration:*

*• 9.3 '...the developers are offering to the community the compensatory playing fields (5.45 ha), part of the meadows for addition to the Country Park (2.51 ha)... Clearly, this is more than adequate compensation as part of a development...'*

*The new application removes the transfer of part of the meadows to the Country Park.*

*• 9.9 'I find that the proposals would not diminish recreational land or open space of significant amenity or conservation value within the hospital grounds. On the contrary, there would a [sic] net gain in public open space, playing fields and landscape planting as a result of the development.'*

*The permission was granted, at least in part, due to the net gain to the city, of recreational land and open space, of which the return of land to the city to be incorporated into the Country Park area is a significant part. The new application reverses this principle and goes further by seeking to develop on part of the SSSI in place of extending the natural area.*

*The original permission covered the whole development site (The area known as the Grange, Whitchurch Hospital and the Meadows), and placed conditions to ensure an orderly development across the whole site to provide for delivery of the promoted leisure and community, prior to any development of the meadows area.*

*This is essential in protecting both the character of the area and to ensure that assumed benefits to the community are realised. The decision notice at 9.12 to 9.18 refers to traffic and school's places, both of which were considered then to not cause any issue, but which we know now are significant issues. Whilst the development of the whole site is not of concern to the applicant, it must be of concern now to the committee as it was to the Welsh Minister in 1999, if we are to see orderly and positive development in the Whitchurch area.*

*Cardiff Council is a party to this application as it is in discussion with the Health Board on the development of the Whitchurch Hospital site, potentially for education or other economic development project(s). Until the development of this site is known, and specifically the impact of that should it lead to the transfer of Whitchurch High School from its two existing sites on Manor Way*

and Penlline Road, we will not be able to appraise the overall impact on Whitchurch.

#### The Meadows Choice

*The pre-application consultation focused on a single plan to develop the new Velindre Cancer Centre on the Meadows site. At this stage in the process the applicant was clear that (i) there were no alternative sites that could deliver the future forecasted service needs and ii) no other site fit their criteria.*

*The formal application documentation listed the alternative sites identified, and NHS owned that had been considered and discounted. The documentation did not list the existing Velindre site and the area known as the Grange as a considered alternative.*

*Mr Carl James, Director of Strategic Transformation, Planning, Performance and Estates, has written to us confirming, 'You will be aware that we have evaluated a number of options for the new Velindre Cancer Centre following our initial evaluation of sites the land we currently own in Whitchurch, the Grange, was identified as the preferred location. However, when the Northern Meadows site was subsequently identified as a potential option, both the Grange and the Northern Meadows were further evaluated. Following this, we identified the northern meadows site as our preferred option and have subsequently submitted an outline planning application on this basis.' Mr James declined to supply the detail of that option on the grounds of commercial sensitivity.*

*This option should have been listed and confirms that a viable alternative site exists that does not require development on a SSSI.*

#### SSSI

*Local planning authorities have a statutory duty (under Section 28G of the Wildlife and Countryside Act in England and Wales and Section 12 of the Nature Conservation Scotland Act 2004 in Scotland) not only to avoid damage to SSSIs but to further their conservation and enhancement. Protection for SSSIs at the National Policy level is provided by Planning Policy Wales and TAN5. These policies include a presumption against development which is likely to damage a SSSI.*

*Exceptional circumstances can contribute to the approval of development on a SSSI where the benefit outweighs the impact. The benefit of a new hospital might be considered such, were its impact considerable (more than 40+ beds) and there were no alternatives.*

*We agree with Julie Morgan AM, who in her objection to the original development and in reference to mental health hospital services said 'It is necessary therefore to build a new hospital, but this should not be at the expense of developing the open fields. The proposal is a short term measure to raise money, which would not necessarily be available for [the Health board] or mental health services in the locality, and the open space would be lost forever.'*

*This is as true now, for a cancer hospital, as it was then for mixed use development including a mental health facility.*

*It is not necessarily true that the argument is between houses on the meadow, or a hospital. In almost two decades there has been no progress in developing the land; no developer has agreed purchase of the site from Cardiff and Vale UHB. This is perhaps indicative of the difficulty the site presents to be commercially developed under the current permissions and why Cardiff Council are engaging with CVUHB to explore alternative uses for the Whitchurch Hospital site which may eventually lead to [currently unknown] development of their upper and lower sites, referred to earlier.*

*So, there is considerable impact to the SSSI, and there is an alternative viable site, that was a 'preferred site' until the more attractive Meadows site was made available. Do these constitute exceptional circumstances under which development on an SSSI should be permitted?*

*We have also viewed the serious concerns raised by Natural Resources Wales and would seek reassurance that the damage to the SSSI has been properly considered by their response. Their letter to The Urbanists dated 4th May 2017 note the following: 'We note the provision of a 15m buffer zone between the development and the adjacent Glamorgan Canal / Longwood SSSI. This will help to minimise direct effects arising from the development during both the construction and operational phases, however there is little detail on how this buffer zone will be managed and over what period' and expands on layout of the buffer zone, planting and management of the buffer zone.*

*However, it does not acknowledge any destruction of any part of the SSSI.*

*We would also seek reassurance that they would still recommend granting permissions with the knowledge that an alternative viable site exists.*

#### *Lack of Strategic Development*

*Under 'Existing Permission' above we refer to conditions set down to allow for an orderly development that considers the benefit of the whole site.*

*If Cardiff Council allows this single new application we believe it would go against the intent of the original 1999 permission. The area is of environmental, historical and character importance, for Whitchurch and other communities.*

*The development as noted was not included in the LDP, strikes across a SSSI, does not account for the impact of future development in Whitchurch, the traffic in the area is already over capacity and schools places are over-subscribed. We also know there are discussions to find ways to unlock the development income via alternative uses of the Whitchurch Hospital and potentially the current High School sites.*

*This is not indicative of a strategic approach. For example, land is available at the GE premises at Forest Farm that would also provide an income back to the Trust; has this potential not been explored?*

*There will undoubtedly be some benefits to some of these alternative potential uses of the hospital site, including addressing capacity issues at the High School, however other negative impacts will arise and are not included in any current assessments and therefore the overall impact is unknown. The process technically allows for this; however, a responsible authority would again ensure these concerns are assessed before any development is permitted.*

### Consultation

*Whilst it may not directly impact on this planning decision we wish to put on record our disappointment that the Trust has not, in our view, been as open as it should be in developing their proposal.*

*The document 'NHS Wales Guidance on Engagement and Consultation on Changes to Health Services' sets out how the NHS should deal with citizens and stakeholders when considering and proposing change.*

*Consultation would be expected at the formative stage in the service planning process and yet this has not been undertaken by Velindre in this instance. There were no discussions at the formative stages, only presentation of a single option, Whitchurch Meadows.*

*As noted above, the planning application documents did not originally list the current site as an alternative site considered for the process of evaluating the current plans, and yet it has been fully evaluated and was a viable, preferred location.*

*Lack of appropriate consultation has previously led to successful Judicial Review of Minister's decisions with the outcomes adopted in law.*

*The principles are:*

- Consultation must take place when the proposal is at a formative stage. Public authorities must have an open mind during consultation and must not have already made the decision, but may have some ideas about the proposal.*
- Sufficient reasons must be put forward for the proposal so as to allow for intelligent consideration and response. Consultees must have enough information to be able to make an informed input to the process.*
- Adequate time must be given for consideration and response. The timing and environment of the consultation must be appropriate, sufficient time must be given for people to develop an informed opinion and then provide feedback, and sufficient time must be given for the results to be analysed*
- The product of the consultation must be conscientiously taken into account.*

*Even at this stage we have been denied the detail of the alternative preferred*

site evaluation.

Expert opinion and concern

*Having reviewed the submissions of organisations such as Natural Resources Wales and The Woodland Trust, and local groups such as Friends of Forest Farm, we also seek assurances from the planning committee and other bodies to make sure that should permission be granted, the maximum protections of the environment requested by those bodies are included within any conditional terms and robust on-going evaluation and management of these are put in place at the applicants cost."*

7.3 Julie Morgan, Assembly Member for Cardiff North states the following:

*"At the outset I should recall that in the Welsh Assembly Election May 2016, I pledged to my constituents that I would support a new state of the art Cancer Centre for Velindre but, of course, I have still considered the range of views on the above proposal very carefully. After much deliberation I have decided to support the proposal and I will explain why.*

Planning History

*Ideally the northern meadow land at Whitchurch hospital should have been dedicated to Cardiff Council for public use in 1995 and incorporated into the nature reserve. Unfortunately that did not happen. Instead, Cardiff Community NHS Trust (the predecessor of Cardiff and the Vale University Health Board), which was under a statutory duty to dispose of land which did not have a continuing health care use at best available price with the benefit of planning permission, sought outline planning permission (95/1195N) for mixed use development comprising a new 200 bed hospital, housing, leisure, employment, community and retail uses.*

*I opposed this planning application (and two similar applications which followed). The Local Planning Authority (LPA) refused this application on the ground that development would result in "loss of open space which has amenity and nature conservation importance" and the NHS Trust appealed. The independent Inspector appointed to hear the appeal, Mr C. I. Cochrane, Dip Arch, RegArch, MSc, MRTPI, held a public inquiry on 16th to 19th February 1999. It was submitted to him that the existing hospital Grade II Listed Buildings are not capable of being adapted to provide modern care. It was also put to him that the northern meadow land is "a poor example of MGS classified grazing meadow grassland with few species of note".*

*The Inspector held that ".none of the open land where residential development is proposed is designated as being either recreational or amenity open space. The fields on the north side of the hospital are agricultural grazing land which, apart from one footpath, are not available for general public access" and he recommended that planning permission be granted subject to certain highway conditions.*

*I gave evidence to the public inquiry and I was very disappointed with the outcome. Since the appeal was allowed there have been three further*

applications to the LPA to extend the time limit, 2006, 2010 and 2014. An application from Cardiff & the Vale University Health Board to extend the permission for a further five years is currently being considered by the LPA.

So it is now clear that the northern meadow land will not be left as it is, undeveloped. It is a case of either residential housing and the consequential loss of wildlife through the activities of predatory domestic animals, or some other development. The outline permission allowed 150 houses in 4 zones and 180 flats in the listed hospital buildings. Zones D1 and D2 broadly equate with the northern meadows amounting to 85 houses and if one adds in zones E2/3, which are just to the east, this totals 125 houses.

#### The Need for a New Hospital

Cancer is the second biggest cause of death in Wales. It is soon expected that one in two of us, if born after 1960, will develop cancer in our lifetime. Each year the existing Cancer Centre treats over 5,000 new referrals and around 50,000 new outpatients. The incidence of cancer is predicted to grow at the rate of 2% per year. As the number of cancer cases increases, so too will referrals to Velindre. Velindre NHS Trust predicts that by 2025 referrals will have increased by 18% with a 48% increase in demand for radiotherapy machines. Unless cancer services are transformed, the future needs of cancer patients will not be met. It is worth reminding ourselves that the proposal to build on the northern meadows is, in fact, Velindre NHS Trust's Plan B because Plan A, a new cancer centre on land further along Velindre Road, proved to be inadequate in catering for expected growth in cancer services. We should also remember that whilst radiotherapy and chemotherapy is carried out at Velindre, treatment requiring surgery as well is carried out at University Hospital of Wales, Heath Park. The new health care facilities must, therefore, remain in close proximity.

#### Why not Transfer Cancer Services to Whitchurch Hospital?

Mental health services are no longer provided at Whitchurch Hospital and the question has been asked "Why not use Whitchurch Hospital for cancer services"? Whitchurch Hospital was built at the beginning of the 20th century and opened in 1908 as the Cardiff Lunatic Asylum, intended as a self-contained society reflecting the therapeutic philosophy of the time. The hospital has its own water tower built over the power house and hall, a chapel and farmland to grow crops and keep livestock for food and provide therapy for patients. The hospital structures are now Grade 2 Listed Buildings and this includes the hospital, the chapel and octagonal shelters in the grounds.

The hospital is regarded as the best example in Wales of a mental hospital planned in a "broad arrow" echelon pattern of L-shaped buildings, linked by long curved corridors around a central axis. The surviving landscaping and playing fields are also Grade 2 Listed in CADW's Register of Landscapes Parks and Gardens of Special Historical Interest in Wales.

We should remind ourselves that even in 1996 when it was planned to have a 200 bed mental health facility on the site, the existing buildings were deemed wholly unsuitable and a new building was required. It is now quite unrealistic to talk of fitting a state of the art patient centred facility with modern diagnostic

*and treatment equipment within the confines of buildings whose shape and capacity is restricted because of the quite separate and valid need to maintain examples of architectural merit and historical interest. To do that would not be putting patients first and would indeed be a case of the tail wagging the dog.*

#### *Cancer Centre or Housing*

*The new Cancer Centre will incorporate a centre for research and learning as well as a centre for excellence in the provision of treatment. I believe a Cancer Centre is to be preferred over housing on the basis of overwhelming wider health need. I have been highly influenced in coming to this decision by the stance taken by the Friends of Forest Farm. I would not support a hospital on this site without being satisfied that the developer would be sensitive to environmental impact and would ensure this to be minimal and acceptable. I believe that the Friends of Forest Farm would not lend their support if this was not so. they have said "In an ideal world we would prefer to see no development of this area and have it integrated into the Reserve; however this is not going to happen" and "We do however feel that we can move forward and work with Velindre to minimise the impact on the Reserve, in conjunction with Velindre's aim to deliver a new purpose-built hospital, and the Maggie's Cancer Centre and help to improve their patients' treatment and outcomes."1*

*I believe the involvement of the Friends of Forest Farm in this evolution of the plans for this development has been hugely beneficial. It has been Velindre NHS Trust's wish to create the best possible environment to support patients recovering from their treatment and so the landscape has formed a core element of the Cancer Centre design with the grounds merging with and enhancing the surrounding publicly accessible meadows and woodland as well as having secluded, private external areas accessed from the buildings. I do not think this aspect of the development can be over-emphasised as it will contribute to the well-being and recovery of patients and help their families - a calm, soothing and healing environment.*

#### *Design*

*The current application is for outline per mission and the precise design of the buildings will be left to an application dealing with reserved matters. However, I welcome the concept of patient hub surrounded by core clinical functions stitched together by an internal cloister, all closely integrated with the surrounding landscape together with internal spaces having a more direct and enhanced relationship with this landscape. The efforts to blur the end of landscape and beginning of buildings by the extension of "in-between" spaces in my view evidences the Velindre NHS Trust's commitment to achieving a softer edge wherever possible. I understand that this concept is the product of extensive consultation with stakeholders, clinicians and those familiar with barriers to access, e.g. physical or learning disability, hearing and visual impairment, elderly, young, mental health, infection control, IT and, of course, patients.*

#### *New Road*

*The 1995 planning application included provision by the developer of a new roundabout in Park Road at the entrance to Whitchurch Hospital. Even at the*

*time there was considerable concern over traffic movement and congestion and the position has worsened since. I therefore welcome Velindre's plan to improve traffic flows by the construction of a new road from Coryton through Asda's retail park, across the railway cutting and thence to the new hospital. This road will include a cycle and pedestrian path.*

*I am aware that there is concern among my constituents about the construction of a bridge over the disused railway cutting together with the impact of the road on a small area of woodland and the field adjacent to the site's north west boundary but this has to be balanced against significant alleviation of congestion from Pendwyallt Road, Park Road and Velindre Road. The bridge will not obstruct access along the cutting. The new road will also give access to the proposed Maggie's Centre. I understand that there will be compensating tree and shrub planting in respect of removal of vegetation required to construct the bridge.*

#### *Emergency Access via Hollybush Estate*

*I am aware that there is concern among my constituents living on the Hollybush estate over the proposal to create an emergency access between Poplar and Sycamore Houses. This is a legitimate concern as there is already significant pressure on car parking space. I have only been reassured on this aspect by an assurance that this access will be gated preventing unauthorised vehicular and pedestrian access and this should be imposed as a specific condition. Velindre NHS Trust should explore the imposition of a condition prohibiting parking in the Hollybush estate in the employment contracts of its employees. I understand that there will be compensating tree and shrub planting in respect of removal of vegetation required to construct the access and bridge.*

#### *Other Claims*

*There have been other claims circulated in a leaflet published by Cardiff North Community Network which contains half-truths and misconceptions as follows.*

- 1. It is claimed that all the surrounding boundaries will suffer, suggesting total destruction. This claim is disingenuous as it contrasts the hospital development with no change; it ignores the impact of the outline housing planning permission (where density could increase) and the inevitable wildlife predation by domestic animals. Moreover, it ignores the buffers and mitigation which will be put in place to protect the SSSI and Local Nature Reserve.*
- 2. The leaflet says National Resources Wales (NRW) have raised serious concerns but does not go on to say that NRW have stated that their concerns can be met by the imposition of 5 straight-forward planning conditions, namely,*
  - a. Buffer Zone: No development shall take place until a scheme for the provision and management of a 15m wide buffer zone alongside the Glamorgan Canal/Longwood SSSI shall be submitted to the LPA;*

- b. *Invasive Species: Control of invasive non-native species identified on site and in the adjacent SSSI by the Measures proposed in Mott McDonald's Environmental Mitigation Plan dated June 2017;*

*Bats: The scheme to be implemented with Bat mitigation measures set out in Table 6.9 within Chapter 6: Ecology of the Environmental Statement and the Landscape Masterplan GA (revision 5);*

*Lighting: Control of lighting by the preparation of a lighting scheme consistent with the requirements of protected species. The scheme should address both construction and operational phases;*

*Land Contamination: If, during development, contamination not previously identified is found to be present, no further development shall be carried out until the developer has submitted a remediation strategy to the LPA unless the LPA agree otherwise. This condition is intended to cater for the fact that the land is in close proximity of the former railway corridor.*

*I should add that I do not foresee difficulty in these conditions being met.*

3. *The leaflet says the Woodland Trust has raised serious concerns but I am told that the Local Planning Authority has not received any representations on the application.*
4. *The leaflet claims that the new hospital on such an environmentally sensitive site is an "inefficient use of taxpayers' money". I am advised that the development will be funded via the Welsh Mutual Investment Model 2 and is projected to cost £210m at 2013-14 prices. It is projected that the building of the cancer centre will come within this overall envelope. Some associated costs such as enabling works, including access works, will be added to this as well as the cost of new state of the art equipment, e.g. linear accelerators (linacs). I see nothing unnecessary, profligate or wasteful in this and I reject this assertion.*
5. *Finally, it is claimed that more and more Open Green Space is being lost because of the LDP to the detriment for the health and wellbeing of our children and grandchildren. I led the campaign with others for a Green Belt protecting the land to the north of Cardiff and we succeeded in winning a Green Wedge. Do we not owe it to our children and grandchildren to build easily accessible patient focused centres of excellence promoting health and wellbeing and do not cancer patients and their distressed families deserve surroundings which will enhance recovery of patients, relieve stress of relatives and generally promote the wellbeing of those who find themselves in the health care facility whether as patients, visitors or staff?*

### Conclusion

*The northern meadows will not remain as they are. The idea of idyllic meadows being passed on to our children and grandchildren is an illusory one. It is simply a case of housing or a hospital on this land. After taking into account recommended mitigation and enhancement measures, I believe the overwhelming need for an easily accessible centre of excellence in the research, diagnosis and treatment of cancer (in close proximity to that other centre of excellence, the University Hospital of Wales) outweighs the arguments for housing. Indeed it is likely that in the longer term the siting of the hospital on this land will have a lesser environmental impact than housing, taking into account the continual loss of wildlife that the predatory activities of domestic animals will bring. I therefore commend this outline planning application to the LPA.*

7.4 David Melding, Assembly Member for South Wales Central, states:

*I have received some representations about the plans for the Velindre Cancer Centre and have made an extensive visit to the proposed site and the adjacent areas. As you will be aware, this part of Whitchurch with its open spaces, mature woodland and the path along the former railway line constitutes an attractive local amenity and includes a Site of Special Scientific Interest. It is probably fair to say that in an ideal world this site would not be a first choice for development.*

*During your considerations of this application, I ask that you also undertake thorough scrutiny of these aspects and get confirmation that this indeed meets green development requirements as fully as possible and that its design complies with the principles of the Well Being of Future Generations Act.*

*Furthermore, if you were to accept the application, I believe that the following points are vital to the viability of the Velindre Centre and I hope that you consider them fully.*

*Firstly, I would like to comment on the proposed buffer area around the new Velindre Cancer Centre. I think that it is reasonable to advise that this buffer zone - which is proposed to be 15 metres - should be seen to be the minimum size of an unaltered area around the site to offer it full protection. I am aware that the Woodlands Trust has raised this very same issue with you, particularly in regards to the lack of a sufficient buffer zone on the Western and South Eastern borders of the site. The Trust also advised that the buffer zone should be extended to 30m "to protect all areas of ancient woodland from the proposed development". Following on from these recommendations, I hope that you do take this advice into consideration meaning that the buffer zone should extend to the full perimeter of the site and that the buffer zone should be extended to up to 30m where it is practically possible.*

*Secondly, if the council were to accept this application I believe that all mitigation proposals in the 'Environmental Mitigation Plan' should be undertaken. Such proposals include the sequencing of construction phases, the close management and mitigation of noise, sound and air pollution, and the*

*commitment to the impact reduction on notable species within the surrounding area.*

*To conclude, the proposed area for this application is an extremely fragile and rare area of natural interest; even more so in an increasingly urbanised city such as Cardiff.*

*Despite recognising the importance of the Velindre Cancer Centre, I do believe that the development should undertake the highest level of environmental and community led scrutiny to ensure that the impact on the surrounding nature and local residents is minimal. The surrounding site - with its area of Special Scientific Interest and the Local Nature Reserve - demands a high level of protection, so that only the most environmentally and sustainably pioneered buildings should be developed there.”*

7.5 Anna McMorrin, Member of Parliament for Cardiff North states the following:

*“You may be aware that I have previously published a statement on this development, expressing my support and commitment to help bringing about a new cancer hospital, whilst outing my key concerns surrounding environmental mitigation.*

*I have looked at the development’s proposals in great depth, as well as having met with constituents and environmental groups throughout this process. It is clear that a number of my constituents remain very concerned by this development, in terms of the environmental and logistical issues this development evokes.*

*In light of this, the purpose of this letter is therefore to note my concerns and to seek clarity and assurances from Cardiff Council and the Trust, that serious steps will be taken to manage the impact of the development on the surrounding ecology and mitigate the impact on the local community as far as possible.*

*It is my understanding that in June 2017, the Environmental Mitigation Plan (EMP) for the site was published. This draft of the mitigation plan provided a summary of the main measures to manage the impact on the surrounding environment. I understand that, if permission is given and before the development of the site begins, a construction Environment Management Plan (CEMP) will be agreed upon, which will contain more detail on the measures that will be put in place to mitigate the impact of the development.*

*The CEMP is frequently referred to in the Environmental Impact Assessment (EIA) submitted on the 18<sup>th</sup> October 2017 and I am very keen to seek clarification on the contents of the CEMP, which I hope will be key to ensuring that the developers implement appropriate measures to mitigate the impact of the works.*

*As I am sure you will agree, it is incredibly important to establish robust mitigation plans in the CEMP and naturally, an effective monitoring system of the implementation of the EMP/CEMP should follow. I understand that he*

*EMP from June refers to the possibility of Velindre appointing an external party to perform this role of monitoring the implementation, the results of which would subsequently be reported to Cardiff Council, the Trust and with the community at stakeholder meetings.*

*My constituents have raised concerns that they do not believe Cardiff Council has the Officer capacity to effectively monitor the implementation of any agreed mitigation strategy. The option of the potential monitoring or enforcement of the CEMP by a third party which will clearly communicate with the community at stakeholder meetings may therefore go a long way to address some my constituents' concerns. I would therefore be very grateful for any further information you can provide on this and if you could clarify whether the option of an external party to undertake a monitoring role in relation to the CEMP, is still being considered.*

*I share some of my constituents' specific environmental concerns regarding this development, which I will outline below and I would be very grateful if the concerns raised could be given due consideration when considering environmental mitigation and when finalising the CEMP.*

*My constituents have raised concerns regarding the Coyrton Heronry. Although the assessment in the EIA indicates that there would be no direct impact on the Heronry site as it lies outside of the development area, this area will inevitably be indirectly impacted. The mitigations recommended by the EIA include the implementation of a CEMP as well as recommendations on the timings of the vegetation clearance to avoid the bird nesting season. I would urge that although the impact on the Heronry following mitigation is considered negligible, that this is still considered when finalising the CEMP.*

*The EIA also notes that a detailed programme will be established to address all protected species' seasonal constraints. I would be very grateful for any information you could provide on this programme and for an indication as to what this might look like.*

*It is my understanding that the impact of the location of the energy centre is not considered in the current EIA. This is concerning to hear and I would urge that this matter be raised for inclusion in the CEMP.*

*The Longwood Drive area is referred to as a SSSI in the latest. Although there is not considered to be any direct impacts to the SSSI, indirect impacts include potential air, noise and light pollution during the construction phase and an increase in visitor numbers during the operational phase. This construction could have an indirect impact on the bats, birds and reptiles recorded in the SSSI. I would therefore be very grateful if you could solidify your assurance that, as part of the mitigation strategy, which includes the 15m buffer zone, good lighting management and construction practice, that the CEMP addresses these issues.*

*My constituents are inevitably concerned about the Wildlife corridor and the loss of habitat as a result of the construction of access and emergency road*

*over the disused railway. The impact of this is considered to be of 'medium significance' during construction and operational stages. Similarly, I have concerns regarding the potential radioactive isotope disposal and would be very grateful for any reassurances you could provide that proper procedures will be followed in order to mitigate the impact of these issues as far as possible.*

*Having met with many constituents to discuss this development in further detail, the main issue that is raised is the choice of the site for the hospital and whether an alternative site is possible. I would be very grateful if an explanation could be provided regarding why alternative sites were considered unsuitable and for your assurances that there are no other viable options for a site.*

*A further concern raised within the community was the traffic management and the volumes of traffic that this development would cause in the area. Although the transport plan updated in October 2017 has a goal of 65% of staff travelling to the site by car, I would be very constructed to provide on whether the option of a bus route is still being considered?*

*Finally, a major concern raised is that the current plan estimates that 39% of the meadows will be affected by the development initially. However, my constituents remain very concerned that, if permission is given to go ahead with the hospital, there would be no strategy of mitigation in place to avoid any further development on the meadows. What safeguards, if any, would be put in place to mitigate further developments on the meadows and avoid an increase in the percentage of the meadows affected by the development?*

*In conclusion, I would like to emphasise my support for the development of the Velindre hospital, as I am more than aware that development of the northern meadows is inevitable due to the planning application by Cardiff and Vale University Health Board's predecessor, dating back to 1995. As this cannot be undone and as a result of inevitable development, I believe that it is possible to work with the Velindre Trust to establish a world class Cancer Centre."*

7.6 Cardiff Civic society object on the following grounds:

- *"Impact on the environment  
The meadows will be destroyed. Furthermore, all the surrounding boundaries will be impacted and include some of Nature Reserve Forest Farm, Railway Cutting, Hollybush Estate, Clos Coed Hir, Lady Cory Field, SSSI. The development will also destroy an important wildlife corridor.*

*Natural Resources Wales, Woodland Trust, and other charitable organisations have raised serious concerns over bats, nitrate pollution, SSSI woodland protection, ecology impacts. And, by their own admission the developer's own ecologists have said "the assessment identifies that the development could result in considerable adverse impacts on the site ecology and the surrounding designations";*

- Road safety  
*There are road safety and parking concerns during both construction and operation associated with a huge development of this kind. Residents of the Hollybush Estate feel this access will impact on the wellbeing of elderly and vulnerable residents living nearby. Emergency access for high-rise blocks will be compromised in case of major incidents.*
- Over development  
*Unacceptable overdevelopment next to a site of special scientific interest (SSSI). Velindre claim only 39% of the Meadow will be developed - in reality 100% will be lost forever including part of the nature reserve and wildlife corridors as the area will be fragmented.*

*The access road through Asda carpark will be very close to an important heronry (not forgetting that many herons use the meadows to forage). Several hundred trees and saplings will be felled and impact directly on birds, bats and other wildlife.*

*Loss of green space will have adverse effects on health and wellbeing. Global research illustrates that access to green space is of paramount importance to maintaining the health and wellbeing of citizens. For a hospital to destroy such an important amenity seems ironic.*

*Building related to the LDP is destroying much green space in Cardiff, we cannot afford to lose any more."*

## 8. ANALYSIS

- 8.1 The following section considers the material planning factors pertinent to the determination of the application, having regard to the submitted plans, consultation responses and third party representations.

The material planning factors considered to relate to the determination of this application include: the principle of development at this location; the nature of the proposed use; traffic impacts and parking; ecological impacts; the impact upon Public Rights of Way; the impact upon historic assets; the character of the area; and the impact upon adjacent residential properties.

A total of 181 letters of objection have been received from residents, a petition of objection with 698 signatures has been submitted, 3 Local Ward Councillors and the Cardiff Civic Society have objected to the application. The matters raised are considered below.

### 8.2 The Principle of Development at this Location

The application site falls within the settlement boundary as defined by the LDP Proposals Map.

The area of the application site which contains the proposed buildings, has an existing, extant consent for mixed use development including hospital,

residential, leisure, employment, community and retail facilities with playing facilities. This consent has been extended in 2010, 2014 and 2017. The existing consent contains the Whitchurch Hospital and land to the south, and includes the provision for a mix of uses including a hospital and 150 residential dwellings, 85 of which are sited within this current application area.

The new Velindre Cancer Centre will comprise a maximum 40,000 sq.m. of gross internal floor area for cancer health services. No surgical treatment will be undertaken at the centre, but space for the delivery of the following critical services will be provided: radiotherapy; chemotherapy; pharmacy; inpatient beds; outpatients' services; support services; and imaging with a conference centre facility and a Centre for Learning, Research and Development also forms an integral part of the proposal. Given the nature of the current permission on the site, the principle of hospital/healthcare uses and associated facilities at this location is established.

### 8.3 The Acceptability of the Proposed Use

The proposed development is submitted on behalf of the Velindre NHS Trust to deliver a National Cancer Centre for Wales. Outline permission is sought for a 42 bed specialist Cancer Centre, conference/learning and research centres and Maggie's Centre with associated infrastructure, including a double decked car park and energy centre.

Part of the site is identified as open space in the most recent open space survey. Policy C4 of the Adopted Local Development Plan States:

*Development will not be permitted on areas of open space unless:*

- i) It would not cause or exacerbate a deficiency of open space in accordance with the most recent open space study; and*
- ii) The open space has no significant functional or amenity value; and*
- iii) The open space is of no significant quality; or*
- iv) The developers make satisfactory compensatory provision; and, in all cases;*
- v) The open space has no significant nature or historic conservation importance.*

This policy reflects national planning policy relating to open space set out in Planning Policy Wales and Technical Advice Note 16 relating to Sport, Recreation and Open Space (2009).

The Green Infrastructure SPG (2017) introduces detailed guidance on the way in which the Council will assess development proposals which involve the loss of open space. The factors against which proposals are assessed are:

- i) The existing local provision of open space;*
- ii) The functional or amenity value of the open space;*
- iii) The quality of the open space;*
- iv) Any significant nature or historic conservation importance of open space which may be lost;*

v) *Any compensatory provision for loss of open space*

In terms assessing the functional and amenity value of the open space, the Green Infrastructure SPG (2017) states:

**Visual Amenity** - *For a site to possess visual amenity value, it must be located where the general public can gain significant “visual access”. It must contribute to the visual character and environmental quality of the surrounding area. There will be an objection to proposals which would adversely affect the appearance of open spaces which significantly contribute to the visual appearance of an area.*

**Leisure Amenity** - *Areas of woodland, allotments, ornamental gardens and public rights of way, by definition are not considered suitable for active sports and recreation. However, such amenity open spaces can provide an important informal open space resource for local people and accommodate passive activities such as walking, dog exercise and nature studies. The importance of such areas is heightened if there are limited alternative areas of recreational and amenity open space in the locality or if the areas make a contribution to the city-wide provision of open space. Proposals which would cause unacceptable harm to areas of leisure amenity value will be opposed.*

In relation to the impact on ‘visual amenity’ it is noted that 60% of the existing amenity open space will remain undeveloped and will be incorporated in a landscaping strategy for the site, which seeks to retain and enhance existing habitats as well as creating new habitats to improve biodiversity. In addition, the submitted landscaping strategy aims to screen views of the development from the surrounding local area. The new hospital buildings will be limited in their height and scale to reduce the landscape and visual impact of the development and the impact on adjacent heritage designations.

In terms of impact on ‘leisure amenity’ it is noted that whilst the site will remain in private ownership, a large part of the site will remain accessible as an informal recreational route for local people for activities such as walking and dog exercise, and the application proposes new and enhanced routes to improve access for local residents. In addition, the site forms part of a much larger area of open space which will also be available to the public. Notwithstanding the above, a financial contribution of £400,000 is sought towards upgrading the adjacent open space to mitigate any adverse impact of the development arising from the loss of open space.

Part of the site to the north lies within a designated River Corridor as identified on the Local Development Plan (LDP) Proposals Map. Policy EN4 states that the natural heritage, character and other key features of Cardiff’s river corridors will be protected, promoted and enhanced, together with facilitating sustainable access and recreation. In this respect, it is noted that the application aims to both improve biodiversity through retaining and enhancing existing habitats and permeability by providing for new amenity routes connecting the existing networks of public footpaths and cycle-ways. It is also noted that the site only contains a small part of the larger river corridor designation, where the

proposed development is designed to not prejudice the retention of this continuous linear feature.

For the above reasons, and assessed against the policy framework, the proposal is considered acceptable in land use planning policy terms.

#### 8.4 Traffic Impacts and Parking

Chapter 7 of the Environmental Statement (ES) states that the majority of site construction workers will be transported by shuttle bus, sharing lifts (para 7.4.100). The ES also states that the maximum number of workers would be 500 (fit-out stage) and 100 per day for site works. To ensure that the public highway and other areas are not dominated by workers' vehicles, a condition is recommended for a Construction Management Plan to include the parking arrangement for contractors and deliveries. Notwithstanding the above, any vehicles that create an obstruction to the public highway can be enforced through other legislation.

Policy KP18 of the adopted LDP seeks sustainable forms of development. Whilst the parking provision is above that outlined in the Council's parking standard (450 spaces). It is considered, however, given the proposed use, the catchment area for the development, acknowledging the proposed numbers of patients/staff, and the mitigation proposed through conditions and planning obligations, that the proposed number of spaces is considered acceptable in this instance. It must also be noted that the Council's Transportation Section raise no objection to the proposed number of parking spaces for the above reasons.

##### 8.4.1 Highways (access and movement)

Chapter 7 of the ES states that initial access to the site would be via a triangular plot of land known locally as the Lady Cory's field and through Whitchurch Hospital and along the existing railway cutting, until such time as the two bridges have been built. The ES (para 7.4.98) states the number of HGV required to construct the bridge would be circa 20 per day initially but that for the remainder of this first phase would be 2-3 per day and suggests that this access would be required for approximately 6-9 months.

Whilst noting the concerns of residents (and the traffic survey submitted by the Whitchurch PACT group) it is considered that such concerns could be adequately addressed / controlled by a Construction Management Plan condition, and that although the proposed construction along Park Road would cause some disruption, this would not harm highway safety. The Construction Management Plan will also seek details to ensure that the Lady Cory's Field is restored in a manner that would allow local residents to use this area again.

The statements submitted regarding the covenant upon Lady Cory's Field are noted, however, the County Solicitor has confirmed that private issues regarding covenants are not material planning considerations.

Once the proposed bridges have been constructed, the primary access route will be via Longwood Drive/ASDA car park. The number of HGV vehicles is approximately 100 per day and would be undertaken once works to the

Longwood Drive Roundabout have been upgraded (these are outlined in Chapter 7 of the ES (7.4.91-7.4.91)). The Council's Highways Section and Welsh Government raise no objection to the proposed construction works, subject to details to be agreed in a CEMP (see condition 17)

The main access (by car) to the centre would be via Coryton Gyratory through and along the new bridge. Chapter 7 of the submitted ES and associated traffic studies conclude that (with the proposed revisions to Longwood Drive) the junction will operate within capacity up to 2032. It must also be noted that the overall traffic resulting from this development would be a small proportion of all traffic using this gyratory. The assumptions submitted have been assessed by both the Council's Transportation Section and Welsh Government Transportation and neither raise concerns to the proposal, subject to conditions (see condition 9).

The main access bridge would have a width of 11.3 metres (7.3m carriageway and 4m cycle/pedestrian lane). The bridge is likely to have the following vehicle usage: 698 patient journeys, 497 staff per day and 2 to 4 OGV deliveries per week (2022) rising to 801 patient journeys 687 staff and 5 OGV deliveries per week. The proposed design of the bridge and access road is considered capable of meeting the projected demand and are acceptable to officers.

## 8.5 Ecological Impacts

The development has been considered by both Natural Resources Wales (NRW) and the County Ecologist. LDP Policies EN5, EN6 and EN7 build upon advice in Planning Policy Wales and TAN5. National Guidance (TAN 5, 5.5.3) advises that ecological impacts should be minimised by mitigation measures and offset as far as possible by compensation measures designed to ensure there is no reduction in the overall nature conservation value of an area or feature.

The applicant has suggested the following ecological mitigation measures:

- *A 15 Metre ecotone acting as a buffer zone along the boundary with the SSSI.*
- *Mitigating the loss of the SINC (the application site) grassland by enhancing habitats as agreed by Cardiff County Council.*
- *The development of an invasive non-native species mitigation plan for Glamorgan Canal / Long Wood SSSI & Glamorgan Canal LNR.*
- *Receptor sites are to be identified for reptiles, which should provide suitable terrestrial habitats including rough/rank grassland, scrub, hibernacula, refuges and basking sites. These sites may need to be enhanced or managed in order to increase their capacity to support greater numbers of reptiles*
- *Replacement trees along the woodland with the agreement of Cardiff Council; and*

The advice of both natural resources Wales and the County Ecology are captured below

### Glamorgan Canal/ Long Wood SSSI

The mitigation measures put forward in respect of potential direct impacts upon the SSSI are accepted by the County Ecologist and NRW. In addition, the details of fencing to protect the 15m 'buffer zone' from the edge of the SSSI boundary should be set out in a Construction Environmental Management Plan (CEMP). Condition 16 (GIMS) and Condition 17 (CEMP) are recommended to address this and the observations of Anna McMorrin MP.

### SINCs

It is considered that the mitigation measures put forward include enhancement planting in retained fields, habitat management conducive to species-rich grassland habitats within and outside the main development site, and removal of invasive non-native species. Condition 16 (Green Infrastructure Management Strategy) is recommended to address these requirements and provide appropriate mitigation measures within and around the site.

### Glamorgan Canal LNR

The ES Addendum has taken on board the comments of the County Ecologist who confirms that the effect that the impact, after mitigation, upon the LNR, is 'moderate'. The measures set out in Table 6.9 of Chapter 6 of the Environmental Statement are acknowledged, and considered sufficient to protect the features of the Coryton Heronry SINC.

In summary, both the Councils' Ecology Officer and NRW are satisfied with the suggested mitigation, including the proposed 15m ecotone buffer zone, subject to appropriate conditions (see conditions 16 & 17 above).

The Tree Officer's concerns are noted, and it is accepted that the creation of the access road will impact upon existing woodland trees. Alternative options have been considered in Chapter 5 of the submitted ES (paras 5.6.10- 5.6.20). These being:

1. Extension and shared use of ASDA's access road, traversing the railway cutting at a high skew;
2. Via a route North-West of McDonald's, replacing the existing masonry bridge with a new one across the cutting; and,
3. Via a route North-West of McDonalds with a new bridge between the existing masonry bridge and MacDonald's carpark

Another considered route was through the existing Whitchurch Hospital site but this was dismissed given the anticipated number of trips to the centre and any proposed development on the Whitchurch Hospital site (as shown within the submitted Whitchurch Green Masterplan) would place unacceptable demands upon the existing highway network within an already established

residential area.

On balance, and having considered alternative access options, the proposed main access to the site is considered to have the least impact upon the ecological and transport network.

#### 8.6 The Impact Upon Public Rights of Way

The proposal would not affect the Public Rights of Way. The view from the Public Right of Way would be altered from seeing a green field to that of the cancer centre and associated buildings. It is acknowledged that during construction the access along the Public Right of Way and the railway cutting will be limited, but this would be temporary in nature and therefore is considered acceptable.

It is also noted that a number of families, dog walkers and others use the area beyond the statutory path for recreation and the proposal would prevent this. However, there is no public right of access to this area or right of use of it for recreation. This proposal would allow residents access to the site, admittedly the experience would differ, but would still retain a high quality landscape for all to enjoy and therefore it is considered that on balance the proposal would allow future generations to enjoy an outdoor experience. Conditions have been imposed to ensure the suggested high quality landscape is incorporated and maintained. In addition, conditions have been imposed to ensure that the buildings cannot be expanded without further permission and that permission will also be required for means of enclosures, this ensures that the open character is retained.

#### 8.7 The impact upon Historic Assets

Chapter 10 of the submitted Environmental Statement has assessed the impact upon Historic assets, which in this case are mainly the Grade II Listed Buildings and Historic Gardens of both Whitchurch Hospital (and associated outbuildings) and Coryton House. This assessment has looked at potential impacts both during construction and in respect of the operational aspects of the proposal.

The potential impact upon heritage assets include:

- The setting of Whitchurch Hospital, Chapel and associated listings
- The impact on the Registered Historic Gardens, Whitchurch Hospital and Coryton House.
- Erection of the proposed Chimney in the new build proposal.

The submitted Chapter identifies the possible impacts of the above list and suggests mitigation measures that are considered to satisfy requirements set out in Legislation,(Planning (Listed Buildings and Conservation Areas)1990, Planning Policy Wales, Chapter 6, Technical Advice Note 24 and the Cardiff Local Development Plan 2006-2026.

The main element of this application is its effect on the setting and impact on Listed structures and Historic Landscapes. Given the location of the new

proposal in relation to known heritage assets, it considered that there is sufficient space surrounding the historic fabric to mitigate any potential harmful effects of the proposed development.

Both the Council's Conservation Officer and CADW agree with the methodology and summary. Therefore, it is considered that the proposal has had due regard to national and local policies which seek to protect the historic environment; and that the impact is acceptable.

#### 8.8 The Impact upon the Character of the Area

The scale, massing, layout, and landscaping of the development are reserved matters. However sectional drawings and landscape assessments have been undertaken. Whilst these illustrative drawings and sections are indicative they do provide basis for an assessment, and together with the submitted Design and Access Statement (DAS) convey the fundamental design principles that will guide the development on site. The DAS document states:

*"The primary idea is to place both the patient hub facilities and the landscape at the heart of the new Cancer Centre" (p38).* This has been translated through the master plan and master landscaping plan both of which are supported by officers.

In terms of the height and form the DAS states:

*"The height of the proposed development has been informed by a number of factors including the required internal functional adjacencies, existing tree heights in the Local Nature Reserve and SSSI and the protected views from Coryton House to the North. The aspiration is that the building heights follow the existing tree line to minimise its visual impact. "(P52).*

The DAS highlights the key points of the surrounding area and the topography of the land. The highest point of the main site area is the northwest boundary which ranges between 51m AOD and 57m AOD. From the northwest boundary the site slopes down to the southeast boundary where the ground level is between 41m AOD and 43m AOD.

As a result, the proposed building heights have taken into account the topography, existing tree canopy heights and restrictive views and are considered acceptable in principle.

In terms of materials the DAS seeks to:

*"Mitigate negative psychological and physiological responses by limiting hard materials such as concrete and using local materials"* The DAS further states *"The overall appearance of the new Cancer Centre should not be about making a distinct object but about creating a calm backdrop to the existing landscape.*

*A strong vertical rhythm of jointing should be established to mirror the verticality of the peripheral tree coverage and bind the departmental fingers together as a family of forms.*

*This primary rhythm should then be infilled with facade elements that are either transparent, semi opaque or reflective (and opaque) depending on the functional requirements of the building plan at any zone or level. While varying, ranging from transparent to reflective it is proposed that these elements are of the same colour range with a view to giving the overall building appearance a consistency along with a subtle variation”*

Officers support the use of materials that would complement the area (as suggested above) and that are conducive to a hospital use.

Acknowledging the submitted DAS and supporting master plan, together with relevant conditions and Reserved Matters, the proposal is not considered to harm the character of the area.

## 8.9 The Impact upon Adjacent Resident Properties

### Noise

Chapter 9 of the submitted ES (as amended) has assessed the noise implications from the construction aspect of the development. The report concludes that overall the construction works have the potential to be significant when the works are being undertaken. The ES suggests this to be: *significant in the “average case” at R1 through R4 (Hollybush Estate). In all of these instances the predicted baseline plus plant noise level is 0-3 dB(A) above the 65 dB(A) daytime threshold.”* In order to reduce potential noise impacts, mitigation measures from construction equipment/activities are recommended. These are referenced in condition 17.

The ES has also assessed noise from construction traffic and states that the proposed number of vehicle movements would not have a significant adverse effect on the nearby properties. Traffic would need to increase by 25% in order to bring a 1dB(A) increase in noise level (according to the DMRB, paragraph A1.8), which is not expected to happen with up to 20 deliveries plus site staff.

Once the main access bridge is constructed all construction vehicles will access the site via the bridge (i.e. via Longwood Drive and Asda) and given the lack of receptors along this route and the existing high level of traffic it is not considered that this would result in a significant noise impact, therefore construction deliveries are not considered further for the main site construction.

### In Relation to the SSSI and Wildlife:

The ES advise that within the SSSI the level should not exceed 70 dB(A) (see para 9.5.28). However, the report does state that wildlife reacts differently to noise (and frequencies) than humans and has based its assumptions on a worst case scenario. Officers note the above and believe that the issues and resolution raised in the ES are suitably conditioned within the CEMP (Condition 17). In forming this view officers note the concerns raised by the occupiers of the Hollybush Estate but the suggested noise levels are / will be within recognised standards and the condition also seeks a suitable monitoring framework.

ES states the following:

*“At this stage only indicative information on building service equipment is available, and it is assumed that plant will only be located within the energy centre and the roof of the hospital building. The proposed plant at each location is as follows:*

- *Gas fire boilers – contained within the energy centre*
- *Diesel generators – contained within the energy centre, to be used only as backup*
- *Ventilation stack – located immediately next to the energy centre*
- *Air conditioning units – on the roof of the hospital building*

*As the hospital’s fixed plant and equipment will be operating 24 hours per day, the night-time period (between 23:00 to 07:00) is the most sensitive time period in terms of noise. Therefore, in order to satisfy the requirements of Cardiff City Council throughout the day the fixed plant criteria will be based on the night-time noise level.*

*As per consultation with Cardiff City Council, the combined rating level from all fixed plant will not exceed the representative night-time background noise level.*

*The most representative LA90 for the area is 37 dB(A). Therefore, noise from all fixed plant plus any penalties for tonal, impulsive or intermittent characteristics will be designed (during detailed design stage) not to exceed the derived noise criterion of 37 dB(A) at nearest noise sensitive receptors.*

*With a noise criterion of 37 dB(A), this ensures that the plant is still 9 dB lower than the background noise level in the day and 6 dB lower in the evening since the representative background noise levels are LA90 46 and 43 dB for day and evening respectively. This also protects the adjacent SSSI in the day and evening when residents of the local area are most likely to be outside. At night, the outdoor amenity for human activity does not need to be taken into consideration but is still important due to the wildlife in the SSSI.*

*However, it is important that the nearest noise sensitive receptors (which are Hollybush Estate at 120m and 140m respectively) are not subject to excessive noise at night. According to WHO Guidelines, open windows produce a level difference outside to inside of 10-15 dB. A noise criterion of 37 dB(A) for the operational plant ensures that even with an open window the indoor ambient noise level is below the recommended level for inside a bedroom at night, which is 30 dB (as per guidance from British Standard 8233:2014).*

*It is important that the design or selection of plant takes into consideration the combined noise level at the nearest noise sensitive receptor.”*

The Council’s Noise and Air Section have been consulted and agree with the conclusions and recommendations and subject to conditions within the CEMP and a plant / machine condition for the operational phase of the building, the proposal would not adversely impact upon residential amenity or wildlife.

## 8.10 Air Quality

Chapter 8 of the ES states :

*“Guidance from the Institute of Air Quality Management (IAQM) notes that impacts from exhaust emissions from on-site plant are unlikely to be significant. Given the local and temporary nature of site plant, effects of plant emissions on local air quality are considered to be of negligible significance”*

In terms of dust the ES states :

*“The greatest risk from the construction phase is associated with dust soiling effects from earthworks activities and trackout. The risk of PM10 effects is low to medium and the risk of ecological effects is medium for earthworks and construction and low for trackout”.*

### Cumulative Traffic and Energy Centre Impacts

The ES states :

*“The results show that the cumulative impact of the additional traffic and energy centre from the proposed development is ‘negligible’ and therefore is considered to not be significant.”*

The Council’s Pollution Control Section supports the methodology and its conclusion and raises no objection to the proposal subject to dust mitigation (see condition 17).

## 8.11 Other Matters raised by Objectors and Third Parties

### Scale, Form and Massing

These matters are reserved for subsequent approval. However, a maximum parameter, masterplan layout and landscaping plans have been submitted along with illustrative sectional drawings and elevational sketches. Having considered the height parameters, topography of the site, and relationship to ecological features and heritage assets, the proposed maximum height is considered acceptable, in principle, in terms of scale, massing and form.

### Activities of the Cancer Centre

Opening hours of the current cancer centre are Monday-Friday 03:30-18:00. This may be extended to include weekends/longer hours. Having regard to the nature of the proposed use, and the recommended conditions, it is considered that the proposal would not adversely impact the amenities of neighbours or wildlife.

### Alternative Sites

Chapter 4 of the submitted ES has considered alternative sites, within the framework set by Welsh Government (i.e. NHS sites). The identified alternative sites of Whitchurch Hospital and the ‘Grange’ have been assessed as unviable for the following reasons:

## Whitchurch Hospital

The ES states:

*"The Whitchurch Hospital building complex comprises a number of separately listed buildings (grade II) and is set within a wider 48ha area that is included on the CADW Register of Landscapes Parks and Gardens of Special Historic Interest in Wales. The listed building restrictions, combined with physical space constraints, and inevitable inflexibility in terms of functional layout resulted in re-use of these buildings being discounted at an early stage.*

This was noted by Julie Morgan, Assembly Member for Cardiff North, in a representation dated the 1st September 2017: *"We should remind ourselves that even in 1996 when it was planned to have a 200 bed mental health facility on the site, the buildings were deemed wholly unsuitable and a new building was required". This requirement is reflected in an extant planning permission for the redevelopment of the Whitchurch site. It is now quite unrealistic to talk of fitting a state of the art patient centred facility with modern diagnostics and treatment equipment within the confines of buildings whose shape and capacity is restricted because of the quite separate and valid need to maintain examples of architectural merit and historical interest" (Julie Morgan, Assembly Member for North Cardiff, 1st September 2017, p.3). This option would also have required future traffic flows to continue to use the surrounding residential network, and these flows are predicted to increase with the new facility. Similarly, the development of the Whitchurch playing fields was discounted early on. The land is designated grade II on the Cadw register of Landscapes Parks and Gardens of Special Historic Interest in Wales. They are held as being the surviving gardens and playing fields of the grandest and most important Edwardian Asylums in Wales. Whilst there would be resistance to its loss on this basis, this designation would not in itself prevent the grant of planning permission for a suitable development. The site is, however, also part of a wider redevelopment masterplan by CVUHB. The playing fields are identified in that outline planning permission to be retained for use by new residents and for existing Whitchurch residents. This is also secured via legal agreement of the permission. The outline planning permission has been recently renewed and now requires the submission of reserved matters applications by September 2020. Proposing that the fields be developed would then be contrary to the established requirement for them to be retained to enable the implementation of the redevelopment of the former hospital complex. They form a key part of the playing field provision in the local area and the impact of their loss on the community, if it had been found to be acceptable in terms of its impact on the historic protected designation, was considered unlikely to be acceptable overall (politically, environmentally, health and well-being etc.). Finally, and implicit in the above, is that whilst the land is within NHS ownership, it is owned by CVUHB whose long-standing estate's strategy requires the development of the land. "*

Officers note the above assessment, and no compelling evidence has been presented to suggest the above is incorrect. Officers note suggestions that there are other reasons, such as it being redeveloped for residential, which would generate increased revenue. This land is owned by a third party (Cardiff and Vale NHS) and their intentions and timetable is unclear beyond that of the

renewed consent for mixed use. Ward Councillors have suggested other proposals, however no plans have come forward for consideration by the Local Planning Authority.

### The Grange

The Grange is a 2.63 ha parcel of brownfield land to the west of the existing Velindre Cancer Centre. Officers note the suggestion from Ward Councillors and others that this is the Plan B option. Chapter 5 of the Environmental statement (paragraphs 5.5.21-5.6.5) outlines the case for why The Grange site is not suitable as follows:

*“.. Whilst all of the required uses could be physically fitted on the site, it would have required significant compromises with regard to the clinical adjacencies. Also, although it gave some area for future expansion, overall this was considered to be insufficient for the potential future expansion required; the site being constrained by existing built form on all of its boundaries except the western boundary which was constrained by landscape and topography. There was then insufficient space to integrate the buildings within the landscape as required for the overall healing environment, and to create a sense of place. It was also considered that there were risks in terms of ground stability relating to the western boundary”*

The above comments are noted.

### The Need for a Strategic Approach

Officers note comments from objectors and Ward Councillor's over the need for an overarching master plan. The applicant has sought, through the Whitchurch Village Green Masterplan to consider a comprehensive approach, which has regard to the existing outline planning permission. This Masterplan has informed the access proposals to ensure the impact upon the residents and the Whitchurch Hospital site are minimised.

### Hollybush Emergency Access

Officers note the concerns of residents, in relation to the need for this access and the likely disruption caused. A condition has been imposed to restrict the use of this access point to ensure that it is only an emergency access to the site. In terms of construction, potential issues of noise and dust to elderly and vulnerable residents of the Hollybush Estate are noted; however the submitted information has been assessed by the Council's Environmental Health Section who supports the submitted methodology, and raises no objection in principle. Condition 17 of this permission seeks to ensure the residents' amenity is not unreasonably affected.

### An Inefficient use of Taxpayers Money

This is not material to the consideration of this planning application

### Lack of Community Engagement

The applicant has undertaken a Pre-Application Consultation (PAC) prior to the submission of this planning application. The application was registered by the Local Planning Authority with neighbours notified by letter, and press and site

notices issued in accordance with statutory requirements.

All other matters raised by Objectors are captured above:

- 8.12 The following further responses were received following the re-consultation on the Addendum to the Environmental Statement in October 2017 and are considered below:

*The reduced number of parking spaces would further increase parking pressure/ congestion within the area;*

The matter of parking has been considered in paragraph 8.4 of this report. It is further noted that the applicant is committed to deliver Travel Planning measures that seek to reduce car borne trips by staff from 77% to 60% within 5 years of operation. The applicant has also committed to providing a bus subsidy over three years to secure the operation of an enhanced/new bus service

*As 75% of their patients are from outside Cardiff it would make sense for the new hospital to be closer to their patients rather than destroy this green area;*

The proposal forms part of a wider network of cancer services, which includes a number of satellite facilities within the wider South East Wales region. By delivering essential services in a Central Hub that is well served by a choice of means of transport, it is acknowledged that the proposal meets the Council's objectives of sustainable travel.

*There is no current planning application for the proposed roads;*

Officers acknowledge that the proposed access road did not form part of the extant outline permission. However, the justification and assessment of the proposed access has been submitted and assessed as part of the current application.

*The Council has failed to meet the requirements set within Regulation 22 of the EIA regulations;*

The application has been re-publicised by a press notice within the Western Mail dated 19<sup>th</sup> October and site notices. In addition to letters/ emails to those neighbours who were notified initially along with those who had made representations all given an additional 21 days to comment. The proposal meets the requirements set within Regulation 22 of the T&CP Environmental Impact Assessment Regulations (2016).

*The impact upon Whitworth Square and Coryton School has not been assessed;*

Officers have had regard to the siting of the development and proposed access roads in relation to the above areas and are considered within this report.

*The impact upon the herons is incorrect;*

Officers note the comments from Glamorgan Birds Society and the number of herons they observed on site. The applicant has undertaken a breeding bird survey report (7 December, 2016), The County Ecologist is satisfied that the impact of the development on Coryton Heronry Woods SINC has been

appropriately assessed.

*The suggestion that this land will have either housing or a hospital is incorrect, (the Trust could do nothing):*

Whilst the comments are noted, this is not a material planning factor for the consideration of the current planning application.

*The Development would affect Cardiff's 'Healthy city' status granted by WHO in 2009:*

The application to develop private land for a cancer centre has been determined on its merits as required by planning law.

*Need to undertake a Health Impact Assessment (HIA)*

There is no requirement under planning law or policy for a Health Impact Assessment.

*The emergency access is being sited next to elderly or people with medical conditions who will be severely affected by the development.*

Concerns regarding the emergency access are addressed in the report and is not considered to severely impact upon existing residents.

## 9. Planning Obligations

National Policy and CIL regulations outline the legal requirements for a valid Planning Obligation. The Council's adopted Local Development Plan (2006-2026) KP7 provides Policy considerations for seeking obligations. The Council's approved Planning Obligations SPG provides further guidance. The following financial contributions are required in response to this policy context:

- Up to £450,000 for a 3-year subsidy towards the provision of a bus service to the proposed centre.
- Up to £400,000 for green infrastructure improvements;

Having regard to policy and legal requirements outlined above it is considered that the requests meet the necessary tests and policy requirements. The agent has confirmed that their client is willing to enter into an agreement to secure these contributions but wishes to agree appropriate triggers and details post resolution, as part of the S106 process.

## 10. Conclusion

Having regard to relevant material planning factors, the Environmental Statement and submitted documents, the extant planning permission on part of the site and the careful consideration of the representations received, it is recommended that permission for a new cancer centre and associated infrastructure be approved, subject to conditions and legal agreement.

## 11. Legal Considerations

### 11.1 **Crime and Disorder Act 1998**

Section 17(1) of the Crime and Disorder Act 1998 imposes a duty on the Local Authority to exercise its various functions with due regard to the likely effect of

the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. This duty has been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable increase in crime and disorder as a result of the proposed decision.

#### 11.2 ***Equality Act 2010***

The Equality Act 2010 identifies a number of 'protected characteristics', namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; marriage and civil partnership. Having due regard to advancing equality involves:

Removing or minimising disadvantages suffered by people due to their protected characteristics; taking steps to meet the needs of people from protected groups where these differ from the need of other people; and encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

The above duty has been given due consideration in the determination of this application.

It is considered that there would be no significant or unacceptable impact upon persons who share a protected characteristic, over and above any other person, as a result of the proposed decision.

#### 11.3 ***Planning (Wales) Act 2015 (Welsh language)***

Section 31 of the Act clarifies that impacts on the Welsh Language may be a consideration when taking decisions on applications for planning permission so far as it is material to the application. This duty has been given due consideration in the assessment of this application. It is considered that there would be no material effect upon the use of the Welsh Language in Cardiff as a result of the proposed decision.

#### 11.4 ***Wellbeing of Future Generations (Wales) Act 2015***

In reaching this recommendation officers have taken into account the requirements of Sections 3 and 5 of the Well Being of Future Generations (Wales) Act 2015. Officers consider that this recommendation is in accordance with the Act's sustainable development principle through its contribution towards one or more of the Welsh Minister's well-being objectives as required by section 8 of the WBFG Act. In this respect, it should be noted that the proposal retains accessible open space for the public, and the facility would create a 21st century cancer care treatment centre serving South East Wales.

#### 11.5 ***Biodiversity and Resilience of Ecosystems Duty***

This recommendation is considered to discharge the Authority of its duties under Section 6 of the Environment (Wales) Act 2016. This duty is that we must seek to maintain and enhance biodiversity in the exercise of our functions, and in so doing promote the resilience of ecosystems, so far as is consistent with the proper exercise of those functions. In complying with this duty we will have to take account of the resilience of ecosystems, in particular the diversity

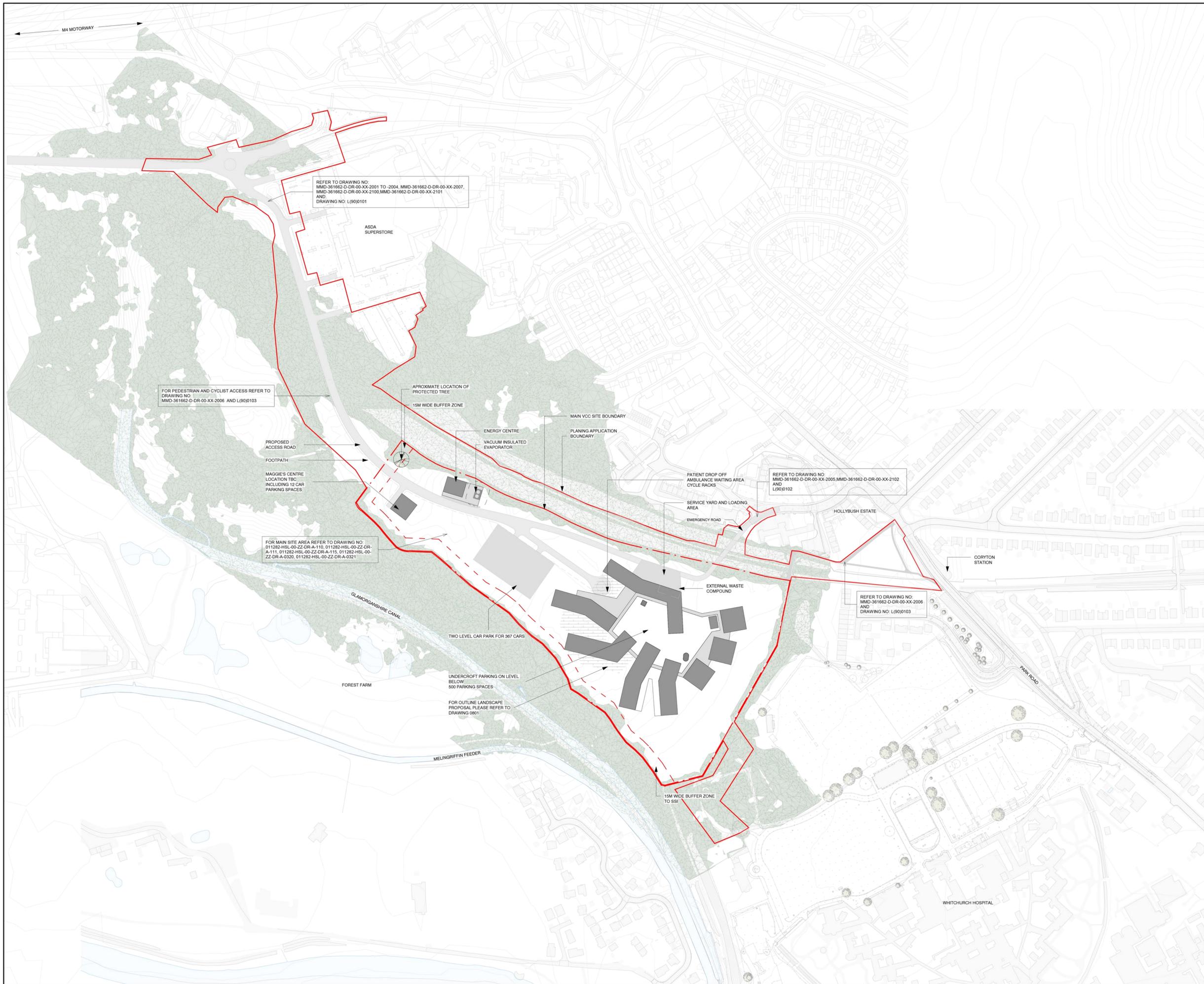
between and within ecosystems; the connections between and within ecosystems; the scale of ecosystems; the condition of ecosystems and the adaptability of ecosystems.

**11.6 Environmental Impact Assessment) (Wales) Regulations 2016**

As required by Regulation 3 of the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2016 this report and recommendation has taken the environmental information and its amendments into consideration

**11.7 Flood and Water Management Act 2010**

Section 12 (3) of the Flood and Water Management Act 2010 places a duty on Risk Management Authorities (e.g. a county council for the area) to have regard to the national and local strategies and guidance when exercising any other function in a manner which may affect a flood risk or coastal erosion risk. The relevant strategies and guidance have been taken into consideration in the assessment of this application.



REFERENCE MAP

NORTH



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06/04/17	First Issue	A	PL	

CONSULTANT  
HASSELL Limited CN 7545819  
LEVEL 2 PARK HOUSE  
GREYFRIARS ROAD  
CARDIFF CF10 3AF UNITED KINGDOM  
CARDIFF@HASSELLSTUDIO.COM  
T +44 29 2072 9071

**HASSELL**

CLIENT NAME  
**VELINDRE NHS TRUST**

ORIGINATOR NO  
**011282**

PROJECT  
**VELINDRE CANCER CENTRE  
PARK ROAD, CARDIFF. CF14 7XB**

DRAWING TITLE  
**SITE PLAN**

SUITABILITY STATUS  
**Planning**

SCALE  
**1 : 2000 @ A1**

PROJECT# | ORIGINATOR | VOLUME | LEVEL | TYPE | ROLE | NUMBER | STATUS+REV  
**011282-HSL-00-ZZ-DR-A-PL10-A**



REFERENCE MAP



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DATE	DESCRIPTION	REV	STATUS
22/05/17	LANDSCAPE REVISION 05	S0.P0.5	S0
29/03/17	LANDSCAPE REVISION 04	S0.P0.4	S0
13/02/17	LANDSCAPE REVISION 03	S0.P0.3	S0
03/02/17	LANDSCAPE REVISION 02	S0.P0.2	S0
10/01/17	LANDSCAPE REVISION 01	S0.P0.1	S0

CONSULTANT

HASSELL Limited CN 7545819  
4TH FLOOR JAMES WILLIAM HOUSE  
9 MUSEUM PLACE  
CARDIFF CF10 3BD UNITED KINGDOM  
CARDIFF@HASSELLSTUDIO.COM  
T +44 29 2072 9071

**HASSELL**

CLIENT NAME	ORIGINATOR NO
VELINDRE NHS TRUST	011282

PROJECT  
**VELINDRE CANCER CENTRE  
PARK ROAD, CARDIFF. CF14 7XB**

DRAWING TITLE  
**Illustrative Masterplan**

SUITABILITY STATUS	SCALE
Work in Progress	1000 @ A1

PROJECT# | ORIGINATOR | VOLUME | LEVEL | TYPE | ROLE | NUMBER | STATUS+REV  
**011282-HSL-00-ZZ-DR-L-0802-S0.P05**