

LOCAL MEMBER OBJECTION

COMMITTEE DATE: 08/02/2017

APPLICATION No. **14/00852/DCO** APPLICATION DATE: 05/06/2014

ED: **CREIGAU/ST FAGANS**

APP: TYPE: Outline Planning Permission

APPLICANT: Persimmon Homes (East Wales)
LOCATION: LAND TO THE NORTH OF M4 JUNCTION 33, CREIGIAU
PROPOSAL: COMPREHENSIVE DEVELOPMENT OF 'LAND TO THE NORTH OF JUNCTION 33 OF THE M4' TO CREATE A NEW COMMUNITY CONTAINING:
A RANGE OF NEW HOMES, INCLUDING HOUSES, APARTMENTS AND SOME SHELTERED ACCOMMODATION FOR THE ELDERLY (USE CLASSES C2 AND C3)
A PARK AND RIDE FACILITY AND TRANSPORT INTERCHANGE OR HUB
COMMUNITY FACILITIES INCLUDING A NEW PRIMARY SCHOOL AND COMMUNITY CENTRE (USE CLASS D1)
A LOCAL CENTRE INCLUDING SHOPS (USE CLASS A1), FINANCIAL AND PROFESSIONAL (USE CLASS A2), FOOD AND DRINK (USE CLASS A3) AND A CLINIC OR SURGERY (USE CLASS D1)
NEW OFFICES, WORKSHOPS AND RESEARCH AND DEVELOPMENT FACILITIES (USE CLASSES B1 WITH ANCILLARY B2 AND B8)
A NETWORK OF OPEN SPACES INCLUDING PARKLAND, FOOTPATHS, SPORTS PITCHES AND AREAS FOR INFORMAL RECREATION
NEW ROADS, PARKING AREAS, ACCESSES AND PATHS OTHER ANCILLARY USES AND ACTIVITIES AND REQUIRING; SITE PREPARATION, THE INSTALLATION OR IMPROVEMENT OF SERVICES AND INFRASTRUCTURE; THE CREATION OF DRAINAGE CHANNELS; IMPROVEMENTS/WORKS TO THE HIGHWAY NETWORK AND OTHER ANCILLARY WORKS AND ACTIVITIES

RECOMMENDATION 1 : That, subject to relevant parties entering into a binding legal agreement with the Council under the provisions of **SECTION 106** of the Town and Country Planning Act 1990, within 6 months of the date of this Resolution unless otherwise agreed by the Council in writing, in respect of matters detailed in paragraphs 9.5 to 9.20 of this report, and having taken the Environmental Information in to consideration, planning permission be **GRANTED** subject to the following conditions:

SECTION 1 – RESERVED MATTERS AND PLANS

RESERVED MATTERS AND TIME LIMIT

1. A. Prior to the commencement of development on any Reserved Matters

site, details of the layout, scale and appearance of the buildings, access (except for the detailed highway improvement works that are the subject of conditions 24 (DETAILED HIGHWAY IMPROVEMENT WORKS OFF LLANTRISANT RD) and 25 (DETAILED HIGHWAY IMPROVEMENT WORKS OFF M4 J33) and landscaping (hereinafter called "the reserved matters") for that Reserved Matters site shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out as approved.

B. Application for approval of the first Reserved Matters site shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. Application for approval of all other reserved matters sites shall be made to the Local Planning Authority before the expiration of twelve years from the date of this permission.

C. The development hereby permitted shall be begun either before the expiration of five years from the date of this permission or before the expiration of two years from the date of the last of the reserved matters to be approved, whichever is the later.

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

APPLICATION PLANS AND DOCUMENTS

2. This consent relates to the following plans and documents attached to and forming part of this planning application:

Plans:

- a) Red Line Plan (drawing no 22043 9654)
- b) Land Use Figure 3.2 (drawing no 22043 9605 rev K)
- c) Access and Movement Figure 3.3 (drawing no 22043 9602 Rev J)
- d) Density Plan Figure 3.4 (drawing no 22043 9600 Rev J)
- e) Building Heights and Scale Figure 3.5 (drawing no 22043 9601 Rev L)
- f) Green Infrastructure (Overview) Figure 3.6 (drawing no 22043 9603 Rev J)
- g) Amount Figure 3.7 (drawing no 22043 9606 Rev D)
- h) Phasing Plan (drawing no 22403 9701 Rev C)
- i) Development Concept Plan Figure 3.9 (drawing no 22043 9607 Rev C)
- j) Indicative Masterplan (drawing no 22043 9900 Rev E)
- k) Green Infrastructure Plan (Strategic Landscape Framework Plan) (drawing no 1348501/P/GA/003 Rev L)
- l) Multi-functional Green Infrastructure Typology (drawing no 1348501/P/S/005 Rev B)
- m) A4119 Llantrisant Road Signalised Junction Arrangement Alternative Alignment (drawing no W131169/SK/24 Rev A).
- n) Masterplan showing Proposed Vehicular Access Points (drawing no W131169-B-04 Rev I)

Documents

- o) Revised Design and Access Statement (August 2016)
- p) Transport Assessment (May 2014)

- q) Interim Residential Travel Plan (May 2014)
 - r) Interim Employment Travel Plan (May 2014)
 - s) Transport Assessment Addendum (August 2016)
 - t) Environmental Statement (May 2014)
 - u) Environmental Statement Addendum (August 2016) and Non-Technical Summary (August 2016)
 - v) Revised Planning Statement (August 2016)
 - w) Flood Consequences Assessment (May 2014)
 - x) Sustainability Statement (May 2014)
- Reason: For the avoidance of doubt.

RESERVED MATTERS AND DISCHARGE OF CONDITION PLANS AND DOCUMENTS

3. Subject to the provisions of conditions 17 (PHASING), 18 (BUILT FORM AND TOWNSCAPE), 22 (BESPOKE PROPOSALS), 24 (DETAILED HIGHWAY IMPROVEMENT WORKS OFF LLANTRISANT RD), 25 (DETAILED HIGHWAY IMPROVEMENT WORKS OFF M4 J33), 31 (WESTERN LEAP), 52 (AVENUE ROAD CROSS SECTION), 49 (DETAILED SURFACE WATER DRAINAGE SCHEME), 54 (ECOTONE) and 59 (PITCHES), the development shall accord with the following approved plans and documents:
- a) Red Line Plan (drawing no 22043 9654)
 - b) Land Use Figure 3.2 (drawing no 22043 9605 rev K)
 - c) Access and Movement Figure 3.3 (drawing no 22043 9602 Rev J)
 - d) Density Plan Figure 3.4 (drawing no 22043 9600 Rev J)
 - e) Building Heights and Scale Figure 3.5 (drawing no 22043 9601 Rev L)
 - f) Green Infrastructure (Overview) Figure 3.6 (drawing no 22043 9603 Rev J)
 - g) Amount Figure 3.7 (drawing no 22043 9606 Rev D)
 - h) Development Concept Plan Figure 3.9 (drawing no 22043 9607 Rev C)
 - i) The design principles for the local centre set out on pages 144-147 of the Design and Access Statement (August 2016)
 - j) The street hierarchy plan (p.101) and cross sections (pp. 94, 102 – 113) set out on in the Design and Access Statement (August 2016). The 3m segregated cycle route proposed along all Spine and Avenue streets shall also extend along the Llantrisant Rd frontage as shown on p.95 of the Design and Access Statement (August 2016).
 - k) Environmental Statement (May 2014)
 - l) Environmental Statement Addendum (August 2016)
 - m) A4119 Llantrisant Road Signalised Junction Arrangement Alternative Alignment (drawing no W131169/SK/24 Rev A).
 - n) Masterplan showing Proposed Vehicular Access Points (drawing no W131169-B-04 Rev I)
- and shall be in substantial accordance with the following approved plans and document:
- o) Phasing Plan (drawing no 22403 9701 Rev C)
 - p) Design and Access Statement (August 2016)

- q) Indicative Masterplan (drawing no 22043 9900 Rev E)
 - r) Green Infrastructure Plan (Strategic Landscape Framework Plan) (drawing no 1348501/P/GA/003 Rev L)
 - s) the Dark Corridor Principles Diagrams Key Plan (drawing no GI01 Rev B)
 - t) Multi-functional Green Infrastructure Typology (drawing no 1348501/P/S/005 Rev B)
- unless otherwise approved through discharge of condition and reserved matters applications, provided that any amendment does not result in any environmental impacts which exceed the range and scope of those assessed in the Environmental Assessment (May 2014) and subsequent Addendum (August 2016).

Reason: To retain control of the development and given the information has been used to assess the development.

SECTION 2: CONDITIONS REQUIRING DETAILS TO BE SUBMITTED AS PART OF THE DISCHARGE OF CONDITION 1

ACCESS WITHIN THE SITE

4. Details in relation to the reserved matter ACCESS submitted to the Local Planning Authority for any reserved matters site in compliance with condition 1 shall include:
 - a) Details showing the position and form of construction of all roads, verges, cycle paths, footpaths and shared surfaces, the position of street lighting linked to a Central Management System and the method of disposal of all surface water drainage therefrom
 - b) Details of any temporary access required and identified under condition 17 (PHASING) to ensure safe and convenient pedestrian, cycle and vehicular access through those areas not under construction or where construction is complete.
 - c) Details of 'safe zones' within any proposed shared spaces to protect vulnerable users.

The development shall be carried out in accordance with the approved details, condition 63 (PROVISION OF ROAD BEFORE OCCUPATION OF DWELLINGS) and the phasing details approved under condition 17 (PHASING).

Reason: To make provision for satisfactory access and to ensure effective pedestrian, cycle and vehicular links to the wider strategic site and to allow the phased dimming of street lights to protect light sensitive species on the site.

ACCESS TO THE REMAINDER OF SITE D AND POTENTIAL FUTURE EXPANSION AREA

5. Details in relation to the reserved matter ACCESS, submitted to the Local Planning Authority in compliance with condition 1 for any reserved matters site that adjoins the boundary of the remainder of Strategic Site D and/or the land identified for 'potential future expansion in the plan period' on the Cardiff LDP Proposals Map at the points of the proposed 'Future Access Points' shown on the 'Access & Movement Figure 3.3' parameter plan (drawing no 9602 Rev J), shall include details of land

provided and safeguarded for pedestrian, cycle and vehicular access up to the boundary of the outline permission site to serve development beyond the boundary and a strategy for their delivery. The routes shall be capable of use as a bus route and shall have a min carriageway width of 6.3m, a 1.9m segregated footway on each side of the carriageway and a 3m cycleway on one side. The submitted details shall demonstrate how the access will not prejudice the proposed green and movement corridors. The development shall be carried out in accordance with the approved details.

Reason: To make provision for effective pedestrian, cycle and vehicular links to the wider strategic site and future expansion areas identified in the Cardiff Local Development Plan.

PARK AND RIDE AND TRANSPORT INTERCHANGE

6. Details in relation to the reserved matters submitted in compliance with condition 1 for the reserved matter site wherein the Park and Ride facility and Transport Interchange are proposed shall include details of the Park and Ride Facility and Transport Interchange. The details shall comprise a 1000 space Park and Ride Facility, including but not limited to the parking spaces, bus routes, the transport interchange/hub building and facilities, public transport, cycle and pedestrian facilities, bus only-gates and enforcement cameras, links to adjoining/ external highways, a strategy for the operation, management, maintenance, monitoring and implementation of the P&R and Transport Interchange, and other infrastructure/works. The Park and Ride Facility shall be designed so as not to prejudice the potential to increase the size of the P&R by the installation of a first floor deck in the future. The development shall be carried out, managed, maintained and operated in accordance with the approved details and phasing approved under condition 17 (PHASING).

Reason: To secure provision of the Park and Ride and Transport Interchange and to ensure more sustainable modes of travel to/from and passing the site and linking to the City Centre.

RAPID TRANSIT CORRIDOR / METRO

7. Details in relation to the reserved matters submitted in compliance with condition 1 for any reserved matter site shall include:
- a) For any reserved matters site wherein the Spine Road is proposed, details, including layout and cross sections, showing how the proposed on-road rapid transit route through the site shown on p. 92 of the Design and Access Statement (August 2016) and the 'with rapid transit' cross section shown on p. 105 of that same document will be accommodated and the land provided and safeguarded
 - b) For any reserved matters site where alternative rapid transit route options are proposed (as shown on p. 92 of the revised Design and Access Statement (August 2016), details of land to be provided and safeguarded for the alternative rapid transit route options shown on p. 92 of the Design and Access Statement (August 2016) and demonstrating how this will not prejudice the

proposed green and movement corridors.

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

Reason: To safeguard options for the future delivery of the 'Metro' within the site, in accordance with policies KP2(D&E) and T9 of the Cardiff Local Transport Plan.

CAR PARKING

8. Details in relation to the reserved matter LAYOUT submitted to the Local Planning Authority for any reserved matters site in compliance with condition 1 shall include details for the parking of vehicles. The details shall include, but not be limited to, a strategy for the provision, management, monitoring and control of car parking for any and all non-residential land uses proposed within that reserved matters site with the exception of the park and ride site (to which condition 6 (PARK AND RIDE AND TRANSPORT INTERCHANGE) applies. The development shall be implemented in accordance with the approved details and no dwelling or building shall be occupied until the approved parking facilities serving it have been provided. The approved parking shall be retained thereafter and shall not be used for any purpose other than the parking of vehicles.

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

CYCLE AND MOTORCYCLE PARKING

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

LOADING AND UNLOADING OF VEHICLES

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

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

abutting the site.

SAFEGUARDING OF LAND AND CHANGING FACILITIES AND ASSOCIATED CAR PARK

11. Details in relation to the reserved matters submitted for the Central Sports and Play area shown on the 'Multi-functional Green Infrastructure Typology Plan (drawing no 1348501/P/S005 Rev B) in compliance with condition 1 shall include details of land to be provided and safeguarded for a changing facility and car parking to support to the 2 no sports pitches that are the subject of condition 59 (PITCHES).
Reason: To help ensure the future delivery of these facilities on-site through by other developments within the remainder of site D and E.

ADOPTABLE AREAS PLAN

12. Details in relation to the reserved matters submitted to the Local Planning Authority for any Reserved Matters site in compliance with condition 1 shall include a plan showing the following:
- a) Adoptable highway
 - b) Open space maintained by management company
 - c) Any private drives maintained by management where public right access is maintained
 - d) Any other categories pertaining to management arrangements.
- Reason: To help clarify and inform the management arrangements for the site.

REFUSE

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

use.

Reason: To secure an orderly form of development, to protect the amenities of the area and because refuse collection vehicles are not permitted to reverse down any roads and must be able to reach within 25m of all dwellings in order for crews to empty bins.

FLOOR AND GROUND LEVELS

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

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

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

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

LANDSCAPE SCHEME FOR EACH RESERVED MATTERS SITE

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

- a) Hard landscape works which shall include: means of enclosure and retaining structures; vehicle, cycle and pedestrian access and circulation areas; hard surfacing materials; position of external lighting including street lights; minor artefacts and structures (e.g. litter bins, furniture, play equipment and signs); proposed and existing functional services above and below ground (eg. drainage, power, communications cables) and an implementation programme
- b) A landscaping scheme which shall include: proposed finished levels and contours, scaled planting plans/ written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/ densities where appropriate; top soil and subsoil specifications, tree pit sections and plan views showing root available soil volume, planting and aftercare methodology, proposals for remediation work in the event that any element of the landscaping fails and an implementation programme
- c) Details, where applicable, of existing and proposed ponds, attenuation basins and water features, which shall include detailed plans and cross sections of proposed features and respective landscaping and planting details
- d) A Detailed Green Infrastructure Management Strategy (DGIMS)

for the delivery, and long term management, maintenance and monitoring of the ecological, aboriginal, landscape, soil and open space and water resource other than privately owned, domestic gardens. The DGIMS shall accord with the approved SGIMS required to be submitted under condition 19, including any amendments to the SGIMS, and shall substantially accord with the Green Infrastructure Plan (drawing no 1348501/P/GA/003RevL), the Dark Corridor Principles Diagrams Key Plan (drawing no GI01 Rev B) and the mitigation measures set out in the Environmental Statement (May 2014) and ES Addendum (August 2016). The DGIMS shall include, where applicable to that RM site: a report of the findings and mitigation of bat surveys of any trees and buildings to be removed on that reserved matters site, targeted reptile surveys and any other pre-commencement surveys for that site required as part of the SGIMS; a report of the findings and mitigation of a re-survey of the badger sett identified on the Ecology Constraints plan on p.61 of the DAS (August 2016); a detailed plan setting out habitats to be lost, enhanced, created and retained and an implementation programme; details of proposed green corridors (including detailed layout plans showing habitat composition and new and retained planting required to reach the size and scale of corridor proposed, cross sections, and a phasing plan for green corridor planting); a detailed schedule of habitat and species management and maintenance operations and their implementation/timing; proposals for species and habitat monitoring and a mechanism to address mitigation failures, proposals for reviews and updating of the DGIMP; proposals for the delivery and ongoing management, maintenance and monitoring of the water resource, landscaped areas and open space; an implementation programme for the phasing and delivery of the detailed green infrastructure;

- e) A detailed lighting scheme and implementation plan to control light spillage to any 'dark corridors' and other 'sensitive receptors' identified in the approved SGIMS (under condition 19). The scheme shall include details of the siting and type of lighting to be used, their technical specifications, contour plans showing light spillage and cross sections of green corridors where they intersect with roads, footpaths and cycle paths and adjacent properties, detailing green infrastructure and lighting proposals, and operational measures to ensure appropriate lighting including the timing and extent of any dimming. The lighting shall be linked to a Central Management System to allow for phased dimming.
- f) Proposals for the identification and eradication of any invasive species identified on the reserved matters site.

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

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

and to help reduce crime and disorder.

PROMOTION OF BIODIVERSITY THROUGH DESIGN

16. Details in relation to the reserved matters submitted to the Local Planning Authority for any Reserved Matters site in compliance with condition 1 shall include:

- a) details of fences or other forms of enclosure which shall include opportunities to allow the free passage of hedgehogs and other wildlife. Any walls and or/ fences or other forms of enclosure shall be erected in accordance with the approved details. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification), those walls and/or fences or other means of enclosure shall be erected in accordance with the approved details and shall not thereafter be altered or removed without the prior written approval of the Local Planning Authority
- b) Proposals to include new bird and bat roosting opportunities based upon the Town and Country Planning Association's 'Biodiversity Positive: Eco-towns Biodiversity Worksheet 2009' and the Bat Conservation Trust's 'Biodiversity for Low and Zero Carbon Buildings: A Technical Guide for New Build 2010'
- c) Details of planting to allow wildflowers to development on roadside verges, parks and other greenspaces;
- d) Proposals to include Devil's-bit Scabious in the seed mix of any attenuation basins for the potential benefit of Marsh Fritillary Butterflies.
- e) Proposals to include inset kerbs adjacent to gulley pots on the site to avoid trapping Great Crested Newts and other protected amphibians

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

Reason: To promote biodiversity of the site through design.

SECTION 3: CONDITIONS TO BE DISCHARGED

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

PHASING

17. Notwithstanding the provisions of condition 3, no reserved matter application shall be approved by the Local Planning Authority and no development shall take place except for the detailed highway and landscaping works that are the subject of condition 24 (DETAILED HIGHWAY IMPROVEMENT WORKS OFF LLANTRISANT RD) and 26 (LANDSCAPE SCHEME FOR DETAILED HIGHWAY IMPROVEMENT WORKS OFF LLANTRISANT ROAD) until a phasing schedule and plan for the whole outline permission site has been submitted to and approved in writing by the Local Planning Authority. The phasing schedule and plan shall accord with the associated Section 106 Agreement, and shall include details of the phasing of the following:

- a) Phases of construction, including the number of dwellings to be

- delivered under each phase
- b) detailed highway improvement works off M4 J33 and associated landscaping works that are the subject of conditions 25 and 27
- c) all roads, footpaths, cycle paths and shared surfaces within the site
- d) the Park and Ride facility and transport interchange
- e) Foul and surface water drainage infrastructure and SUDS
- f) Green corridors, landscaping, open space and play areas and other publicly accessible areas
- g) The primary school, local centre, two employment areas
- h) Section 106 triggers

The development shall be carried out in accordance with the approved phasing plan or in accordance with any modification to that phasing plan as may be agreed with the prior written approval of the Local Planning Authority.

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

BUILT FORM AND TOWNSCAPE

18. Notwithstanding the provisions of condition 3, no reserved matters application shall be approved by the Local Planning Authority until there has been submitted to and approved in writing by the Local Planning Authority a Built Form and Townscape diagram for the whole outline permission site, highlighting special nodes with a bespoke treatment, key public green spaces, secondary spaces with bespoke landscape design and adjusted standard house types, building height changes related to establishing greater legibility and character at key points in the scheme, principal frontages with a special character, the position of large specimen trees, the position of key corners requiring special built form and architectural treatments, the position of landmark buildings, and key vistas to views within and through the scheme, including to landmark buildings.

Details in relation to the reserved matters submitted to the Local Planning Authority in compliance with condition 1 shall accord with the approved details unless otherwise approved through reserved matters applications approved by the Local Planning Authority. Reason: To ensure greater townscape character and legibility and to guarantee continuity of treatment between phases of development.

STRATEGIC GREEN INFRASTRUCTURE MANAGEMENT STRATEGY

19. No reserved matters applications shall be approved by the Local Planning Authority and no development shall commence except for the detailed highway and landscaping works that are the subject of condition 24 (DETAILED HIGHWAY IMPROVEMENT WORKS OFF LLANTRISANT RD) and 26 (LANDSCAPE SCHEME FOR DETAILED HIGHWAY IMPROVEMENT WORKS OFF LLANTRISANT ROAD) until a Strategic Green Infrastructure Management Strategy (SGIMS) for the delivery and ongoing management, maintenance and monitoring of green infrastructure comprising the ecological, aboricultural, landscape, soil, open space and SUDS and water resource other than privately

owned, domestic gardens for the whole outline permission site for the construction and operational phases and longer term (up to 30 years and beyond) has been submitted to and approved in writing by the Local Planning Authority. The SGIMS shall substantially accord with the Green Infrastructure Plan (drawing no 1348501/P/GA/003RevL), the Dark Corridor Principles Diagrams Key Plan (drawing no GI01 Rev B) and the mitigation measures set out in the Environmental Statement (May 2014) and ES Addendum (August 2016). The SGIMS shall include details and an implementation programme for the following: Outline proposals for the delivery of green corridors and dark corridors which shall include plans and outline details of habitat composition and layout, the location of new and retained planting required to reach the size and scale of corridor set out in the Green Infrastructure Plan (drawing no 1348501/P/GA/003RevL), the phasing of that provision, details of ecotones and buffer zones to protect the green corridors, outline lighting principles showing and cross sections showing how 'dark corridors' can be achieved over road crossings.

- a) Outline proposals for the protection, creation, translocation, enhancement, management and maintenance of habitats, including woodlands, hedgerows and trees, grasslands, ponds, stream, ditches and water features, highway trees/verges and road crossings, and other habitat providing foraging, community and breeding opportunities for protected species, including a description of the habitats, their desired condition, key indicators to show when the desired condition has been achieved and management operations required to deliver and maintain their desired condition, suitable buffers to watercourses, ponds and other habitats, and an outline plan showing habitats to be lost, enhanced, created and retained
- a) Strategies, including mitigation and enhancement measures, to be delivered for European and other protected species affected by the development, including bats, birds, badgers, dormice, reptiles, otter, Great Crested Newts and amphibians, and invertebrates (including Marsh Fritillary Butterfly)
- b) Proposals for the delivery and ongoing management, maintenance and monitoring of landscaped areas and open space, including semi natural multi-functional green space, recreational woodland, sports provision, play grounds, teenage/older children facilities, orchards and structural landscaping
- c) Appropriate scheduling and timing of management and maintenance operations for habitats, species, landscaped areas and open space
- d) Proposals for habitat and species monitoring and for reviewing the success of habitat enhancement and establishment, including the frequency and timing of any species and habitat re-surveys, pre-construction surveys, bat surveys of trees and buildings to be removed, and reviews and updating of the SGIMP, and proposals to address identified mitigation failures
- e) An outline site-wide lighting strategy to protect bats, dormice and other light sensitive species to inform the detailed lighting

strategy for each Reserved Matters site. The outline strategy shall set out broad lighting principles, including the siting and type of lighting linked to a Central Management System, times and extent of proposed light 'dimming', drawings setting out light spillage and any operational measures to ensure wildlife corridors are appropriately illuminated.

- f) A site-wide plan showing outline proposals for the diversion of PROW Llanilterne No 18 and Peterstone Super Ely No 10, and proposals for a network of pedestrian only footpaths, any bridleways, and shared footway/cycle ways.

The approved SGIMS, and any subsequent amendments, shall be implemented in accordance with the approved details and programme for implementation.

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

RESIDENTIAL TRAVEL PLAN

20. No part of the development hereby permitted shall be occupied until the submitted Interim Residential Travel Plan (May 2014) has been progressed for the whole outline permission site, submitted to and approved in writing by the Local Planning Authority. The Residential Travel Plan shall set out proposals and targets to limit or reduce the number of single occupancy car journeys to and from the site, and to promote travel by sustainable modes. The Residential Travel Plan shall set out proposals to implement and manage the Travel Plan, through a designated Travel Plan Coordinator. The Residential Travel Plan shall be implemented in accordance with the timetable which shall be set out in the plan or in accordance with a revised timetable which shall be agreed in writing by the Local Planning Authority. Reports demonstrating progress in promoting the sustainable transport measures detailed in the Residential Travel Plan shall be submitted annually for a period of 10 years to the Local Planning Authority for approval in writing, commencing from the first anniversary of beneficial occupation of the first phase of development.

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

ENERGY STRATEGY

21. No reserved matters application shall be approved by the Local Planning Authority, until an energy strategy for the whole outline permission site and a timetable for provision has been submitted to and approved in writing by the Local Planning Authority. The strategy shall include an assessment of the financial viability and technical feasibility of incorporating renewable and low carbon technologies, including energy supply systems, and shall also include an assessment of proposals for the provision of an Electric Car Club, and frequent and convenient electric car charging points within the site as detailed on p. 90 of the Design and Access Statement (August 2016). The scheme shall be implemented as approved and the proposals shall be included in the

reserved matters for the respective Reserved Matter site within which they are identified.

Reason: To promote sustainable development.

BESPOKE PROPOSALS

22. Notwithstanding the provisions of condition 3, no reserved matters application shall be approved by the Local Planning Authority until an outline site-wide scheme for delivery of bespoke proposals proposed in the Design and Access Statement (August 2016) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a plan identifying the proposed location of the proposals identified below and a phasing plan for that provision and the proposals shall be included in the reserved matters for the respective Reserved Matter site within which they are identified:

- a) An Interpretation Trail use as an educational resource through the woods linked closely to the Primary School
- b) A 360 degree viewing platform from the highest point of the branch line allowing unique views over the landscape setting and greenspaces
- c) The retention of the tunnel structure along the branch line as a reminder of the history of the site
- d) Community orchard

Details in relation to the reserved matters submitted to the Local Planning Authority in compliance with condition 1 shall accord with the approved details, unless otherwise approved through reserved matters applications. The development shall be carried out in accordance with the approved details.

Reason: In the interests of creating quality, legible and compelling open spaces and to reflect the submitted proposals.

STRATEGIC SUSTAINABLE SURFACE WATER DRAINAGE MASTERPLAN

23. Prior to the submission of any detailed surface water drainage scheme under condition 49, a strategic sustainable surface water drainage masterplan for the whole outline application site shall be submitted to and approved by the Local Planning Authority. The details shall show how the natural drainage catchments, the development phases, the reserved matters sites and the flood flow paths relate to each other. The details shall take into consideration the interaction between natural drainage catchments and be designed to ensure that the necessary sustainable drainage network for each reserved matters site is in place prior to occupation of any building. Where a phase of the development is constructed within part of a natural drainage catchment or straddles more than one drainage catchment, the sustainable drainage network for the entire catchment shall be constructed to accommodate this.

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

3B: Conditions to be discharged in respect of specific works/ land uses DETAILED HIGHWAY IMPROVEMENT WORKS OFF LLANTRISANT RD

24. Subject to the provisions of condition 63 (PROVISION OF ROAD BEFORE OCCUPATION OF DWELLINGS) and notwithstanding the provisions of condition 3 and the submission of drawings no W131169/SK/24RevA (A4119 Llantrisant Road Signalised Junction Arrangement Alternative Alignment) and W131169/B/04 Rev I (Masterplan showing Proposed Vehicular Access Points), no reserved matters application shall be approved by the Local Planning Authority and no development of those highway works shall take place until full engineering details of the highway improvement works at the two site accesses along Llantrisant Rd and along the full length of the site frontage and an implementation programme have been submitted to and approved in writing by the Local Planning Authority. These works shall include the following:
- a) Construction of new traffic signal controlled 3-arm junction at the Llantrisant Rd/ Site Access junction with pedestrian / cycle 'Toucan' crossing facilities on the site access arm. The 'site arm' shall include a 1.9m segregated footway on each side of the carriageway, and a 3m cycleway on one side. The cycleway and footway shall be separated by a min 2m verge. These works shall include all associated carriageway, footway and cycleway provision, separation strips, kerbing, tactile paving, the position of street lighting linked to a Central Management System, Telematics (inc. a CCTV camera), ducting, lining and signage works and details of the method of disposal of all surface water drainage therefrom.
 - b) Construction of a new traffic signal controlled 4-arm junction at the Llantrisant Rd/ Site Access junction with a 200m eastbound right turn lane and pedestrian/cycle 'Toucan' crossing facilities on the site access arm and pedestrian 'Puffin' crossing facilities (including infrastructure for upgrading to 'Toucan' in the future) on the Llantrisant Rd west arm. The 'site arm' shall include a 2m segregated footway on each side of the carriageway and a 3m cycleway on one side. The cycleway and footway shall be separated by a min 2m verge. These works shall include all associated carriageway, footway and cycleway provision, separation strips, kerbing, tactile paving, the position of street lighting linked to a Central Management System, Telematics (inc. a CCTV camera), ducting, lining and signage works and details of the method of disposal of all surface water drainage therefrom.
 - c) A segregated 2m footway and 3m cycleway separated by a verge of a suitable width to accommodate street trees and/ or hedgerows along the full length of the site frontage on the development side of Llantrisant Rd to include any diversion required around the dwelling Parc-y-Bac. These works shall include all associated carriageway, footway and cycleway provision, separation strips, kerbing, tactile paving, the position of street lighting linked to a Central Management System, Telematics (inc. a CCTV camera), ducting, lining and signage works and details of the method of disposal of all surface water drainage therefrom.

- d) Designs for a reduction in speed limit to 30mph which shall include the extent of speed limit together with appropriate signage
- e) Amendments to the proposed crossing points to ensure sufficient space for all users including removal of verge/hedge as appropriate
- f) Details showing the position of the two existing bus stops on Llantrisant Rd together with any necessary improvements
- g) Details showing the continuation of fibre and ducting from Site C and linking to both the primary and secondary new signal junctions
- h) Details showing the location of maintenance bay(s).

These works shall be implemented in accordance with the approved details and implementation programme prior to the first occupation of any of the dwellings hereby approved.

Reason: To ensure the provision of satisfactory access to and from the site, and the provision of foot/cycle ways and public transport improvements.

DETAILED HIGHWAY IMPROVEMENT WORKS OFF M4 J33

25. Notwithstanding the provisions of condition 3 and the submission of drawing no W131169/B/04 Rev I (Masterplan showing Proposed Vehicular Access Points), no reserved matters application associated with any development accessed off Junction 33 shall be approved by the Local Planning Authority until full engineering details of the proposed access arrangements to the M4 Junction 33 have been submitted to and approved in writing by the Local Planning Authority in consultation with Welsh Government Network Management Division. These works shall include all associated carriageway, footway and cycleway provision, separation strips, kerbing, tactile paving, street lighting, Telematics cabling and ducting (inc. a CCTV camera), lining and signage works and details of the method of disposal of all surface water drainage therefrom. The works shall be implemented in accordance with the approved details and the phasing plan approved under condition 17 (PHASING). Reason: To ensure the provision of satisfactory access to and from the site, and the provision of foot/cycle ways and public transport improvements.

LANDSCAPE SCHEME FOR DETAILED HIGHWAY IMPROVEMENT WORKS OFF LLANTRISANT ROAD

26. No development of the access and highway works that are the subject of condition 24 (DETAILED HIGHWAY IMPROVEMENT WORKS OFF LLANTRISANT ROAD) shall take place nor any associated removal of trees and hedgerows, until there has been submitted to and approved in writing by the Local Planning Authority a landscaping scheme for those works. The scheme shall:
- a) include a tree assessment for that part of the site in accordance with BS 5837:2012 comprising an Arboricultural Impact Assessment, Arboricultural Method Statement and Tree Protection Plan

- b) include a Soil Resource Survey (SRS) and Soil Resource Plan (SRP) for that part of the site that shall accord with the 'Construction Code of Practice for the Sustainable Use of Soils on Construction Sites' (DEFRA 2009)
- c) include details of proposed finished levels of the site in relation to the existing ground level, earthworks, hard surfacing materials, lighting, proposed and existing services above and below ground level, scaled planting plans (including schedules of plant species, sizes, numbers or densities, and in the case of trees, planting, staking, mulching, protection, soil protection and after care methods), topsoil and sub soil specification, tree pit sectional and plan views, planting and aftercare methodology.
- d) demonstrate how planting shall be accommodated to avoid conflict with services.

The scheme shall be implemented in accordance with the approved details.

Reason: To maintain and improve the appearance of the area in the interests of visual amenity.

LANDSCAPE SCHEME FOR DETAILED HIGHWAY IMPROVEMENT WORKS OFF M4 J33

27. No development of the access and highway works that are the subject of condition 25 (DETAILED HIGHWAY IMPROVEMENT WORKS OFF M4 J33) shall take place nor any associated removal of trees and hedgerows, until there has been submitted to and approved in writing by the Local Planning Authority a landscaping scheme for those works. The scheme shall include:

- a) a tree assessment for that part of the site in accordance with BS 5837:2012 comprising an Arboricultural Impact Assessment, Arboricultural Method Statement and Tree Protection Plan
- b) a Soil Resource Survey (SRS) and Soil Resource Plan (SRP) for that part of the site that shall accord with the 'Construction Code of Practice for the Sustainable Use of Soils on Construction Sites' (DEFRA 2009)
- c) details of proposed finished levels of the site in relation to the existing ground level, earthworks, hard surfacing materials, lighting, proposed and existing services above and below ground level, scaled planting plans (including schedules of plant species, sizes, numbers or densities, and in the case of trees, planting, staking, mulching, protection, soil protection and after care methods), topsoil and sub soil specification, tree pit sectional and plan views, planting and aftercare methodology.
- d) The landscaping scheme shall demonstrate how planting shall be accommodated to avoid conflict with services.

The scheme shall be implemented in accordance with the approved details.

Reason: To maintain and improve the appearance of the area in the interests of visual amenity.

SCHOOL TRAVEL PLAN

28. Prior to first beneficial use of the school, a School Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The School Travel Plan shall set out proposals and targets, together with a timetable to limit or reduce the number of single occupancy car journeys to and from the site, and to promote travel by sustainable modes. The School Travel Plan shall set out proposals to implement and manage the Travel Plan, through a designated Travel Plan Coordinator. The School Travel Plan shall be implemented in accordance with the timetable which shall be set out in the plan or in accordance with a revised timetable which shall be agreed in writing by the Local Planning Authority. Reports demonstrating progress in promoting the sustainable transport measures detailed in the School Travel Plan shall be submitted annually for a period of 10 years to the Local Planning Authority for approval in writing, commencing from the first anniversary of beneficial occupation of the school.

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

EMPLOYMENT TRAVEL PLAN

29. No part of the proposed employment development shall be occupied until the submitted Interim Employment Travel Plan (May 2014) has been progressed, submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall set out proposals and targets, together with a timetable to limit or reduce the number of single occupancy car journeys to and from the site, and to promote travel by sustainable modes. The Employment Travel Plan shall set out proposals to implement and manage the Travel Plan, through a designated Travel Plan Coordinator. The Employment Travel Plan shall be implemented in accordance with the timetable which shall be set out in the plan or in accordance with a revised timetable which shall be agreed in writing by the Local Planning Authority. Reports demonstrating progress in promoting the sustainable transport measures detailed in the Travel Plan shall be submitted annually for a period of 10 years to the Local Planning Authority for approval in writing, commencing from the first anniversary of beneficial occupation of the school.

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

M4 NOISE BARRIER

30. No reserved matters application within phase 2 or 3 shown on the Phasing Plan (drawing no 9701RevC) shall be approved by the Local Planning Authority until details of the proposed noise barrier shown on Land Use Figure 3.2 (drawing no 9605RevK), which shall include details of its precise location, technical specification and a maintenance schedule, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented and maintained in accordance with the approved details and the approved noise barrier shall be erected prior to beneficial occupation of any dwelling within phase 2 or 3 shown on the Phasing Plan (drawing no 9701RevC).

Reason: In the interests of the residential amenity of future occupiers of the proposed dwellings.

WESTERN LEAP

31. Notwithstanding the provisions of condition 3, no reserved matters application within phase 3 on the Phasing Plan (drawing no 9701RevC) shall be approved by the Local Planning Authority until details of the location of the LEAP has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: Parks Services have expressed concerns that the indicative location of the western LEAP shown on the Green Infrastructure Plan (drawing no 1348501/P/GA/003 Rev L) is unacceptable due to lack of natural surveillance.

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

PUBLIC ART

32. No reserved matters application shall be approved by the Local Planning Authority until a scheme, maintenance schedule and timetable for the provision of public art on that reserved matters site has been submitted to and approved in writing by the Local Planning Authority. The approved public art strategy shall be implemented and maintained in accordance with the approved details.

Reason: In the interests of creating a quality and legible built environment.

TREES

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

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

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

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

resource.

SOILS

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

CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

35. Prior to the commencement of any site clearance, construction works or development on any Reserved Matters site a Construction Environmental and Management Plan (CEMP) for that Reserved Matters site shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall accord with the approved parameter plans and shall be in substantial accordance with the Green Infrastructure Plan (drawing no 1348501/P/GA/003 Rev L) and the mitigation measures set out in the Environmental Statement (May 2014) and Environmental Statement Addendum (August 2016). The CEMP shall include:
- a) an implementation programme
 - b) a Construction Traffic Management Plan, which shall include the following details: identification of the routes that HGV construction vehicles would take and which shall avoid use of St Fagans Level Crossing and comply with Heol Isaf weight restrictions and identification of measures to regulate the routing of HGV construction traffic; times within which traffic can enter and leave the site; times of deliveries, loading and unloading of plant and materials; access to the site for construction traffic; provision and a timetable for delivery of measures to ensure safe and convenient pedestrian, cycle and vehicular access through those areas not under construction or where construction is complete; wheel washing facilities; and parking of vehicles for contractors, site operatives and visitors and loading and unloading of plant and materials
 - c) details of the storage, loading and unloading of plant and materials (including any oils, fuels and chemicals), construction compounds, any temporary facilities for construction / sales staff
 - d) details of site hoardings (including the erection, maintenance, security and any decorative displays) and means of enclosure to prevent unauthorized access during construction
 - e) a Dust Management Plan and measures to control the emission of dust and dirt from construction and minimise sediment loading

- f) Measures to control cementitious materials
- g) a Site Waste Management Plan for the recycling and/ or disposal of all waste resulting from construction works
- h) a noise control plan
- 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 land, buildings, watercourses or highways within the Reserved Matters site and adjacent land, buildings, watercourses and highways during the construction period
- j) a Green Infrastructure Construction Protection Strategy (GICPS) detailing measures for the protection of the ecological (habitats & protected species), aboriginal, landscape, soil, open space, water 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 Aboriginal Impact Assessment, Aboriginal 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:
 - k) a plan showing green infrastructure to be lost, retained, enhanced, translocated and newly created and its phasing
 - l) an assessment of the impacts
 - a plan showing protection zones for the ecological (habitats & protected species), aboriginal, landscape, soil, open space, water and SUDS resource for the construction phase, which shall include but not be limited to a 10m wide buffer zone alongside all watercourses within and bordering the site and precautionary measures to avoid harm to previously undetected dormice and badgers
 - pre-construction checks
 - reports of bat surveys of any trees and buildings to be removed during the construction phase and other pre-commencement surveys required as part of the SGIMS approved under condition 19
 - 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.
 - List of on-site contacts and their responsibilities and arrangements for liaison between site manager, principle contractor, ecologist, arboriculturist, soil scientist, landscape architect or other related professionals during the course of construction, and ecological site inductions for contractors working on site.

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 on that Reserved Matters site in the interests of highway safety, and protection of the environment and public amenity.

GROUND GAS ASSESSMENT AND MITIGATION MEASURES

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

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

LAND CONTAMINATION A: RISK ASSESSMENT

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

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

LAND CONTAMINATION B: SUBMISSION OF REMEDIATION SCHEME AND VERIFICATION PLAN

38. Where the approved risk assessment report submitted under condition 37 (LAND CONTAMINATION A: RISK ASSESSMENT) concludes that remediation is necessary, prior to the commencement of development on each Reserved Matters site, a detailed remediation scheme and verification plan to bring that reserved matters site to a condition suitable for the intended use by removing any unacceptable risks to human health, controlled waters, buildings, other property and the natural and

historical environment, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works and site management procedures.

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

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

39. Where the approved risk assessment report submitted under condition 37 (LAND CONTAMINATION A: RISK ASSESSMENT) concludes that remediation is necessary, the approved remediation scheme for that reserved matters site shall be implemented and completed in accordance with its terms prior to the occupation of any part of the development on that reserved matters site unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority shall be given two weeks written notification of commencement of the remediation scheme works. Within 6 months of the completion of the measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out shall be submitted to and approved in writing by the Local Planning Authority.

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

LAND CONTAMINATION D: POST REMEDIATION MONITORING REQUIREMENTS

40. Where the approved risk assessment report submitted under condition 37 (LAND CONTAMINATION A: RISK ASSESSMENT) concludes that remediation is necessary, a monitoring scheme to include monitoring the long-term effectiveness of the remediation over a period which shall be agreed in writing by the Local Planning Authority and the provision of reports on the same shall be submitted to and approved in writing by the Local Planning Authority, prior to the occupation of any approved building on that reserved matters site.

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

IDENTIFICATION OF UNSUSPECTED CONTAMINATION

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

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

IMPORTED SOIL

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

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

IMPORTED AGGREGATES

43. Any aggregate (other than virgin quarry stone) or recycled aggregate material to be imported onto each Reserved Matters site shall be assessed for chemical or other potential contaminants in accordance with a scheme of investigation to be submitted to and approved in writing by the Local Planning Authority in advance of its importation. Only material approved by the Local Planning Authority shall be imported. All measures specified in the approved scheme shall be undertaken in

accordance with the relevant Code of Practice and Guidance Notes. Subject to approval of the above, verification sampling of the material received at the development site shall be undertaken to verify that the imported aggregate is free from contamination and shall be undertaken in accordance with a scheme which shall be submitted to and agreed in writing by the Local Planning Authority.

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

ROAD TRAFFIC NOISE

44. No reserved matters application shall be approved by the Local Planning Authority until there has been submitted to and approved in writing by the Local Planning Authority a scheme for that reserved matters site to provide that all habitable rooms exposed to external road traffic noise in excess of 63 dBA Leq 16 hour [free field] during the day [07.00 to 23.00 hours] or 57 dBA Leq 8 hour [free field] at night [23.00 to 07.00 hours] shall be subject to sound insulation measures to ensure that all such rooms achieve an internal noise level of 40 dBA Leq 16 hour during the day and 35 dBA Leq 8 hour at night. The submitted scheme shall ensure that habitable rooms subject to sound insulation measures shall be provided with acoustically treated active ventilation units. Each ventilation unit (with air filter in position), by itself or with an integral air supply duct and cowl (or grille), shall be capable of giving variable ventilation rates ranging from –

- an upper rate of not less than 37 litres per second against a back pressure of 10 newtons per square metre and not less than 31 litres per second against a back pressure of 30 newtons per square metre, to
- a lower rate of between 10 and 17 litres per second against zero back pressure.

No habitable room shall be occupied until the approved sound insulation and ventilation measures have been installed in that room. Any private open space (excepting terraces or balconies to any apartment) shall be designed to provide an area which is at least 50% of the area for sitting out where the maximum day time noise level does not exceed 55 dBA Leq 16 hour [free field].

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

NON-RESIDENTIAL PREMISES

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

- a) proposed hours that any member of the public shall be admitted to or allowed to remain on the premises
- b) a scheme for sound insulation of any room where amplified music will be played at any time
- c) a scheme for sound insulation to the party floors and/or walls between any commercial and domestic premises
- d) a scheme for the provision and maintenance of extract ventilation

equipment for the mechanical extraction of all fumes from the food preparation areas in any premises which is to involve the preparation and cooking of hot food at any time. The scheme shall include, but shall not be limited to, details of: the point that fumes shall be mechanically extracted to, details of the equipment, de-odorising filter and chimney.

The development shall be carried out, operated and maintained in accordance with the approved details and, in respect of kitchen extraction equipment, shall be maintained in accordance with the manufacturer's guidelines.

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

FLOODLIGHTING SCHEME

46. No floodlighting shall be installed on any reserved matters site until a floodlighting scheme for that reserved matters site has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in accordance with the approved details prior to beneficial use and be permanently maintained.
Reason: To protect residential amenity and to avoid disturbance to other sensitive receptors in accordance with policies KP16, KP18 and EN7 of the Cardiff Local Development Plan.

ARCHAEOLOGY

47. No reserved matters application shall be approved by the Local Planning Authority and no development on any Reserved Matters site shall take place prior to the implementation of a programme of archaeological work for that reserved matters site in accordance with a written scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority.
Reason: To identify and record any features of archaeological interest discovered during the works in order to mitigate the impact of the works on the archaeological resource in accordance with policy EN9 of the Cardiff Local Development Plan.

FOUL WATER DRAINAGE SCHEME

48. No reserved matters application shall be approved by the Local Planning Authority and no development of that reserved matter site shall commence until a scheme for the disposal of foul water for that reserved matter site/ or other identified part has been submitted to and agreed in writing by the Local Planning Authority. Unless otherwise agreed in writing by the Local Planning Authority, the scheme shall, together with other foul water drainage schemes approved in discharge of this condition, demonstrate that:
- a) no more than 400 units permitted under this outline permission shall drain to Creigiau Wastewater Treatment Works and shall communicate with the public sewer between manholes ST08806901 and ST08809732
 - b) no more than 1100 units and the non-residential units proposed

permitted under this outline permission shall drain to Coslech Wastewater Treatment Works which shall communicate to the public sewerage system at a point to be agreed in writing by Dwr Cymru.

The scheme shall be implemented in accordance with the approved details prior to the communication of any flows with the public sewer network and shall be retained for the lifetime of the development.

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

DETAILED SURFACE WATER DRAINAGE SCHEME

49. No reserved matters application shall be approved by the Local Planning Authority and no development shall commence on any reserved matters site until a scheme for the disposal of surface water for that reserved matters site has been submitted to and approved in writing by the Local Planning Authority. The sustainable drainage scheme shall:
- a) incorporate sustainable drainage principles and indicate how the development will comply with the requirements of Section 8.3 of TAN 15
 - b) provide information about the design storm return, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution to the receiving infrastructure;
 - c) assess the performance of the proposed surface water drainage system in relation to the impact of a 1 in 100 year return period storm and climate change allowance of +30%
 - d) demonstrate that surface water runoff from any impermeable surfaces within the proposed development shall be attenuated to greenfield rates
 - e) demonstrate consideration given to and the assessment of the impact of phasing of the development in relation to the Strategic Sustainable Surface Water Drainage Masterplan submitted in discharge of condition 23, including the interaction between adjoining drainage catchments and demonstrate that the necessary sustainable drainage network for each reserved matters site will be provided to enable the development of that reserved matters site
 - f) demonstrate that appropriate control and mitigation measures are employed to prevent surface water run off to properties/land adjoining the site or from land adjoining the site, and any associated nuisance, flooding and subsidence issues
 - g) include details of locations, plans, cross sections, proposed ground levels and depths of attenuation facilities (including surface and sub-surface), along with their exceedance flow routes and proposed method of on-site management
 - h) include drainage models of all attenuated drainage systems to prove viability and demonstrate that all exceedance flows do not cause surface water flooding to existing or proposed properties.

The mdx files shall be forwarded to the Local Planning Authority for verification and approval.

- i) include a timetable for its implementation
- j) provide a management and maintenance plan of the development which shall include the arrangements for adoption by any public body, statutory undertaker or private management company and any other arrangements to secure the operation of the drainage system throughout its lifetime, details of maintenance responsibility and a detailed maintenance schedule. The submitted details clearly show who is responsible for each element of drainage and shall include the approach to safety of all ponds and SUDs features for the general public.
- k) Demonstrate the protection of open and culverted sections of the existing watercourse during and after construction.

The above will take the form of a Hydrological Impact Assessment, including an assessment of the development in a hydrological and hydrogeological context of the development and conform to the hierarchical approach for the principles of storm water drainage strategy for the development. The assessments shall be carried out in accordance with a written scheme of investigation which shall be first submitted to and approved in writing by the LPA and the results of the assessments shall be submitted to and approved in writing by the LPA. No dwelling shall be occupied until the detailed surface water drainage scheme has been implemented in accordance with the approved details, and the scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

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

SECTION 4: COMPLIANCE CONDITIONS

QUANTUM OF DEVELOPMENT AND USE

50. No more than 1500 dwellings, including houses, apartments and sheltered accommodation (Use Classes C2 and C3) shall be erected on site. Up to 750sq m of community facilities (as defined by the Planning Obligations SPG January 2017) may be accommodated. Up to 2500 sq m (gross) of Class A1, A2 and A3 floorspace shall be provided. The Class A1, A2 and A3 floorspace shall be located in 'Junction 33 Central' within the buildings fronting the high street and square (as defined by the areas shaded in pink on p. 154 of the Design and Access Statement August 2016), unless otherwise approved through a Reserved Matters application. No individual comparison goods retail unit shall exceed 300 sq metres and no individual convenience goods retail unit shall exceed 1000sq m. For the avoidance of doubt, 'convenience goods' shall be taken to mean food, drink, tobacco, household cleaning materials, newspapers and magazines. Up to 16,300sq m (gross) of Use Class B1 floorspace shall be provided. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) there shall be no increase to the retail or ancillary storage floor space by way of provision of a

mezzanine or first floor level. No Use Class B2 or B8 floorspace shall be provided except for the change from Use Class B1 to B8 permitted under the Town and Country Planning (Use Classes) Order 1987 (as amended). The primary school site size shall be a min of 1.9ha. A 1000 space strategic Park and Ride facility and transport interchange shall be provided.

Reason: To ensure that development is carried out in a manner envisaged by the outline application, to provide a balanced and mixed planned centre within the development without undermining surrounding retail centres.

M4 MOTORWAY (JCT 33) ACCESS LIMIT

51. The access from the development onto the M4 at Junction 33 shall be limited to vehicular use for 750 of the Park and Ride Spaces, up to 10,867sq m (gross) of Use Class B1 floorspace and the scheduled bus services utilising the 'Bus Gate'. The remaining 250 Park and Ride spaces, the remaining Class B1 floorspace and all residential traffic shall be accessed from Llantrisant Rd.

Reason: To ensure the free movement of traffic on the highway network at Junction 33 of the M4 Motorway.

AVENUE ROAD CROSS SECTION

52. Notwithstanding the provisions of condition 3, 24 (DETAILED HIGHWAY IMPROVEMENT WORKS OFF LLANTRISANT RD) and the Design and Access Statement (August 2016), the cross section for Avenue Roads shown on p.100 of the Design and Access Statement (August 2016) shall include provision for a min 6.3m wide carriageway, a 1.9m footway on both sides of the carriageway and a min 3m segregated cycleway on one side except for sections designed as shared surfaces.

Reason: To promote sustainable travel. For the avoidance of doubt.

M4 NOISE BUFFER

53. No dwelling shall be erected within 80m of the site boundary with the M4 motorway.

Reason: In the interests of the residential amenity of future occupiers of the proposed dwellings.

ECOTONE

54. Notwithstanding the provisions of condition 3, a minimum 15m wide buffer shall extend along the length of all existing and proposed woodland which shall be designed as an 'ecotone' and no development within it shall be permitted except for soft landscaping and footpaths and cycle paths, unless otherwise agreed at Reserved Matters stage.

Reason: To protect the arboricultural and ecological resource of the site.

DELIVERY TIMES

55. There shall be no arrival, departure, loading or unloading of delivery vehicles servicing non-residential buildings outside the hours of 08:00 and 20:00.

Reason: To ensure that the amenities of occupiers of other premises in

the vicinity are protected.

PLANT NOISE

56. The rating level of the noise emitted from fixed plant and equipment on the site shall not exceed 10dB below the existing background noise level at any time when measured and corrected in accordance with BS 4142: 1997 (or any British Standard amending or superseding that standard).
Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected.

USE OF THE EXTERNAL AREAS OF THE PARK AND RIDE FACILITY

57. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, the parking, manoeuvring areas and other external areas of the Park and Ride facility shall not be used for any temporary uses, or for the sale of food and drink, or for the siting of mobile structures or vehicles used for sales, display or the provision of services other than its use as a park and ride facility, unless otherwise agreed in writing by the Local Planning Authority in consultation with Welsh Government Network Management Division.
Reason: to ensure that the parking, delivery and manoeuvring areas are available for such use, in the interests of visual amenity and to preserve the safety and freeflow of traffic at Junctions 33 and the M4 Motorway

GREASE TRAP

58. Before any premises within Class A3 of the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to those classes in any statutory instrument amending, revoking or re-enacting that Order) or other commercial premises which will involve the preparation and cooking of hot food at any time are brought into use, the developer shall install a mechanism to prevent the entry of grease into the public sewerage system. Thereafter the mechanism shall remain in place unless otherwise agreed in writing by the Local Planning Authority.
Reason: To protect the integrity of the public sewer and avoid damage thereto.

PITCHES

59. Notwithstanding the provisions of condition 3, 2 no well-drained and level pitches shall be provided in the Central Sports and Play area shown on the 'Multi-functional Green Infrastructure Typology Plan (drawing no 1348501/P/S005 Rev B). The pitches shall be at least 100m x 64m plus 3m run off (giving an overall size for each pitch of 106m x 70m).
Reason: To ensure an acceptable provision of public open space.

LANDSCAPE IMPLEMENTATION

60. In relation to any landscaping scheme approved in discharge of conditions 15 (LANDSCAPE SCHEME FOR EACH RESERVED MATTERS SITE), 26 (LANDSCAPE SCHEME FOR DETAILED HIGHWAY IMPROVEMENT WORKS OFF LLANTRISANT ROAD), 27 (LANDSCAPE SCHEME FOR DETAILED HIGHWAY IMPROVEMENT

WORKS OFF M4 J33) any trees, plants or hedgerows which within a period of five years from the date of first planting die, are removed, become seriously damaged or diseased, or become (in the opinion of the Local Planning Authority) otherwise defective, shall be replaced in the current planting season or the first two months of the next planting season, whichever is the sooner.

Reason: To maintain and improve the appearance of the area in the interests of visual amenity.

NESTING BIRDS

61. No removal of hedgerows, trees, scrub or shrubs shall take place between 1st March and 31st August inclusive unless otherwise approved in writing by the Local Planning Authority.

Reason: To avoid disturbance to nesting birds which are protected under the Wildlife and Countryside Act 1981: Part 1 1(1)(b), it is an offence to intentionally take, damage or destroy the nest of any wild bird while that nest is in use or being built.

SITES OF IMPORTANCE FOR NATURE CONSERVATION

62. No materials, waste, arisings or plant shall be stored or operated within the Coed Gwernybowlau, Nant Henstaff, Cadoxton and Trehafod Branch Line, M4 Junction 33 Spoil Tip, Nant-Y-Glaswg and Pencoed Wood SINC, or be allowed to fall, be washed or blown into them except for those parts of the SINC that are to be developed as part of this permission.

Reason: To protect the features of interest for nature conservation for which the SINC has been designated.

PROVISION OF ROAD BEFORE OCCUPATION OF DWELLINGS / BUILDINGS

63. No dwelling or building shall be occupied until that part of the road and footpath which provides access to it from the existing highway and all surface water drainage works for the said road have been laid out, constructed and completed up to base course level and lit in accordance with the approved plans. The roads and footpaths shall be constructed to surface level prior to the occupation of the last dwelling or building served by that road, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure an orderly form of development and to make provision for satisfactory access to the dwelling by the future occupants.

SECTION 5: INFORMATIVES

RECOMMENDATION 2: R1 CONSTRUCTION SITE NOISE

To protect the amenities of occupiers of other premises in the vicinity attention is drawn to the provisions of Section 60 of the Control of Pollution Act 1974 in relation to the control of noise from demolition and construction activities. Further to this the applicant is advised that no noise audible outside the site boundary adjacent to the curtilage of residential property shall be created by construction activities in respect of the implementation of this consent outside the hours of 0800-1800 hours Mondays to Fridays and 0800 - 1300 hours on

Saturdays or at any time on Sunday or public holidays. The applicant is also advised to seek approval for any proposed piling operations.

RECOMMENDATION 3: R2 RADON GAS PROTECTION

This development falls within a radon affected area and may require basic radon protective measures, as recommended for the purposes of the Building Regulations 2010.

RECOMMENDATION 4: R4 CONTAMINATION AND UNSTABLE LAND ADVISORY NOTICE

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

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

Proposals for areas of possible land instability should take due account of the physical and chemical constraints and may include action on land reclamation or other remedial action to enable beneficial use of unstable land. The Local Planning Authority has determined the application on the basis of the information available to it, but this does not mean that the land can be considered free from contamination.

RECOMMENDATION 5: That the developer be advised that any permanent or temporary works that may impact upon an ordinary watercourse may require consent under Section 23 of the Land Drainage Act 1991 from the City of Cardiff Council. It is recommended that landowners and developer contact the City of Cardiff Council to discuss proposals in order to determine if such consent is required.

RECOMMENDATION 6: The Council's street lighting engineers provide the following advice in their email of 25/09/2015:

- Switching street lighting off is not seen as an option at any time of the year.
- A staged dimming regime could be considered where the street lighting could be dimmed at certain times dependent on demand. 25% min light

output would be the lowest that would be considered and only when there is the least amount of demand on the highway (midnight - 6am).

- Typically the minimum mounting height lighting columns are 5m on footpaths and would remain the case for future developments. This would mean that an acceptable lighting class could be achieved for a given footpath in line with the British Standard and would also limit the amount of column types that would need to be held as stock by the Council in the future.
- Typically column mounting heights for residential streets/ areas are 5-6m dependent on road characteristics and spine / access roads between 6 - 10m mounting height dependent on mounting characteristics.
- The use of 3m lighting columns to illuminate the footway / cycleway would not be acceptable.
- The Council are specifying LED on all new developments. They provide more control as to where the light is directed and areas required to be lit and minimise light spill and intrusive light.

RECOMMENDATION 7: That the developer be advised of the advice from the Council's Tree Officer, dated 19/08/16.

RECOMMENDATION 8: That the developer be advised of the advice from the Council's PROW team, under the section 'What the Developer needs to consider', dated 25/08/16. The grant of planning permission does not give a developer any right to interfere with, obstruct or move a public right of way.

RECOMMENDATION 9: That the developer be advised that the litter bin specifications for adopted land are as follows:

Free standing litter bins:

- Black with Council logo, and the lettering "Litter/Sbwriel" in gold
- 120 litre capacity
- Include ash tray/ stub plate
- Heavy duty polythene plastic with hinge slam shut door (self-locking) and hex/t-bar key
- Drip space and fixing holes for bolting to the floor
- Approximately 100 litre plastic liner with outside handles

Post mounted litter bins:

- Black with Council logo in gold
- 50 litre capacity
- Hooded with cigarette stub plate
- Release drop-out and click back with triangular key mechanism
- Drip holes
- Secured to post with band wire kit.

RECOMMENDATION 10 : The archaeological work must be undertaken to the appropriate Standard and Guidance set by Chartered Institute for Archaeologists (CIfA), (www.archaeologists.net/codes/ifa) and it is recommended that it is carried out either by a CIfA Registered Organisation (www.archaeologists.net/ro) or an accredited Member.

RECOMMENDATION 11 : The highway works conditions and any other development related works to existing or proposed adopted public highway are to be subject to agreements under Section 278 and/or Section 38 of the Highways Act 1980 between the developer and Local Highway Authority.

RECOMMENDATION 12 : No works to the two footpaths that cross the site (Capel Llanilterne No 18 and Peterstone Super Ely no 10) shall be undertaken a legal order has been applied for by the developer and confirmed by the Local Highway Authority. In the event that the legal orders are not confirmed, the existing path alignments shall be retained. PROW access via Capel Llanilterne No 18 through to Pencoed House shall be retained.

RECOMMENDATION 13 : That the developer be advised of the advice from NRW dated 21/09/15 (actually sent 21/09/16) including:
Where an EPS is present, and a development proposal is likely to contravene the protection afforded to it, development may only proceed under a licence issued by Natural Resources Wales (NRW) having satisfied three requirements set out in the legislation. One of these requires the development authorised will 'not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status (FCS) in their natural range.' These requirements are translated into planning policy through Planning Policy Wales (PPW) July 2014, sections 5.5.11 and 5.5.12, and Technical Advice Note (TAN) 5, Nature Conservation and Planning September 2009. The planning authority should take them into account when considering development proposals where an EPS is present. NRW advise the Applicant seeks an EPS licence from NRW under Regulation 53(2)e of The Conservation of Habitats and Species Regulations 2010 before any works on site commence that may impact upon EPS. Please note, the granting of planning permission does not negate the need to obtain a licence.

RECOMMENDATION 14 : That the developer be advised that the reserved matters details must demonstrate that due consideration has been given to the presence and setting of Pencoed House (Grade II* Listed Building).

RECOMMENDATION 15: That the developer be advised of the advice from the Council's Tree Officer dated 19/08/15 in respect of tree planting, 12/06/14 in respect of species mixes, tree pit specifications, Ecotones and the scope of management plans.

RECOMMENDATION 16: That the developer be advised of the advice from DCWW dated 23/06/15 noting the presence of a water main that crosses the site and related advice, including that no structure is to be sited within a minimum distance of 3m from the centre line of the water main.

RECOMMENDATION 17: That the developer be advised that records indicate the potential for subsurface voids/solution features to be present in the area and that they should be fully aware of this in relation to their responsibilities regarding the safe development and occupancy of the site. For the avoidance of doubt, the responsibility for the safe development and occupancy of the site rests with the developer.

RECOMMENDATION 18: Sustainable Drainage is defined as per the definition contained in Schedule 3 of the Flood and Water Management Act 2010: "Sustainable drainage" means managing rainwater (including snow and other precipitation) with the aim of— (a) reducing damage from flooding, (b) improving water quality, (c) protecting and improving the environment, (d) protecting health and safety, and (e) ensuring the stability and durability of drainage systems."

RECOMMENDATION 19 : That the Developer be advised that prior to the commencement of development, the Developer must notify the local planning authority of the commencement of development, and must display a site notice and plan on, or near the site, in accordance with the requirements of Article 12 of the Town & Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016.

1. **DESCRIPTION OF PROPOSED DEVELOPMENT**

- 1.1 This application, as amended, seeks outline planning permission for a comprehensive development to create a new community containing:
- (i) Up to 1,500 new homes, including houses, apartments and some sheltered accommodation for the elderly (Use Classes C2 and C3)
 - (ii) A 1000 space Park and Ride facility and transport interchange or hub including associated building
 - (iii) Community facilities including a new 2 form entry primary school (2 hectares) and a community centre (Use Class D1) of up to 750m²
 - (iv) A local centre including 2,500m² of shops (Use Class A1), financial and professional (Use Class A2), food and drink (Use Class A3) uses and a clinic or surgery (Use Class D1)
 - (v) 16300m² of new offices, workshops and research and development facilities (Use Classes B1 with ancillary B2 and B8) over two separate locations – a business zone around J33 and a second area along the M4 corridor for local workspace
 - (vi) A network of open spaces, including parkland, footpaths, 2 sports pitches, allotments/local growing space and orchards, play facilities for young and teenage/older children (including 3 no Local Equipped Area of Play and 1 no Neighbourhood Equipped Area of Play and Multi Use Games Area) and areas for informal recreation
 - (vii) New roads, parking areas, accesses and paths
 - (viii) Other ancillary uses and activities and requiring site preparation, the installation or improvement of services and infrastructure, the creation of drainage channels and basins, improvements/ works to the highway network and other ancillary works and activities.
- 1.2 The application description has been amended to propose Use Classes B2 (General Industry) and B8 (Storage or Distribution) as ancillary uses to Use Class B1, rather than as primary uses as originally proposed, as those uses are not considered to be suitable for this location.

- 1.3 Detailed permission is sought for three junctions. These comprise two vehicular accesses into/ from the site along Llantrisant Rd and a single vehicular access from J33 of the M4, as set out on drawings 'A4119 Llantrisant Road Signalised Junction Arrangement Alternative Alignment' (drawing no W131169/SK/24 Rev A) and Masterplan showing Proposed Vehicular Access Points (drawing no W131169-B-04 Rev I).
- 1.4 Permission is also sought for a series of Parameter Plans, encompassing Land Use, Access and Movement, Density, Building Heights and Scale, Green Infrastructure, Amount, Phasing and Development Concept and Red Line Plan. The parameter plans provide a framework that will inform the detailed design of the site at reserved matters stage and ensure the development is implemented within the scope of the development tested by the EIA. In light of this, conditions are recommended to 'fix' the parameters at this outline stage. Three illustrative plans – an 'Indicative Masterplan', 'Green Infrastructure Plan (Strategic Landscape Framework Plan)' and 'Multi-functional Green Infrastructure Typology' plan have also been submitted, which seek to reflect the proposals and show how the development could be accommodated within the identified parameters. (The recommended conditions require the reserved matters details to be in substantial accordance' with the illustrative plans.)
- 1.5 The amended submission comprises a Revised Planning Statement (August 2016), a revised Design and Access Statement (August 2016), an Environmental Statement (May 2014), an Environmental Statement Addendum and Non-Technical Summary (August 2016), Transport Assessment (May 2014), Transport Assessment Addendum (August 2016), Interim Residential and Employment Travel Plans (May 2014), Flood Consequences Assessment (May 2014) and Sustainability Assessment (May 2014) and a revised drawings package.
- 1.6 The Environmental Statement (ES) covers the following topics: Introduction, Environmental Impact Assessment Methodology, Application Site and Proposed Development, Alternative Sites and Development Options, Society and Economics, Transport Movement and Access, Ecology and Nature Conservation, Landscape and Visual Impact, Hydrology and Drainage, Ground Conditions, Noise and Vibrations, Air Quality, Cultural Heritage and Archaeology, Cumulative Effects, Summary of Mitigation and Residual Impacts.
- 1.7 The stated Vision for the scheme is as follows:

Junction 33 will be a new sustainable community linked to the heart of Cardiff by high quality public transport. Strategically positioned and set within a retained and improved green network of open space, it will offer facilities for new residents and those nearby, including a brand new Park and Ride for North West Cardiff. There will be a mixture of homes, jobs and community buildings, including a first class primary school and local hub.
- 1.8 The amended proposal includes the following components:

Land Use - residential

- 1.9 Whilst the definitive number, mix and density of dwellings will not be known until future reserved matters applications are approved, permission is sought for up to 1,500 dwellings. The development description provides for a mix of dwelling types (houses, apartments and some sheltered accommodation for the elderly), with the DAS proposing a range of sizes, from starter units through to intermediate and large detached housing. A range of tenures will be delivered through the s106, with the developers having agreed to deliver 15% affordable housing on-site, comprising a tenure split of 80% Intermediate Rented and 20% Low Cost Home Ownership, together with a financial contribution for off-site provision. (See Section 9 for s106 Heads of Terms.)
- 1.10 The Building Heights parameter plan confirms that within most areas a maximum of 2 storeys is proposed, with occasional 2.5-3 storeys. The Local Centre and J33 business zone will be up to 4 storeys. Whilst the Revised DAS notes that the overall average density is approx 44dph, the Density parameter plan proposes a range of densities. Highest densities (45+ dph) are proposed within the local centre, medium densities in the central part of the scheme (30-34dph) and lower densities close to existing woodlands, main public open spaces and water courses to the west of the site.

Other Land Uses

- 1.11 A new local centre will include provision for shopping, commercial and community facilities. In addition to residential, a Park and Ride and transport interchange, employment floorspace, primary school and community uses are proposed.

Green Infrastructure, Open Space and Drainage

- 1.12 The Green Infrastructure and Open Space proposals are reflected in the Green Infrastructure parameter plan, the Indicative Masterplan, Green Infrastructure Plan (Strategic Landscape Framework Plan) and Multi-functional Green Infrastructure Typology plan, Revised DAS and ES. The stated overall strategy is to protect the most valuable components where possible, mitigate features which cannot be retained, enhance retained site features, introduce valuable new landscape features appropriate to the proposed development and retained habitat, and manage the overall multi-functional green infrastructure network to improve the appearance of the site and its habitat value, and provide leisure and amenity space. Key Green Infrastructure proposals include:
- A network of linked multi-functional green corridors, providing habitat connectivity and movement corridors and open space accessible to new residents and the surrounding communities,
 - the green infrastructure network would also provide links to watercourses, wetland areas and river corridors, with attenuation ponds, swales and basins providing new species-rich marshy grassland
 - Retention and positive management of the majority of existing woodland and important trees
 - Retention of most existing hedgerows and provision of a new hedgerow network with native specimen tree planting
 - New tree planting along Llantrisant Rd and woodland planting to mitigate the loss of existing hedgerow and an active frontage and sense of place

- A site-wide street tree planting strategy to reinforce the street hierarchy and legibility
- Provision of buffer strips to protect habitats (woodland, hedgerows, streams and ponds)
- Public open space to include wildflower grassland, herbaceous, tree and shrub species selected to be beneficial to biodiversity, with native wetland planting around attenuation ponds
- Retention of known bat roosts where possible and provision of replacement roosting opportunities for tree roosts to be lost
- Provision of bird boxes along woodland edge and retained hedgerow habitat to provide replacement for loss of nesting resource onsite
- Retention of ponds and terrestrial habitat of value to amphibians
- Access to retained woodland habitats to be limited through the provision of dedicated pathways, signs and fencing
- Provision of play and sports spaces, including substantial provision in a new Central Park Area, located adjacent to the local centre, school and one of the main blocks of retained woodland, and which will accommodate the 2 sports pitches and Neighbourhood Equipped Area of Play and Multi Use Games Area, complimented by 3 no Local Equipped Areas of play in the north, west and eastern parts of the site and informal green space and woodland
- Orchards and 2400m² of allotment space, with a general allotment building, shed for each allotment and parking
- A cycle and pedestrian pathway network, connecting formal public open space, informal green space and woodland to create an accessible and connected recreational network
- Integration of the retained railway corridor archway within the path network to provide a remnant industrial heritage focal point
- The creation of a linear park along the line of the former railway
- The creation of species-rich marshy grassland, as a target BAP habitat, in drainage basins and swales required as part of the drainage strategy
- Management of the retained and proposed green infrastructure network with the aim of enhancing biodiversity, longevity of the major landscape components and enhancing landscape amenity value
- Design of site lighting to limit spill onto retained hedgerow and woodland habitats
- Treatment/eradication of invasive species (Rhododendron)
- Adoption of site clearance methodology and timing to protect valued species
- Sustainable drainage measures, including storage ponds and swales
- Potential surface water run-off from site minimised during construction and operation to prevent adverse impact on streams and ponds, and
- Preparation of a Construction Environmental Management Plan to ensure appropriate protection and control during the construction phase.

Placemaking

- 1.13 The parameter plans noted above, illustrative materials, including Illustrative Masterplan and Green Infrastructure Plan, Revised DAS given an indication of the overall layout and design of the scheme with regards building height,

density, street hierarchy and layout. The character of the scheme is progressed in the Revised DAS, with 5 character areas proposed – Westgate Employment Area, Llantrisant Gateway, Greenway, J33 Centre and Woodland Park. Additionally, four Key Focal Areas are proposed to show high quality development. ‘Gateways’ are proposed at J33 – a key arrival point defined by landmark commercial buildings and an informal parkland at the base of the disused railway and at Llantrisant Rd, defined by key residential buildings and public realm quality.

Transport and Access

1.14 The overall strategy is based on providing a sustainable transport solution. At a site level, the approach is to minimise the need to travel for those living on the site and to ensure that any travel is made by the most sustainable means, reducing dependence on the private car for both the development and City region. The strategy is based on three key measures:

- Maximising the scope for walking and cycling within the scheme and the surrounding area
- Installation of a new Park and Ride
- The improvement of existing public transport services into the City.

Vehicular Access

1.15 Detailed planning permission is sought for 3 new junctions, as noted in para 1.3 above; two signal controlled access junctions along Llantrisant Rd and a single vehicular access from J33 of the M4. The Llantrisant Rd junctions will provide associated pedestrian and cycle crossing facilities. The ESA notes that the Council could use the site access junctions on Llantrisant Rd as network management locations to hold traffic on Llantrisant Rd to ensure free flow of traffic through the Air Quality Management Area in Llandaff.

1.16 Access from J33 of the M4 will be limited to provide access to three quarters of the P&R spaces (750 no) and two thirds of the employment space (J33 employment zone), with all the new dwellings, the remaining 250 park and ride spaces, the local employment space and remaining part of the development accessed from the two junctions on Llantrisant Rd. A bus gate between Llantrisant Rd and Junction 33 will prevent through movement by all motor vehicles, except buses in line with the overall aim to promote and advance travel by non-car modes.

1.17 Future access points are proposed to provide future vehicular, walking and cycling links to the remainder of site D (2 no) and to the ‘flexibility allowance land’ identified in the LDP (1 no) to the west around Henstaff Court.

1.18 The Revised DAS sets out a proposed street hierarchy (main Spine road, Avenue roads, Streets, Lanes and Private Drives), in addition to off road, traffic free pedestrian and cycle paths. The masterplan shows the streets connecting to create a grid of connected streets to facilitate the creation of a ‘walkable neighbourhood’.

Pedestrian and Cycle Access

1.19 The main cycling and pedestrian proposals include:

- A 3m two-way segregated cycle way on one side and segregated pedestrian footways on both sides of all Spine and Avenue roads. 'Streets' provide 2m footways on either side of the carriageway, with cyclists to share the carriageway. Shared surfaces are proposed on Lanes and Private Drives.
- Pedestrian and cycling crossing facilities at the Llantrisant Rd junctions
- A Llantrisant Rd cross section, including a 3m two-way segregated cycleway and a 2m footpath on the development side, in line with the Council's common approach to the treatment of Llantrisant Rd along the frontage of Strategic Site C
- Traffic free routes (for pedestrians and cyclists), advisory routes (for cyclists) and a proposed Cycle Super Route (for pedestrians and cyclists) along the disused railway line
- Cycle parking
- Residential, business and school travel planning measures (e.g. walking bus schemes to and from the primary school incorporating 'stations' around the site, scoot to school with scooter parking at school, cycle trains for school children incorporating cycle parking at the school).

Park and Ride and Hub

- 1.20 The 1000 space Park and Ride and associated hub will serve both the development and wider region, having the potential to remove background car trips from the network. The park and ride is proposed on a single level, with the application noting the potential to provide more spaces in the future by 'decking' this area. The hub is proposed to provide a destination point for site wide cycle and pedestrian routes, a high quality and attractive cycle parking facility and other local facilities such as shops. The Phasing Plan identifies the delivery of the Park and Ride in Phase 1. In subsequent s106 negotiations Persimmon have advised that the negotiation of s278 agreements from Welsh Government will take approximately 18 months and that there will be restrictions in terms of times of year and times of day when work can take place on the motorway junction, which will affect the phasing of the Park and Ride. Section 9 provides details of proposed trigger points for its delivery.

Buses and Rapid Transit

- 1.21 Buses will be able to access the site using all site access junctions, facilitated by the bus gate referred to above. The Spine and Avenue Roads all provide a 6.3m carriageway to facilitate bus use.
- 1.22 The scheme proposes an indicative on-road Rapid Transit Route, stopping at the hub, and also safeguards land for a series of alternative routes (Revised DAS, p. 92). In addition, the street hierarchy cross sections safeguard land for the potential future introduction of a 'with rapid transit' option along the central spine road.

Phasing

- 1.23 The phasing parameter plan indicates the scheme will be delivered in three principal phases. Phase 1 would start along the edge of Llantrisant Rd and into the centre and include the Park and Ride, with phase 2 delivering the local centre, J33 employment zone and the primary school, and phase 3, the

western side of the site and local employment area. The DAS identifies that around 550 dwellings would be delivered in phase 1, around 500 on phase 2 and the remainder - approx 450 - in phase 3. A condition is recommended to control the phasing, with the phasing of key elements secured via the s106 Agreement - see section 9 of this report.

Amendments

- 1.24 Amended plans and further information was submitted in August 2016. The key amendments comprise:
- (i) Amended description to propose Use Classes B2 (General Industry) and B8 (Storage or Distribution) as ancillary uses to Use Class B1, rather than as primary uses
 - (ii) increase in Class A1 – A3 retail floorspace to 2,500m² from 1,500m² of Use Class A1 – A3 and D1 uses, supported by a retail assessment
 - (iii) Reconfigured vehicular accesses from Llantrisant Rd to signalised junctions
 - (iv) Amendments to the street hierarchy, movement strategies and cross sections, including provision of 6.3m carriageways and 3m segregated cycleways along the Spine and all Avenue Roads and Llantrisant Rd;
 - (v) Progression of site-wide design principles, including briefs for 5 character areas, key street design principles, a parking strategy offering different parking solutions and a public art strategy
 - (vi) Amendments to height, density, scale and phasing plans
 - (vii) Evolution of Green Infrastructure, including types, quantities of and design principles, and an indicative tree planting strategy
 - (viii) Masterplanning, including safeguarding of land for the 'Metro' and safeguarding of future links to adjoining land
 - (ix) Transport Assessment Addendum, including amendments/clarification on the rapid transit corridor, approach to Llantrisant Rd, bus priority, Park and Ride/transport hub, walking cycling and public transport corridors, and the network management strategy. Inclusion of sensitivity traffic analysis based on existing mode split for Creigiau and St Fagans, accessibility profiles, RCT's committed development from LDP allocation sites and potential impact at Groesfaen and matters of clarification on the original TA
 - (x) Environmental Statement Addendum, including updated ecology chapter building on additional survey work for bats and reptiles, design proposals and treatments for key corridors, and updated air quality and noise chapters.

Site Visit

- 1.25 A Planning Committee site visit took place 1 February 2016. A site visit hand-out was prepared, showing photographs of the site, and is available to view on the Council's website.

2. DESCRIPTION OF SITE

Site Location

- 2.1 The application site comprises approx 77.4ha of greenfield land, located between the M4 at its junction with the A4232 to the south and Llantrisant Rd

(A4119) to the north. The site is bounded to the south by the M4 motorway, associated slip roads and the entry spur road in the Cardiff West Motorway Service Area. The northern boundary is largely formed by the A4119 Llantrisant Rd, and the eastern and western boundary by agricultural land, rough pasture, copses and woodland. There are a small number of properties nearby, including Pencoed House and Parc-y-Bach immediately adjacent to the site to the east, and Henstaff Court, immediately adjacent to the west.

- 2.2 The LDP allocation Strategic site E is located immediately north of Llantrisant Rd, whilst land to the west of the site is identified as land to provide for 'future flexibility'. The site lies in close proximity to the Council's administrative boundary with the Vale of Glamorgan and Rhondda Cynon Taff Councils, the former being immediately south west of junction 33 and the latter being north of the M4 approximately a kilometre west of the site.

Land Use and Site Conditions

- 2.3 The site comprises a series of agricultural fields managed as grazing land. It can be characterised as open rolling pasture (improved agricultural grassland with areas of predominantly species-poor marshy grassland) interspersed by woodland, coppice, hedgerows, and trees. A 0.25ha area of hardstanding is located to the south of the site immediately adjacent to Junction 33 which is currently unused. Apart from the area of hardstanding, the former Barry to Llantrisant branch railway line, which runs in a north-westerly direction through the centre of the site from the Junction 33 roundabout, an area of fill associated with the construction of the A4232 and the archaeological resource identified in the analysis section below, the site has remained undeveloped. The dismantled railway line embankment has two under-pass bridges along it, which form distinctive landscape features in the site.

- 2.4 The topography of the site is also a defining feature. The site is gently undulating, with highpoints on the northern boundary of Llantrisant Rd (AOD 64m), in the central section (60m AOD) and where the site borders the M4 in the south (62m AOD), which fall into shallow valleys associated with water courses in the centre of the site (flowing south east to the Nant y Glaswg) and on the western boundary (the Nant Henstaff, flowing south). The low point is in the south west, near the boundary with the M4. The majority of the site is located in Zone A of the TAN 15 development advice maps (dam). A small section of the site located along the Nant Henstaff is located in Zone B. There are 5 small ponds in the northwest corner of the site. A number of localised potential sources of contamination are present on the site, associated with the historic railway line/embankment, an area of tipped surplus subsoil from the construction of the M4, an infilled historic quarry, a former storage compound and fly tipping. The geology across the site is varied with clayey superficial deposits over various bedrock strata which have variable permeability characteristics. Several secondary aquifers have been classified within the site boundary.

Site Designations

- 2.5 The application site comprises Grade 3 to 4 agricultural land. Several groups of trees / hedgerows within and adjoining the site are protected by Tree

Preservation Orders. There are no statutory landscape or nature conservation designations within the site. There are a number of locally identified Sites of Importance for Nature Conservation within and adjacent to the site, including an area of ancient woodland and streams. There are two listed buildings nearby, namely the Grade II* Listed Pencoed House, and Grade II Listed Church of St Eldeyrn at Capel Llanilltern.

Access and Accessibility

- 2.6 There are a number of informal gated access points to the site from the A4119 Llantrisant Rd providing agricultural access to the fields. The nearest settlement is the village of Creigiau, the centre of which lies approximately 1 km to the north of the site, with the village of Groes Faen located approx 1.6k to the west along Llantrisant Rd. There is footway provision along the site frontage on the southern side of Llantrisant Rd, at varying widths. Two public footpaths cross the site in a north south alignment; Llanilterne no 18 (which crosses the site from Pencoed House in the east to the M4) and Peterstone Super Ely no 10 (which runs from the A4119 through the site to the M4). Two bus services currently pass the northern boundary of the site along Llantrisant Rd, operated by Stagecoach (service 122 and 124), providing services between Tonypany and Maerdy to Cardiff City Centre. An intercity service operated by Greyhound provides a service between Swansea and Bridgend to Cardiff City Centre, passing the site via Junction 33 of the M4.

3. **RELEVANT SITE HISTORY**

Site History

- 3.1 06/02504/W – Land to the N of Junction 33, M4 Motorway – approved subject to s106, but subsequently withdrawn following call in under Section 77 of the Town and Country Planning Act 1990 for determination by the Welsh Ministers *International status business park comprising 100,000 sqm employment (b1); 26,000 sqm hotel/complementary facilities/ a regional transport interchange; car parking, landscaping and access*

Related History

- 3.2 The following applications falls within Strategic Site C, located south east from Strategic Site D and which are also accessed, in part, via Llantrisant Rd:

14/02157/MJR – Land North and South of Llantrisant Rd – outline application approved 09/08/2016

The development of up to 630 residential dwellings (use class c3, including affordable homes), primary school (use class d1), visitor centre/community centre (use class d1), community centre (use class d1), open space (including children's play spaces), landscaping, sustainable urban drainage, vehicular accesses, bus lanes, pedestrian and cycle accesses and related infrastructure and engineering works

16/02016/MJR – Reserved matters application for outline planning (14/02157/MJR) approved 23/12/16

Reserved matters application for outline planning (14/02157/MJR) for the development of 126 dwellings forming part of phase 1a of land to the north and

south of Llantrisant Road, detailed consent requested for all outstanding matters

Various Discharge of Condition applications relating to 14/02157/MJR.

14/02188/MJR – Land South of Pentreban Rd – outline application approved 13/12/16

Up to 290 residential dwellings (C3), open space (including children's play space), landscaping, sustainable urban drainage, vehicular access, pedestrian and cycle accesses and related infrastructure and engineering works

14/02733/MJR – North West Cardiff - current application

Outline planning application with all matters reserved apart from strategic access junctions for residential-led mixed use development, to be developed in phases, including preparatory works as necessary including demolition and re-grading of site levels; up to 5,970 residential units (use class c3, including affordable homes); 3 no. Local centres providing residential units, convenience shops and facilities/services (including up to 7,900 sq m in use classes a1-a3) and 1no. District centre providing residential units, up to 12,000 sq m in use classes a1-a3 including up to two food stores (up to 5,000 sq m gross) with associated parking, up to 15,500 sq m of use class b1(a), b1(b) and b1(c); provision of up to 5,100 sq m of community and healthcare facilities across the district and local centres (use classes d1 and d2); provision for 3no. Primary schools and 1 no. Secondary school; open space including allotments; parks; natural and semi natural green space; amenity green spaces; facilities for children and young people; outdoor sports provision including playing pitches; associated infrastructure and engineering works including new vehicular accesses, improvement works to the existing highway network, new roads, footpaths/cycleways, a reserved strategic transport corridor; up to 1 no. Electricity primary-substation and landscaping works (including suds).

16/00106/MJR – Goitre Fach Farm, Llantrisant Rd – approved subject to s106 14/12/16

Outline planning application (all matters reserved apart from strategic vehicular, cycle and pedestrian access into the site) for the demolition of existing buildings and residential development of up to 300 dwellings on site to include open space (including children's play space), landscaping. Sustainable urban drainage, vehicular access, pedestrian and cycle accesses and related infrastructure and engineering works.

4. **POLICY FRAMEWORK**

4.1 Local Policy

Cardiff Local Development Plan 2006-2026 (Adopted January 2016)

Key Policies:

KP1: LEVEL OF GROWTH

KP2: STRATEGIC SITES

KP2(D&E): NORTH OF JUNCTION 33 ON M4 AND SOUTH OF CREIGIAU

KP4: MASTERPLANNING APPROACH

KP5: GOOD QUALITY AND SUSTAINABLE DESIGN

KP6: NEW INFRASTRUCTURE
KP7: PLANNING OBLIGATIONS
KP8: SUSTAINABLE TRANSPORT
KP12: WASTE
KP13: RESPONDING TO EVIDENCED SOCIAL NEEDS
KP14: HEALTHY LIVING
KP15: CLIMATE CHANGE
KP16: GREEN INFRASTRUCTURE
KP17: BUILT HERITAGE
KP18: NATURAL RESOURCES

Detailed Policies:

H3: AFFORDABLE HOUSING
EN3: LANDSCAPE PROTECTION
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 CARBON TECHNOLOGIES
EN13: AIR, NOISE, LIGHT POLLUTION AND LAND CONTAMINATION
EN14: FLOOD RISK
T1: WALKING AND CYCLING
T2: STRATEGIC RAPID TRANSIT AND BUS CORRIDORS
T3: TRANSPORT INTERCHANGES
T5: MANAGING TRANSPORT IMPACTS
T6: IMPACT ON TRANSPORT NETWORKS AND SERVICES
T7: STRATEGIC TRANSPORTATION INFRASTRUCTURE
T9: CARDIFF CITY REGION 'METRO' NETWORK
R1: RETAIL HIERARCHY
R6: RETAIL DEVELOPMENT (OUT OF CENTRE)
R7: RETAIL PROVISION WITHIN STRATEGIC SITES
R8: FOOD AND DRINK USES
C1: COMMUNITY FACILITIES
C3: COMMUNITY SAFETY/ CREATING SAFE ENVIRONMENTS
C4: PROTECTION OF OPEN SPACE
C5: PROVISION FOR OPEN SPACE, OUTDOOR RECREATION, CHILDREN'S PLAY AND SPORT
C6: HEALTH
C7: PLANNING FOR SCHOOLS
W2: PROVISION FOR WASTE MANAGEMENT FACILITIES IN DEVELOPMENT

- 4.2 The application site falls within Cardiff's settlement boundary, as identified on the adopted Cardiff LDP Proposals Map. The site forms part of Strategic Site 'D' –'North of Junction 33 on M4', allocated under policies KP2 and KP2(D & E) for *'mixed use [development] of approximately 2,000 homes, employment, other*

associated community uses and a strategic park and ride site'. The LDP identifies land North West of the Strategic Site North of junction 33 as an area to provide 'future flexibility'. The land is noted to represent a logical extension of this site which could provide a minimum of an extra 1,250 dwellings if required in the Plan period, but noting that further masterplanning is likely to demonstrate that a higher figure is possible (para 4.29). It is noted that masterplanning will ensure that suitable access is secured and that future Plan monitoring will trigger any future detailed discussion of infrastructure and masterplanning requirements should the need for their early release be triggered within the Plan period (para 4.28).

- 4.3 Strategic Site D forms one of 3 strategic sites allocated in NW Cardiff with access off Llantrisant Road (A4119).
- 4.4 Strategic Site C – 'North West Cardiff' is allocated for a "*a mixed-use comprehensive development including a minimum of 5,000 homes and local employment opportunities, together with essential, enabling and necessary supporting infrastructure*". The LDP notes that the overall capacity of the site is considered to be in the order of 6,500 – 7,000 dwellings, but that work undertaken to date suggests that a figure of 5,000 dwellings is appropriate to be delivered within the plan period (para 4.29). The LDP also notes that land North of the North West Cardiff site has the potential to provide a minimum of an extra 1,250 dwellings if required in the later phases of the plan, with a higher figure being possible (para 4.29).
- 4.5 Strategic Site E – 'South of Creigiau' – is allocated as a 'housing-based scheme of approximately 650 homes representing a southern extension of the existing village'.

Supplementary Planning Guidance (SPG):

- 4.6 Relevant SPG approved following the adoption of the Cardiff Local Development Plan:
'Waste Collection and Storage Facilities' (approved October 2016)
'Planning Obligations' (approved January 2017)
'Residential Design Guide' (approved January 2017)
- 4.7 SPG approved prior to the adoption of the Cardiff Local Development Plan are no longer linked to adopted development plan policies. However, where such SPG is considered consistent with the new LDP policy framework, it will continue to be material to the Development Management process. The following SPG are considered relevant to the determination of this application:
'Affordable Housing' (March 2007) and 'Affordable Housing Delivery Statement (October 2010)
'Community Facilities and Residential Development' (March 2007)
'Developer Contributions for School Facilities' (March 2007)
'Open Space' (March 2008), including May 2015 update to S.106 Baseline Contribution Figure
'Access, Circulation and Parking Standards' (January 2010)
'Cardiff Liveable Design Guide' (May 2015)

National Planning Policy

- 4.8 Planning Policy Wales and the Wales Spatial Plan set out the land use policies of the Welsh Government. These are supplemented by a series of Technical Advice Notes and Circulars.

Planning Policy Wales (Edition 9, November 2016)

- 4.9 Section 1.2 explains that the purpose of the planning system is to manage the development and use of land in the public interest, contributing to improving the economic, social, environmental and cultural well-being of Wales, as required by the Well-being of Future Generations (Wales) Act 2015. It notes that the planning system should reconcile the needs of development and conservation, securing economy, efficiency and amenity in the use of land, and protecting natural resources and the historic environment. It recognises that a well-functioning planning system is fundamental for sustainable development (para 1.2.1).
- 4.10 PPW has been updated to include reference to the statutory purpose for the planning system introduced by the Planning (Wales) Act 2015 – that any statutory body carrying out a planning function must exercise those functions in accordance with the principles of sustainable development as set out in the Well-being of Future Generations (Wales) Act 2015. PPW has been updated to take into account the Well-being of Future Generations (Wales) Act 2015 more fully, and includes information on the provisions of the Act. It notes that the Act establishes a ‘sustainable development principle’ which it notes means that a defined public body must act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs and lists a series of key principles that they expect all those involved in the planning system to adhere to:
- putting people, and their quality of life now and in the future, at the centre of decision-making;
 - engagement and involvement, ensuring that everyone has the chance to obtain information, see how decisions are made and take part in decision-making;
 - taking a long term perspective to safeguard the interests of future generations, whilst at the same time meeting needs of people today;
 - respect for environmental limits, so that resources are not irrecoverably depleted or the environment irreversibly damaged. This means, for example, mitigating climate change, protecting and enhancing biodiversity, minimising harmful emissions, and promoting sustainable use of natural resources;
 - tackling climate change by reducing the greenhouse gas emissions that cause climate change and ensuring that places are resilient to the consequences of climate change;
 - applying the precautionary principle. Cost-effective measures to prevent possibly serious environmental damage should not be postponed just because of scientific uncertainty about how serious the risk is;
 - using scientific knowledge to aid decision-making, and trying to work out in advance what knowledge will be needed so that appropriate research can be undertaken;

- while preventing pollution as far as possible, ensuring that the polluter pays for damage resulting from pollution. In general the Welsh Government will seek to ensure that costs are met by those whose actions incur them;
- applying the proximity principle, especially in managing waste and pollution. This means solving problems locally rather than passing them on to other places or to future generations;
- taking account of the full range of costs and benefits over the lifetime of a development, including those which cannot be easily valued in money terms when making plans and decisions and taking account of timing, risks and uncertainties. This also includes recognition of the climate a development is likely to experience over its intended lifetime; and
- working in collaboration with others to ensure that information and knowledge is shared to deliver outcomes with wider benefits.

4.11 In addition, PPW sets out a series of sustainability objectives that reflect the vision for sustainable development and which should be taken into account in taking decisions on individual planning applications in Wales, structured around 7 well-being goals: a prosperous Wales, a resilient Wales, a healthier Wales, a more equal Wales, a Wales of cohesive communities, a Wales of vibrant culture and thriving Welsh Language, and a globally responsible Wales.

Wales Spatial Plan (2008 update)

4.12 The plan sets out the Welsh Government's vision for spatial planning within Wales and sets out a strategic framework to guide future development and policy interventions. The plan sets out key issues and challenges facing Wales under 5 key themes – building sustainable communities, promoting a sustainable economy, valuing our environment, achieving sustainable accessibility and respecting distinctiveness. The plan divides Wales into six strategy areas of which Cardiff falls within the South East Wales – Capital Region. The plan recognises that the success of the region relies on Cardiff developing its capital functions in order for the area to work as a networked city region, to provide an appropriate quality of life for all and to be able to compete with comparable areas in the UK and EU for investment and growth. The vision recognises the key role that Cardiff plays. The plan identifies the area around Llantrisant and North West Cardiff as one of 3 Strategic Opportunity Areas in the South East Wales – Capital Region.

Technical Advice Notes (TANs) and Circulars

4.13 Key TANs and Circulars include:

- TAN 1: Joint Housing Land Availability Studies (2015):
- TAN 2: Planning and Affordable Housing (2006)
- TAN5: Nature Conservation and Planning (2009)
- TAN 6: Planning For Sustainable Rural Communities (2010)
- TAN 8: Renewable Energy (2005)
- TAN 11: Noise (1997)
- TAN 12: Design (2014)
- TAN 15: Development and Flood Risk (2004)
- TAN 16: Sport, Recreation and Open Space (2009)
- TAN 18: Transport (2007)
- TAN 21: Waste (2014)

TAN 22: Sustainable Buildings (2010)
Circular 16/94 'Planning Out Crime'
Circular 60/96 'Planning and the Historic Environment: Archaeology'
Circular 61/96 'Planning and the Historic Environment: Historic Buildings'
Circular 20/01 'Planning Controls for Hazardous Substances'
Circular 07/12 'The Town and Country Planning (Notification) (Wales) Direction 2012

5. **INTERNAL CONSULTEE RESPONSES**

- 5.1 **Strategic Planning** note that the retail assessment satisfactorily addresses the queries raised by the Council and demonstrates policy compliance with the tests and criteria outlined in policies R6 and R7, and confirm that the retail proposals do not raise any land use policy concerns. Strategic Planning confirm the amount of office floorspace and the split between the two office locations is acceptable. Conditions are recommended to limit the employment allocations to B1 (a) Offices, (b) Research and development, studios, laboratories, high-tech and (c) Light industry, to address the points noted by Economic Development below, and to control the retail uses.
- 5.2 **Economic Development** raised initial concerns that there is a danger the site could become another trading estate in south wales, when it has significant potential to deliver more. They note the location was identified as a potential International Business Park in 2003, that those attributes that led to that still largely exist and that it has the potential to attract high quality technology investments, particularly in the pharma, life sciences and ICT sectors. It is noted that the units and their environment would have to be of a higher quality and lower density. Concerns are also raised about the proposal to include warehousing accommodation on the site (Class B8), noting that there is scope for some small B1 office research and development facilities and that this site could be a location where small businesses in the incubation space could move to, which does not exist at present. It is noted that the pressing need is for good high quality manufacturing space, which would take advantage of the site's excellent accessibility and Cardiff location. It is noted that the recent changes to Assisted Area status, which has taken the site outside coverage for the next 7 years is a factor which will impact on its effectiveness as a general manufacturing site, but its excellent catchment population and location in Cardiff, coupled with a high quality setting would still find favour with tech companies. A high quality motorway related offer for business will importantly offer investors a range of choice. No comments were received in response to the amended submission.
- 5.3 **The Placemaking Team (Conservation)** has no objection. It is noted that, whilst parts of the application fall within relative close proximity of the Pencoed House (Gd II* Listed Building), the property benefits from significant levels of surrounding landscaping and sits within a generous and well defined plot and that the setting of the listed building could be appropriately preserved, subject to the scale and finish of any development proposed within the vicinity of the building respecting its presence. It is advised that any reserved matters

submission should demonstrate that the layout of the proposed development has given due to the presence and setting of Pencoed House and how the scale, form and finish of various buildings have been adjusted accordingly. It is noted that other listed buildings in the vicinity of the application site are sufficiently detached such that their setting would not be impacted upon.

5.4 In response to the amended submission, the Placemaking Team note that since the application was submitted, local policy and national legislation has changed with the adoption of the LDP and the passing of the Historic Environment (Wales) Act 2016. They note that their original comments still stand given that the development extent remains unchanged, that the substantive heritage policy position remains unaltered and that no new designations have been made in this area.

5.5 **Housing Development** advise:

- they seek 30% affordable housing on-site across the whole Strategic Site and in each tranche/planning application site submitted, to ensure the creation of mixed and balanced communities
- they require a mix of unit types/sizes across the site and for these unit types/sizes to be representative of the development as a whole, with detailed discussion required when there is more information about unit types/unit mix/unit number/location
- they would seek the majority of units (25%) to be delivered as on-site affordable rented in the form of social rented units (15%) and intermediate rented units (10%)
- the price to be paid for each unit by one of the Council's RSL Housing Association partners
- The affordable rented units (both social and intermediate rented) will need to be built to Welsh Government DQR standards and meet Welsh Housing Quality Standards
- Within the affordable rented percentage they would seek accommodation for Older Persons and/or Specialist Accommodation for clients with either a Physical Disability and/or Learning Disabilities. Within the first phase of this site they would seek bungalows for Older People (with assistive technology) and/ or a core & cluster development for Physical & Sensory impairment or Learning Disabilities, with the design/specification to be discussed in detail.
- They would potentially seek some Low Cost Home Ownership (LCHO) units (up to 5%) to be delivered across the site, if they are determined by the Council as affordable. They would need projected open market values to be able to determine this, but if agreed, Housing Development would predict they would need to be made available at around 65% OMV but confirm they cannot comment further until projected open market values/prices are known.

5.6 Following s106 negotiations with the developer, Housing Development confirm agreement of the following Heads of Terms set out in Section 9:

- 15% (up to 225 units) affordable housing on-site, to be delivered as 80% Intermediate Rented and 20% Low Cost Home Ownership (LCHO) at

70% OMV. The Intermediate Rented units will be built to Welsh Government DQR standards and meet WHQS.

- Some accommodation for Older Persons (which could include bungalows with/without assistive technology) and/or a Core & Cluster Specialist Accommodation for clients with either a Physical Disability and/or Learning Disabilities may be required. Detailed discussion will take place with the developer regarding the more specialist accommodation provision.
- Based on a viability assessment, a financial contribution of £7.9 million in lieu of 8.5% affordable housing, is to be paid towards the provision of affordable housing in the City of Cardiff Council, and to be paid in phases. Timescales/triggers for the delivery of the housing and payments will be included in the s106 agreement. A review mechanism is sought to be incorporated into the s106 to allow the viability of affordable housing provision to be reviewed at a specified time.

5.7 **Neighbourhood Regeneration** advise that on site community facility provision is essential and the development should provide a community space within the proposed primary school building, the scale of which will depend on the number of dwellings and habitable rooms within each dwelling, and cannot be confirmed. The community facility will need to be independently accessible for the public throughout the day and evening, with careful consideration given to security, with the community facility being securely separated from the school. The community provision would be additional to the primary school in terms of floorspace and fittings, but would form part of the school building so that it can be managed as part of the overall school building. The land for this facility and the financial contribution to pay for the building and its fit out would be provided as part of the financial contribution from the developer in line with the SPG.

5.8 In response to the amended submission, Neighbourhood Regeneration advise that they seek a community facility of no less than 750m², noting that its location within the local centre as shown on the illustrative masterplan would be good. They advise that developers will be expected to bring forward proposals to demonstrate how the community facility will be developed and managed, as the Council will not be in a position to take on ownership of the facility.

5.9 The **Director of Education and Lifelong Learning** provides the following summarised comments:

- (i) **Background** – The starting point for any application is a commitment to children going to their local school to promote sustainable local communities. In common with other Local Authorities, Cardiff has invested significantly in its school premises, but has repair backlogs and suitability issues city-wide which, at current estimates, will cost in the region of £370m to address. Following a period of unprecedented growth in demand, the Council is in the process of expanding primary school provision city-wide. Although the supply of and demand for places varies by area, it is anticipated that there will be no overall surplus school places at entry to the primary sector in 2016, nor in the secondary sector in 2019, taking account of existing school investment proposals and projections based upon Health Service (GP) and school roll data.

The Council therefore seeks contributions to meet the demand for school places directly arising out of each proposed housing development where projections indicate that these pupils cannot be accommodated within existing local schools. The Council will continue to look to fund any shortfall in school places arising from existing housing from Council funding or other funding sources such as 21st Century Schools. Contribution requests are based upon circumstances known/ data available at the time of developments. Where the scale of developments are not sufficiently large to support the building of new primary or secondary schools, careful consideration will need to be given to the timing of and combining of contributions from multiple developments, including the provision of any land for construction. Consideration will also be given to developers buildings schools to agreed quality and performance standards;

- (ii) **Context** – A site has been set aside within the development to accommodate a 2 Form Entry Primary School, to serve the needs directly arising from the development. The site concerned measures c19,000m², compared to the range of 18,399m² to 21,458m² for a 2FE primary school with nursery on an unconfined site with on-site pitches (as set out in Building Bulletin 99). In order to provide a suitable site for a 2FE primary school the Council normally requests the mean size of site required for an unconfined 2 Form entry school site with on-site pitch provision, as set out in BB99, of 19,928m² (the size range being 18,399 m² – 21,458m²). However, if the developer is willing to provide a site of 1.9Ha and to build the school to agreed standards (BB99, compliant with the Welsh context (Foundation Phase requirements, mandatory sprinklers, BREEAM etc and meeting the Council's Employers Requirements) then the Council would accept the site and school as being appropriate in principle. Provision to meet the yield of secondary school and sixth form age pupils would be required off-site.
- (iii) The Council's **preferred strategy for local primary and secondary school provision** based on 1,500 dwellings and an indicative mix of 93 'qualifying houses' and 7% 'non-qualifying housing/apartments' is set out below. The contribution would be revisited should the proportion of qualifying houses change.

Primary school age pupils

- **A 2 Form Entry primary school incorporating 48 FTE nursery places is requested, to accommodate the yield of 432 primary age pupils from the proposed development.**
- **A land contribution of c19,000m², to accommodate a 2FE primary school serving the yield of 432 primary age pupils from the proposed development.**

As a condition of accepting this school and site, it is requested that:

- the school site size must therefore be no less than 18,900m²;
- that the two form entry (420 place) primary school provided includes a 48 (full time) place nursery
- that school building(s) must meet the requirements of Building Bulletin (BB) 99
- that the school meets the relevant Employers requirements of the Council.

- Should any additional buildings on the school site (e.g. a community facility) the site should be enlarged by the equivalent floor area to comply with the suggested BB99 site size
- Should any additional buildings on the school site (e.g. a community facility) the school buildings be designed to provide separate secure entrances

Phasing – primary

. It is requested that the new primary school be completed prior to the 550th occupation of the new housing. As a potential alternative to completing the new school, the Council would support a phased build two form entry primary school provided as follows: Phase 1: All Foundation Phase classrooms, hall spaces and ancillary facilities, Phase 2: Remaining eight Key Stage 2 classrooms.

The completion of Phase 1 would be required by occupation of the 550th dwelling. The completion of Phase 2 would be required prior to occupation of 50% of housing (750th dwelling). Consideration will be given to establishing the school (as an organisation) on a phased basis; in the first instance organised as a 1 Form Entry school allowing up to 30 pupils per year group to be admitted, enlarging to a 2 Form Entry school at the appropriate time. However, such matters would require further consideration by the Council prior to, during, and following the statutory consultation process that must be followed when school organisation proposals are brought forward and the Council could not predetermine such a proposal.

Secondary school and sixth form age pupils

English medium Secondary and sixth form

- The projected yields of English-medium secondary age and sixth form pupils from the development are 180.23 and 32.7 respectively.
- Projections for the local English-medium secondary school (Radyr Comprehensive School), based on existing housing and pupil data, indicate that the school will be fully subscribed at entry to Year 7 in coming years, including pupils resident within the school's catchment area and pupils from outside of the school's catchment area. The availability of school places that may be taken up by children resident within the catchment area (based on existing housing and approved developments) will however reduce year on year as projected demand from housing within the catchment area increases.
- Taking into account the yield of housing developments and pupils who are already enrolled in English-medium primary education within the catchment area only, up to 94 surplus places would be available in 2023.
- It is therefore assumed that a yield of 80 secondary age and 14 sixth form pupils from the proposed 14/00852/DCO development would be able to access places at Radyr Comprehensive School.
- **A request is made for contributions towards the building of additional English-medium secondary school and sixth form places to accommodate the remaining 119 pupils yielded by the development, calculated as £1,906,077**

- As the additional places are proposed to be provided on an existing school site, the Council would waive a request for financial contribution of towards the purchase of land to accommodate the yield of English-medium secondary and sixth form age pupils.

Welsh-medium Secondary and Sixth Form

- The projected yields of English-medium secondary age and sixth form pupils from the development are 45.06 and 8.17 respectively.
- Projections for the local Welsh-medium secondary school (Ysgol Gyfun Gymraeg Plasmawr), based on existing housing and pupil data, indicate that the school will be fully subscribed at entry to Year 7 in coming years, based only on children resident within the school's catchment area.
- **A request is made for contributions towards the building of additional Welsh-medium secondary school and sixth form places to accommodate the 53.23 pupils yielded by the development, calculated as £853,163.**
- Whilst these additional places may in theory be accommodated on an existing school site, it would be necessary to either expand an existing school site (Ysgol Plasmawr) onto an existing leisure centre site (Fairwater Leisure centre) and provide alternative playing field provision elsewhere or alternatively to contribute towards the purchase of a new site to establish a fourth Welsh-medium secondary school. Neither of these options would be within the development site.
- **A financial contribution of £516,960 towards the purchase of 3,487m² of land is therefore requested, @ £600,000 per acre / £2,471,050 per hectare and calculated pro rata to a 1,500 place secondary school site, to accommodate the yield of c53 Welsh-medium secondary and sixth form age pupils. Should the Council not proceed with the purchase of land specifically to facilitate this option then the requested contributions would be waived.**

Phasing - Secondary

The surplus at entry to the English-medium secondary school sector city-wide in Year 7 is projected (based on pupils already in the primary school system) to fall to c5% by September 2017 and to be in deficit in September 2019; the surplus in each year group above thus being in deficit in the succeeding years as each cohort promotes. Based on there being no changes to secondary school provision beyond 2019 (as there are none formally planned nor approved) then this sector would be full in each year no more than five years later (in September 2024) even if there was no yield of pupils from any new developments.

The surplus at entry to the Welsh-medium secondary school sector city-wide in Year 7 is projected (based on pupils already in the primary school system) to fall to c10% by September 2018 and to be in deficit in September 2019. Based on there being no changes to secondary school provision beyond 2016 (as there are none formally planned nor approved) then this sector would be full in each year group five years later (in September 2024) even if there was no yield of pupils from any

new developments.

In light of the overall deficit of places, the Council is unable to significantly defer financial contributions from housing developments.

Financial contributions towards the build of a new English-medium secondary school are requested toward the expansion of Radyr Comprehensive School and may be combined with contributions that would be sought from other planning applications for other development sites and from Council and/ or other financial resources.

Financial contributions towards the expansion of Welsh-medium secondary school provision are requested in order that the Council may strategically expand Welsh-medium provision through expanding Ysgol Plasmawr or combined towards establishing a new fourth Welsh-medium secondary school on a new site.

Assuming planning permission for the housing development were to be granted secondary school and sixth form financial contributions (including towards the purchase of land) are requested at 50% and 75% occupation levels.

Consideration will be given by the Council to providing suitable accommodation to temporarily enlarge secondary schools and to review admission arrangements as appropriate to meet the yield from the proposed development.

However, projections based on existing housing and pupil data from Welsh-medium primary schools indicate that the establishment of a fourth Welsh-medium secondary school would be required during the period 2020 – 2026 to meet the increasing demand for places.

Either of these potential solutions, like the majority of proposals, would be deemed a statutory proposal and therefore subject to consultation i.e. whilst it may be considered an appropriate solution at this stage the decision to implement such a proposal could not be predetermined.

- 5.10 **Pollution Control (Contaminated Land Team)** note that the ES has identified both on-site sources of contamination (which include the historic dismantled railway line, area of tipped subsoil from the M4 in the centre of the site and the potentially in-filled quarry) and several off-site sources (which include a fuel filling station, the Historic Taff Vale Railway line, a mill, the M4 and the J33 services area), and advises a focused intrusive ground investigation to assess the potential 'pollutant linkages'. The Team has **no objection**, subject to recommended conditions (Ground Gas Assessment and Mitigation Measures, Land Contamination Risk Assessment, Submission of Remediation Scheme and Verification Plan, Undertaking of Remediation and Issue of Verification Report, Post Remediation Monitoring Requirements, Identification of Unsuspected Contamination, Imported Soil, Imported Aggregates) and advisory notices (Radon Gas Protection, Contamination and Unstable Land). The Team confirmed that the Preliminary Risk Assessment has been complied with.
- 5.11 In response to the amended submission, the Contaminated Land team note the potential for subsurface voids/ solution features to be present in the area and recommend an advisory notice advising the developer of this potential and

reminding them that the responsibility for the safe development and occupancy of the site rests with them.

5.12 **Pollution Control (Noise and Air)** raised the following initial comments in respect of noise:

- The noise monitoring was not taken in the best positions
- From the baseline results the site falls into Category D of TAN 11, meaning that planning permission should be refused. It is noted that the Developer recognises that through mitigation measures and ensuring that dwellings are 80m away from the boundary of the M4, they can fall into Category C or B. Additional information must be prepared to provide the LPA with contours around the site whereby no dwellings can be built, clearly defining the NECs. Through modelling the layout of the site can development can development, being mindful of WHO garden criteria and internal noise criteria, with bedrooms not exceeding 30dB at night. In addition to this, the calculation of road traffic noise (CTRN) for the through road from J33 to Llantrisant Rd must be modelled as this will impact on those dwellings around it
- With the lack of knowledge about the type of retail units/ workshops going onto the site, we would want to avoid creeping background noise, therefore the fixed plant associated with the development must not exceed the predicted background. This will have to be designed in during construction, and conditioned appropriately
- A majority of the mitigation measures centre around the construction of the site. It would be beneficial to engage with the development in agreeing to a s61 consent to work, as this would provide the Council with more control and up to date relevant information
- The document states that the development is proposed to take place in 2024. Whilst the author of the report acknowledges that the traffic growth hasn't been applied to the date, it is prudent to model this into the CTRN.

5.13 In respect of the amended submission, Pollution Control advise that they have read the noise elements of the updated documentation and have no objection, subject to conditions to control road traffic noise, sound insulation, delivery times, plant noise, kitchen extraction, floodlighting and advisory notices relating to construction site noise and illuminated advertisements. They subsequently confirmed they are happy with the recommended conditions.

5.14 **Pollution Control (Noise and Light)**, in responding to the initial submission, raise the following concerns in respect of air quality:

- *I have considered the Chapters 6, 12 and 14 of the Environmental Statement (Transport and Movement Access, Air Quality and Cumulative Effects respectively) and the Air Quality Assessment Addendum (November 2014) submitted as part of the application documentation.*
- *This application cannot just be considered in isolation, but must be considered with regard to its potential for cumulative impacts when combined with Land at Llantrisant Road and Land South of Pentrebane Road and sites D (North of Junction 33 of the M4) and E (South of Creigiau) and Land at North West Cardiff: Plasdwr.*

- *In general, I am in agreement with the Air Quality Chapter's assessment of likely construction impacts and the developer should be encouraged to adopt the mitigation measures detailed to minimise the impact of this upon existing local residents and residents who take possession of the premises on the site before development is complete.*
- *I am satisfied with regard to the methodology adopted for the residual impact of the proposed development upon local air quality. In particular, it is pleasing to note the various sensitivity assessments which have been carried out, including at 15% and 35% modal split. I note, too, the need for a buffer between any proposed residential accommodation and the M4 and its slip-roads.*
- *The provision and use of alternative transport modes (cycling, walking, public transport inc park and ride) to reduce the potential cumulative road traffic impact of the development upon Llantrisant Road will need to precede, or proceed in tandem with, the development.*
- *It is the Council's assessment that a 50:50 modal split with regard to passenger transport is essential to accommodate the additional peak-hour travel demand generated by the developments cumulatively. That this will be achieved appears to have been assumed in some of the documentation although the presence of sensitivity tests to the contrary are welcomed in the Air Quality Assessments.*
- *Documents submitted with applications for the other sites referred to above refer to traffic restrictions/gaiting at key points on the local road network. These have yet to be agreed and there is therefore uncertainty as to the location and capacity of these traffic restrictions and has been no assessment as to the impact on air quality of potentially increased queuing in the immediate vicinity of these gaiting points. This is particularly relevant where there is residential accommodation nearby. There appears to be no reference to these proposed traffic restrictions in the documentation submitted with this application and it is not clear whether such restrictions have been included in the assessments.*
- *The Environment Act 1990 places a statutory duty upon the Council to review and assess Air Quality in its area and to take action to address breaches of National Air Quality Standards where these occur. This development, together with the cumulative impact from the aforementioned two other developments will place a significant additional burden upon the Council in terms of monitoring the impact of the developments both in the vicinity of the individual developments and wider afield, including within the Llandaff AQMA. This additional burden could be significant when considered over a number of years. I therefore recommend that the developer make a contribution under Section 106 towards the additional costs that the Council will incur and that this should amount to £7,500 in this case.*

5.15 In respect to the amended submission, Pollution Control (Air Quality) note they have reviewed the documentation and that they are happy with the conclusions made and have no objections on grounds of air quality. They subsequently confirmed that they are happy with the recommended CEMP condition.

5.16 The **Council's Ecologist**, in their initial comments, provide the following summarised advice:

Masterplanning

- Masterplanning for any development on this site should accord with the Cardiff LDP Masterplanning Framework, which includes generic and site-specific masterplanning principles. To an extent, the submitted land-use and green infrastructure plans reflect these principles. My main concern is that the *de facto* 'High Street' may cause severance of east-west habitat connectivity, and that aspirations to accommodate a variety of transport uses, including Bus Rapid Transport, trams, dedicated cycleways and footways, may lead to widening to such an extent that functional habitat connectivity is lost. There are ways of maintaining this connectivity, as shown on the illustrative masterplan, but treatment needs to be designed-into the scheme. The lighting at crossing-points should be designed to be sensitive to nocturnal wildlife species such as bats and dormice.
- The Schematic Framework for this site clearly depicts the fields of marshy grassland either side of the Nant Henstaff immediately north of the M4 as 'Strategic Green Open Space'. I would expect this aspect of the Site-Specific Masterplanning Principles for this site to be observed.

Habitats Regulations Assessment

- It will be necessary for Cardiff Council to carry out a HRA of any application which covers the whole of this site, prior to granting consent to consider the effects of a development on Cardiff Beechwoods SAC, The Severn Estuary SAC/SPA/Ramsar, and sites such as the River Usk and River Wye SACs further afield.

Survey Shelf Life

- As a general principle, survey work which is more than 2 years old will be regarded with caution, as certain species may colonise or leave an area in the interim period. This is particularly the case with mobile species such as bats, and bat surveys greater than 2 years old will have to be repeated.

European Protected Species (EPS)

- In accordance with Regulation 9(3) of the Conservation of Habitats and Species Regulations 2010 (as amended), Cardiff Council has a duty to have regard to the requirements of the Habitats Directive so far as they may be affected by the exercise of its functions. The requirements in this case being the strict protection afforded to EPS. Referring to PPW advice in relation to EPS and the three derogation tests, advises that NRW be consulted regarding the third test and recommends advises that a condition be attached to prevent any works of site clearance, demolition or construction without any necessary license being in place. Advises that where existing survey reports are relied upon in undertaking an assessment of the impact of any proposals upon EPS these surveys should not be more than two years old.

Great Crested Newts

- Given that this species was detected during previous surveys, it is likely to still be present, at least in the terrestrial phase. The amphibian surveys of the ponds on the site where this species was previously detected illustrate that the ponds in the Llwynioli area are silting up, such that they may no longer be suitable for this species to breed in. However, the adults may

still be present on land, and as this species can live for up to 15 years, there is every chance that those detected in 2003 may still be present. Therefore, as a biodiversity enhancement measure, these ponds should be restored, i.e. desilted, such that they become suitable for GCN breeding.

- I note that there are a number of attenuation ponds proposed for the application site. I suggest that the applicant investigates the possibility of designing one or more of these ponds such that it holds water more permanently, e.g. for 4 years in 5, or 9 years in 10. If this were possible, it would represent a biodiversity enhancement for the site, especially in the light of the potential presence of GCN.
- The treatment of gully pots in the roads in the final scheme should incorporate measures to avoid trapping GCNs and other amphibians such as the Common Toad, a Section 42 species which is known to occur on site. Specifically, I would like to see inset kerbs adjacent to gully pots on the site.

Bat Roosts – Trees

- I would expect all trees on site to be categorised for bat roost potential, listed with justification for their categorisation given and marked on a plan. It may be useful to liaise with the arboricultural survey in this respect. It is noted that surveys of trees for bats are ongoing.

Bats – Flights

- As would be expected, there is substantial use of the site by foraging and commuting bats. Whilst some loss of foraging habitat is inevitable, it could be partially offset by ensuring that parks and open spaces support insects upon which bats feed. This could be achieved by ensuring that wildflower verges and meadows are created at every opportunity within the development, so as to provide food for pollinating insects. Dark flight corridors should be maintained through the site to allow bats to continue to forage and commute without disturbance. These dark corridors should be maintained using a lighting scheme as below.

Lighting

- A lighting scheme should be secured by condition to avoid light spillage onto habitats such as woodlands and hedgerows as this may disturb some nocturnal species.

Dormice

- Whilst the dormouse survey did not detect any of this species, there exists the potential for them to occur in woodlands and in adjacent areas. Therefore it is important that habitat connectivity, in the form of hedgerows and woodlands, is maintained across and around the site. Removal of potential dormouse habitat, in the form of hedgerows for example, may well need an EPS licence, and the applicant should obtain the views of NRW on this.

Marsh Fritillary Butterfly

- This species has become extinct in Cardiff on the last 60 years, but there are still some areas of marshy grassland which could support Marsh Fritillaries, with appropriate management. One of these areas, identified in the 2005 Strategic Assessment of the Marsh Fritillary Butterfly and its Habitat in Rhondda Cynon Taff, occurs within the current proposed development site. This area is one of the fields of marshy grassland associated with the Nant Henstaff, just north of the M4. In order to conform

to the Masterplanning Principles, and as a biodiversity enhancement to help restore this species to its previous range, I recommend that these fields are retained as marshy grassland as part of a Strategic Green Open Space.

Freshwater Crayfish and Water Vole

- The Nant Henstaff and Nant y Glaswg may support native freshwater crayfish and Water Vole, so either surveys for this species should be undertaken, or alternatively reasoned justification given as to why this species is not considered likely to be present. Construction and use of the development may result in contaminated surface water run-off into these streams, but without an assessment of the likely presence of this species, I am unable to advise on the impact of this contamination.

Badger

- It is unclear from 7.23 and 7.101 of the ES whether a dedicated search for Badger setts was undertaken, or whether setts were noted anecdotally during grassland surveys. Woodlands within and adjacent to the red line boundary should be searched systematically for badger setts, as these animals would be likely to forage on the grasslands within the site. If this were the case then the impact of the proposed development upon these badgers would have to be assessed.

Reptiles

- It is very likely that reptiles will be present on this site, and I would expect to see a full survey undertaken in accordance with currently accepted guidelines. If reptiles are encountered on the site, and if a translocation of these animals is required, then a suitable receptor site should be identified, surveyed, and a suitable management regime for reptiles secured, well in advance of the translocation. Alternatively, where persuasion techniques are used to remove Grass Snakes from the site, the adjacent receptor habitat should be managed so as to increase its carrying capacity with respect to this species.

Nesting Birds

- If consent were granted, it is likely that they would ask for a planning condition to require that clearance of vegetation likely to support nesting birds takes place outside the bird nesting season.

Phase 1 Habitat Surveys

- Species lists should be provided for each feature's surveys, and in particular for any grassland which has not been identified as improved grassland. Whilst Appendix 7.5 provides target notes for the Phase 1 surveys, these notes typically state that '...species present include...', implying that not all species detected have been listed. These species lists should preferably be provided in excel spreadsheet format, and it would be helpful if they included Latin binomial names as well as English names. Depending on the results of these surveys, it may well be the case that areas of marshy grassland on the site would qualify as SINC's (see below), and I would expect the mitigation hierarchy to be applied to these areas.

Sites of Importance for Nature Conservation

- Notes that there are several SINC's on the site and reminds the Applicant of Section 5.5.3 of TAN 5 and advises that even if a site has yet formally to be designated as a SINC, if it meets the qualifying thresholds, it should be

treated as a SINC for planning purposes, noting they would expect to see measures of avoidance, mitigation and compensation to avoid or counteract any harm to the habitats and/or species which would result from the proposed development

- If they can be assured that habitat management techniques in SuDS area (i.e. in and around the attenuation basins) will be suitable for species-rich grassland types such as marshy grassland, then this could represent adequate habitat compensation. These techniques would have to include traditional wildflower meadow management techniques, such as late July mowing to allow flowers to set seed, followed by lifting of the arisings to avoid soil enrichment.
- Sections 7.125 and 7.128 of the ES state that '*...the majority of woodland edge is to be buffered from the development.*' Generally, and as set out in the Site-Specific Masterplanning Principles for this site, all woodlands should be protected by a buffer of 15 metres. The Forestry Commission's Standing Advice for Ancient Woodland and Veteran Trees, updated April 2014, states '*Buffer Zones: Development must be kept as far as possible from ancient woodland, with a buffer area maintained between the ancient woodland and any development boundary. An appropriate buffer area will depend on the local circumstances and the type of development. In a planning case in West Sussex the Secretary of State supported the arguments for a 15m buffer around the affected ancient woodland, but larger buffers may be required.*' Domestic gardens should be excluded from this buffer zone, as the creation of gardens backing directly onto woodland is likely to lead to conflict between occupants and the woodland, leading to inappropriate tree management. This in turn may have negative impacts upon species supported by these trees, such as bats, nesting birds and dormice. Contrary to section 7.164, the Figure 3.10 Illustrative masterplan shows gardens backing onto woodland in several places, although in most cases we welcome the proposal to locate roadside verges and open greenspaces adjacent to woodland edges. In terms of biodiversity, there may be some flexibility with a woodland buffer zone where it can be demonstrated that a narrower buffer zone at one point is offset by a wider buffer, or even additional tree planting, elsewhere around the woodland edge.
- Woodland management for the benefit of biodiversity, as well as for education and recreation, should be funded through s106 agreement or similar.

Pollinators

- In accordance with the Pollinator Action Plan for Wales, every effort should be made to allow wildflowers to develop on roadside verges, parks, attenuation basins, and any other greenspaces. The design of these areas should allow wherever possible for access for 'cut and lift' machinery, as cutting wildflower areas at an appropriate time of year, and removing the arisings, can be important in maintaining these areas.

20 NERC Duty

- These comments contribute to this Authority's discharge of its duties under Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006, wherein: (1) Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those

functions, to the purpose of conserving biodiversity. (3) Conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat.

- 5.17 In response to the amended submission, the Council's Ecologist note that they remain concerned at the robustness of the east/west green corridors and in this context support NRW's advice in respect of the amended submission that conditions be attached to any consent relating to the composition and layout of green corridors, details of retained and newly planted areas, phasing of planting, long-term habitat management, monitoring of habitats and protected species and lighting of habitat. He also supports: NRW's view that implementation of the Dormouse Strategy should be secured by planning condition, the undertaking to undertake targeted reptile surveys prior to each phase of development, to include Devil's-bit Scabious in the seed mix for attenuation basin for the potential benefit of Marsh Fritillary Butterflies. The Ecologist notes his comments in relation to nesting birds, Great Crested Newts and amphibians in general remain unchanged. A condition is recommended to require nesting or roosting opportunities for birds and bats to be incorporated into new build at reserved matters stage, in accordance with the Council's Biodiversity and Resilience of Ecosystems duty to consider how enhancements to the natural environment can be brought forward in development. The Council's Ecologist has subsequently confirmed he is happy with the recommended conditions.
- 5.18 The Council's Ecologist has undertaken a Habitats Regulations Assessment (HRA) for the site. (This is available to view on the Council's website.) HRA is a requirement of Section 61(1) of the Habitats Directive (92/43/EEC) as set out in the Conservation of Habitats and Species Regulations 2010 (as amended). An assessment was made of the likelihood of significant impact of the proposed development on eight international sites in and around Cardiff, namely Cardiff Beech Woods SAC, Severn Estuary SAC, SPA, Ramsar Site, the River Usk SAC, the River Wye SAC, Blackmill Woodlands SAC and Aberbargoed Grasslands SAC. Those elements of the proposed development which were judged to have the potential to affect some or all of these sites were aerial pollution (from transport, housing and industry), discharge of sewerage effluent to sea, and water demand (from the Rivers Usk and Wye). Following this screening assessment, none of these were considered likely to have a significant effect on any of the international sites either alone or in combination with other plans, projects or programmes.
- 5.19 The **Council's Tree Officer**, in their initial comments, provided the following summarised advice:
- Tree Loss*
- Some trees in the site are nominally covered by a 1976 TPO within group, area and woodland designations. Most are unaffected by the proposals but some are shown to be lost or significantly breached, notably the 'B' (moderate quality) category trees comprising G19, G43, T64 and T66 as per the submitted arboricultural report. To enable construction of the western roundabout access (inset 'A') the 'B' category G37a and T52 require removal and G37 will be breached. To enable construction of the

middle roundabout (inset 'B') the 'B' category G28 will be significantly breached. To enable construction of the access off the J33 roundabout the 'B' category T64 and T66 are lost and G43 is significantly breached. Considering the wider indicative proposals, the following additional 'B' category trees are shown to be lost or breached: T3, T4, G25 (breached), G28 (breached), G34, G55 (breached), G71 (breached), T72, G73 (breached), T74, T84, T119, T120, T121. Although it would be preferable to see all 'B' category trees retained, where this is not possible due to overriding design constraints, full mitigation through new planting should be provided for. Whilst detailed landscaping information has not been submitted, indicative plans do show provision for significant and well connected green infrastructure that will incorporate new tree, hedgerow and woodland planting.

Species Mixes, Tree Pit Specifications and Ecotones

- Detailed advice is provided which require consideration in detailed layout design at reserved matters stage.

Management Plans

- A long-term (50+ years) management plan is required for all substantial arboricultural features including woodlands, hedgerows and copses and detailed advice is provided on its scope.

Arboricultural Reports and Reserved Matters

- Advice is provided on the requirement for arboricultural reports to be submitted at reserved matters, with early consideration to be given to the location of services and construction management/logistics and for tree protection to extend not just to existing trees but areas where new planting is proposed, to be secured by condition.
- Advice is provided on the landscaping information to be included at reserved matters stage, to be secured by condition.

5.20 The Council's Tree Officer provides the following summarised advice in response to the amended submission:

- detailed advice is provided on the planting of semi-mature trees into 1.9m verges, with the concern expressed that there may be practical problems in getting the trees in the ground whilst ensuring they have access to sufficient root available soil volume
- a Soil Resource Survey and Plan should inform detailed landscaping specifications at reserved matters
- mono-species street tree planting with trees planted directly opposite each other, as proposed in the DAS, is not necessarily desirable - different species and size mixes should be utilised to avoid visual monotony, pest and disease outbreaks, wind tunnel and canyoning effects. Staggering of planting, planting with groups of fastigated trees and then larger more spreading trees should be considered wherever possible
- Detailed advice is provided on species for the street hierarchy to aid the development of a more diverse mix utilising trees of different form and size for different situations

The Tree Officer confirms he is happy with the recommended conditions.

5.21 **Parks Development** raised initial comments, summarised as follows:

- The overall response is noted to be positive, with the layout reflecting the Masterplanning principles, with interconnecting areas of green infrastructure included throughout the site. To fully assess the proposals, the wider site should be included in the assessment
- the central open space adjacent to the school is a positive feature, providing the opportunity to combine the school environment and adjacent public open space to serve both the school and residents
- much of the green infrastructure provides an important backdrop and structure to the development; there are number of issues that need to be resolved in order to clearly identify management responsibilities and avoid conflict between properties and green infrastructure e.g. the need for ecotone transition between woodland and adjacent housing
- 4 play areas are proposed - the original assessment by Parks for 2000 houses identified the need for 3. Many are on the perimeter of the site behind housing and could lead to potential problems. Parks Services would prefer to see one large central play area associated with the school, with other areas set aside for more natural play in 2 or 3 locations, with money allocated through s106 to allow the Council to develop more natural play areas in collaboration with the local population. The proposal mentions allotments and teenage areas, but these are not apparent on the drawings. Formal sporting facilities will be required to serve the population, either through an all-weather pitch off-site or on site provision. The presence of a flat or gently sloping area for recreation, offering the opportunity for pitches, is a positive feature of the scheme
- Proposals for attenuation ponds and other water attenuation measures within public open space are achievable but would require detailed design discussions. e.g. the approach to safety. Parks would not support the inclusion of underground tanks in incidental areas of open space for maintenance reasons, but the same effect could be achieved via SUDS.
- Long term management of public open spaces, highway trees/ verges, and green infrastructure needs to be considered from an early stage
- Consideration needs to be given to the protection of natural habitats and proposed open space during construction. A condition is recommended to ensure no proposed public open space is used for storage or as a site compound during the construction process.

5.22 In response to the amended submission, Parks provide the following summarised comments:

- The projected population for 1500 units would be 3615, giving an overall open space requirement of 8.78ha the following minimum quantities would need to be secured via s106:
Multi functional recreational space 8.78ha comprising
3 new playgrounds - min 1 NEAP and 2 LEAP
1 teen facility, including a MUGA and teen shelter
1 no allotment site - 33 allotments (based on 40 plots per 1800 units)
5.89ha of level functional and well drained green space available for formal recreational use, with changing facilities available for adult pitches
- although a number of categories including within the submitted green space typology wouldn't be considered as functional or recreational open

space, the overall quantum of usable space would meet the requirement in terms of overall totals

- Play Provision - the 1 NEAP and 3 no LEAPs proposed meets the requirements, with a reasonable distribution. There are concerns over the position of the western play space (which would be relatively hidden by vegetation and not overlooked by housing) and over the LEAPs which are on relatively small areas of land
- Informal Recreation Provision - the site offers considerable opportunity for informal recreation, with numerous footpaths through the site
- Formal Recreation and Teen Provision - noting the requirement for 5.89ha of formal recreational POS, the proposed 16,300m² for pitches seems reasonable. Two full sized pitches would be required (106m x 70m² including run off) and changing facilities for adult pitches. The Green Infrastructure Plan shows pitches overlapping adjoining footpaths and extend right up to the boundary of the open space. There is some concern that the area of formal land shown is insufficient and will not accommodate the two full sized pitches given other constraints. There appears to be sufficient room to accommodate a NEAP in the location shown but not a MUGA. Overall the amount of formal sporting provision is well below the 5.89ha requirement, but the deficit can be offset to some degree by the amount of space available for informal recreation, including walking and cycling. It is essential to provide the two full sized pitches and a good size MUGA and other provision for teenagers, in addition to a play area for older children and there is clearly insufficient capacity based on the current layout.
- Other Sporting Provision - Although beyond the scope of the open space provision, indoor sports provision will also be important given the absence of any facilities nearby. Some provision could be planned into the community building or consideration be given when designing the local centre to create a flexible space that could be taken up by a commercial gym or sports facility.
- Allotments - The typology plan proposed 2400m² which would only provide 8 plots based on an allotment plot of 250m² (based on the National Allotment Society) increased to 300m² to include a 20% allowance for roads and other infrastructure. The required minimum 33 plots would require an area of 9900m², such that there is a significant shortfall which would need to be addressed.
- Dual Use of Schools - Although the DAS proposes the dual use of the school recreational facility for community use this cannot be guaranteed due to security issues and the policy of the school at any particular time. Therefore it can not be considered as forming part of the main open space allocation.
- Phasing and Delivery of on-site provision - the formal recreational elements and main play area will not be provided until phase 2, leaving a deficit in facilities for people living in the first phase.
- Management and Maintenance - Management of the site is likely to be through a community management trust or management company, with the former the preferred option. Advice is provided on the elements that could need to be covered by any management arrangement.

Following further discussions with the Applicant, Parks further advise:

- Allotments - Given the other provision on site in terms of park and ride, school, local centre and significant green infrastructure, it has proved difficult to find a location of a suitable size and physical characteristics that will work effectively as an allotment, noting that the site identified by the developer is relatively small, sloping in places and critically located next to the football pitches. It is noted that the latter will cause conflict of use, with footballs likely to be kicked over the fence into the allotments, creating potential damage to crops and difficulty retrieving the ball particularly if the allotment is locked. Alternative areas have been examined but nowhere suitable is available. Therefore, it is suggested that the focus is on providing a larger more multifunctional open space, with allotments to be provided on the remainder of strategic site D and site E. In order to help mitigate the loss of allotments, a community orchard or garden should be provided and it is noted that an orchard is proposed to be delivered in the DAS. The orchard would require no set area and other locations beyond the main recreational space can be identified.
- Pitch Provision - Given the omission of the allotments, potential for realignment of the footpaths, Parks agree that the scheme can now deliver the two full sized pitches.
- Changing rooms - It is noted that provision of adult pitches requires provision for changing rooms for four teams along with referees and storage. Provision via the developer or another mechanism will need to be explored further. The developer's offer, through s106 negotiations, of providing land of a suitable size for a changing facility is welcomed.
- Parks confirm that the sporting provision addresses the need generated by this outline application and that further formal sporting provision will be required to deliver the remainder of strategic sites D and site E.
- NEAP, MUGA and Teen Shelter - Although the location for the proposed NEAP and MUGA is good, forming a key focal point, more certainty is required that there is room to deliver both items along with the shelter. A MUGA of 30m x 20m would be expected. The standard size for a NEAP is 1000m², although it is noted this could be divided into two areas - one for younger children and the other for older children, to provide more flexibility in locating it. The MUGA, NEAP and shelter will require a 30m buffer zone to the boundary of any residential properties nearby. The possibility exists to install a fitness trail around the main open space.
- Western Play Area - conditions are recommended to identify a suitable location.

Parks Services confirm they are happy with the recommended conditions.

5.23 **Waste Management**, in their initial comments, advise:

- A site waste management plan should be implemented to reduce environmental impacts of construction waste
- that funding will be sought for all bins on site (not just communal).
- Detailed advice is given in respect of responsibilities for waste management, refuse capacity for all units, design requirements in respect of flats, accommodating refuse vehicles, refuse requirements for domestic waste (flats and houses) and commercial waste, expectations in respect of 'bring sites' and litter bins. It is noted that the commercial element should

look to becoming self-sufficient in dealing with their waste - St David's 2 in the City Centre is an example of best practice, recycling 98% of their waste and having a Material Sorting Facility on site.

- 5.24 In response to the amended submission, Waste Management provide updated advice on the cost of all bins on site (reproduced in Section 9) and confirm they are happy with the recommended conditions.
- 5.25 **Drainage Services**, in their initial comments, advise that the general principles of water management appear to be in line with the requirements of the Authority. It is noted that, in order to maximise the environmental and ecological benefits of engineering the surface water run-off, creating surface water features (both as permanent and temporary storm) are an essential element integrated with the planned green open spaces. This also includes minimising the unnecessary culverting of watercourses where more environmentally sustainable options are viable. Noting the presence of filled quarries in the vicinity of the site with no current record of their content, they note it would be anticipated for the fill to be assessed as part of any future testing procedures.
- 5.26 In response to the amended submission, Drainage Services advise that they have no objection, subject to a condition reflecting the points below:
- *The phasing of development shall at all times ensure that no existing or new properties are put at flood risk, either at the set flood protection level, or at exceedance flows (assume 1in200 to prove exceedance, or greater if required).*
 - *The developer shall show clearly who is responsible for each element of drainage, both in terms of maintenance and ownership.*
 - *The Local Authority shall have step in rights, if the management company responsible of any element of the surface water management, fails in its duties.*
 - *The site area yet to have confirmation of its potential of permeability, shall be adequately tested prior to any detailed drainage design being completed for that area.*
 - *All drainage models shall be simulated to prove viability; the mdx files being forwarded to the Planning Authority for checking and verification.*
- 5.27 The **Public Rights of Way Team**, in response to the initial submission, advises that Public Rights of Way affected by the new development should preferably be kept in equally green commodious route, that all sections of the rights of way that will be on roads will require the developer to apply for a Section 38 to change the status of the path to adopted highway, that any alterations would require a Diversion Order, that any objections can lead to a Public Enquiry and that the Developer will have to come up with a plan to accommodate the path. It is advised that any Diversion Order that is required should be confirmed prior to commencement of development. They advise of the need to ensure the network does not become disjointed, but rather creates more strategic links whilst improving access for all, and put forward suggestions for linking PROW no 18 (Llanilterne) and PROW no 10 (Peterson Super Ely) to provide circular walks, and advise of the need to ensure public access is maintained through the Pencoed House estate.

- 5.28 In response to the amended submission, the PROW team advise that:
- They support the two footpaths on the site being diverted to link into the wider path network and advise that Llanilterne no 18 must be retained so as to ensure there is access through to Pencoed House property
 - A condition is requested to require a legal order to be applied for following any grant of planning permission and for existing alignments to be retained if the legal orders are not confirmed.
 - There are several footpaths/cycle tracks that cross the site which is great for active travel and leisure, but not every path should permit cycling, with pedestrian only paths recommended through within woodland areas and green corridors
 - Welcomes the provision of segregated paths for cyclists and pedestrians along Llantrisant Rd and spine roads, but recommends that the cycle track should be adjacent to the carriageway.
 - Detailed advice is provided for the developer with regards section 38 agreements, Express Dedication, Creation Orders, creating a shared use path on a PROW footpath legal orders, temporary diversions/stopping up and repairs. It is confirmed that the grant of planning permission does not give a developer any right to interfere with, obstruct or move a PROW.
- 5.29 No comments have been received from the Council's Access Officer. Any comments received will be reported as a late representation.
- 5.30 The **Operational Manager Transportation** provides the following advice in respect of the amended submission:
- (i) ***Transport Assessment and TA Addendum*** - Dialogue has been ongoing between the Councils Transport officers and the developer / agent for a number of months including a number of meetings to address issues associated with the proposed access junctions, technical assessments, spine road and connectivity within the site. The Council had previously raised concerns relating to the new accesses, together with carriageway width and cycle and bus provision. The developer has sought to address these issues through the application supporting documentation (Transport Assessment Addendum August 2016) as submitted;
- Traffic Assessment – The site is not located close to any day-to-day facilities in terms of walking distance. The assessments submitted assume that 90% of education trips will be internalised or undertaken with non-car transport. The basis of this is that a two form entry primary school will be provided on site. There has been a 10% allowance made for parents transporting children to other schools. It is considered that the vehicular impact will be higher than this forecast.
- The requested scenarios of capacity assessing the junctions, assuming Llantrisant Road is at 100% capacity at the Bridge Road Junction, has been carried out. The results of assuming a 75% car modal choice for the development and adding the development scenario, reports in the results that there will be some queuing and delays on that corridor, although this is a forecast worst case scenario.
- The capacity assessment work on the site accesses has evolved and this

considers the cumulative impact of the other Strategic Sites on this corridor.

Notwithstanding the above, it is considered that the proposed mitigation measures and infrastructure improvements are making an effective contribution towards delivery of the emerging North West Corridor Programme sufficient to mitigate these concerns to allow this site to come forward for development;

- (ii) Proposed Site Access - Since the original submission, the proposed site access has been redesigned to provide a section of enabling infrastructure along this corridor. The signalised junction arrangement, for both accesses, will provide the Council with the necessary control in the future to manage traffic. The access and highway improvement scheme has been discussed with Transport Officers prior to submission of the TA Addendum. Further enhancements have been secured in the form of an extended right turn lane to aid buses to bypass any delays at the signals to connect with the site and the Park and Ride.

The following comments are taken from discussions and listed below to inform further amendments to the scheme:

- Reduction in speed limit to 30mph to be indicated on submitted layout plan, including extent together with appropriate signage;
- The proposed crossing points at the signalised junctions are too congested on the development side. These need to be amended such that there is sufficient space for all users to move freely, including removal of verge/hedge as appropriate;
- The locations of the two existing bus stops on Llantrisant Road to be indicated on the layout, together with any necessary improvements, i.e. there is currently no bus boarder kerb or bus shelter provided on the outbound side, adjacent to the development;
- The segregated cycleway does not extend to the full frontage of the site. This will be provided;
- Two CCTV cameras will be required to be included within the layout. One at each of the new signalised junctions, in order to be able to manage the highway network at these locations;
- Plan to show continuation of fibre and ducting from Site C and linking to both the primary and secondary new signal junctions; and
- Location of maintenance bay/s to be included within the layout.

It is considered that the above will require an amended plan to be submitted and therefore in order to secure this an appropriately worded condition is included within my recommendation.

- (iii) Llantrisant Road - The proposal will provide a 2.0 metre wide footway and 3.0 metre wide segregated cycleway along the frontage of the site on Llantrisant Road. Toucan crossings will be provided across the site accesses. The proposed crossing facility to the west of the site four arm access will be provided as a puffin which will include installation of all necessary channels and equipment to be upgraded to a toucan crossing in the future;
- (iv) Public Transport - Public transport improvements include the provision of two new bus stops on Llantrisant Road for travel in each direction. There will also be bus stops provided within the site at appropriate locations that

will be determined through the reserved matters process. The requirement is that the proposed development plots are within 400 metres walking distance of a bus stop. These services will link with the hub transport interchange and the Park and Ride facility. The proposed bus service enhancements of 5 services should be funded by the developer for 3 years secured by appropriate S106. The cost of this should be £150,000 per year for three years, a total of £2,250,000;

- (v) Sustainable Transport Commitments - As mentioned previously the site is not located within a short walking distance of local facilities. However, the development will provide integral local community facilities to internalise trips for daily requirements. The Travel Plans included relate to employment and residential uses, there will also be a requirement for a school Travel Plan, these will all be covered by appropriate conditions. The Travel Plans reviewed set out potential measures over that which are proposed as part of the new junction arrangement and the Llantrisant Road improvements. The document includes:
- Transport Planning Co-ordinator to be provided continuously for a minimum of 10 years at the developer's expenses. Following this period, the skills will be shared and passed onto local community members;
 - Annual Surveys to be undertaken for 10 years and formal commitment to achieve a 70% response rate on surveys;
 - First initial Travel Plan Survey / Baseline Survey to be undertaken within 3 months of 'meaningful' occupation;
 - Travel Plan survey undertaken within 6 months of 'meaningful' occupation;
 - Commitment to a first monitoring survey of the surrounding community, prior to first occupation;
 - Personalised Travel Planning;
 - Free or discount travel for a trial period on local bus services. This is not set out in detail, it is recommended that in line with other Strategic Sites, free annual bus passes are provided, at least one per household;
 - Cycle training;
 - A cycle voucher to be used towards bike purchase;
 - A Travel Plan reserve fund for 'fighting' failures or shortcomings through the monitoring period, this will need an amount secured for the purposes of the S106 to be held for appropriate intervention measures;
- (vi) Independent Audit - This has been undertaken and submitted. The Audit listed a number of points for discussion and clarification. The Author's response, included together with the Audit largely addresses the points made.
- (vii) Pedestrian and Cycle Improvements within the site - Within the site, although subject to a reserved matters application, the main pedestrian and cycle routes are secured via the amended parameter plans and these will ensure that legible routes are provided within the layout which will link into the wider Strategic Site D and E when they come forward. The cycle route that runs adjacent to the spine road will be segregated in

accordance with those principles that have been established for all of the major Strategic Sites, i.e. Spine Route through the site: this has been agreed as a minimum of 6.3 metres. A cycleway with a minimum width of 3.0 metres will be provided along the eastern side of the carriageway together with 2.0 metre footways either side of these routes. This arrangement is accepted in principle by officers, although a further detailed plan will be required in order to demonstrate how the spine road will connect to the main strategic site, including details relating to how the segregated cycle way will interface with junctions along the length of the route. This will be secured by way of a condition;

- (viii) **Legal Agreements** - The highway layout plan for which detailed planning permission is sought will be required to be amended in order to address those comments/issues raised above. Whilst the principle of the arrangement is accepted, details of the layout will be secured by way of an appropriately worded condition. These works will then be subject to a S278 Agreement and associated Technical Approval Process.

Those roads that lie within the site the detail of which will be agreed at the reserved matters stage would be adopted by the Council by way of a Section 38 Agreement and associated Technical Approval Process;

- (ix) **Conclusion** - Having reviewed the submitted Transport Assessment, TA Addendum and amended plans, it is considered that the traffic flows and traffic modelling for this site, i.e. the transport impact for this scale of development has been adequately addressed and that the proposed mitigation (physical works and S106 financial contribution) is sufficient to enable the proposal to come forward and to increase the sustainable travel credentials of the site. This conclusion does not prejudice delivery of the remainder of this strategic site or any of the other strategic sites along the North West corridor and which are included within the Local Development Plan.

- (x) **Responses to third party objections**

Sustainability of Development

The focus of the major Strategic Sites and this application is to encourage a modal shift for new residents. This site will provide a Park and Ride facility which will have strategic transport benefits for reducing traffic on the M4 and A4232, together with the provision of frequent bus services for public use. The proposals will deliver a package of improvement measures to Llantrisant Road including signalised junction arrangement, which will enable Cardiff Council to manage the network and prioritise bus services through these junctions. The development is making a significant contribution towards walking, cycling and public transport infrastructure, including funding a £2.25 bus subsidy. In addition to this, the site is safeguarding potential future rapid transit routes.

Llantrisant Road

The Council has identified a number of key transport interventions along the North West Corridor which it considers will be necessary to support the implementation of the Local Development Plan and help achieve the LDP city-wide 50:50 modal split target from its boundary with Rhondda Cynon Taff extending to Cardiff City Centre. Schemes include the location of proposed bus lanes / bus priority measures, junction improvements together with improvements to the walking and cycling

networks. Developer contributions towards these transport infrastructure improvements to mitigate development impacts will be sought through the permissions for strategic development sites along this corridor.

Footways along Llantrisant Rd

To the frontage of the site the proposals will deliver a significant section of continuous footway and cycleway provision along the NW Corridor. Whilst the width of this provision varies along Llantrisant Rd, beyond the site frontage, it is accepted as representing an interim measure/solution, until the relevant phases of the wider Strategic Site C come forward.

Llantrisant Road (National Speed Limit)

Under the proposals, the existing speed limit to the frontage of the site will be reduced to 30mph.

Proposed Access

The originally proposed priority based access junctions have subsequently been amended to a signal controlled arrangement, and, therefore, do not conflict with the strategy for Llantrisant Road in terms of future proofing.

Whilst no bus priority is included within the junction layout, an extended right turn lane from Llantrisant Road (west) will be provided which will be used to prioritise buses through the junction to serve the Park and Ride site.

Modal Split / Shift (50:50)

Policy KP8 of the adopted Local Development Plan seeks to integrate new development with transport infrastructure in order to achieve the target of a 50:50 split between car-based and non-car-based travel by 2026. The results of the modelling and assessment work carried out for the LDP show that in order for the development proposed in the LDP to be realised, it will need to be supported by significant new transport infrastructure, improvements to existing transport facilities, and measures to manage travel demand and encourage use of sustainable transport both within existing and new communities in Cardiff. For new developments to be successfully accommodated and to achieve modal shift, the transport measures secured through planning permissions will need to ease existing pressures on the highway network as well as mitigating the impact of the new trips generated. The Council will secure financial contributions (via appropriate conditions a S106 Agreement), for the provision of additional bus services. These improvements, along with the on-site Park and Ride and interchange facilities will help to ease traffic pressures and improve public transport provision along the A4119 Llantrisant Road Corridor. These improvements will benefit residents of existing communities along this corridor as well as the occupiers of the new developments.

Park and Ride

Delivery of the Park and Ride Facility will be supported by the transport interchange hub and 5 new bus services as set out in the TA and Addendum and therefore this will offer choice over and above those bus services that will divert through the site. Whilst the developer initially offered 250 parking spaces with the developer trigger point of the completion of 250 dwellings, Transport Officers put forward a more sustainable strategic strategy. This was considered appropriate in order

that the Park and Ride use is maximised and its full potential for linking buses through from Llantrisant Road to Junction 33. It is therefore proposed that this facility be delivered initially with 500 parking spaces at the completion of the 500th dwelling, this will include the vehicular link between the Llantrisant Road junctions and the Motorway network, appropriately managed for bus through connection only. The additional 500 spaces will be provided following the completion of the 750th dwelling. A suitable condition will be included that sets out these requirements.

Rapid Transit Corridor

Policy T9 of the LDP commits the Council to facilitating the future development of the Cardiff Capital Region Metro and safeguarding the land and space required to accommodate potential future routes and potential mode options through the development management process. In determining applications on land that may accommodate future 'Metro' routes it is important that development granted consent is designed in a way which does not prejudice the future development of the 'Metro' route and would enable it to be incorporated within the development at a later date. Policy T9 makes provision for this.

The development of the Cardiff Capital Region Metro project is being led by Welsh Government. Proposals for the network are at an early, conceptual stage and extensive technical work will be required to develop firm proposals and to support critical decisions regarding the precise alignment and mode of operation of individual route corridors.

The development site is crossed by a disused rail line which could potentially accommodate a future segregated rail or bus-based rapid transit corridor. The future option for a segregated rapid transit corridor along the entire length of the disused rail line within the site including a connection between the rail formation and Heol St Nyll is safeguarded within the site layout. The street widths also maintain the option for the future on-street running of a rail or bus-based rapid transit route through the site.

Metro

The Local Development Plan (LDP) makes clear that the delivery of allocated sites and achieving the 50:50 modal split target is not dependent on the provision of the Metro within the plan period, i.e. 2026. This has been accepted by the LDP Planning Inspector and Welsh Government.

Transport Assessment

As included within my Transport comments above, for the purpose of this application, the traffic flows and modelling have been accepted by Transport Officers for the purpose of assessing this application and, as such, it is considered that the impact has been adequately assessed. The proposed mitigation is, therefore, accepted together with those conditions and S106 matters stipulated. The Authority has secured what it considers to be an adequate level of mitigation for the scale of development.

Bus Services

Funding for bus services will be secured via the s106 Agreement and the sum requested is considered appropriate and reasonably related in scale.

Network Rail

Comments have been received from Network Rail stating that there would

be significant increase at the St Fagans level crossing sufficient to warrant mitigation. No evidence to support this statement has been submitted to date by Network Rail. The assessments undertaken demonstrate that there will a low potential traffic impact at this location. The routing of construction vehicles can be controlled, where reasonable, through the recommended Construction Environmental Management Plan.

RCT Traffic

An assumption has been made within the TA Addendum for traffic travelling from RCT and included within the modelling. This has been accepted previously on other recent strategic site applications.

Rhondda Cynon Taf (RCT)

Rhondda Cynon Taf County Borough Council's objection is based upon concerns relating to the impacts of the proposals upon the RCT area and that the application offers no specific measures or financial contributions for improving links to RCT. RCT is concerned that the cumulative impact of additional traffic from the development on the A4119, both east and west bound will be detrimental to existing commuters and public transport services that link Talbot Green with Cardiff.

In response to these concerns, the following should be considered:

The package of mitigation measures which will be delivered through the S278 and S106 Agreements will:

- i. address local impacts of the development along Llantrisant Road through the provision of measures to improve road safety and support active travel in order to contribute towards LDP Policy KP 2 (D).*
- ii. provide a new Park & Ride Facility with a minimum of 500 spaces within early phases together with a north / south bus link.*
- iii. contribute towards the provision of 5 new buses to serve the Park & Ride Facility, together with a subsidy of £150k per year per bus for a period of 5 years.*
- iv. through infrastructure secured through the Section 278 Agreement, enable this site to come forward in a phased manner.*

In light of the above, it is considered that those mitigation measures and S106 Financial Contributions being requested by officers for Cardiff are appropriate and proportionate for this scale of development.

RCT CBC's response refers to the need for specific transport measures in their area which could form part of the mitigation package (estimated to cost £3,536,583). However, RCT CBC has not supplied any evidence to demonstrate the impact of this development upon those lengths of road and junctions being put forward for improvements. In the absence of this evidence it is not considered that the mitigation measures sought by RCT CBC could satisfy the tests of Regulation 122 of the CIL Regulations (2010) in respect of being necessary to make the development acceptable in planning terms, being directly related and fairly and reasonably related in scale and kind to the development.

Notwithstanding the above, the Council will continue to engage with RCT CBC with regard to the issue of cross boundary transport improvements within the North West Corridor.

- (xi) **Recommendation** - *On the basis of the above, I can confirm that Transport would have no objection to this proposal, subject to the following Conditions, Recommendation and S106 Matters being included / secured. (Conditions are recommended to control car and cycle parking, phasing, to require full engineering details of the main site access, reserved matters access, the provision of roads prior to occupation of dwellings and a Construction Management Plan.)*
- (xii) **Legal Agreements** - *That the highway improvement works as conditioned above (and any other works) which relate to the existing or proposed adopted highway are to be subject to an agreement under Section 38 and / or Section 278 of The Highways Act 1980 between the developer and Local Highway Authority.*

S106 Matters:

- (xiii) **Bus Service Provision**– *That a subsidy be secured from the developer towards the provision of 5 bus services serving the site and the Park and Ride, for a period of 3 years. The developer shall provide the Council with written evidence of payment of the contribution. This sum to be £2,250,000 and secured by way of a S106 Agreement with timescale for delivery to be agreed by the Local Planning Authority in writing.*
- (xiv) **Park and Ride and Transport Interchange Hub** – *the first 500 car parking spaces to be provided, together with the interchange hub and a vehicular link from Llantrisant Road to Junction 33 for bus use, on the completion of the 500th dwelling. The remaining 500 spaces to be provided on the completion of the 750th dwelling.*
- (xv) **Residential Travel Plan** – *No part of the development hereby permitted shall be occupied until a Travel Plan has been submitted, this being applicable for the employment, residential and school land uses. The Travel Plans will require to be submitted to and approved in writing by the Local Planning Authority.*

The following list of commitments has been included within the submitted Travel Plan and will be secured via the S106 Agreement where they are not secured above through the S278 Agreement:

- *Transport Planning Co-ordinator to be provided continuously for a minimum of 10 years at the developer's expenses. Following this period, the skills will be shared and passed onto local community members;*
- *Annual Surveys to be undertaken for 10 years and formal commitment to achieve a 70% response rate on surveys;*
- *First initial Travel Plan Survey / Baseline Survey to be undertaken within 3 months of 'meaningful' occupation;*
- *Travel Plan survey undertaken within 6 months of 'meaningful' occupation;*
- *Commitment to a first monitoring survey of the surrounding community, prior to first occupation;*
- *Personlised Travel Planning;*
- *Free or discount travel for a trial period on local bus services. This is not set out in detail, it is recommended that in line with other Strategic Sites, free annual bus passes are provided, at least one per household;*
- *Cycle training;*

- *A cycle voucher to be used towards bike purchase;*
- *A Travel Plan reserve fund for 'fighting' failures or shortcomings through the monitoring period, this will need an amount secured for the purposes of the S106 to be held for appropriate intervention measures;*

6. **EXTERNAL CONSULTEE RESPONSES**

- 6.1 The **Planning Division, Welsh Government** advise that they have received a third party call-in request for the application, but clarify that Planning Committee can proceed to make a decision without the outcome of the call in request being known to them. They advise that Welsh Ministers can consider call in at any time up until the final decision notice is issued, and that the call in request should not be considered as a third party representation as it is not a matter for the LPA, but solely a matter for the Welsh Ministers to consider.
- 6.2 Transport Division, Welsh Government** confirm that the Welsh Government as the Highway Authority for the trunk roads and motorway in Wales has no objections to the proposed development, noting that only the Park and Ride facility (750 spaces of 1000) and the employment area will be accessed directly from the M4 Junction 33 with the entire residential area plus associated facilities access from the local county roads. It is emphasised that their comments only relate to the motorway and do not consider the impact on the A4119 or other county roads where Cardiff or RCT are the relevant Highway Authorities. It is recommended that a condition is imposed to protect the motorway junction, such that the limited access/ egress arrangements to the development are enforced to maintain the safe and free flow of traffic on the strategic highway network and ensure that no residential traffic from this proposed Development site will be able to access the motorway directly through Junction 33. Specifically, they suggest that *'access from the development on to the M4 at Junction 33 site shall be limited to vehicular use for 750 of the Park and Ride spaces, the three employment areas detailed on the Masterplans (References W131169/B/04 and 9901) and the scheduled bus services utilising the Bus Plug. The remaining 250 Park and Ride spaces, all residential traffic and the additional employment areas to the western end of the site shall be accessed from Llantrisant Road'*.
- 6.3 The Transport Division, Welsh Government also confirm that, as rail infrastructure is not devolved, the Welsh Government Rail Team has no remit to comment on the level crossing and that the observations from Network Rail should be seen as the definitive response. The Director of Transport was also consulted in respect of the 'Metro'. No comments were received.
- 6.4 In response to the amended submission, the Network Management Division WG reiterates the above advice in respect of the control required to protect the motorway junction.
- 6.5 WG were sent a draft and final version of the recommended conditions. Any comments received will be reported as a late representation.

- 6.6 The **Department for Environment & Rural Affairs, Welsh Government**, in response to the initial submission, note that:
- the site was surveyed in 1993 and found to be majority agricultural land classification grade 3b
 - though their records are incomplete (whilst they have a copy of the 1993 survey map, they can not locate the survey file containing the original ALC report) it is highly likely the survey was commissioned at a 200m sample density
 - whilst there is the possibility a limited amount of Subgrade 3a (BMV) land may be found if resurveyed at a detailed level (100m sample density), they believe it unlikely that the ALC grading of the site would alter significantly, therefore, the Department has no grounds to offer a view on the proposal and the remit in this case is to provide technical information only
 - the threshold given at TAN6 Annex B2 where the Department has grounds to offer a view is 20 ha of BMV (the national agricultural interest); it is very unlikely the threshold would be reached if resurveyed
 - the Department views the 1993 survey as the best available information and reliable at the scale. It is considered that there is a low risk of BMV loss and therefore it is very unlikely the proposal would impact on the national agricultural interest. In coming to this conclusion the Department took the decision not to resurvey the site
 - in summary, the ALC grading is reliable at scale, the risk of BMV land being lost is low and as a result the Department does not believe it has the grounds to offer a view.
- 6.7 In response to the amended submission and a query regarding the absence of any comment, the Department for Environment & Rural Affairs advise that they wouldn't have provided an update because the response was made under TAN6 B6 – provision of technical advice only. To be able to express a view, they advise the site would need to come under TAN6 B2 or B5 arrangements (20ha BMV loss, cumulative BMV loss of 20ha, significant BMV loss under 20ha). They advise that, as my previous comments highlight, the existing survey indicates that the site is no better than ALC grade 3b; therefore, BMV policy would not apply and the Department would have no grounds or reason to express a view against PPW 4.10.1.
- 6.8 **Rhondda Cynon Taf County Borough Council (RCT CBC)** forward a copy of a report presented to their Development Control Committee on 19th May 2016 and provide the following comments in respect of the initial submission:
- (i) RCT CBC accepts the need to provide additional housing within Cardiff;
 - (ii) RCT CBC is concerned that applications 14/00852/DCO does not appear to be proposing any specific measures or contributions for improving links to Rhondda Cynon Taf, required to accord with Policy KP2(D&E) of the adopted LDP;
 - (iii) In the absence of such proposals, RCT CBC object to these planning applications in their current form and requests that the City of Cardiff Council negotiates the provision of a proportionate financial contribution or physical works within RCT to protect public transport journey time reliability, prior to the determination of these applications in order to remove these objections;

- (iv) It is suggested that it would be appropriate for the developments subject of the four applications 14/0852/DCO, 14/02188/MJR, 14/02733/MJR and 16/00106/MJR to provide between them for improvements in the area of the Castell Mynach Junction in order to mitigate the impacts of these developments, and provide measures to improve linkages into RCT in compliance with Policy KP2(D&E);
- (v) The works would include: a new bus-only southbound carriageway between the A4119/School Road Junction and Llantrisant Rd, a new signalised junction at the A4119/School Road Junction, improvements to the Llantrisant Rd and School Road Junctions, including the provision of bus lanes and increasing the size of right hand turn lanes, and active travel works, the cost of which are estimated to be £3,536,584 to be secured via s106 Agreement. It is considered a matter for CCC and the Applicants how this provision is divided between the development proposals, but recommend that officers from CCC should contact them to discuss details of the scheme;
- (vi) The works are considered to meet section 122 of the Community Levy Regulations 2010 as follows:
 - *They must be necessary to make the development acceptable in planning terms* – it is considered that traffic generated cumulatively by the four proposals would have a significant impact on the A4119 corridor and these proposed improvements would ease congestion caused by them and are considered necessary to make the development acceptable in planning terms
 - *They must be directly related to the development* - it is expected that a considerable amount of traffic generated cumulatively by the four proposal will travel through the Castell Mynach Junction and therefore the works are considered directly related to the development
 - *They must be fairly and reasonably related in scale and kind to the development* – as these four applications propose up to 8060 houses in total and a further 630 houses on Strategic Site C have been resolved to be approved, with no proposals to mitigate the traffic impacts on RCT, these improvements are considered to be fairly and reasonably related in scale and kind to the development.
- (vii) Any bus services that will be provided as a result of the development should not be limited to running between the sites and Cardiff City Centre. It is considered that in order to comply with policy KP2(D&E), investment should be made in extending such services as part of a regional route to Talbot Green Bus Station, which is a key transport interchange for RCT. This would support public transport use to and from the development sites and it is requested that CCC negotiate this provision with the developers.

6.9 The RCT Committee report also identified that officers considered that the marshy grassland within the development area to be of more strategic importance than the EIA has recognised, and that appropriate consideration of impacts and mitigation is needed, but concludes that this issue is not considered to be of sufficient concern to raise an objection to the application. The following issues are raised ‘for information’:

- *There is concern that the significance of the marshy grassland has not necessarily been adequately considered in the EIA process;*

- *Retention and maintenance of habitat connectivity of marshy grassland is considered to be a key biodiversity issue in this area, particularly due to its function as Marsh Fritillary butterfly habitat, restoration of marshy grassland is regionally an important biodiversity objective, and there is a long term objective of restoring the range of the Marsh Fritillary butterfly in the Ely Valley meta-population area;*
- *The Environmental Statement references a 1995 assessment where the habitat was assessed as being of low potential for Marsh Fritillary butterfly due to the scarcity of Devil's-bit Scabious;*
- *However, the presence of Purple Moor-grass suggests habitat that may have, with appropriate management, potential as Marsh Fritillary habitat;*
- *Therefore there is concern that the marshy grassland within the development area is of more strategic regional importance than the Environmental Impact Assessment has recognised, and appropriate consideration of impacts and mitigation is needed*
- *In respect of landscaping, there is a general comment that rather than wildflower-rich mixes suggested in the landscaping proposals, perhaps it would be more appropriate to place more emphasis on protecting habitat, reusing the vegetative material/ soil if it has to be lost, and then developing a long-term conservation management commitment via a Section 106 Agreement, but this is considered a matter between Cardiff Council and the Developer.*

6.10 No further comments have been received in response to the amended plans. Any further comments will be reported as a late representation.

6.11 The **Vale of Glamorgan Council**, whilst welcoming elements of the proposal (the significant transport hub and associated sustainable transport initiatives) and noting that it is unlikely to have significant adverse impact on the Ely Valley and Ridge Slopes SLA, raise concerns on the following grounds:

- i. prematurity - the developer of this strategic site and its likely impact should be assessed at the LDP Examination, with ref to para 2.6.3 of PPW.
- ii. adverse traffic impact within the Vale of Glamorgan, with the scheme likely to place significant pressure on the primary highway leading into Cardiff from this location, the A4232, with increased traffic on this road likely to have a major adverse impact on the three main road junctions that provide access / egress from the Vale, namely, Culverhouse Cross, Leckwith Road and Grangetown Link / Cardiff Bay.
- iii. cumulative impact on traffic generation and vehicular movements within the surrounding area from adjacent strategic sites D and C
- iv. notwithstanding these concerns, it is noted that the TA would seem to have included impacts on the surrounding network as well as the likely additional developments. It is noted that the results of these assessments should be considered by highways to ascertain their appropriateness and validity, but no comments were received from Highway Development.
- v. the site has been subject to previous proposals for a strategic employment site to which the VoG Council has previously raised concerns, notably the proposals for an 'International Business Park' to which it objected to on grounds of: prematurity, unsustainable form of development contrary to approved and emerging national policy, significant adverse impact on the

strategy highway network and detrimental visual impact. Reference is also made to the conclusions of an Exploratory Meeting of the Cardiff LDP in February 2010 which considered the allocation of an IBP and raised concerns regarding the inadequate evidence based to justify its location, and demonstrate compatibility with emerging development plans, that a sequential approach had been adopted and the sustainability of the location, with concerns raised that it would threaten Cardiff's regeneration strategies. It is noted that, whilst the current proposed is for a mixed use development, many of the issues remain the same, particularly in relation to the sustainability of its location, impact on the highway network and the planning application's prematurity. Whilst noting that the VoG Council raised concerns of the inclusion of an IBP in the initial Cardiff Deposit LDP and various strategy options, it is noted that similar objections were not maintained to the inclusion of the strategic site at J33 within the current Deposit Plan.

No comments have been received in response to the amended submission.

- 6.12 The **Care and Social Services Inspectorate Wales (CSSIW)** confirm that they have no objections or interests in the application, noting that, whilst there is reference to the provision of sheltered accommodation, CSSIW does not register or inspect such accommodation, as it is exempt from registration.
- 6.13 **South Wales Police** advise that: this is a major development which could have significant impact on community safety issues, the Design and Access Statement is very brief on community safety and provides insufficient detail to demonstrate how this development will be a safe and secure development, SWP have not been consulted on the detail of any proposals and would welcome the opportunity for detailed discussion prior to decisions being made for reserved matters. SWP provide recommendations with respect to detailed design and layout, encompassing matters relating to parking, pedestrian routes, secure buildings, lighting and vehicle speeds.
- 6.14 In response to the amended application, South Wales Police advise that they are disappointed that the developers are submitting such a large application without engaging in pre-application consultations with them. Whilst noting that they welcome the commitment to increasing surveillance levels, creating well overlooked public spaces and 20mph speed limits, they advise the revised Design and Access Statement is still too brief and does not take account of their initial comments. They request clarification and more detail on rear courtyard parking, housing design, security standards on doors and windows, perimeter walls and fencing and lighting and note Welsh Housing Quality standards require Secured by Design (SBD) on all social and affordable housing in Wales, noting there is no mention of how this will be achieved and advise that they would welcome a meeting with developers at the earliest opportunity.
- 6.15 **Wales & West Utilities** advise that they have no apparatus in the area.
- 6.16 **Dwr Cymru Welsh Water (DCWW)** advise that the amended drainage strategy will ensure an effective split of flows between two Waste Water Treatment Works (WWTW) and recommend a series of conditions to ensure that the

development does not have a detrimental impact on their customers, assets or the environment. These include conditions: to control the WWTW that the development drains to and their points of communication to the public sewerage system (requiring that up to 400 dwellings drain to Creigiau WWTW, with the remainder of the development draining to Coslech WWTW), to prevent surface water and land-drainage run-off connecting to the public sewerage system, to require foul and surface water discharges to drain separately from the site and to require the developer to install a grease trap for non-residential uses. They confirm that a water supply can be made available to serve the development and provide advice in relation to connections to the public sewerage system.

- 6.17 **CADW** has **no objection**, confirming that there are no scheduled ancient monuments, historic parks and gardens or historic landscapes affected by the proposal and that they do not have any concerns to raise. In responding to the amended submission, CADW confirm they have no further comments.
- 6.18 **GGAT** has no objection, subject to a condition requiring a programme of archaeological investigation prior to commencement of development. They note the ES identifies the nature of the archaeological resource within the wider area and details the extent of the known archaeological resource within the proposed development area, notably a railway embankment, associated viaduct, former routeway and enclosure, historic hedgerows and remains of a former mill with possible medieval origins. GGAT advise that the proposed mitigation work is appropriate and recommend a condition requiring the applicant to submit a detailed written scheme of investigation for a programme of archaeological work. An advisory notice is also recommended in respect of the required standard for the work. In responding to the amended submission, GGAT note that their understanding of the archaeological resource remains unchanged and reiterate the previous advice.
- 6.19 **Natural Resources Wales** (NRW), in response to the initial submission, provide the following summarised comments:
Summary of Natural Resources Wales' Position
NRW objected to the proposed development, as originally submitted, pending the provision of acceptable and additional information from the applicant on the effects of European Protected Species, UK Protected Species and Green Infrastructure, and requested the following information and/or confirmation be sought prior to determination of this application:
- Additional survey relating to bats and results
 - A dormouse mitigation strategy, given the historic records for dormice and notwithstanding that the surveys undertaken by the Applicant did not confirm their presence
 - Opportunities to create water bodies to support a range of wider aquatic biodiversity, given the historic records for Great Crested Newts and notwithstanding that the surveys undertaken by the Applicant did not confirm their presence
 - Surveys of the site for water vole as none were undertaken or information submitted to demonstrate why these were not undertaken

- Clarification as to whether a full badger survey of the site was undertaken, noting the presence of a dis-used badger sett on site
- Confirmation of long term management (responsibilities and financing)
- The principles of a lighting strategy - whilst noting an appropriate lighting scheme could be conditioned, NRW advise that the potential impacts of inappropriate lighting are considered at the outset and how dark corridors will be maintained around and through the site, noting the need for assurance that the use of the dark areas by bats are combatable with other elements of the development
- Further details of the relative size and nature of green space across the site, and identification of opportunities taken to expand green corridors and existing habitats to enable coherent ecological connectivity within and off site and to ensure habitats are robust and can respond to new pressures arising from the built environment. Concern is noted that the Green Infrastructure Parameter Plan does not adequately demonstrate how ecological connectivity will be provided for across the built environment, particularly in an east-west direction or how robust ecological connections to the wider landscape will be maintained or managed. Concern is also noted that severance of corridors to accommodate road or other networks will form a barrier to movement and may lead to local extinctions and request further information in this regard. NRW advise that domestic gardens should not back onto green corridors as this could lead to conflict between occupants and these areas, leading to in appropriate or lack of management, and negative impacts upon species supported by these areas, such as bats and dormice. They request that buffer zones be included in the design of the development to protect green corridors.

They provide more detailed explanation of their objection and, provide the further advice should the above matters be resolved, in respect of the following:

The Water Environment

Flood Consequence Assessment

NRW agree with the details contained in the FCA, which confirms that the majority of the site is located in Zone A of the TAN 15 development advice maps (dam). Given the location of development in Zone A, surface water requirements should be assessed and we note that this aspect has been included in the ES. In addition, a small section of the site located along the Nant Henstaff is located in dam Zone B where they confirm they consider risk of flooding to be minimal. Given these constraints and their remit they request no further information to be provided by the applicant to assess the risks and consequence of flooding. Both watercourses are designated as an 'ordinary watercourse' and are under the jurisdiction of Cardiff Council. We would, therefore, suggest that you seek the advice from Welsh Water/Dwr Cymru and your local authority drainage engineers on drainage proposals.

Drainage Strategy

NRW note that the ES recognises that without mitigation, the compaction of soils during construction could give rise to increased flows into receiving watercourses - the Nant Henstaff and Nant y Glaswg. They note there is also risk of inadequate culverts to impede flows and cause localised flooding; and large areas of impermeable surfaces will increase runoff. NRW welcome the

preparation of a Sustainable Drainage Strategy and note the intention to develop this Strategy further and to inform detailed proposals. Any proposals regarding the drainage system must be agreed with the local authority and any other relevant third party to ensure that surface water discharges will not cause or exacerbate any flooding within this catchment. NRW note Cardiff Council will be the SUDs Approving Body for this development. NRW note they support the adoption of Sustainable Urban Drainage Systems and wherever possible improvements. The aim should be for new development not to create additional run-off when compared with the undeveloped situation and for redevelopment to reduce runoff where possible. NRW note that some information has been provided by the applicant's consultant in regard to Greenfield runoff rates, which will need to be agreed by the Council, along with details of adoption, management of this system over the lifetime of development and any subsequent amendments. They note the responsibility for the maintenance of all watercourses and structures thereon rests, in the first instance, with the riparian owner, and that Land Drainage legislation does not seek to remove this responsibility. Due to the transfer of ordinary watercourse regulatory powers from NRW to Local Authorities, they note they are no longer responsible for issuing flood defence consent on ordinary watercourses, noting the local authority must determine if any works that affect an ordinary watercourse require a flood defence consent and that changes to ordinary watercourse management have been made by the Flood Water Management Act 2010 (FWMA).

Water Supply

NRW note suitable water supply infrastructure will be required for the development and the requirements of Dwr Cymru/Welsh Water should be sought.

Foul Water Disposal: Operational Phase

NRW advise that Dwr Cymru/Welsh Water will need to provide you with assurance that suitable wastewater infrastructure can be provided over the lifetime of development, alongside any phasing requirements. NRW would wish to be assured that suitable foul sewerage infrastructure exists to serve the development without having an adverse impact of the environment including controlled waters. NRW note and support that during the operational phase of development sedimentation and pollution risks are to be reduced through the implementation of the SUDs Management Train throughout the Sustainable Drainage Strategy.

Potential for Contaminated Surface Water Run Off: Construction Phase

During site clearance and construction phase of development, any contaminated surface water run-off generated should be managed in order to prevent pollution of controlled waters and adverse effects on ecology. NRW agree that the Construction Environmental Management Plan (CEMP) should detail such measures, which should be agreed with the local planning authority and NRW.

Construction Environmental Management Plan (CEMP)

NRW note that for many water related features (ditches, streams and ponds) there is the potential for breaches to occur as a result of site clearance and construction, although the effects is not considered to be adversely significant. They note the ES explains that disturbance of soils and the subsequent surface water runoff from them have the potential to cause increased sediment loads in

receiving water bodies; risks of pollution from accidental spillages of hydrocarbons and cementitious materials. NRW note they expect suitable control and mitigation measures to be effectively implemented in order to ensure that potential run off from the site and discharges into these waters are of an appropriate standard; to ensure that there is no pollution of controlled waters and no adverse impact on ecological interests.

They note that details of measures to protect the environment including measures to reduce the effects on water quality (surface) and water resources during the construction of the development will be set out in a Construction Environmental Management Plan (CEMP) and associated method statements. They agree that this CEMP should include detailed measures, for example, wheel washing facilities, measures to control runoff, dust and lighting, and regular monitoring and updates. NRW request the CEMP be required by condition and provide advice on its detailed scope.

Timescales for Development

NRW request updates on the programme of works and timetable, a list of contacts (on site) and their respective responsibilities.

Contamination

NRW note the ES indicates that the existing site is generally uncontaminated to migrate from ground to the watercourses, however, this will need to be verified by intrusive investigations. They note that the application identifies areas of historical contamination within the site boundary and agree that targeted site investigation works should be undertaken to identify if contamination is present from previous use and whether remediation is needed and request a suite of contaminated land conditions to require this.

Detailed advice on contamination is provided for the LPA and Applicant.

Management of Waste and Materials

Detailed advice is provided for the Applicants.

Site Waste Management Plan

NRW note they are supportive of the preparation of a Site Waste Management Plan and would welcome further consultation on the Site Waste Management Plan.

Invasive Species

NRW note the ES identifies Rhododendron (Rhododendron Ponticum) as an invasive species, which is to be subject of further treatment in order to eradicate this species.

Ancient Woodland

NRW note areas of ancient woodland are located within and adjacent to the planning application development boundary, and welcome the woodlands being identified in the ES as a key ecological feature of the site. They agree with the commitment that the woodlands will be retained and buffered from the development during both construction and operation of the proposed scheme, and recommend that the CEMP details measures to avoid direct and indirect damage to the woodlands during construction.

Local Biodiversity

NRW note that they have not considered possible effects on all species and habitats listed in section 42 of the Natural Environment and Rural Communities (NERC) Act 2006, or on the Local Biodiversity Action Plan or other local natural heritage interests. They note to comply with the authority's duty under section 40 of the NERC Act, to have regard to conserving biodiversity, the decision

should take account of possible adverse effects on such interests.

Rights of Way

NRW understand that there is a Public Right of Way, which crosses the development area, and recommend that the advice of your Council's Public Rights of Way Officer is taken into account.

Planning Advice Note

We refer the applicant to our Planning Advice Note for further advice and guidance. This includes advice on regulatory requirements outside of the town and country planning process including environmental permits and exemptions; pollution prevention measures; and waste management matters.

Approach to Development of a Strategic Site

NRW recommend that any development takes an exemplar approach in ensuring sustainability is considered from an early stage and throughout the process.

- 6.20 In response to the amended submission, NRW note that they initially objected to the proposal due to insufficient information on European Protected Species and note that the Applicant has now provided an addendum to the Environmental Statement. They advise that planning permission should only be granted if their recommended conditions and planning obligation are attached and confirm they would not object if they are attached.

Provision of green corridors

NRW note that drawing 1348501/P/GA/003 Green Infrastructure Plan (Strategic Landscape Framework Plan) and drawing 'G101 revision B' show some of the corridors build upon existing vegetation corridors, but will require considerable enhancement in terms of new planting to reach the size and scale set out in the GI plan and considerable lead in time before they may function as green corridors. NRW advise they are planted at the outset, also noting it is important to ensure that habitat management underpinning mitigation is carried out as soon as possible. Furthermore, NRW note additional detail will be required on the composition and phasing of planting associated with the green corridors. NRW therefore advise a condition to agree in writing the habitat composition and layout of green corridors in order to ensure provision of suitable habitat for, and maintenance of, connectivity for dormouse. They note this should include details of the habitats to be retained, habitats to be created and, a planting plan and a phasing plan for green infrastructure planting.

Long term habitat management and monitoring

NRW envisage long-term management and monitoring would be best delivered through a planning obligation as detailed below. NRW also advise a condition to agree in writing, before the start of works, a long term Management Plan, to ensure the favourable management of habitats on site for dormice and bats. They note the plan should include but not be limited to; a description of habitats to be managed and their desired condition, the nature of management operations required to deliver and maintain the desired condition, appropriate scheduling and timing of activities, proposals for monitoring of habitats, on-going review of management and remedial action to be undertaken where problems are identified by the monitoring scheme.

NRW note the need to ensure the preparation, agreement and implementation of a monitoring scheme for protected species. They advise a monitoring

strategy to include the protected species themselves and assess the development of, and ongoing suitability of, the habitats present to support them. Should the monitoring show a decline in population numbers or distribution, NRW note it will be necessary to deliver remedial measures which should be agreed in writing with the LPA. They therefore recommend a condition to agree in writing, before the start of works, a monitoring scheme for protected species. They advise monitoring should include the protected species themselves and the establishment of translocated, newly planted and managed habitats, including road crossings, and the use of such habitats. Should the monitoring show a decline in population or distribution, they advise remedial measures to be agreed in writing and implemented to the satisfaction of the local planning authority.

NRW advise that the following areas are best covered by a Section 106 agreement: details of the financial measures to secure ongoing habitat management and species monitoring provisions, details of management and monitoring of ecological areas and green corridors and their implementation; They advise that details and assurances that an appropriately skilled body will be employed to implement the management provisions should be provided by the Applicant.

Delivery of ecological mitigation; Dormouse Conservation Scheme

NRW note the ES addendum sets out the Dormouse Conservation Scheme, and advise the implementation of the Dormouse strategy is secured through a planning condition. They note that there are some aspects they may wish to develop further at the time of the licence application, including clearance strategies.

Lighting

NRW consider the presence of lighting is likely to reduce dormice and 'light sensitive' bat species which utilise certain areas. They therefore welcome the provision of bespoke lighting, including dimming at locations where the road corridors cross the green infrastructure. They note they understand there will be a requirement for the submission of a site-wide lighting strategy via condition attached to any permission granted, and advise this includes existing commitments as set out in the drawings associated with the submission and also ensures the sensitive lighting of areas of the built environment which abuts green corridors to minimise light spill. NRW advise a condition to agree, before the start of works, a lighting scheme, consistent with the requirements of dormice and bats. This scheme should include details of the siting and type of lighting to be used, drawings setting out light spillage in key areas for wildlife and any operational measures necessary to ensure wildlife corridors are not illuminated. The scheme should address the construction and operational phase and include remedial action to be undertaken where problems are identified by the monitoring scheme. In terms of dimming lights, NRW advise this is undertaken 1 April to 30 September.

Bats

NRW note bat survey work identifies the intention to re-survey any of the trees and buildings to be removed at the appropriate time. They therefore advise a condition to ensure agreement in writing to the satisfaction of the local planning authority the scope and implementation of pre-construction surveys of the site for protected species, to be implemented as agreed. They advise each detailed application is accompanied by a bat survey of trees to be removed to facilitate

the development. They note they would be happy to comment on and wish to be consulted on the discharge of relevant conditions.

Legislation and policy

NRW note that where an EPS is present, and a development proposal is likely to contravene the protection afforded to it, development may only proceed under a licence issued by Natural Resources Wales (NRW) having satisfied three requirements set out in the legislation. One of these requires the development authorised will 'not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status (FCS) in their natural range.' They note these requirements are translated into planning policy through Planning Policy Wales (PPW) July 2014, sections 5.5.11 and 5.5.12, and Technical Advice Note (TAN) 5, Nature Conservation and Planning September 2009. NRW advise the planning authority should take them into account when considering development proposals where an EPS is present. NRW advise the Applicant seeks an EPS licence from NRW under Regulation 53(2)e of The Conservation of Habitats and Species Regulations 2010 before any works on site commence that may impact upon EPS. They advise the granting of planning permission does not negate the need to obtain a licence.

- 6.21 NRW provided detailed comments on a draft set of conditions and have confirmed that they are happy with the recommended conditions.
- 6.22 **Network Rail** raised a holding objection on grounds of concerns over the impact on the St Fagans Level Crossing, noting that vehicles using Llantrisant Road divert via the St Fagans Level Crossing on the Michaelston Road to avoid congestion around the Fairwater area. No comments have been received in response to the amended submission.
- 6.23 **WPD (Electricity)** have no comments to make.
- 6.24 **Cardiff and Vale University Health Board**, in responding to the initial submission, note they are responsible for the health of around 472,400 people living in Cardiff and the Vale of Glamorgan, the provision of local primary care services (GP practices, dentists, optometrists and community pharmacists) and the running of hospitals, health centres and community health teams. Together, they note they provide a full range of public health and health services for local residents and for those from further afield who use the specialist services. It is noted that the application makes reference to the provision of a community building within which a clinic or surgery may be provided, and this is welcomed. Key recommendations are set out below.

Healthcare Service Provision Recommendations

- *It is likely that significant development of an existing GP premises in the local area (Pentyrch) or a new build GP premise, potentially within a multi-purpose building within the development, will be required. Additional 3 GP's may be required to deliver services to this development and the north Llantrisant Road / south of Creigiau development.*
- *It is likely that access to building space will be required for the provision of local specialist outreach services / clinics and community health staff,*

including district nursing services, health and social care support staff, health visiting services.

- *The development at J33 will have an impact on the UHB's hospital facilities. However, it is not possible to accurately predict the level and/ or type of infrastructure requirements at this stage. Processes to quantify impact are being developed.*

Public Health Recommendations

- *Prioritise the pedestrian throughout the development, extend the 20mph zones to cover the entire development, use a variety of methods to reduce and control traffic speed, take the opportunity to implement car-free zones and design in informal outdoor active play areas*
- *Adhere to the planning guidance that identifies minimum standards for outdoor playing spaces and distances to local provision of spaces and negotiate to ensure the open spaces are well maintained*
- *Make available land near community buildings for food growing, support the selling of fruit and vegetables in the retail units and restrict the establishment of fast food / hot food takeaways, particularly near the school.*
- *Restrict the selling of alcohol at the new retail units.*
In addition the Deposit LPD recommends the undertaking of a health impact assessment of large developments (Policy C7). In advance of the adoption of the LDP, it is recommended that this application is screened using an appropriate HIA tool, engaging with key partners.

6.25 In response to the amended submission UHB provide combined comments in respect of health care service delivery across the North West area which is summarised as follows:

- (i) Strategic Sites C, D and E have the potential to significantly increase the population in North West of Cardiff - it is anticipated that the potential new homes will equate to an increased population of 22,585 (based on an estimated average of 2.3 residents per home), with the potential for further future expansion of Strategic Sites C and D noted as yet unknown;
- (ii) UHB is responsible for ensuring access to NHS primary care services in Cardiff and the Vale of Glamorgan, including GPs, Community Pharmacists, Dentists and Optometrists. The UHB works with a best practice GP to patient ratio of 1:1800 and the current rate of access to NHS dentistry is 55% of the population;
- (iii) while there is some limited capacity within existing GP practices in NW Cardiff to accept additional patients associated with the LDP growth, there is a significant shortfall;
- (iv) there will be a significant demand pressure placed on a range of existing primary care health services;
Primary Care Service
- (v) current general medical services (GP surgery provision) will be insufficient. There is sufficient GMS capacity within the Pentyrch GP practice to accommodate the needs of Site E and there is political commitment to maintain a GP practice in Pentyrch, but the practice operates out of temporary facilities and the UHB is looking to secure a longer term solution for this practice. For Sites C and D, the assessment

reveals a shortfall of provision for 11,100 patients, equivalent to 6.2WTE GPS plus associated staff;

- (vi) pharmacy provision is generally interlinked with demand for GMS, but the process for expanding provision is applicant driven and difficult to determine;
- (vii) it is anticipated that there will be an increase in demand for NHS dental services, but it is acknowledged that NHS dental practices are not geographically bound, meaning that the impact of the proposed developments is difficult to assess;
- (viii) It is anticipated that there will be an increased demand for optometric care, but it is acknowledged that service provision is managed by opticians who can accept an increase in numbers provided they have capacity.

Community Based Health Care

- (ix) The UHB is also responsible for delivering health care in people's own homes and in community clinics, with services including community midwifery, health visiting, district nursing, podiatry, services for older people, family planning, primary and community mental health services etc. There are no community clinics in the vicinity of the development. Whilst the services need to be delivered against the principle of 'home first', for a number of services it is more appropriate to deliver them from a community resource facility either in multi-functional spaces or clinical consultation / treatment rooms;

Hospital based secondary care

- (x) It is anticipated that the strategic sites will impact on hospital facilities at UHW and UH Landough, but it is not possible accurately predict infrastructure requirements at this stage. What is clear is that service delivery will change with the aim of making services more accessible, which could include the provision of a greater range of services in community based facilities;

Future Service Delivery

- (xi) In health care planning it is important to take account of critical mass and the need to provide a cohesive and integrated model of care and for this reason it would not be a practical or sustainable solution to deliver a health care facility within each of the 3 sites;
- (xii) The preferred solution to address the need is to provide permanent GP practice facilities within Pentyrch (for Site E) and to develop an integrated health and social care hub within the district centre of Site C - a large scale GP practice integrated within a shared use facility that would cater for health and wellbeing needs and provide opportunities for integration with local authority and third sector services. Options that facilitate the rental of retail units by pharmacy providers and opticians should also be pursued;
- (xiii) It is estimated that 2,233m² floorspace is needed for a standalone health facility (+ car parking) - equivalent to a 0.52 hectare site if built over 2 floors - to deliver GMS services for sites C and D, and community services for C, D and E, and 1,413m² to deliver such a facility within a shared community centre (if built over 2 floors).

- 6.26 **Radyr and Morganstown Community Council (R&MCC) object** to the proposal on grounds summarised below. These are noted to be mostly the same as those raised by the North West Cardiff Group, and therefore these objections are not repeated in Section 7.
- i. Prematurity - the LDP is not yet adopted.
 - ii. The plan does not align with the Council's vision for the city or LDP goals.
 - iii. Unsustainable scale and location, and creating a community reliant on cars. Reference to sustainability is tokenistic without the integration of the Metro.
 - iv. Inadequate and misleading statements in the submission documents, notably in the assessment of the existing situation, impacts and benefits, particularly in the Transport Assessment and the traffic impact assessment. R&MCC has demonstrated through transport appraisals by Transport Planning Associates that the existing road network in NW Cardiff can not accommodate traffic from the strategic sites.
 - v. Significant increase in traffic and congestion on roads that the Council acknowledge are at maximum capacity, exacerbating highway safety problems, and increasing journey times by bus and to local rail stations.
 - vi. Severely deficient transport strategy. Roads and public and private transport are barely adequate now and inadequate to cope with demand from this and other LDP strategic sites, and mitigation is very limited. The scheme fails to deliver a 'world class transit system' and to improve non-car accessibility. Proposals for a bus based rapid transit system is fundamentally flawed due to lack of road space on heavily congested roads, with no guarantee bus services will be delivered. Disagree that the bus hub will outweigh negative effects of increased road traffic. The 1000 space Park and Ride would need a bus every 3 minutes. Buses travelling along the A4119 won't be able to progress beyond Danescourt. The delivery of the Metro is uncertain and is not expected until the site is built out. No stations or rail line are shown on the Masterplan, and the Metro is not linked to the Park and Ride. It is not credible to retrofit the Metro. Without local employment, park and ride linked to the Metro, and concurrent delivery of community facilities with housing, there is no chance of delivering the 50:50 mode split. Delivery of the Metro prior to development is essential to avoid severe disruption to travel for huge numbers of people - without it the scheme would be premature and unsustainable. Mechanisms must be found to fund and construct the Metro, and must include a major contribution from this and other sites via s106 or CIL. Identifying the route must be a top priority.
 - vii. Inadequate accessibility by public transport, foot and bike to neighbouring communities, and misleading assessment of existing infrastructure.
 - viii. the proposed 'bus gate' onto the M4 at J33 would probably fall foul of the Equality Act 2010 and there is no indication this is supported by Welsh Government
 - ix. Poor draining site, leading to greater run-off and flooding elsewhere.
 - x. Misleading design philosophy which recognises 3 distinctive communities of Creigiau, Pentyrch and the site, but shows the 3 merging, leading to loss of community identity. Creigiau can not share its limited resources with sites D and E.

- xi. Threat to strong and proud Welsh language heritage from merger of Creigiau with new community.
- xii. Wales International Business Park was not given permission, as stated, but was called in and subsequently withdrawn. The proposal is not substantially different.
- xiii. Phasing - school excluded from phasing, leading to unacceptable and unsustainable reliance on local facilities. Supporting facilities are needed in phase 1.
- xiv. The site is spread out and disjointed.
- xv. Concerned that area to the east of the site that is in the Applicant's ownership could come forward as a future extension, even though it falls outside site D in the LDP.
- xvi. Concern the ES is incomplete, does not address all the issues raised in the Scoping Opinion and that application is being rushed and may be considered before the ES is complete.
- xvii. The application focuses on sustainability within the site but fails to address its role in the sustainable development of the wider area. Fine words about sustainability are tokenistic without integration with the Metro.
- xviii. The Parsons Brinckerhoff Transport Assessment review was commissioned and paid for by Vectos and is not independent, but confirms a number of inadequacies in the TA, which are detailed. It is noted that similar deficiencies were identified in the Council's Scoping Opinion and that the report does not question many of Vectos' omissions and unrealistic assumptions. The community council note site D is probably the least sustainable strategic site, that the LDP acknowledges that it may never reach a 50/50 mode split and that, without provision of a Metro from the outset, the target is quite unrealistic. They conclude that the report does not add to knowledge, resolve any deficiencies and is vague. The Council is urged to refuse the application unless the deficiencies are resolved and the assumptions backed with evidence.
- xix. Adverse impact on air quality and health from increased traffic flows, and need to take into consideration Cardiff Council's June 2014 report 'Further Assessment Llandaff AQMA, which notes the AQMA was declared in 2013 because of exceedances of the annual mean nitrogen oxide objective (whose principle source is road traffic) and the marginal compliance with nitrogen oxide objectives. Concern that: report doesn't address the impacts of all the strategic sites and proposed superstore at the BBC Llantrisant Rd site, the report notes annual mean nitrogen dioxide objective is consistently exceeded at the kerbside, those emissions will increase as traffic increases from future development and speeds slow, the assessment recommends that developments with the potential to adversely impact on nitrogen dioxide be controlled/ mitigated yet this does not appear to be happening, the LDP plans risk endangering Cardiff's AQMAs and that the only public transport solution for the foreseeable future is the highly polluting bus. It is noted that the EC has recently fined the UK Government for exceeding its air pollution levels.

6.27 **St Fagans Community Council** object to the initial application on grounds of the lack of infrastructure planning and consequent unsound and unsustainable nature of the LDP, submitting that this trend is continued in the TA, as

evidenced in the audit report on the TA. They highlight many of the inadequacies that the TA audit identifies. In addition to many concerns raised by R&MCC above, they note that the Council's EHO officers are concerned that traffic from this development will lead to a breach of European air quality standards in Llandaff, and that planning and facilities/ infrastructure must be in place before development. In response to the amended submission, St Fagans Community Council endorses the comments of the North West Cardiff Group and urges Planning Committee to reject the application.

- 6.28 **Pentyrch Community Council** enquire about the timing of the negotiation of the s106 agreement, noting that the Community Council expect to be consulted and that they are aware of local groups who could benefit from community gain funds.

7. REPRESENTATIONS

- 7.1 Cllr Graham Thomas raised initial queries in respect of consultation deadlines, secondary school catchments, M4 access, accommodation of the metro and road improvements (noting existing problems on Croft Y Genau, Llantrisant Rd, Michaelston Road and Cardiff Road, the challenge of a 50/50 modal shift, and the resulting increase in traffic on narrow and already congested roads).
- 7.2 Cllr Graham Thomas objects to the application, as originally submitted, on the following grounds:
- i. prematurity - given plan is in its final stages need to await the outcome of the LDP Examination before granting further permissions on greenfield sites
 - ii. Transport options in the North West corridor are extremely limited, with narrow roads, no dual carriageway, no trains. The Metro presents an opportunity to resolve many problems but the final route, costing and commitment must be in place before first
 - iii. the A4119 is a dangerous road, with bends all along its route, which was originally conceived as a minor rural road, not a major arterial road into Cardiff and can not remain in its current format. Once houses are built, this will be irreversible, with question raised as to whether consideration has been given to straightening up lengths of the road.
 - iv. advises that he would like to be present at Planning Committee and reserves the right to make further objection at that stage, with a request that as much notice as possible is provided of potential committee date.
- 7.3 In response to the amended submission, Cllr Thomas advises that he is a member of the North West Cardiff Group and that he supports their detailed objection to the application. Cllr Thomas also asked for information on s106 negotiations and put forward an example of a local project at Creigiau Recreation Ground which, he notes, is desperate for funds and would benefit the wider community. This was a submission from CRAMC (Creigiau Recreation Area Management Committee) which manages the Field and is made up of representatives of 5 clubs and residents of the village. The proposals include requests for s106 funds for a perimeter path and exercise stations, a Multi-Use Games Area and an enlarged and improved pavilion.

- 7.4 Cllr McKerlich queried the likely date for committee.
- 7.5 42 letters of objection were received response to the **initial public consultation** (21 day consultation period advertised by means of site and press notice, and letters to neighbours and other interested parties) from residents of Graig Bungalows, Pencoed House Estate, Llantrisant Road, Cardiff Road, Windway Av, Old Mill Drive, Maes-y-Nant, Parc y Fro, Parc-y-Bryn, Llys Dyfrig, Parc-y-Coed, Pen y Cwm, Bronhaul, Windsor Clive Drive, The Rise, Llantrisant Rd, Ty Rhiw and from Pontyclun Community Council, North West Cardiff Group, Cardiff Civic Society, The Radyr and Morganstown PACT, Pentyrch WI, Campaign for the Protection of Rural Wales, Moto Regional Office, Llandaff Society and WYG Environment Planning Transport consultants on behalf of owners of Henstaff Court adjoining the application site and a number of unspecified address, who raise objections on grounds summarised below. (As noted in Section 6 above, the objections of the North West Cardiff Group are similar to those by R&MCC and the identical points raised are not repeated here.)

Process / Approach / Principle of Development / Masterplanning

- i. Prematurity on grounds that the LDP has not been adopted
- ii. Confirmation that a request has been made to the Welsh Government to call in the application
- iii. The proposal constitutes 'notification development' which must be notified to the Welsh Ministers in line with the 2012 Direction
- iv. The site / additional housing is not needed
- v. Concern over scale of the development proposed in Strategic Sites C, D and E and their cumulative impact. Moderate and sensible development is needed, within the city, to retain the character of the city
- vi. Concern that the application is submitted in isolation, without co-ordination with site E, and may prejudice future development. A single masterplan for sites D and E should be submitted. Sites D and E should be planned as a 'new town' and as one community, with the uplift in development value distributed fairly. The masterplan should show how the new development will integrate with Creigiau and how new facilities would be easily accessed
- vii. The Council has a statutory obligation to consult Pontyclun Community Council
- viii. Query as to why objections from community councils do not appear on the Council's web site
- ix. The application makes a good superficial impression, but will not deliver the scheme objectives
- x. Inconsistency in the number of houses to be built - the Planning Statement notes 'up to 1500', but the Environmental Statement notes 'approximately 2000'

Masterplanning approach

- xi. WYG Environment Planning Transport consultants, acting on behalf of the owners of adjoining land at Henstaff Court provide the following comments:

- xii. the owners of adjoining land at Henstaff Court are prepared to engage positively with the Council and others in the preparation of an overarching masterplan for sites D and E, support the development of site D and have no objection, in principle, to the application
- xiii. raise concerns that the Indicative Masterplan and other documents do not adequately demonstrate the potential relationship between site D and the adjoining Henstaff Court land, noting that this is unfortunate as the application was submitted after the LDP was placed on deposit and the submitted application documents should have acknowledged and reflected the Council's intentions in respect of the Henstaff Court land
- xiv. the Council should ensure proper account is taken of the future extension of site D into the Henstaff Court land
- xv. supports the master-planning approach to site allocation and development which requires that due regard is given to neighbouring areas and matters of inter-connectivity referred to in the deposit LDP including access by drivers, pedestrians and cyclists, bus routes, alternative routes for the proposed LRT one of which traverses the Henstaff Court land, and landscape and wildlife corridors
- xvi. ask to be consulted on amended plans

Socio- economic matters

- xvii. Welcomes the fact that the proposals do not propose a large retail park
- xviii. Concern over destruction of village communities, changing from a small villages in a rural location to part of a huge estate
- xix. Impact on range of local retail, services and businesses in Creigiau
- xx. There should be a substantial park or open space between existing and new communities so existing residents can benefit
- xxi. Supporting infrastructure (transport, schools, community facilities, workplaces etc) must precede the housing to avoid further traffic chaos on A4119 and slower commuting times. If this doesn't happen, there is no chance that new occupiers will work or go to school in the development. Experience suggests that the infrastructure is promised in advance, but then shifts to provision at a later stage and quite often is not provided at all
- xxii. No mention is made of how revenue costs of community facilities are to be funded, with a concern that contributions to community facilities will not be paid. Query as to who will fund the school. Concern there is no provision for a secondary school, as local secondary schools are full to capacity. Disbelief the development will be provided at no or little cost to the public sector
- xxiii. Concern over impact on health provision, noting local surgeries are working at capacity and local hospitals are threatened with major cut backs. Query as to whether a new GP surgery will be provided and how it will be funded
- xxiv. Harm to successful wedding venue business at Pencoed House from the proximity of park and ride facility
- xxv. the development will bring many people on to the land of an old people's home and a lot of work would be required around access
- xxvi. Concern that residents of social housing may not be able to access convenient public transport and afford travel costs, and may be isolated.

- xxvii. The proposal will attract people from the valleys who want to live nearer to their workplace, but will exacerbate problems in Cardiff
- xxviii. Access to employment by those commuting from outside the county, including Pontyclun, harmed by increased congestion. The proposed development would make Pontyclun unsustainable. Communities dissected by the A4119 will be harmed unless transport links are established early on
- xxix. Commuters from outside Cardiff do not want to live in Cardiff as house prices and the cost of living is more expensive.

Design, Heritage, Countryside, Landscape, Agriculture, Ecology, Drainage

- xxx. The DAS has many good points.
- xxxi. Harm to the structure of Pencoed House, Gd II listed building and its ancient woodland
- xxxii. Loss of open countryside and suburbanisation of the area. There are more generous areas of land to the East that should be developed. Brownfield sites should be developed in favour of greenfield
- xxxiii. Impact on the environment, wildlife and their habitats - the proposed mitigation measures will not prevent species loss
- xxxiv. Loss of agricultural land and associated loss of farmer's livelihoods and stabling for horses
- xxxv. Fear of flooding

Highways, Transportation, Safety, Air Quality, Noise and Vibration

- xxxvi. The application should be refused on grounds of prematurity, in that it is submitted in the absence of any information on the Metro rapid transport system on which the development fundamentally depends. The Council should refuse to register or determine the application until details of the metro route and timetable are known and further transport and essential infrastructure is in place
- xxxvii. The TA is misleading, and underplays the scale of traffic impact and overplays travel by sustainable modes, as confirmed by submitted audit of the Vectos Transport Assessment by Parsons Brinkerhof. Misleading TA and ES, particularly in respect of the validity of traffic surveys, assessment of traffic levels and speeds, assessment of accessibility of Radyr and Pontyclun rail stations by bicycle and that cyclists feel comfortable on the local highway network. Various representors raise identical concerns in respect of the TA and TA Audit to those submitted by the R&M CC, reported above
- xxxviii. Exacerbation of existing unacceptable traffic congestion and delays. Concern that planners are aware of this, ignoring it and that the scale of development proposed demonstrates a lack of common sense
- xxxix. Existing transport infrastructure cannot cope with more housing in the west of Cardiff. The capacity of Llantrisant Road must be increased, converting it to a dual carriageway
- xl. The transport system associated with the development must be a priority; the proposed strategic transport solution is inadequate
- xli. The application refers to the rapid transit corridor linking with central Cardiff, but there is no commitment to funding. Alternative transport systems require huge investment and there is no guarantee of these

being in place before houses are built. There is no safeguarding of land for the metro which is included in emerging policy. Contribution should be sought towards the Metro route

- xlii. Early implementation of a fixed rail public transport system is necessary - without it the development will be almost 100% car dependent and unsustainable, with significant adverse impacts, which are wholly understated particularly in relation to congestion, air quality and road safety in Llandaff.
- xliii. The development is not 'metro friendly' and should be centred on the metro station, with the layout, density, park and ride and services arranged accordingly. The meandering metro route proposed would be very expensive for a fixed track option such as tram train. The layout anticipates bus-based rapid transport, rather than tram-train which is the Metro team's preference. The indicative metro route goes north east, but will need to go west of Creigiau to make the most of development opportunities in RCT. Housing density and building height need to be higher to support the metro. Some employment locations are remote from the metro. All housing, business and park and ride development should be within 800m walking distance of a metro station
- xliv. The application notes a 'world class transport hub' is an aspiration but this does not form part of the application - this must be reflected in the ES
- xlv. Public transport is not an option for everyone and will not ease congestion
- xlvi. The park and ride is a poor substitute for the Metro and it is questioned how well it will be used. Provision for 1000 space is wildly optimistic, taking into consideration the performance at Cardiff East P&R and the increased journey times and distance to the City Centre from J33. Concerns that it will create a 'rat run' through existing local villages, most notably Creigiau, which is already subject to significant volumes of traffic at peak periods
- xlvii. Access to local rail stations (Radyr and Taffs Well) is gridlocked in the morning peak
- xlviii. The topography and site location will limit journeys by foot and bicycle.
- xlix. Inadequate strategic transport infrastructure, with consequent disastrous impact on travel and journey times in the west of Cardiff, local roads and into the City Centre. Increased traffic and congestion, including on Llantrisant Rd, Heol Isaf, St Fagans lane, M4, at Junctions 33 and 34, and through Llandaff, St Fagans, Fairwater, Creigiau and Capel Llaniltern. Alternative routes for those commuting into Cardiff by car (e.g. A470) are also congested. Increased rat running as drivers divert to avoid the A4119, including through Pentyrch. Access to the M4, Cardiff and Newport harmed as a result. Increase in the 'school run' traffic at peak times
- I. Failure to address the impact of traffic movement (operational and construction) through Groes Faen and to recognise that its centre is a traffic bottleneck and where two vehicles can not pass safely. The road is substandard to act within the primary road network
- li. Concern over access arrangements for private vehicles, including the lack of access to the M4 and link road from A4119, the lack of access to

the new housing from the M4 and proposal to create 3 additional access points to the A4119

- lii. Noise, disruption and pollution from construction on a massive scale over many years
- liii. Impact on highway safety and increase in fatalities - Llantrisant Road is notorious for traffic accidents
- liv. Permanent increase in existing traffic, pollution, health and road safety problems caused by HGVs travelling illegally through Radyr and Morganstown (particularly along Heol Isaf) in breach of traffic orders, from this application and all those in North West Cardiff, taking into consideration the construction period to 2026
- lv. Only 80 jobs are proposed in the scheme which suggests a non-sustainable community based on travel in/ out
- lvi. Adverse impact on air quality and health in Cardiff as a whole, Llandaff and the Llandaff Air Quality Management Area, from increased traffic flows in the absence of a realistic transport strategy and infrastructure being in place prior to occupation
- lvii. Need to consider Cardiff Council's June 2014 report 'Further Assessment Llandaff AQMA' (with further details noted in comments of R&MCC above). Inadequacy of the Parsons Brinkerhof 'Air Quality Assessment Addendum: Llandaff AQMA' in respect of modelling and under prediction of future levels of pollution, assumptions made, and being based on inadequate Transport Assessment, and a totally unrealistic assumption of achieving the 50:50 model split and an improvement in vehicle emissions
- lviii. Presentation by a Cardiff Council pollution control officer at Wales Air Quality Forum in 2011 noted worrying levels of nitrogen dioxide at 16 sites across Cardiff not in AQMAs. At the Wales Air Quality Forum 2014 a presentation by the Welsh Government Air Quality Policy Officer noted that a time extension had been granted to Cardiff Council to achieve the required limits in view of the significant challenge of reducing NO2. Other presentations noted that Air Quality management had not delivered the necessary improvements to meet compliance as the challenge is much greater than anticipated and that AQMAs provide an evidence base to inform development control decisions
- lix. Need to avoid risk of adverse health impacts by phasing the strategic sites until the Metro is built
- lx. A request has been made to include air quality monitoring in the requirements of the LDP Annual Monitoring Report
- lxi. It is noted that the Welsh Government Health Minister, Mark Drakeford AM and Kevin Brennan MP have submitted a Statement to the LDP Hearing outlining his concerns at the health risks associated with increasing air pollution in West Cardiff, including at Llandaff and Ely Bridge
- lxii. Conditions are requested to 1) limit the amount of development on site to 500 houses, the primary school and one third of the business uses before the Metro is built 2) require air quality monitoring is undertaken at the applicant's expense in all surrounding communities including Llandaff for a period of 10 years after development commences.

Miscellaneous

Ixiii. Moto Regional Office request for contact details to explore possibility of a mains connection for gas and a mains sewage connection

- 7.6 10 letters of objection were received from residents of Llantrisant Rd, Pontyclun; Llantrisant Rd, Groesfaen; Y Parc, Groesfaen; and the Llandaff Society, North West Cardiff Group, a member of Rhondda Cynon Taf Council representing the ward of Pontyclun and a member of Pontyclun Community Council, and WYG Environment Planning Transport consultants on behalf of owners of Henstaff Court adjoining the application site, in response to the **amended submission of August 2016** (21 day consultation advertised by means of site and press notice, and letters to neighbours and other interested parties). These reflect objections previously raised, which are not re-stated. The new objections raised are summarised as follows:

Process / Approach / Principle of objection / Masterplanning

- i. The documents supporting the minor amendments do not address the serious deficiencies and adverse impacts of the development or and fails to demonstrate to meet the LDP requirements of providing fully sustainable development
- ii. accepts that the site is allocated for development in the LDP, but continues to believe the target for housing in Cardiff is not justified by data on household formation in the region and will undermine the objectives for housing development in the LDPs for RCT and other neighbouring local authorities. If Cardiff were to accept this application it would be putting its objective of increasing its population above the interests of residents and businesses of neighbouring local authorities and would undermine the objective of developing an effectively functioning South Wales economic region
- iii. welcomes the increased recognition now given to the necessity to facilitate access into the adjoining land at Henstaff Court, as required in the adopted LDP
- iv. Cardiff Council has a statutory obligation to consult Pontyclun Community Council on this application
- v. the development should not be permitted until there is a LDP in place
- vi. Requests for the site visit to include a visit to Groesfaen and through Llandaff, and for Members to be asked to note the narrow and congested Cardiff Road through the Llandaff Conservation Area and AQMA.

Socio-economic matters

- vii. the impact on medical facilities has not been considered
- viii. communities dissected by the A4119 will be put in serious jeopardy by the development unless transport links are established early on

Highways, Transportation, Safety, Air Quality, Noise & Vibration

- ix. the application fails to take into account impact on travel demand, the level and nature of public transport provision, opportunities to promote active travel journeys, environmental impact, impact on safety and convenience of other uses, as required by Planning Policy Wales

- x. the traffic problem will get worse if and when the 'flexibility' extension part of the J33 site including Henstaff Court is taken up in addition to all the other major developments proposed in Cardiff and RCT
- xi. Believes that there will be future pressure to remove the bus gate and allow new housing to access J33 directly, generating more car trips on the motorway
- xii. do not consider a P&R without a segregated bus or rail route a viable transport alternative for travel to the City Centre
- xiii. there is still no convincing proposal for transport alternatives
- xiv. there is no evidence to support the transport proposals - there is no intention to fund any form of rapid transport corridor through the development and it will not happen, dedicated cycle access is needed to the rail stations and there is no intention to provide these and it is a challenging route for the most experienced cyclist, there is no evidence to suggest that residents will use the Park and Ride. Most will commute to work by car along the A4119 through Groes Faen to J34 of the M4 and the impact of this is not assessed
- xv. the cumulative impact of this and other applications along the A4119 is to increase congestion at J34 to the detriment of residents of Groes Faen and reduce the ability of residents of Pontyclun, Talbot Green, Beddau, Tonyrefail and the Rhondda to gain access to the M4 to the detriment of their quality of life
- xvi. the application takes no account of the detrimental impact (including cumulative impact from sites C, D and E) on the village of Groes Faen with no mention of the traffic problem and no provision for mitigating the harmful effect, leading to increased congestion, journey times, accidents, difficulty parking at Pontyclun train station, adding a bus lane at peak hours would make life more difficult and Creigiau would become an extended car park for the new development and noting the A4119 is identified as a Rapid Transit Corridor and Western bus Corridor. All private traffic requiring M4 access will have to go through Groes Faen to get to J34, with the Park and Ride requiring significant car access onto the site for its success. The only long term solution to traffic problems in Groes Faen is to alter the character of the road through Groes Faen from primary through route to urban access road with safe pedestrian crossings and safe pavements similar to that proposed along the A4119 adjoining the development
- xvii. Increased congestion undermining the ability of Pontyclun residents to access employment and making the existing settlement unsustainable
- xviii. supporting infrastructure and better rail links (more regular trains and a new station) and a pedestrian crossing at Groes Faen are needed
- xix. despite the addendum, the TA is still unconvincing, makes inappropriate assumptions, contains errors and uses modelling techniques which the author admits gave 'meaningless' results in relation to traffic flow through junctions at or beyond capacity and failed to make a reasoned assessment of the traffic scenarios or 76% car use option the Council asked them to assess, does not properly assess or mitigate impact on Groesfaen, with the effect that traffic and environmental impact is underestimated and can not be relied upon with examples provided

- xx. No improvements to Llantrisant Rd are proposed in the amended application
- xxi. there is no indication of the number of cycle parking facilities to be provided in the P&R
- xxii. the developer should fund the provision of P&R bus services, with funding only provided for 4 of the 12 or 13 buses
- xxiii. existing footways along Llantrisant Rd between the site and Waterhall Road are narrow, discontinuous overgrown and difficult to use
- xxiv. conditions must be recommended to: to require all internal access roads to be subject to s38 agreement, to control highway cross sections, to require footways along Llantrisant Rd to be improved to 2m and re-surfaced as necessary, to require adequate visibility to be at each new junction; to provide right turn lanes at the new junctions and existing junction with Cardiff Rd; to control parking in line with Wales Parking Standards; to ensure J33 is accessible from the site to all vehicles not just buses and to ensure that sufficient funds are made available to improve and make safe the flow of traffic through Groes Faen, creating a pedestrian crossing and increased off-road parking;
- xxv. The following s106 contributions are required: to provide for all necessary extra bus services, to pay for monitoring of the actual mode split place total responsibility on the developer for the achievement of the 50:50 mode split; for air quality monitoring
- xxvi. It is essential that CIL is levied on the development
- xxvii. access to the Henstaff Court land must be properly safeguarded
- xxviii. the access point to Henstaff Court land should be shown on an amended Indicative Masterplan as this is likely to be tied by planning condition to the planning permission, with the access shown extended right up to the site boundary
- xxix. the access route leading up to Henstaff Court must be suitable for use as a bus route - the DAS is inconsistent in this regard (the route has status of an 'Avenue' and is capable of use as a bus route, yet the route is not shown on a bus route
- xxx. the access route to Henstaff Court should be laid out to appropriate dimensions and geometry and be constructed so as to be suitable for use by vehicles, cyclists and pedestrians
- xxxi. the DAS shows two potential access points to Henstaff Court- the northernmost is not within the Applicant's control and cannot be relied upon
- xxxii. HGV movements to and from Creigiau Quarry will add to HGV movements along Llantrisant Rd.

8. **ANALYSIS**

8.1 The key issues for consideration are:

(i) The principle of development of the site

8.2 Following the adoption of the Local Development Plan (LDP) in January 2016, the application site now falls within Cardiff's settlement boundary and forms part of Strategic Site D (North of Junction 33 on M4), allocated in the LDP under policies KP2 and KP2 (D&E) and defined on the Proposals Map. As such, the

principle of the development of this greenfield site is firmly established. The site does not constitute countryside under the LDP definition, set out in para 5.68 of the LDP ('land located outside the settlement boundaries as identified on the LDP Proposals Map'), such that objections received on grounds of loss of countryside could not be sustained.

(ii) The loss of agricultural land, including BMV land

- 8.3 The development of this site would lead to the loss of a limited amount of best and most versatile agricultural (BMV) land. National planning policy on the conservation of agricultural land is set out in PPW (July 2014) and the accompanying TAN 6: Planning for Sustainable Rural Communities (2010). Paragraph 4.10.1 states that land of grades 1, 2 and 3a in the Agricultural Land Classification (ALC) system is the best and most versatile agricultural land should be conserved as a finite resource for the future. The paragraph advises that:

'considerable weight should be given to protecting such land from development, because of its special importance. Land in grades 1, 2 and 3a should only be developed if there is an overriding need for the development, and either previously developed land or land in lower agricultural grades is unavailable, or available lower grade land has an environmental value recognised by a landscape, wildlife, historic or archaeological designation which outweighs the agricultural considerations. If land in grades 1, 2 or 3a does need to be developed, and there is a choice between sites of different grades, development should be directed to land of the lowest grade.'

- 8.4 At the development plan level, KP18: Natural Resources requires development proposals to take full account of the need to minimise impacts on the city's natural resources, which extends to the protection of the best and most versatile agricultural land.
- 8.5 The ES notes that the permanent loss of land suitable for agriculture is a major adverse effect of the development and this is accepted. However, given the site forms part of the land use allocation Strategic Site D (North of Junction 33 on M4), the principle of the loss of the agricultural land and of its use by agricultural users is firmly established.
- 8.6 The Department for Natural Resources, Welsh Government have no objection to the loss of agricultural land. In their initial response, WG noted that their records are incomplete, that the site was surveyed in 1993 and found to be majority agricultural land grade 3b. They concluded: that it is unlikely that the ALC grading of the site would alter significantly if re-surveyed, that they view the 1993 survey as the best available information and reliable at the scale, the threshold given at TAN6 Annex B2 where the Department has grounds to offer a view is 20 ha of BMV (the national agricultural interest); it is very unlikely the threshold would be reached if resurveyed and that there is a low risk of BMV loss and therefore it is very unlikely the proposal would impact on the national agricultural interest. This position is confirmed in their subsequent comments.

8.7 Notwithstanding the fact that the principle of the loss of agricultural land is firmly established through the sites allocation in the approved LDP, a condition is recommended to ensure the effective use of the valuable soil resource by requiring the submission and implementation of a Soil Resource Survey and Plan.

(iii) Impact on wildlife and habitats

8.8 PPW identifies the following Welsh Government objectives for the conservation and improvement of the natural heritage:

- promote the conservation of landscape and biodiversity, in particular the conservation of native wildlife and habitats;
- ensure that action in Wales contributes to meeting international responsibilities and obligations for the natural environment;
- ensure that statutorily designated sites are properly protected and managed;
- safeguard protected species, and to
- promote the functions and benefits of soils, and in particular their function as a carbon store (para 5.1.2).

8.9 PPW recognises the role of the planning system in creating new opportunities to enhance biodiversity, prevent biodiversity losses, or compensate for losses where damage is unavoidable. It also recognises the importance of minimising or reversing the fragmentation of habitats and improving habitat connectivity through the promotion of wildlife corridors, whilst ensuring development minimises species and habitat impact (para 5.2.8).

8.10 In respect of protected species, PPW notes that the presence of a species protected under European or UK legislation is a material consideration when a local planning authority is considering a development proposal which, if carried out, would be likely to result in disturbance or harm to the species or its habitat (para 5.1.11). It goes on to state that

‘Developments are always subject to the legislation covering European protected species regardless of whether or not they are within a designated site. New developments for which development works would contravene the protection afforded to European protected species require derogations from the provisions of the Habitats Directive. A derogation may only be authorised if there is no satisfactory alternative and if the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range. The development works to be authorised must be for the purposes of preserving ‘public health or safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment’. Derogations are granted by a licence issued by Natural Resources Wales. Local planning authorities are under a duty to have regard to the requirements of the Habitats Directive in exercising their functions. To avoid developments with planning permission subsequently not being granted derogations in relation to European protected species, planning authorities should take the above three requirements for derogation into account when considering

development proposals where a European protected species is present.'

- 8.11 At the development plan level, policy KP16 provides a framework for the protection, enhancement and management of Cardiff's natural heritage assets, including its biodiversity interests. KP4 requires major development to accord with the 'Masterplanning General Principles' including the need to ensure that *'multi-functional and connected green open spaces form strategically important links to the surrounding area to provide routes for people and wildlife and open spaces for sports, recreation and play'* and to *'sympathetically integrate existing landscape, biodiversity and historic features of the site into the development taking opportunities to protect, enhance and manage important features along with mitigation and enhancement measures to provide satisfactory compensatory measures'*. At a detailed policy level, policy EN5 provides protection for designated sites, policy EN6, protection for ecological networks and biodiversity features of importance, whilst policy EN7 provides for the protection of priority habitats and species. Policy EN8 provides for the protection of trees, woodlands and hedgerows for their amenity, natural and cultural heritage value.
- 8.12 A full site description is presented in Section 2 of this report. The key ecological sensitives informing the green infrastructure strategy for the site are set out below.
- 8.13 There are no statutory nature conservation designations within the site or surrounding 1.5km. Eight international sites are assessed by the Council's Ecologist in the Habitats Regulations Assessment, none of which are in close proximity to the site; Cardiff Beech Woods SAC (3km away), Severn Estuary SAC (9.5km away), SPA, Ramsar Site, the River Usk SAC (23km away), the River Wye SAC (47km away), Blackmill Woodlands SAC (14 km away) and Aberbargoed Grasslands SAC (14km away).
- 8.14 Six locally identified Sites of Importance for Nature Conservation lie partially or wholly within the site, including Coed Gwernybwlau, Nant Henstaff, Cadoxton and Trehafod Branch Line, M4 Junction 33 Spoil Tip, Nant-Y-Glaswg and Pencoed Wood SINC. These support a variety of priority habitats and species.
- 8.15 The assessment of the site has been informed by previous surveys undertaken between 1993 and 1995, between 2006 and 2008, with baseline surveys undertaken in 2013 in the form of an Extended Phase 1 Habitat survey and targeted protected species surveys for dormouse, bats and birds. The amended submission was informed by a Walkover Survey in 2016, further bat surveys and a reptile survey. NRW confirmed that an updated Dormouse survey was not necessary.
- 8.16 The main habitats present on the site consist of improved, poor semi-improved and marshy grassland fields, separated by hedgerows and tree lines. Areas of broad-leaved semi-natural woodland, and streams, wet ditches and ponds are also present. Additionally, the invasive species *Rhododendron* was noted to be present in one of the woodlands in the southwest corner of the site, to the west of Coed Gwernybwlau.

- 8.17 The habitats present on the site are noted in the ES and ESA to support or have the potential to support valued ecological species, including roosting and foraging/commuting bats, birds, amphibians, badger, otter, dormouse, reptile and invertebrate species. The ES confirms the presence of a number of European Protected Species on site including several bat species and historic records for both dormice and Great Crested Newts.
- 8.18 With regards bats, the additional June – October 2014 bat surveys, undertaken to inform the amended submission, identified a single Natterer's bat roost within a tree deemed likely to be affected by the proposed works (as it was categorised as being Category U and as such unsuitable for retention on arboricultural grounds). Moreover, the tree is located in a field to be developed for residential use, such that the ESA notes it would be unlikely to maintain its ecological function. The ESA also noted that a tree roost identified in 2008 was no longer considered to be present, based on loss of the roosting feature as a result of tree decay. The ESA also confirms that four other known bat roosts identified as part of the 2008 surveys are to be retained.
- 8.19 With regards dormice, the 2013 survey did not identify records of dormice within 1.5km of the site and the ES concluded that dormice were considered likely to be absent from the site. NRW disagreed with this conclusion, referring to previous surveys carried out in support of a 2008 application which confirmed the presence of dormice from characteristically opened hazelnuts in 2007, noting the species can be difficult to gather conclusive evidence of and that the potential exists for dormice to occur in woodlands, hedgerows and other appropriate habitats in and adjacent to the site areas. NRW advised that their view was that additional survey work would be of limited value, but given that dormice may still be present on or adjacent to the site, requested a dormouse mitigation strategy be prepared. This was duly submitted as part of the amended submission.
- 8.20 With regards Great Crested Newts, NRW advised that, whilst the GCN surveys of the ponds on site did not confirm presence, they note that the ponds on the site where this species were previously confirmed are silting up to such an extent that they may no longer be suitable for breeding in. NRW advised that the species was confirmed during previous surveys and, as a relatively long lived species, is likely to be present, at least in the terrestrial habitat phase of its lifecycle.
- 8.21 With regards UK protected species, the ES notes the record of a disused badger sett on site.
- 8.22 The 2014 reptile surveys, submitted as part of the amended submission, confirmed the presence of a low population of reptiles within the site boundary based on the observation of a single juvenile Common Lizard.
- 8.23 The ESA also provides an updated assessment of the suitability of the site to support Marsh Fritillary butterfly, which was the subject of concerns from RCT Council. The ESA identifies that surveys of the site in 1995, 2006 and 2013 did

not identify habitats on site as being suitable to support breeding populations, with its larval food plant - Devils-bit Scabious – being very localised and nowhere present in abundance. The 2016 walkover survey did not identify any habitats as being suitable to support breeding Marsh Fritillary.

- 8.24 The ecological sensitivities noted above have shaped the Green Infrastructure (GI) for the site. The proposals have sought to retain and protect the above species and habitats via a series of measures noted in para 1.12 above, which are not repeated here.
- 8.25 With regards the environmental assessment of habitats, the ES and ES Addendum conclude that, following mitigation, the proposal is unlikely to result in a significant adverse impact on the majority of features of ecological value. The ES notes that, as part of the site preparation works in advance of construction, a number of habitats including areas of SINC habitat, sections of hedgerow, small areas of woodland, marshy and semi-improved grassland will need to be cleared to allow the commencement of ground works. It notes that these works would be certain to result in a significant adverse impact from their loss at least in the short term, although a significant impact on other ecologically valuable features (remaining hedgerows, woodland, ponds and watercourses) was considered unlikely with the adoption of appropriate mitigation measures.
- 8.26 A significant adverse impact on the M4 J33 Spoilt Tip SINC is predicted due to the total loss of this SINC. Identified mitigation measures include wildflower grassland planting within soft landscaping areas to mitigate the loss of the grassland resource. Adverse impacts – but not assessed as significant as the majority of the SINC are to be retained - were also predicted in respect of Coed Gwernylwylau and Cadoxton and Trehafod Branch Line SINC within the application boundary. Significant adverse impacts would also occur due to a net loss of marshy grassland and semi-improved grassland habitats, although these impacts are noted to reduce in the long term as wildflower and other seed mix planting (including Devil's-bit Scabious within attenuation basins to support Marsh Fritillary butterfly) establishes.
- 8.27 An adverse impact on bats, birds, amphibians, invertebrates and Badger within the application boundary was considered probable in the short-medium term given the temporary loss of foraging/commuting resource, increased disturbance and the time taken for landscape and mitigation planting to mature. These impacts are noted to be likely to reduce over the long term as planting matures, with neutral long term impacts predicted in respect of bats, scrub nesting birds, amphibians, badger and reptiles and invertebrates. The ESA confirmed that the findings of the original ES with respect to reptiles, following the reptile survey, is still considered appropriate, given that a low density reptile population was originally assumed to be present, and that any adverse impact in the short term is considered likely to reduce towards neutral in the long term. With regards the proposed loss of the single Natterer's bat roost within a tree likely to be affected by the proposed works, the ESA notes that that an adverse impact is certain in the short term due to the loss of the existing roost, reducing towards neutral in the long term with provision of alternative roosting

opportunities and appropriate design of site lighting to maintain dark corridors. The ESA confirms that four other known bat roosts identified as part of the 2008 surveys are to be retained, such that no other direct impact on roosting bats is predicted to occur. On this basis, the finding of the original ES is considered appropriate in respect of roosting bats; that overall a significant adverse impact on retained bat roosts was unlikely. A significant adverse impact on ground nesting bird species was noted to be inevitable, due to the net loss of their nesting habitat as part of the development. Measures to help mitigate this particular impact include vegetation clearance outside the breeding season.

- 8.28 As noted above, dormice were considered likely to be absent from the site in the original ES, such that a neutral long term impact was predicted. The ESA notes that this assessment of impact, set out in the original ES, is still considered appropriate, with mitigation measures identified in the Dormouse Mitigation Strategy submitted as further information. (These measures comprise phased and sensitive clearance of woody vegetation and management of retained woodland and hedgerows to enhance the habitats and provide a more diverse foraging resource for dormice). Impacts on otter were considered unlikely, based on the limited suitability of habitat on site to support this species.
- 8.29 With regards the impact on Marsh Fritillary butterfly, which was the subject of concerns raised by RCT's Ecologist, the ESA confirms that the updated survey did not identify any habitats within the site as being suitable to support the breeding species, such that a neutral impact is considered likely. No specific mitigation is considered necessary in the ESA, although Devil's-bit Scabious is proposed to be included within the seed mix sown within attenuation basins at the site. The Council's Ecologist has advised that if they can be assured that habitat management techniques in and around the attenuation basins will be suitable for species-rich grassland types such as marshy grassland, then this could represent adequate habitat compensation. This can be controlled at reserved matters stage and in the discharge of the recommended conditions, notably the Strategic and Detailed Green Infrastructure Management conditions.
- 8.30 As noted above, the Council's Ecologist undertook a Habitats Regulations Appraisal, which concluded that implementation of the development will not have a likely significant effect on the international sites considered as part of the HRA screening, either alone or in combination with other plans, projects or programmes, and will not require full Appropriate Assessment under the Habitats Regulations.
- 8.31 A range of mitigation measures to avoid or minimise the impacts of the development during construction and operation, and to create and enhance habitats and biodiversity, have been incorporated into the scheme and will be secured by condition/s106. These are set out in paragraph 1.12 above and are not repeated here. Additionally conditions are recommended to: require the submission of a Construction Environmental Management Plan (CEMP), Strategic and Detailed Green Infrastructure Management Strategies (including re-survey of the disused badger sett), tree assessments (including Arboricultural

Impact Assessment, Arboricultural Method Statement and Tree Protection Plans), Soil Resource Surveys and Plans and Landscaping Schemes. A condition is also required to deliver a range of biodiversity measures, including fences/means of enclosure to allow the free passage of hedgehogs and other wildlife, to require the incorporation of new bird and bat roosting opportunities, wildflower and Devils bit Scabious planting and to require inset kerbs adjacent to gully pots to avoid trapping amphibians. Conditions are also recommended to protect SINC and nesting, and to ensure the provision of a min 15m ecotone buffer adjacent to existing and proposed woodland. Furthermore, the CEMP condition includes a requirement to include a 10m wide buffer zone alongside all watercourses within and bordering the site during the construction phase.

- 8.32 Taking into consideration the above, including PPW advice in relation to EPS and the three derogation tests, the lack of objection from the Council's Ecologist and NRW, the third party objections and notwithstanding the potential for some significant environmental effects, including long term impacts on the M4 Junction 33 Spoil Tip SINC and ground nesting birds, it is considered that the impact on ecology and biodiversity interests is acceptable, subject to the recommended conditions to both mitigate potential adverse impacts and to create and enhance biodiversity opportunities. The conclusions of the ES and ESA are accepted and the amended submission is welcomed, with the scheme demonstrating a well-considered and integrated multi-functional green infrastructure approach that goes to the heart of the scheme.

(iv) whether there would be satisfactory provision for open space

- 8.33 Recognising the importance of sport and recreation to our quality of life, PPW advises that the Welsh Government's main objectives include: the promotion of a more sustainable pattern of development by creating and maintaining networks of facilities and open spaces in places well served by sustainable means of travel; the promotion of social inclusion, improved health and well-being by ensuring easy access to the natural environment and to good quality, well-designed facilities and open space; and providing innovative, user-friendly, accessible facilities to make our urban areas more attractive places to live, work and visit (paragraph 11.1.3). PPW also places a duty on LPAs to ensure that adequate land and water resources are allocated for formal and informal sport and recreation (paragraph 11.1.10). PPW promotes the multiple-use of open space and facilities to increase their effective use, and calls for those facilities to be sited, designed and maintained as integral parts of new developments (paragraph 11.2.6).
- 8.34 At the development plan level, policy KP4 requires major development to accord with the 'Masterplanning General Principles', which include the need to ensure that *'multi-functional and connected green open spaces form strategically important links to the surrounding areas to provide routes for people and wildlife, and open spaces for sports, recreation and play'*. Policy KP5 requires all new development to *'maximise[s] the contribution of networks of multi-functional and connected open spaces to encourage healthier lifestyles'* (criterion v). Policy KP16 provides a framework for the protection, enhancement and management of Cardiff's natural heritage assets and

requires proposals to demonstrate how green infrastructure - including open space and play areas, growing spaces - has been considered and integrated into the proposals. Policy KP2(D & E) requires the provision of a minimum of 12ha open space including 6ha of formal recreation, 3 playgrounds, 1 teen facility, and 1 x 40 plot allotment site. At a more detailed policy level, policy C5 sets out the requirements in terms of provision for open space, including provision for children's play.

- 8.35 The application provides for varied outdoor opportunities for children, including private gardens, residential streets and local green spaces, in addition to the provision of 2 adult size sports pitches, a Neighbourhood Equipped Area of Play and Multi Use Games Area within a Central Park Area that sits alongside the local centre and school, and 3 no Local Equipped Areas of play. Further opportunities are provided by substantial areas of informal green space, a linear park along the former railway, woodland areas and a network of cycle and pedestrian routes providing further opportunities for informal recreation. The Operational Manager, Parks & Sports, has assessed the on-site provision and concludes that the overall quantum of useable open space would meet the requirements. Whilst the amount of formal sporting provision is below the required level, Parks Services advise that the deficit can be offset to some degree by the amount of available space for informal recreation. Notwithstanding the Applicant's clear proposal to provide 2,400m² of allotments adjacent to the sports pitches (as set out in the Multi-functional Green Infrastructure Typology plan), officers have accepted that this cannot be satisfactorily delivered by this application. Parks Services have advised that it proved difficult to find an appropriately located site of a suitable size, noting the potential for conflict arising from the proposed co-location of allotments and sports pitches, and the other on-site provision in terms of a park and ride, local centre, school and significant green infrastructure, such that they are willing to accept nil provision as part of this application. The opportunity exists for allotments to be secured in the future, as part of the development of the remainder of strategic site D and site E, and it should be noted that policy KP2 (D&E) does not require allotment provision to be made on land within this application site, such that an objection on such grounds could not be sustained. The Applicant is willing to accept a condition to secure a community orchard and this is welcomed. The 'fixing' of the Green Infrastructure parameter plan will secure the provision of the two sports pitches, NEAP and MUGA in the Central Park and the three LEAPs. A condition is also recommended to overcome concerns regarding the location of the western LEAP due to a lack of overlooking. The Applicant has also agreed to a condition to provide and safeguard land for a changing facility and car park, with funding for their construction to be secured via other means and potentially through other applications coming forward on the remainder of site D and site E. The submission also includes a commitment to a series of 'bespoke' features, which will add to the enjoyment of the open space, and a condition is recommended to secure these. These include the retention of the railway archway previously noted, the provision of an interpretation trail as an educational resource and a 360 degree viewing platform.

- 8.36 With respect to the management and maintenance of open space, the recommended Green Infrastructure Management Strategy requires the submission of details for the management and maintenance of green infrastructure to be submitted for approval, with the future management and maintenance of open space to be secured by s106 agreement (see section 9). Taking into consideration the above and the recommended conditions and s106 Heads of Terms, the provision of public open space is acceptable.

(v) Landscape and Visual Impact

- 8.37 The conservation of landscape is a key PPW objective for the conservation and improvement of the natural heritage (paragraph 5.1.2). PPW draws attention to the need to have regard to the relative significance of international, national and local designations in considering the weight to be attached to nature conservation interests and advises that LPAs should take care to avoid placing unnecessary constraints on development (paragraph 5.3.2).
- 8.38 At the development plan level, policy KP4 requires major development to accord with the 'Masterplanning General Principles', which include the need to *'sympathetically integrate existing landscape, biodiversity and historic features of the site into the development taking opportunities to protect, enhance and manage important features along with mitigation and enhancement measures to provide satisfactory compensatory measures'*. KP5 requires all new development to *'respond to the local character and context of the built and landscape setting'*. At a detailed policy level, policy EN3 provides protection for the landscape and setting of the City, with particular priority given to protecting, managing and enhancing the character and quality of five Special Landscape Areas (SLAs) present within the Cardiff Council area.
- 8.39 The ES includes an assessment of the impact of the proposed development on landscape and visual amenity within a 5km study area. There are no statutory designations within the application site or 5km study area. With regards non-statutory designations, there are 5 Special Landscape Areas (SLAs), identified for landscape protection, within the 5km study area – but none within the site itself (A: Garth Hill and Pentyrch Ridges, B: St Fagans Lowlands and Ely Valle, C: Ely Valley at Miskin, D: Llantrisant Surrounds, E: Efail Isaf, Garth and Nantgarw Western Slopes). The ES also includes an assessment of 14 Landscape Character Areas (LCAs) contained within the study area. The site falls within LCA A: South of Creigiau and Capel Llanillterm Open Rolling Fieldscape. This is described as an open, gently undulating pastoral fieldscape which adjoins the rising hillside slopes south of Garth Hill, where landform is shaped by stream valleys and with a landscape pattern typically defined by small-medium sized fields bounded by hedgerows, with blocks of woodland and bands of tree cover. The dismantled railway which crosses the LCA is noted to be a characteristic feature. The LCA is noted to border the M4 motorway, which is noted to contribute towards a suburban character in places. The combined effects of rolling landform and surface features limit potential effects of the development on the landscape and visual amenity.
- 8.40 The assessment of effects on landscape character during the operational phase is predicted to be significant from locations within the development site

boundary and from immediately adjacent areas in the Landscape Character Area, as the development becomes a dominant, long-term feature within the landscape. The extent of the effects would vary across the LCA with the level of screening within the site and surrounding fieldscape, strengthened by the proposed landscape framework, assisting in integrating the proposed development into the landscape. Effects on other LCAs are not considered to be significant as a result of integration of the scheme within the landscape and the influence of existing settlement. A beneficial effect is predicted within the M4 Transport Corridor LCA, as the landscape changes resulting from the proposed development are expected to positively contribute to the landscape character through gateway development, structural landscaping and enhanced landscape management. Significant effects on visual amenity are predicted to occur from locations within the application site and within close proximity, but will be reduced as a result of landscape mitigation and enhancement measures. In terms of views from middle-distance and long-distance locations, it is concluded that the proposed development may be absorbed within the views without having significant effects, partly as a result of the breadth of the expansive views available, and the nature of the existing rolling, mosaic landscape which is dominated by extensive tree cover.

- 8.41 Significant basic mitigation has been built into the Masterplan which retains key hedgerows, woodland and trees, and creates a network of green corridors and additional public open space provision. The retained structural landscape network of woodlands and trees will be strengthened and there will be additional site boundary buffering. This mitigation will be delivered through the recommended conditions and s106. The conclusions of the assessment are accepted and it is considered that the development would not cause unacceptable harm to the character and quality of the landscape and visual amenity, taking into consideration the above, the recommended conditions and the inevitable effects of the change in land use from agricultural/grazing that would result from the allocation of the strategic site in the LDP.

(vi) Impact on Heritage Assets

- 8.42 PPW confirms the following as Welsh Government objectives for the protection, management and conservation of the historic environment:
- conserve and enhance the historic environment, which is a finite and non-renewable resource and a vital and integral part of the historical and cultural identity of Wales;
 - recognise its contribution to economic vitality and culture, civic pride, local distinctiveness and the quality of Welsh life, and its importance as a resource to be maintained for future generations;
 - base decisions on an understanding of the significance of Wales' historic assets;
 - contribute to the knowledge and understanding of the past by making an appropriate record when parts of a historic asset are affected by a proposed change, and ensuring that this record or the results of any investigation are securely archived and made publicly available; and specifically to
 - protect the Outstanding Universal Value of the World Heritage Sites in Wales;

- conserve archaeological remains, both for their own sake and for their role in education, leisure and the economy;
- safeguard the character of historic buildings and manage change so that their special architectural and historic interest is preserved;
- preserve or enhance the character or appearance of conservation areas, while at the same time helping them remain vibrant and prosperous;
- preserve the special interest of sites on the register of historic parks and gardens in Wales; and
- conserve areas on the register of historic landscapes in Wales (6.2.1).

8.43 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Council, in considering whether to grant planning permission for development affecting a Listed Building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. PPW confirms this as the primary material consideration (paragraph 6.5.11). The 1990 Act also places a duty of LPAs to pay special attention to the desirability of preserving or enhancing the character or appearance of a Conservation Area. PPW confirms that preservation or enhancement of a Conservation Area can be achieved either by a development which either makes a positive contribution to an area's character or appearance or leaves them unharmed (6.5.21).

8.44 Paragraph 6.5.5 of PPW notes that the conservation of archaeological remains is a material consideration in determining a planning application, whether those remains are a scheduled monument or not. Where nationally important archaeological remains, whether scheduled or not, and their settings are likely to be affected by proposed development, there should be a presumption in favour of their physical preservation *in situ*. In cases involving lesser archaeological remains, local planning authorities will need to weigh the relative importance of archaeology against other factors, including the need for the proposed development. PPW also advises that the effect of proposed development on a park or garden contained in the Register of Landscapes, Parks and Gardens of Special Historic Interest in Wales, or on the setting of such a park or garden may be a material consideration in the determination of a planning application (paragraph 6.5.26). With respect to Historic Landscapes, PPW notes that information on the register of historic landscapes in Wales should be taken into account by LPAs in considering the impact of EIA development (paragraph 6.5.27).

8.45 At the development plan level, policy KP17 provides a high level framework to protect, manage and enhance Cardiff's heritage assets. Policy EN9 provides a more detailed development management policy to protect the historic environment.

8.46 An assessment of the cultural heritage and archaeology of the site has been undertaken as part of the EIA. With regards designated heritage assets, there are no Scheduled Monuments within the application site or 1km study area, the closest being Llwynda-Ddu Camp, an iron Age hillfort approximately 1.4km to the east. A Grade II* Registered Park – Craig y Parc – is located 160m to the north-east of the site and Craig y Parc Conservation Area approx. 650m to the

north-east. The park comprises an Arts-and-Crafts garden of a Grade II* house, dating to the early 20th century. There are no Listed Buildings within the application site and 16 within the study area:

- Grade II* Listed Craig y Parc and five associated listed buildings
- Grade II* Listed Pencoed House - approx 60m to the north-east and whose grounds immediately adjoin the site
- Grade II* Listed Llanfair-fach House – approx 460m to the south east
- Grade II* Listed Castell-y-mynach – approx 810m to the north west
- Grade II Listed Pant-y-gored and Barn
- Grade II Listed Parc-y-Justice and associated range
- Grade II Listed The Old Forge
- Grade II Listed Church of St Elldeyrn at Capel Llanilltern
- Grade II Listed Upper Stockland Farm house
- Grade II Listed Llandwensan Fawr Farmhouse

8.47 No previous archaeological investigations have occurred within the application site. The ES identifies the known archaeological resource within the wider area and development site, noting in particular the presence of a railway embankment, associated viaduct and archway, former route way and enclosure, a small stone bridge, historic hedgerows and the remains of a former mill – Pencoed Mill - with possible medieval origins within the site. The ES also identifies several field ponds in the western portion of the site that are illustrated on the 1880 Ordnance Survey map, with further post-medieval ponds and quarries also located within the site as slight earthwork features. These have been assessed as of low and negligible value. The ES also notes the potential for unrecorded archaeological features and suggests mitigation in the form of an archaeological programme of work and survey.

8.48 The findings of the assessment are that the impact on the heritage resource will not be significant during the construction or operational phase, and this is accepted. The application will preserve the character and appearance of the Craig y Parc Conservation Area, taking into consideration the separation distances involved and the landscape features in the area. It is also noted that the Councils Placemaking Team, in commenting on Listed Buildings, advise that subject to the scale and finish of any proposed development within the vicinity respecting its presence, it is considered that the setting of the listed building Pencoed House could be appropriately preserved. An advisory notice is recommended to remind the Applicant that future reserved matters submission will need to demonstrate that the layout of the proposed development has given due consideration to the presence and setting of Pencoed House and how the scale, form and finish of built development have been adjusted accordingly. The Team also conclude that the other listed buildings in the vicinity of the application site are considered to be sufficiently detached from it such that their setting would not be impacted upon and this is accepted. The proposal will not harm any Scheduled Monuments, Registered Park and Garden or their settings, and it is also noted that Cadw have no objection to the application. It is also noted that Glamorgan Gwent Archaeological Trust agrees that the proposed mitigation in the form of a

programme of archaeological work is appropriate and a condition is accordingly recommended to secure this.

- 8.49 Overall, the Historic Environment Assessment is welcomed and provides a robust assessment of the potential impacts of the proposal sufficient to allow the site to come forward for development, subject to the recommended archaeological condition and advisory note in respect of the listed Pencoed House and taking into consideration the policy context. It is also noted that the railway corridor archway is proposed to be retained and integrated within the path and open space network, to provide an industrial heritage focal point, and this is welcomed. A condition is recommended to secure this.

(vii) Placemaking

- 8.50 PPW notes that to create sustainable development, design must go beyond aesthetics. It sets out 5 key objectives for good design, encompassing access, character, community safety, environmental sustainability and movement (section 4.11). Paragraph 9.1.2 sets out key principles LPA's should promote in delivering new housing, of which the following are particularly pertinent to this section:

- attractive landscapes around dwellings, with usable open space and regard for biodiversity, nature conservation and flood risk;
- greater emphasis on quality, good design and the creation of places to live that are safe and attractive;
- the most efficient use of land;
- well designed living environments, where appropriate at increased densities;
- construction of housing with low environmental impact; reducing the carbon emissions generated by maximising energy efficiency and minimising the use of energy from fossil fuel sources, using local renewable and low carbon energy sources where appropriate.

- 8.51 This is reflected at the development plan level, with policy KP5 establishing the wide-ranging principles against which the design of new developments will be assessed. KP4 is also relevant, setting out wide-ranging Masterplanning General Principles that major development should accord with. This 'placemaking' section of the analysis focuses on design as it relates to density, scale, character/built form, community safety and renewable energy. Access and movement matters are addressed elsewhere.

- 8.52 The application has been subject to a positive design process with the Council's masterplanning and green infrastructure teams, which has resulted in a good solution for the site. The amended submission, with its Revised DAS, responds well to the site constraints and opportunities, and demonstrates that the site has been well considered in the context of the masterplanning of sites D and E. The Illustrative Masterplan accords with the Schematic Framework for Sites D&E identified under policy KP2(D&E) and will not prejudice the delivery of the remainder of Site D, Site E or the 'future flexibility' land to the west. It demonstrates a careful consideration of green infrastructure and urban design matters, and a welcome commitment to street tree planting.

- 8.53 A condition is recommended to require the submission of a Townscape and Built Form plan to be submitted, to guide the design of Reserved Matters and help ensure that definition and legibility is created along key routes and key focal points. The principles for the local centre, as set out in the Revised DAS, are good and a condition is recommended to capture these. There is some concern that the positioning of the supermarket and car park will require careful consideration, as they can conflict with many place making aspirations; this can be dealt with at Reserved Matters stage. A condition requiring the submission of a public art strategy is also recommended to further the creation of a quality and legible built environment, consistent with policies KP5 and KP6.
- 8.54 With respect to crime and disorder, Section 17 of the Crime and Disorder Act 1998 states *'it is the duty of the authority to exercise its various functions with due regard to the likely effect on crime and disorder in its area and the need to do all that it reasonably can to prevent crime and disorder'*. This duty has been considered in the determination of this application. At the development plan level, policy C3 provides a framework for promoting a safe and secure environment and minimising the opportunity for crime. The Revised DAS sets out key community safety objectives and principles that have been taken into consideration in the masterplan. Whilst South Wales Police has no objection and welcome the commitment to creating natural surveillance and well overlooked public spaces, they are concerned that the DAS provides insufficient detail. However, it should be noted that the requested detail is more appropriately considered at Reserved Matters stage. Conditions are recommended to require details of means of enclosure and a scheme of lighting to be submitted at reserved matters stage. It is considered that there would be no significant or unacceptable increase in crime and disorder as a result of the proposed decision. Further consideration will be given to the effect on crime and disorder at Reserved Matters stage, with South Wales Police again consulted.
- 8.55 With respect to renewable energy, policy EN12 aims to encourage developers of major and strategic sites to incorporate renewable and low carbon technologies into developments. An energy statement forms part of the submission and a condition is recommended to require the submission of an energy strategy, consistent with the approach taken with regard to applications 14/02157MJR, 14/02188MJR and 16/00106/MJR.

(viii) Socio Economic Impact Assessment and Community Benefit

- 8.56 Paragraph 4.2.2 of PPW confirms that the planning system provides for a presumption in favour of sustainable development to ensure that social, economic and environmental issues are balanced and integrated. Paragraph 9.1.2 notes that LPA's should promote sustainable residential environments, avoid large housing areas of monotonous character and make appropriate provision for affordable housing and mixed tenure communities.
- 8.57 At the development plan level, policy KP13 sets out a range of measures to develop sustainable neighbourhoods, tackle deprivation and improve the quality of life for all. These include the provision of a range of dwelling sizes, types and affordability, and the provision of a full range of health, leisure and

social facilities and community infrastructure. Policy KP4 requires that major development should accord with the Masterplanning General Principle that requires *'provision of a full range of social and community facilities will be concentrated within mixed use neighbourhood centres located along public transport corridors and easily accessed by walking and cycling'*. Policy KP5 requires all new development to provide *'a diversity of land uses to create balanced communities and add vibrancy throughout the day'*. Policy KP6 requires new development to make appropriate provision for, or contribute towards, all essential, enabling and necessary infrastructure required as a consequence of the development. The provision of affordable housing, schools and education, health and social care and community facilities (amongst other matters) are identified as 'necessary infrastructure'. At a detailed policy level, policy C1 encourages and provides the policy context for new and improved community, health and religious facilities. The policy's supporting text notes that *'new strategic housing developments allocated in policy KP2 will be required to ensure that sufficient new community facilities are provided and integrated within the development to serve the needs of future and existing residents'*. Policy C6 provides a framework for reducing health inequalities and encouraging healthy lifestyles, and policy C7, a framework for planning for schools. Policy H3 requires the Council to seek 30% affordable housing on greenfield sites, and for this to be delivered on-site unless there are exceptional circumstances.

- 8.58 An assessment of the social and economic impacts was undertaken and forms part of the ES, which considers the following matters:

Employment and Economy

- 8.59 The development will provide direct and indirect jobs in the construction industry and supply chain. Once operational, the proposed development is predicted to provide up to 500 new jobs as a result of new employment uses, the primary school, community uses and operation of the new transport hub. The development, both during construction and once operational, is considered to have a significant beneficial impact on the local economy and employment opportunities, and this is welcomed.

Housing (including the provision of Affordable Housing)

- 8.60 The proposal would deliver up to 1,500 new homes, including provision for affordable housing both on and off-site. Further details are set out in Section 9.

Local Centre

- 8.61 The development will deliver a local centre, as required by KP2(D&E), to the benefit of new residents and the existing community. The Planning Obligations SPG (approved January 2017) requires the 'in-kind' provision of the local centre on-site, including the provision of the 'core and shell' of the centre's commercial units, together the provision of associated services, parking and highway access and, for stand-alone retail, the safeguarding of land for future development by commercial operators, including connection to all services and highway access. Section 9 of this report sets out the developer's responsibilities for the delivery of the local centre.

Community Facilities

- 8.62 It should be noted that policy KP2(D&E) requires the provision of a 'multifunctional community leisure facility including library facility' within the local centre within strategic site D. The Planning Obligations SPG (approved January 2017) requires strategic sites to provide in-kind provision of on-site community facilities and/or a financial contribution towards off-site provision. Whilst a community building of up to 750m² is proposed as part of the application and is identified in the local centre in the DAS, this has not been secured through the s106 negotiations, following the viability assessment. However, the quantum of development condition allows for up to 750m² of community facilities to be provided on the site, such that this could be delivered by other means.

Education

- 8.63 The application proposes the delivery of a 2 form entry primary school, adjacent to the local centre, and financial contributions towards secondary provision to meet the need arising from the development, as required by KP2(D&E) and this is welcomed.

Health

- 8.64 Policy C6 establishes that priority in new developments will be given to reducing health inequalities and encouraging healthy lifestyles through i) identifying sites for new health facilities and ii) ensuring they provide a physical and built environment that supports interconnectivity, active travel choices, promotes healthy lifestyles and enhances road safety. The Planning Obligations SPG (approved January 2017) requires in-kind provision of primary and community health care facilities and/or a financial contribution towards off-site provision on strategic sites where the need arises as a result of the proposed development. It should be noted that KP2(D&E) does not identify a requirement for health facilities within the local centre, and that the lack of on-site provision reflects advice from UHB, whose preference is to secure a health facility as part of a shared community facility within the main district centre of strategic site C. Whilst the application description includes reference to a clinic or surgery, neither this on-site element of the application, nor the alternative SPG requirement for a contribution towards off-site provision has been secured through the s106 negotiations, taking into consideration the viability assessment.
- 8.65 With regards other health benefits, the development supports interconnectivity and active travel choices, provides access to green open space and children's play facilities and gardens which may be used for food growing and facilities to enhance road safety, in compliance with criterion (ii). Conditions are also recommended to control land contamination and noise from traffic to ensure no unacceptable harm to human health. Impact on residential amenity is considered further below.

(ix) Assessment of Retail Proposals

- 8.66 The application includes provision for a local centre and up to 2500m² of retail floorspace (Class A1, A2 and A3 uses) and the application is, accordingly, supported by a retail assessment. The evidence provided is considered to

satisfactorily address the above points raised by the Council and demonstrates policy compliance with the tests and criteria outlined in Policy R6 and Policy R7 of the adopted Local Development Plan. As such this element of the application raises no land use policy concerns. A condition is recommended to control the size of the retail units to provide a balanced a mixed planned centre.

(x) Impact on air quality, noise and vibration, light pollution and contaminated land

- 8.67 The PPW objective for the management of environmental effects and pollution is to *'maximise environmental protection for people, natural and cultural resources, property and infrastructure, and prevent or manage pollution and promote good environmental practice'* (paragraph 13.1.12). At the local level, policy EN13 seeks to protect unacceptable harm caused by air, noise, light pollution or land contamination.
- 8.68 With regards air quality, the ES includes an assessment of the likely changes in air quality from the construction and operational phases of the development. Existing air quality at the development site is noted to be good, with the exception of a corridor around 100m of the M4. Detailed modelling assessment of impacts was undertaken, including of the Mwyndy AQMA which lies 3km to the North West, with the potential operational impacts from the development noted to be limited to effects due to increased vehicular emissions on the local road network. The amended submission included an assessment of impact on air quality within the Llandaff AQMA.
- 8.69 The development is predicted to have a negligible impact on local air quality in the vicinity of the development and within the development, taking into consideration mitigation in the form of an 80m buffer zone along the southern boundary of the M4. The recommended 80m buffer zone along the M4 boundary is, accordingly, captured in the recommended conditions.
- 8.70 The ES notes that the development is considered unlikely to interfere or prevent the implementation of any future air quality strategy for Cardiff or RCT Councils, is unlikely to require a new AQMA area to be declared, unlikely to significantly adversely affect air quality along the existing road network or to have any detrimental impact on human health as a direct consequence of increased vehicle emissions or exposure to emissions. The assessment of the Llandaff AQMA concluded that the impact of the development alone will be 'not significant', provided a slight improvement in vehicle emissions occurs or if no improvement in vehicle emissions occurs provided a slight level of modal shift occurs. The impact of the development in cumulation with all the strategic development in the Cardiff LDP is noted to be 'not significant' irrespective of the level of modal shift, provided a modest (30%) improvement in vehicle emissions across the fleet occurs or if only a slight improvement in vehicle emissions occur, provided a modest level of modal shift occurs (30%). Significant impacts are seen in the sensitivity tests only when worst case assumptions are combined i.e. no improvement in vehicle emissions is combined with zero modal shift, which the ESA considered to be unrealistic and an overly conservative scenario.

- 8.71 The Air Quality assessment also considers the potential for dust generation during construction and it is noted that the risk can be acceptably managed with good site practices and appropriate mitigation measures adopted through a site-specific Dust Management Plan.
- 8.72 The findings of the assessment are accepted, and it is noted that neither the Council's Air Quality Manager nor the Operational Manager Transportation has any objection. Conditions are recommended to require a Dust Management plan to be submitted as part of a Construction Environmental Management Plan for each reserved matters application, and a financial contribution towards air quality monitoring would be secured via s106 Agreement, in line with advice from Pollution Control.
- 8.73 The ES includes a Noise and Vibration assessment to determine the potential noise and vibration effects of the development on the area around the site and the future residents of the development, which concludes that the effects following mitigation would be negligible. Following clarification of queries raised by Pollution Control in a Noise Note that formed part of the ESA, Pollution Control have confirmed that they have no objection, subject to conditions and confirm that they are happy with the recommended noise conditions. These include conditions to control road traffic noise, sound insulation, delivery times, plant noise, and to require a noise barrier adjacent to the M4 and an 80m buffer zone along the boundary with the M4, and the implementation of a Construction Environmental Management Plan to control noise during construction. Advisory notices are also recommended in respect of construction site noise and noise legislation. Conditions are also recommended to control light pollution.
- 8.74 With regards land contamination, the ES included a ground condition assessment of the construction and operational phases. This notes the varied geology of the site, including thinly interbedded limestone in the northernmost section of the site, and that the area would be expected to include mineral excavation due to the band of high purity limestone running east/west just north of the site, with three active limestone workings located within 2km of the site. Other features of the site include the presence of historic in-filled quarries; one in the north west section and the other approx 80m north of the northwest section of the site, which are noted to have potential to be gas generating with a potential risk to residential properties developed over the in-filled quarries and requiring the assessment of ground gas conditions beneath the scheme as part of site investigation works. Potential sources of contamination noted include the historic railway line/embankment, the historic quarry, an area of tipped surplus subsoil from the construction of the M4, an a former storage compound, the historic mill (Pencoed Mill) and isolated zones of fly tipping. Following mitigation, no significant effects are predicted to occur, with all being assessed as negligible or minor. The ES notes a ground investigation is to be carried out prior to construction which will include geotechnical testing, soil and groundwater chemical testing and gas monitoring, with remediation of any contamination being designed and initiated as necessary. Dust suppression and silt control measures will be undertaken during the construction phase, and the potential effect of soil erosion mitigated by minimising areas of bare soils.

The need for piled foundations will also be assessed, as is standard good practice. During the operational phase, the drainage scheme will be designed to capture run-off and sediments.

- 8.75 The above measures are captured in the recommended conditions, which include a requirement for a Construction Environmental Management Plan, ground gas assessment and mitigation, land contamination assessment and mitigation, and conditions to control unsuspected contamination, imported soil and aggregates, and advisory notices in respect of radon gas protection, and contaminated and unstable land.

(xi) Residential amenity

- 8.76 PPW provides that *'insensitive infilling, or the cumulative effects or development or redevelopment, including conversion and adaption, should not be allowed to damage an area's character or amenity. This includes any such impact on neighbouring dwellings, such as serious loss of privacy or overshadowing'* (paragraph 9.3.3). At the development plan level, policy KP5 requires all new development to ensure no undue effect on the amenity of neighbouring occupiers.

- 8.77 It should be noted that appearance, layout, scale, landscaping and access within the site are reserved matters, and that the detailed consideration of impact on residential amenity, as a consequence of overlooking, overbearing and overshadowing, can only be fully assessed and controlled at reserved matters stage. A condition is recommended to better inform this process and allow for the consideration of the impact of 'floor and ground levels', and not just separation distances and building height, on residential amenity. It is considered that any impact in respect of noise and air quality (in respect of dust) can be adequately controlled through the recommended conditions and noise legislation, as noted above. Conditions are also recommended to control lighting.

(xii) whether the proposal would make satisfactory provision for access, parking and circulation

- 8.78 PPW notes that the Welsh Government aims to extend choice in transport and secure accessibility in a way which supports sustainable development and helps to tackle the causes of climate change by: encouraging a more effective and efficient transport system, with greater use of the more sustainable and healthy forms of travel, and minimising the need to travel (8.1.1). The Welsh Government supports a transport hierarchy in relation to new development that establishes priorities in such a way that, wherever possible, they are accessible in the first instance by walking and cycling, then by public transport and then finally by private motor vehicles (8.1.4).

- 8.79 The Wales Spatial Plan (2008 update) includes guidance in respect of the 'South East Wales- Capital Region' noting its intention that this region 'will function as a networked city region, on a scale to realise its international potential, its national role and to reduce inequalities with comparable areas in the UK' and recognizing that 'a fully integrated high quality transport system is necessary for this to happen' (p. 98). In terms of achieving sustainable

accessibility, the plan importantly recognises that 'road building in general is not a sustainable solution to the pattern of traffic growth' and that 'the overall priority is to make better use of the Area's existing transport infrastructure, to deliver more sustainable access to jobs and services'.

- 8.80 The Council's transport strategy underpinning the LDP is focused on seeking to reduce car use by encouraging people to use more sustainable modes of transport. A central aim of the strategy is to achieve a 50:50 split between journeys by car and walking, cycling and public transport in respect of all trips by the end of the Plan period. Policy KP8 aims to ensure that development is properly integrated with transport infrastructure to achieve a shift away from car-based travel and sets out this 50:50 mode split as a target. The reasoned justification clarifies that achieving the 50:50 target will not be a matter of requiring all new development within the plan period to achieve a 50:50 modal split, but rather that measures will be sought to maximise the possible share of trips by sustainable modes for all sites (para 4.118). Policy T2 identifies the A4119 Llantrisant Rd as forming part of the Western Bus Corridor, one of four Rapid Transit Corridors identified as a focus for public transport enhancements that will serve the main LDP strategic sites and feed into the City Centre. KP2 (D&E) details the transport infrastructure to be provided on strategic site D, including provision of a Park and Ride site. Policy KP4 also seeks to help realise this mode split shift by ensuring major development is are planned to deliver *'dedicated sustainable transport corridors including provision for public transport, cycling and walking which will form key elements of the overall masterplan and effectively link into the wider network'*, that *'walking, cycling and public transport will be attractive, practical and convenient travel choices for all'*, that *'provision of a full range of social and community facilities will be concentrated within mixed use neighbourhood centres located along public transport corridors and easily accessed by walking and cycling'* and that *'new development ... provides good connectivity to adjoining areas...'*.
- 8.81 The proposal's transport strategy and package of mitigation measures, set out in Section 1, are soundly based, and are entirely consistent with the LDP transport strategy. The Operational Manager, Transportation has concluded that the transport impact has been adequately addressed and that the proposed mitigation is sufficient to enable the proposal to come forward and to increase the sustainable travel credentials of the site.
- 8.82 In line with policy KP2(D&E), the application will secure the following essential enabling infrastructure:
- Provision of a bus-based Rapid Transit Corridor through the site linking to the Western Bus Corridor, with a 6.3m wide carriageway proposed on the Spine and all Avenue Roads;
 - Off-site infrastructure, including an extended 200m long right hand turn lane into the site to facilitate bus movement
 - Delivery of a strategic 1000 space Park and Ride facility, linked to a Rapid Transit Corridor and public transport node and including a bus gate to limit unauthorised access by car to J33
 - A £2.25M bus subsidy to extend bus networks and pump prime the Park and Ride site

- Improvements to the Llantrisant Rd/ Cardiff Rd junction and provision of a safe crossing via a toucan crossing over Llantrisant Road within a 30mph zone
- A network of high quality, safe, attractive and convenient routes within the site, including a 3m segregated cycle way along all Spine and Avenue roads, and within the site along Llantrisant Rd
- An East –west connection between PROW (nos. 10 & 18) will be secured at Reserved Matters stage, by condition.

8.83 With regards the key masterplanning requirements of KP2(D&E) relevant to transport, the proposal:

- Provides for a range of densities
- Ensures that the potential delivery of the metro is not precluded, in line with policy T9, by safeguarding a number of corridors through the site and ensuring that uses, layouts and densities respond positively to it
- excludes vehicular access onto the M4 except for the P&R facility and business area adjacent to the junction,
- provides future vehicular, walking, cycling access to the remainder of Site D and the ‘future flexibility allowance land’ to the west
- facilitates interchange between local bus and rapid transit services
- will deliver a local centre, employment uses and a primary school reducing the need to travel
- provides sustainable access routes through the site, including enhancing the disused rail line as a walking, cycling and ecological corridor.

8.84 To ensure delivery of the transport strategy for the site, conditions are recommended to: secure the delivery of the 3 main vehicular accesses to the site and improvements, secure a landscape scheme for those highways works, secure the P&R facility and transport interchange and a management strategy, to control the use of external areas of the P&R facility, to limit access to J33, provide and safeguard access to the remainder of site D and the future flexibility land, safeguard land for the Metro, to ensure the provision of ‘safe zones’ within shared spaces to protect vulnerable users, to control car and cycle parking, the unloading of vehicles and delivery times, to secure the provision of lit roads before occupation of dwellings, to control gradients of all streets within the site to promote inclusive access, to secure a Construction Environmental Management Plan and Residential, Employment and a School Travel Plan, and appropriate phasing of infrastructure. The detailed highway works and internal site access would be subject to agreement under Section 38/278 of the Highways Act, and all footpaths in green corridors, to agreement under Section 25 to dedicate them as PROWs. The agreement and implementation of the Travel Plans, the bus subsidy, and Park and Ride facility would be secured via a Section 106 Agreement (see Section 9 for further information).

8.85 A Transport Assessment Addendum was submitted in support of the amended submission which, amongst other things, included assessment of the re-modelled junctions, sensitivity traffic analysis based on the existing mode split for Creigiau and St Fagans, and the consideration of impact at Groesfaen,

on the A4232 and Castell Mynach junction. The ESA notes that guidance suggests that significant traffic related environmental impacts may occur if traffic generated increases baseline traffic flows by more than 30%. The ESA concludes that the impact on traffic flows, highways impact/driver delay and severance will not be significant, whilst the impact on pedestrian and cyclist amenity and delay, urban real/fear and intimidation, and accidents and safety would all be moderate positive. Based on the predicted traffic increase, the ESA reports that significant traffic-related environmental impacts will not occur in Groesfaen. Responding to the Vale of Glamorgan concerns, the ESA reports a reduction in traffic on the A4232 to the north and south of the Culverhouse Roundabout as a result of the mitigation of the Park and Ride site. Responding to the RCT objection, the ESA reports that the amount of traffic added to the Castell Mynach junction is within the daily tolerance levels of traffic and the development will have no discernible adverse impact on the operation of the junction.

- 8.86 The traffic impact of the development has been the subject of significant objection, as reported in Sections 6 and 7. Members attention is drawn to the Inspector's Report on the Examination into the Cardiff LDP, which recognised this as a potential outcome, noting that *'we agree with assertions made at the examination that it would be unrealistic to expect traffic to flow unimpeded at peak times or to attempt to build sufficient road capacity to accommodate and prioritise the convenience of car users'* (para 7.10). As noted above, the Operational Manager, Transportation has no objection to the proposal. He concludes that the traffic flows and traffic modelling for this site have been adequately addressed and that the proposed mitigation is sufficient to enable the proposal to come forward and to increase the sustainable travel credentials of the site in the interim period. His detailed comments also respond to objections received from RCT, Network Rail and third parties.
- 8.87 Taking the above, the representations received and the detailed comments of the OM Transportation into consideration, together with the recommended conditions and legal agreement Heads of Terms set out in Section 9, it is considered that the development complies with planning policy in respect of highways and transportation matters, that the transport strategy proposed by the development is entirely consistent with the LDP transport strategy, and that the effects on traffic and transport can be adequately mitigated. The proposed delivery of the Park and Ride site is particularly welcomed, as it is key to the delivery of the LDP transport strategy.
- (xiii) Water Resources, Drainage and Flood Risk**
- 8.88 PPW advises that flood risk and the 'adequacy of water supply and the sewage infrastructure are material in considering planning applications and appeals' (paras 13.2.1 and 12.4.1). With respect to surface water run-off, PPW advises that *'in determining applications for development, local planning authorities should work closely with Natural Resources Wales, drainage bodies, sewerage undertakers, prospective developers and other relevant authorities to ensure that surface water run-off is to be controlled as near to the source as possible by the use of sustainable urban drainage systems. They should also ensure that development does not: increase the risk of flooding elsewhere by loss of*

flood storage or flood flow route; or increase the problem of surface water run-off" (para 13.4.2).

- 8.89 At the development plan level, policy KP5 requires all new development to be of a high quality sustainable design by, amongst other things, *'achiev[ing] a resource efficient and climate responsive design that provides sustainable water and waste management solutions....'* (criterion vii). Policy KP6 identifies flood mitigation and utility services as 'essential/enabling infrastructure'. KP15 requires development proposals to avoid areas susceptible to flood risk and prevent development that increases flood risk in order to tackle climate change. KP16 identifies strategically important river valleys (iii) and holistic integrated surface water management systems as natural heritage assets requiring protection and conservation. KP18 requires development proposals to protect the quality and quantity of water resources, including underground surface and coastal waters (ii).
- 8.90 At a detailed level, policy EN14 provides the framework for controlling flood risk, noting amongst other things, that development will not be permitted where it would increase the risk of flooding from fluvial and/or tidal flooding or from additional run-off from the development, and, where appropriate, requires the developer to demonstrate that they have considered the need to incorporate environmentally sympathetic flood risk mitigation measures such as Sustainable Urban Drainage Systems (SUDS). Policy EN10 promotes water sensitive design and integrated water cycle management to manage water locally and to reduce demands on the network, including SUDS, whilst policy EN11 seeks to prevent development that would cause unacceptable harm to the quality or quantity of underground, surface or coastal waters.
- 8.91 As noted in Section 2, the site includes Nant Henstaff and Nant y Glaswg watercourses, which flow around and through the site in various locations, and numerous watercourses originating within the site which connect with those named watercourses or drain to stand-alone culverts under the M4. The site also includes 5 ponds in the North West corner which provide ecological habitat.
- 8.92 The ES notes the majority of the site is located in Zone A of the TAN 15 development advice maps (dam) 'considered to be at little or no risk of fluvial or tidal/coastal flooding', with a small section of the site located along the Nant Henstaff is located in dam Zone B, identified as an 'area known to have been flooded in the past evidenced by sedimentary deposits' and where TAN 15 requires site levels to be checked against the extreme (0.1%) flood level. The ES notes that modelling of the Nant Henstaff has been undertaken which indicated that no vulnerable development would be situated within this flood risk area. NRW have advised that they consider risk of flooding to be minimal.
- 8.93 A Preliminary Drainage Strategy and Flood Risk Assessment have been submitted in support of the application. It is important to note that the application does not seek approval for this at this outline stage; rather a condition is recommended which would require the Applicant to undertake

further site investigations and analysis before proposing a detailed design to be agreed by condition.

- 8.94 The ES includes an assessment of the potential impact of the construction and operation of the proposed development on hydrology and drainage. The main concerns during the construction stage are expected to be of a temporary nature and relate to sedimentation in watercourses, increased flow in watercourses, reduction in water quality due to pollution and impediments to flow in watercourses. The main concerns during operation relate to increase in foul drainage loading, sedimentation in watercourses, increased flow in watercourses, reduction in water quality due to pollution and impediments to flow in watercourses. The ES concludes that, with mitigation, the long term impact will be negligible and that there will be minor adverse impacts during the construction phase which will be managed through the implementation of a Construction Environmental Management Plan (CEMP).
- 8.95 The necessary mitigation measures will be secured through the recommended conditions, which include the requirement for a CEMP, part of which include a Construction Drainage Scheme. Drainage conditions include the requirement for a Strategic Sustainable Surface Water Drainage Masterplan and a Detailed Surface Water Drainage Scheme for each reserved matters site to be submitted. The former is designed to ensure that the interaction between natural drainage catchments is taken into consideration in the design of detailed drainage schemes, given the site will be built out in phases over a number of years. The Detailed Surface Water Drainage Scheme condition requires a Hydrological Impact Assessment to be undertaken for each reserved matters site. The condition also requires details of the proposed management and maintenance of the scheme to be submitted, and is carefully worded to allow for adoption by any public authority, statutory undertaker or private management company. Those management and maintenance arrangements will be secured via s106 Agreement, as detailed in Section 9.
- 8.96 With regards foul drainage, a condition is recommended to require the approval and implementation of a foul water drainage scheme, based on comments from DCWW. A condition is also recommended to require the submission and implementation of a CEMP, which amongst other things, includes measures to prevent contamination and control flooding during the construction phase. The conditions are specifically worded to ensure that the LPA cannot approve any reserved matters application until the foul and surface water drainage schemes have been approved, and that no dwelling can be occupied until the schemes have been completed.
- 8.97 Taking the above, the representations and consultation responses received, and noting the support from DCWW and the Council's Drainage Officer, together with the recommended conditions and legal agreement Heads of Terms set out in Section 9, it is considered that the development complies with planning policy in respect of drainage and flood risk and that the effects of development can be adequately mitigated.

(xiv) Equalities Impact Assessment

- 8.98 The Public Sector Equality Duty (Section 149 of the Act 2010) requires the Council to have due regard to the need to eliminate discrimination, promote equality of opportunity and foster good relations between different communities. The Act 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. The Council's duty under the above Act has been given due consideration in the determination of this application. In terms of the promotion of inclusive access, equality and diversity, there will be no apparent abnormal differential impact on any people protected under the Equality Act 2010 as assessed at this outline stage, noting that detailed layout, appearance, landscaping, scale and access within the site will be considered at reserved matters stage. The revised DAS sets out principles for inclusivity, which are considered acceptable and will be promoted in the consideration of reserved matters. As noted above, a condition is recommended to enable assessment of the ground and building heights at reserved matters stage to help promote inclusive access. Conditions are also recommended to require 'safe zones' within shared spaces to protect vulnerable users and to require that refuse collection vehicles can reach within 25m of all dwellings, in order for the Council to offer an Assisted Lift collection service.

(xv) Wellbeing of Future Generations (Wales) Act 2015

- 8.99 Section 3 of the Wellbeing of Future Generations (Wales) Act 2015 imposes a duty on public bodies to carry out sustainable development in accordance with the sustainable development principle to act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs (section 5). This duty has been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the recommended decision. There is significant overlap between the well-being goals the Act puts in place and national and local planning guidance, given the central role of planning in delivering sustainable development. The key issues that have formed material considerations in the determination process are pertinent to the stated well-being goals of the Act.

(xvi) The Environment (Wales) Act 2016

- 8.100 The Environment (Wales) Act 2016 enshrines in law principles and policies for managing natural resources in a sustainable way. Amongst other things, it introduces a new biodiversity duty on public authorities to seek to maintain and enhance biodiversity when exercising their functions, and in so doing to promote the resilience of ecosystems, so far as consistent with the proper exercise of those functions. This duty and the resilience of ecosystems have been considered and discharged in the evaluation of this outline application, and has taken into consideration the following aspects of ecosystems - diversity, connections between and within ecosystems, scale, condition and adaptability. The mitigation measures sought in respect of green infrastructure, habitat connectivity, habitat compensation and protection of

species are aimed at delivering the Biodiversity and Resilience of Ecosystems Duty (BRED). It is accepted that there would be no significant long term negative effects on any known habitats, species or ecological features of value - with the exception of the M4 Spoil Tip SINC - that cannot be mitigated for, and that the development would potentially create and enhance local opportunities for wildlife, taking into consideration the recommended conditions. This duty would be further considered in the consideration of reserved matters and future discharge of condition applications.

(xvii)Response to third party objections

8.101 The objections raised are noted and have been taken into consideration. The following comments are provided in respect of matters not addressed above:

- There are legal requirements for the obligations contained in section 106 agreements, the purpose of which is to provide site specific impact mitigation to make individual developments acceptable in planning terms. A Section 106 agreement is a material planning consideration under s.70(2) of the Town and Country Planning Act 1990 in determining whether to grant permission, provided that it meets the tests set out in regulation 122 of the Community Infrastructure Regulations 2010. Regulation 122 provides that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is (a) necessary to make the development acceptable in planning terms; (b) directly related to the development; and (c) fairly and reasonably related in scale and kind to the development.
- Under the terms of the Charter Community Councils may respond to Cardiff Council on planning applications upon which they are consulted which are in or directly affect their communities. Community Councils therefore have the opportunity to identify considered local priorities for S106/CIL (when in place) through their roles in providing responses on planning applications. As S106 agreements are signed between the Council as the local planning authority by whom the obligation is enforceable and landowners, the primary negotiation will be between these two parties taking account of a wide range of factors, including all potential priorities for eligible spend and viability factors. However, the Community Councils can feed through their considered priorities for local spend as part of the Development Management process and this feedback will help inform the Council's position in terms of potential scope for local spend. The section 106 process is carefully monitored by the relevant Planning Officers and Head of Planning to ensure that whilst the precise circumstances of each case will vary, the legal tests are met and any s106 request is policy compliant. The decision on planning applications, including agreement of the Heads of Terms of S106 obligations, are made by Planning Committee or under the Council's approved scheme of delegations.
- With regards to the preparation of a Cardiff Community Infrastructure Levy (CIL), Cardiff has recently completed a public consultation on a Draft Charging Schedule (DCS). The responses to consultation are currently being considered prior to submission for Independent Examination anticipated in Spring/Summer 2017. Any development which is approved prior to the introduction of the CIL will not be liable to pay the levy. In addition, the current DCS advocates a "zero" or "nil" CIL from residential

development within Strategic sites and for developments of over 500 dwellings.

- The application will be referred to Welsh Government following the third party request for a call-in.
- The Council does not have a statutory obligation to consult Pontyclun Community Council.

9. **S106 REQUIREMENTS**

- 9.1 The Council's position reflects careful consideration of the planning policy context as set out in the Local Development Plan, together with relevant guidance contained within Supplementary Planning Guidance (SPG). It should be noted that the "Planning Obligations" Supplementary Planning Guidance was approved at the Council meeting of 26 January 2017. This guidance sets out an overarching approach to Planning Obligations and replaces previous guidance set out on a topic-by-topic basis. The S106 Heads of Terms as set out below represents the most appropriate apportionment of planning obligations having regard to the policy/guidance context as well as development viability.
- 9.2 In identifying the nature and quantum of infrastructure provision proposed, a viability assessment has been undertaken and independently verified. It is considered that the planning obligations listed below satisfy the legal tests and will, along with the recommended conditions; help mitigate any significant adverse effects of the proposed development.
- 9.3 It is noted that this application proposes 1,500 new homes of the 2,650 homes allocated under sites D&E, to which policy KP2 (D&E) relates, and that there will be opportunities for other applications coming forward on sites D and E to deliver the additional infrastructure required under LDP Policy KP2(D&E). This is considered reasonable having regard to the viability evidence submitted, and acknowledging the significant strategic infrastructure, including the Park and Ride Facility, new school, local centre and public open space being secured by this development.
- 9.4 The S106 Heads of Terms set out below have been agreed by the developers and meet the tests prescribed under the CIL Regulation 122 and Welsh Office Circular 13/97.

Affordable Housing

On-site

- 9.5 15% (up to 225 units) on-site to be delivered as 80% Intermediate Rented and 20% Low Cost Home Ownership (LCHO) at 70% OMV. The Intermediate Rented units will be built to Welsh Government DQR standards and meet WHQS. Some accommodation for Older Persons (which could include bungalows with/without assistive technology) and/or a Core & Cluster Specialist Accommodation for clients with either a Physical Disability and/or Learning Disabilities may be required. Detailed discussion will take place with the developer regarding the more specialist accommodation provision.

Financial Contribution

- 9.6 Based on a viability assessment, in addition to the on-site provision, a financial contribution of £7.9 million is sought toward the provision of affordable housing in the City, and is to be paid in phases. The timescales/triggers for the delivery of the housing and payments will be included in the s106 agreement. This has been calculated on the basis of overall development viability, where, depending upon the mix and tenure of units, the contribution could secure between 8.5% and 15% affordable housing off-site.
- 9.7 A review mechanism is sought to be incorporated into the s106 to allow the obligations to be reviewed by reference to the current SPG and viability.

Education

- 9.8 Based on an assumed 1500 dwellings and a notional split whereby 93% of dwellings are 'qualifying houses' and 7% are 'non qualifying housing/apartments', the following obligations are sought:

Primary

- Delivery of land and premises for a 2 Form Entry primary school incorporating 48 FTE nursery places to accommodate the yield of 432 primary age pupils from the proposed development.
- A land contribution of 19,000m² is sought to accommodate the primary school.
- The primary school would be required to be delivered prior to the 550th occupation of the new housing.
- The primary school building(s) must meet the requirements of Building Bulletin (BB) 99 and the relevant Employers requirements of the Council.
- Should any additional buildings be required on the school site (e.g. a community facility) the site should be enlarged by the equivalent floor area to comply with the suggested BB99 site size and separate secure entrances provided.

Secondary

- Assuming that a yield of 80 secondary age and 14 sixth form pupils would be able to access places at Radyr Comprehensive School, contributions are sought towards the building of additional English-medium secondary school and sixth form places to accommodate the remaining 119 pupils yielded by the development, calculated as **£1,906,077**
- Contributions are sought towards the building of additional Welsh-medium secondary school and sixth form places to accommodate the 53.23 pupils yielded by the development, calculated as **£853,163**
- A financial contribution of **£516,960** towards the purchase of 3,487m² of land is therefore requested, @ £600,000 per acre and calculated pro rata to a 1,500 place secondary school site, to accommodate the yield of c53 Welsh-medium secondary and sixth form age pupils. Should the Council not proceed with the purchase of land specifically to facilitate this option then the requested land contribution would be waived.
- The triggers for the delivery of the financial contributions are to be agreed in the s106 agreement.

- 9.9 Should the number and mix of dwellings vary from that assumed above, a proportionate financial contribution would be re-calculated,

- 9.10 A fall-back position would need to be written into the s106 Agreement should the provision and/or expansion of schools other than the above be identified as the appropriate way forward to meet demand from the site.

Local Centre

- 9.11 The developer will provide a fully serviced, mixed use local centre for the delivery of 2500 sq m (gross) of Class A1, A2 and A3 floorspace. Whilst there is no obligation on the developer to construct any community facilities, condition 50 allows up to 750m² of community facilities to be delivered on site by third parties/ other means.
- 9.12 To secure the delivery of the local centre the developer is required to:
- Provide and safeguard the floorspace identified for retail/commercial facilities in the local centre, which shall be identified as part of the approval of the reserved matters application for the phase in which the local centre is to be implemented,
 - Connect that identified floorspace to the services, parking facilities and highway access reasonably required for the operation of the retail facilities prior to first occupation of any retail facility
 - Prepare and agree with the LPA a marketing strategy for the local centre, at a trigger to be agreed in the s106, and market the retail units for occupation for an agreed period of time (but not preventing the developer from continuing to market the retail units voluntarily after this period expires)
 - To construct the retail units where an occupier has agreed terms for their occupation with the developer or – for standalone units - provide evidence to demonstrate that the occupier has agreed to build the retail unit
 - Include a mechanism in the s106 to discuss how the local centre is to be delivered in the event that there is no interest following the marketing of the site.

Green Infrastructure / Open Space

- 9.13 Details of future management and maintenance for green infrastructure / open space will be specified within the s106 Agreement.
- 9.14 The developer will provide and safeguard land for a changing facility and parking spaces to support the 2 no proposed sports pitches, with land to be identified at reserved matters stage.

Drainage

- 9.15 Details of the future management and maintenance arrangements will be specified within the S106 agreement, to include 'step in rights' for Cardiff Council.

Highways and Transportation

- 9.16 In addition to significant on-site highway works, the following obligations are sought:
- A bus subsidy of £2,250,000 towards the provision of 5 bus services serving the site and the Park and Ride, for a period of 3 years, with the timescale for payment to be agreed in the s106 Agreement.

- A 1000 space park and ride facility including transport interchange hub. The first 500 car parking spaces, together with the transport interchange hub and a vehicular link from Llantrisant Rd to Junction 33 for use by bus, pedestrian and cycles only, will be provided on the completion of the 500th dwelling. The remaining 500 car parking spaces will be provided on completion of the 750th dwelling.
- Travel Plans – the s106 will cover the agreement and implementation of the residential, school and employment travel plans. These will include (but not necessarily limited to) the following measures:
 - Transport Planning Co-ordinator to be provided continuously for a minimum of 10 years at the developer's expense. Following this period, the skills will be shared and passed onto local community members;
 - Annual Surveys to be undertaken for 10 years and formal commitment to achieve a 70% response rate on surveys;
 - First initial Travel Plan Survey / Baseline Survey to be undertaken within 3 months of 'meaningful' occupation;
 - Travel Plan survey undertaken within 6 months of 'meaningful' occupation;
 - Commitment to a first monitoring survey of the surrounding community, prior to first occupation;
 - Personalised Travel Planning;
 - Cycle training;
 - One cycle voucher to be used towards bike purchase for the first occupant of each new dwelling;
 - A Travel Plan reserve fund for 'fighting' failures or shortcomings through the monitoring period, this will need an amount secured for the purposes of the S106 to be held for appropriate intervention measures. The amount will be agreed in the s106 and set aside and held for appropriate intervention measures.
- The developer to provide and safeguard land to provide access to the remainder of strategic site D and to the land identified for 'potential future expansion in the plan period (KP1) for flexibility' (as identified on the Cardiff LDP Proposals Map) at the points of the proposed 'Future Access Points' shown on the 'Access & Movement Figure 3.3' parameter plan (drawing no 9602 Rev J) in order to avoid any future ransom scenario.
- The developer to provide and safeguard land to install the 'Metro' as and when required, as required to be identified under condition 7 (RAPID TRANSIT CORRIDOR/ METRO)
- Street lighting to be provided linked to a Central Management System to allow phased dimming of lighting

9.17 In addition, the highway improvement works which relate to the existing or proposed adopted highway (including any proposed shared footway/cycleways in green corridors/ open space) are to be subject to an agreement under Section 38 and / or Section 278 of the Highways Act 1980 between the developer and Local Highway Authority. All footpaths in green corridors are to be subject to an agreement under Section 25 of the Highways Act 1980 to dedicate them as a Public Right of Way, with the Landowner/Developer to

cover the costs for advertisement of the notices. The developer shall apply for a legal order for the diversion of the two Public Right of Way Footpaths that cross the site (Llaniltern No 18 and Peterstone Super Ely no 10) prior to any work being undertaken on the existing path alignments. If the legal orders are not confirmed, the existing path alignments must be retained.

Waste Management

- 9.18 A financial contribution towards the cost of bins is sought. Bins for each house will cost £60 (inc. VAT). Each flat requires storage for the following – 140 litres of general waste, 140 litres of recycling and 20 litres of food waste to be stored separately in a communal bin store. General waste and recycling need to be stored in the fewest 1100 litre or 660 litre steel bins, and food in the fewest 240 litre bins at the costs below:
- 1100 litre bin for general waste - £468
 - 660 litre bin for recycling- £390
 - 240 litre bin for food- £30
- 9.19 In addition, litterbins are required in areas of high footfall and particularly for any proposed bus stops, at a cost of £420 for the Council to install and maintain a bin on land to be adopted by the Council. The number of bins will be determined at Reserved Matters stage.

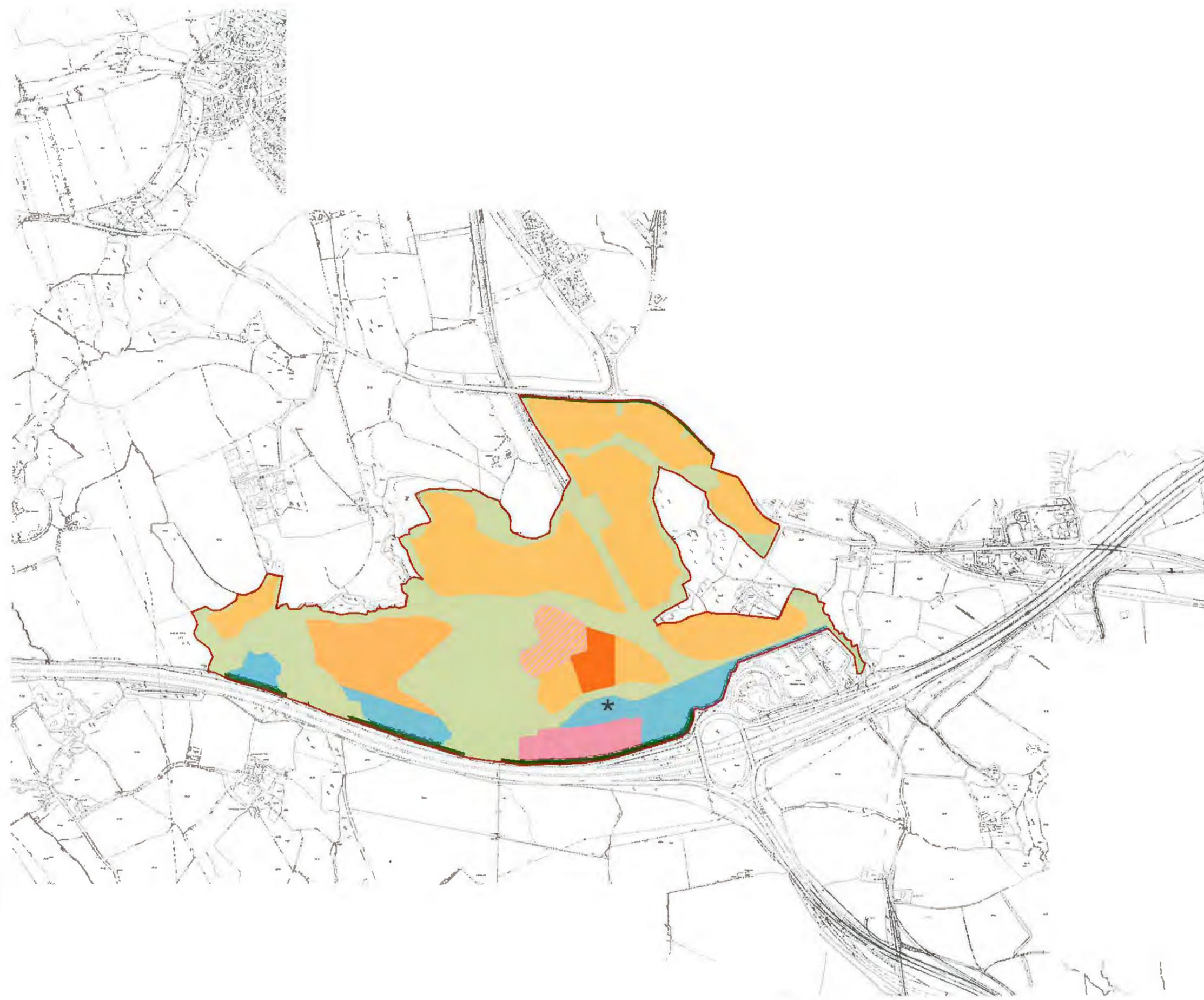
Air Quality

- 9.20 A financial contribution of £7,500 towards air quality monitoring is sought.

10. **CONCLUSION**

- 10.1 The application forms part of Strategic Site D, allocated in the LDP for a mixed-use development of approx. 2000 homes, employment, other associated community uses and a strategic Park and Ride site. As such, the principle of development has been firmly established. The application has been planned in a comprehensive and integrated manner, and subject to the recommended conditions and s106 Heads of Terms, is considered to deliver a high quality, sustainable and distinctive development. The delivery of the Park and Ride is particularly welcomed, as it is central to the delivery of the LDP transport strategy. Combined with this, the local centre, employment areas, two form entry primary school, on and off-site public transport, walking and cycling measures, and extensive green infrastructure will help deliver the Council's vision for the site, as expressed in the Schematic Framework for the site set out under policy KP2(D&E) of the Cardiff Local Development Plan.
- 10.2 The submitted Environmental Statement provides a comprehensive assessment of the potential impacts of the proposed development and this has been taken into consideration in the assessment of the application. The conclusions of the submitted ES are considered sound.
- 10.3 It is recommended that outline planning permission be granted, subject to the recommended conditions and relevant parties entering into a S106 agreement.

- Residential
- Local Centre (including mixed use and residential)
- * Employment (including interchange and infrastructure)
- Park & Ride
- / Primary School/Community Usage
- Noise Attenuation/Buffer
- Open Space (including allotments, orchard, natural play, NEAP & LEAP and road crossings)



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Project
 Westgate Park, Cardiff
 Junction 33, M4

Drawing Title
 Land Use
 Figure 3.2

| | | | |
|------------|-------------|----------|----------|
| Date | Scale | Drawn by | Check by |
| 14.04.15 | 1:10,000@A3 | JB/KU | MV/ALD |
| Project No | Drawing No | Revision | |
| 22043 | 9605 | K | |

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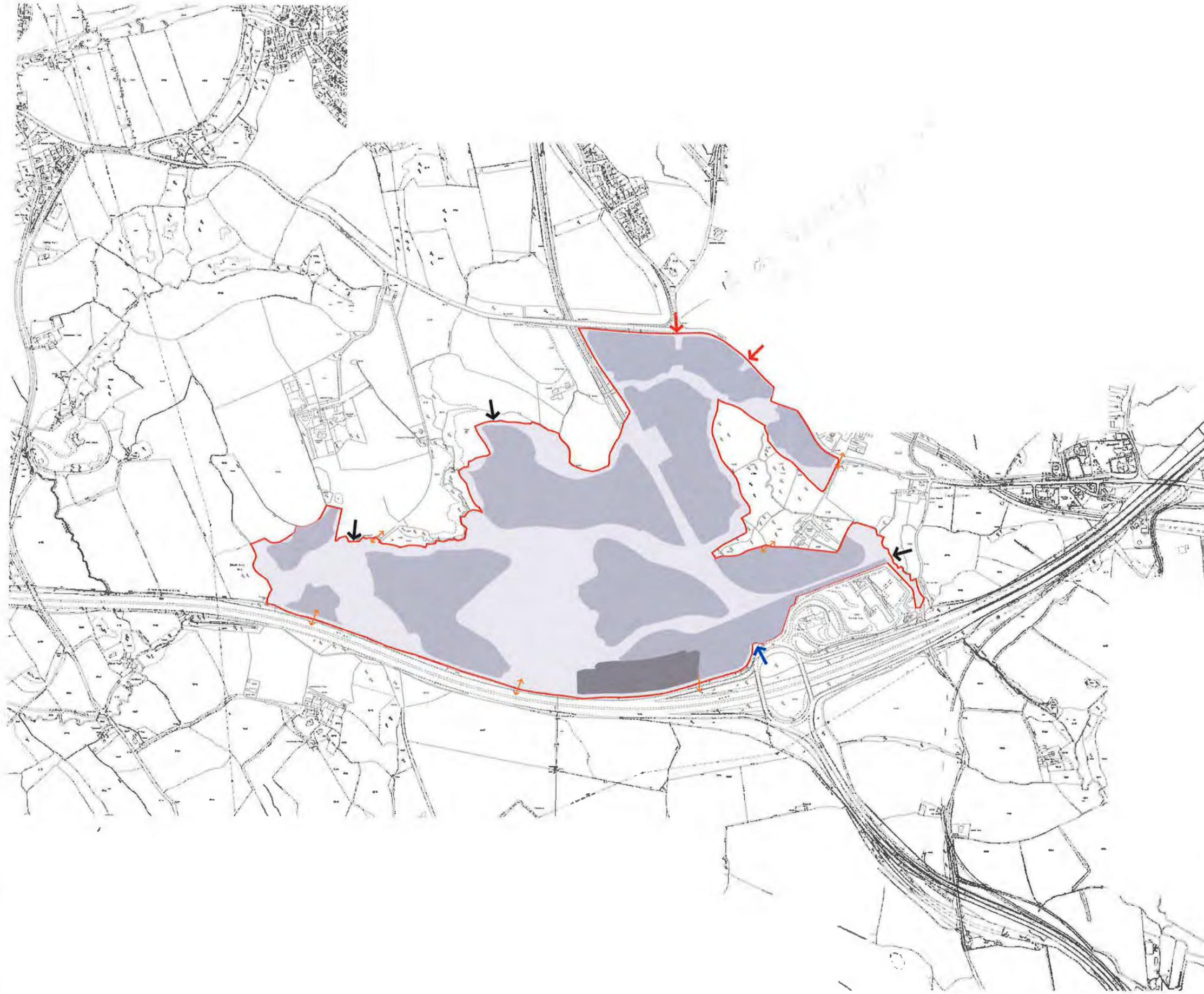
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The scaling of this drawing cannot be assured

Revision _____ Date _____ Dm Ckd _____

-  Application Site Boundary
-  Primary Access
-  Limited Vehicular Access
-  Existing Pedestrian / Cycle access
-  Future Access Points
-  Areas of built development and other uses



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Project
 Junction 33
 WestGate, Cardiff

Drawing Title
 Access & Movement
 Figure 3.3

| | | | |
|------------|-------------|----------|----------|
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| 14.04.15 | 1:10,000@A3 | PT/KU | BW |
| Project No | Drawing No | Revision | |
| 22043 | 9602 | J | |

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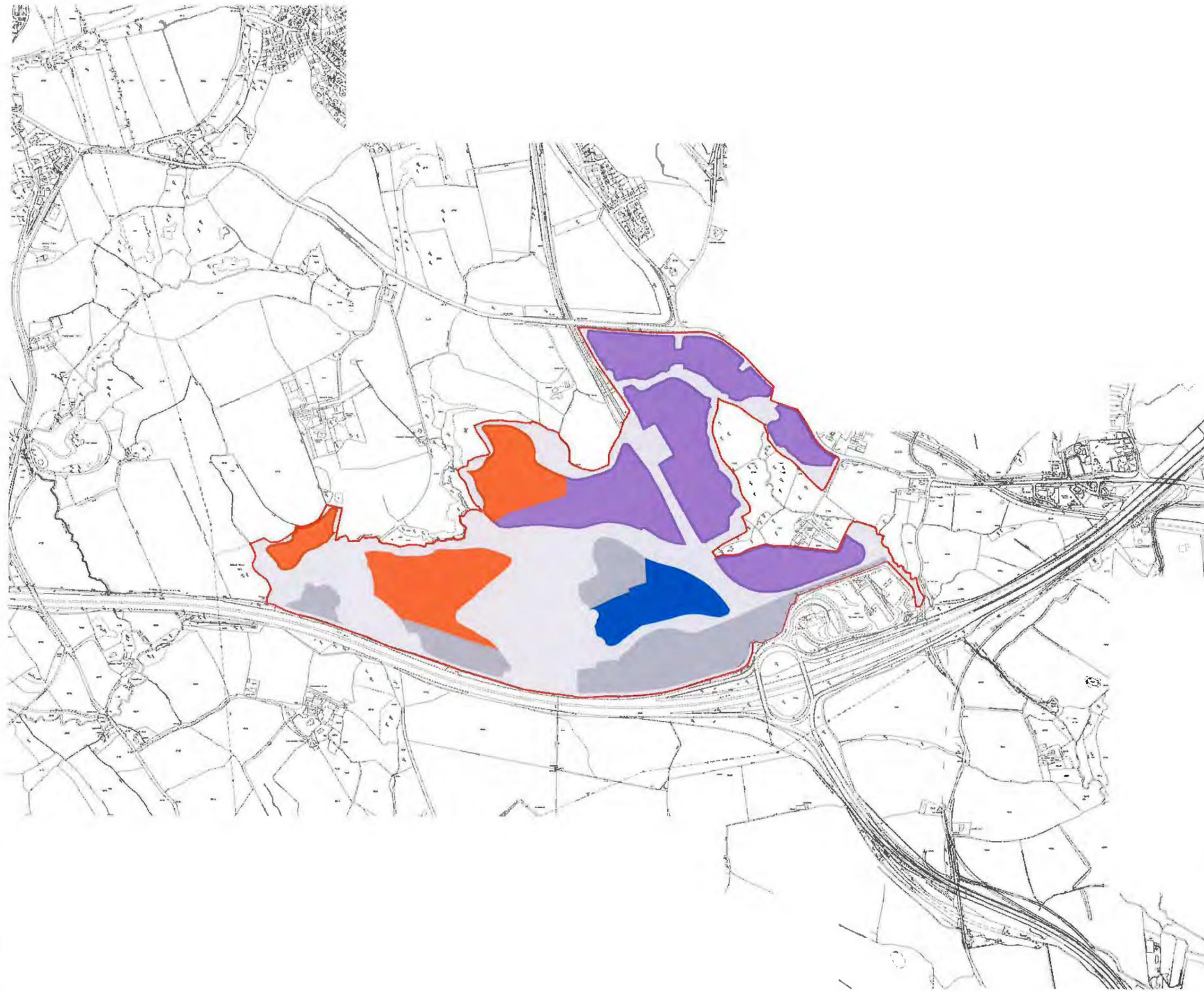
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-  Application Site Boundary
-  45 + dph Average Density
-  30 - 45 dph Average Density
-  25 - 40 dph Average Density
-  Areas of built development and other uses



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Project
 Junction 33
 WestGate, Cardiff

Drawing Title
 Density Plan
 Figure 3.4

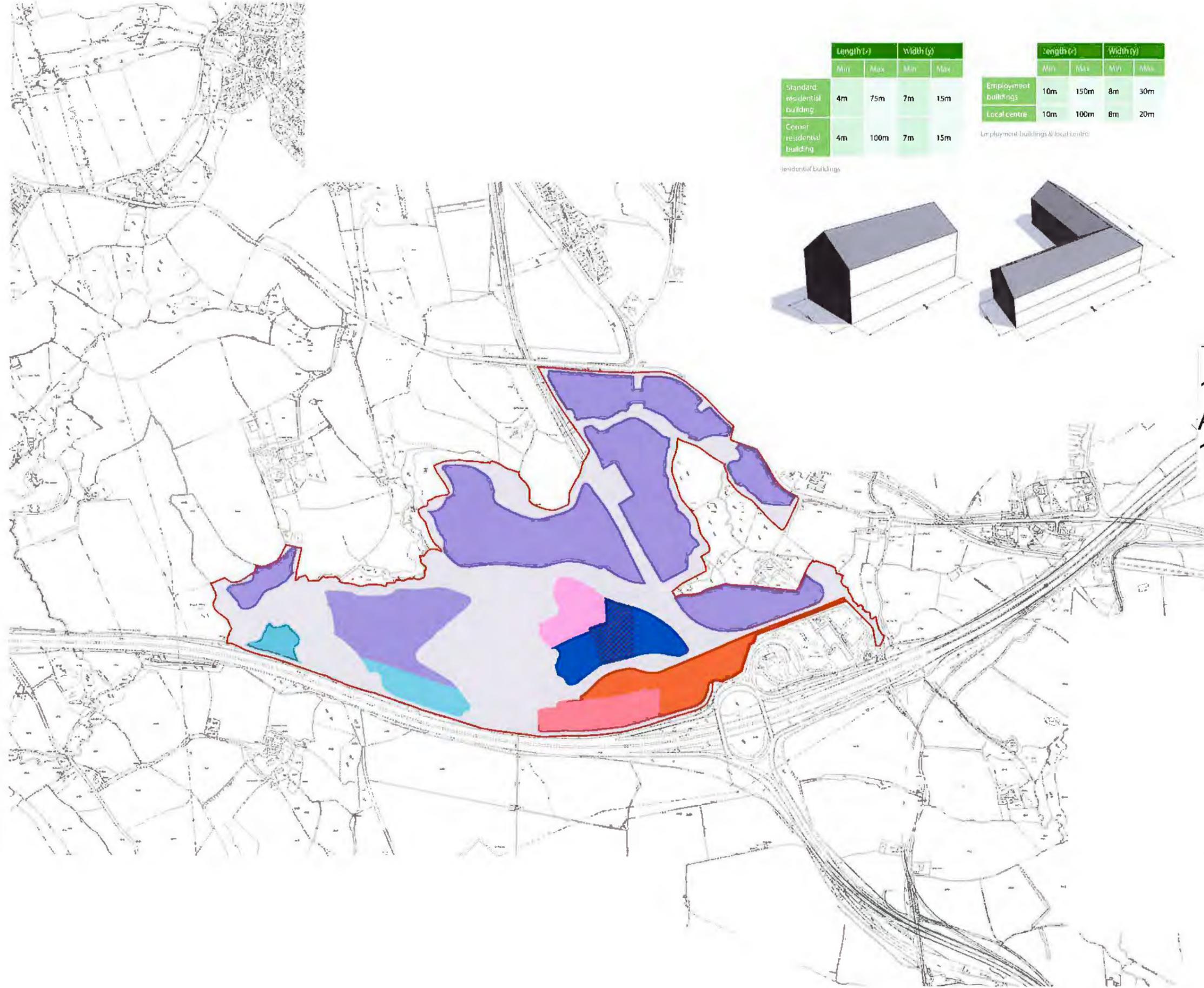
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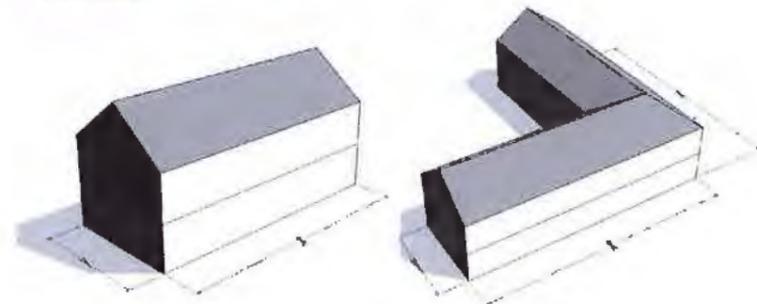


| | Length (x) | | Width (y) | |
|-------------------------------|------------|------|-----------|-----|
| | Min | Max | Min | Max |
| Standard residential building | 4m | 75m | 7m | 15m |
| Corner residential building | 4m | 100m | 7m | 15m |

Residential buildings

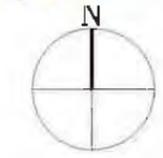
| | Length (x) | | Width (y) | |
|----------------------|------------|------|-----------|-----|
| | Min | Max | Min | Max |
| Employment buildings | 10m | 150m | 8m | 30m |
| Local centre | 10m | 100m | 8m | 20m |

Employment buildings & local centre



- Application Site Boundary
- Up to 2.0 Storey Residential (with occasional 2.5 - 3 Storey)
- Up to 3.0 Storey Residential
- Up to 4.0 Storey Local Centre / Mixed Use / Residential
- Up to 4 Storey Commercial/Employment
- Up to 2 Storey Primary School
- Up to 2 Storey Commercial / Employment
- Areas of Open Space (including allotments, orchard, natural play, NEAP & LEAP and road crossings)

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Project
Junction 33
 WestGate, Cardiff

Drawing Title
Building Heights and Scale
 Figure 3.5

| | | | |
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| Project No | Drawing No | Revision | |
| 22043 | 9601 | L | |

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-  Application Site Boundary
-  Open Space
(including allotments, orchard, natural play and road crossings)
-  Trees and Hedges to be Retained
-  Trees and Hedges to be Removed
-  Areas of built development and other uses
-  Sports Pitches
-  LEAP
-  NEAP/MUGA

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Project
Junction 33
WestGate, Cardiff

Drawing Title
Green Infrastructure (Overview)
Figure 3.6

| | | | |
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| Project No | Drawing No | Revision | |
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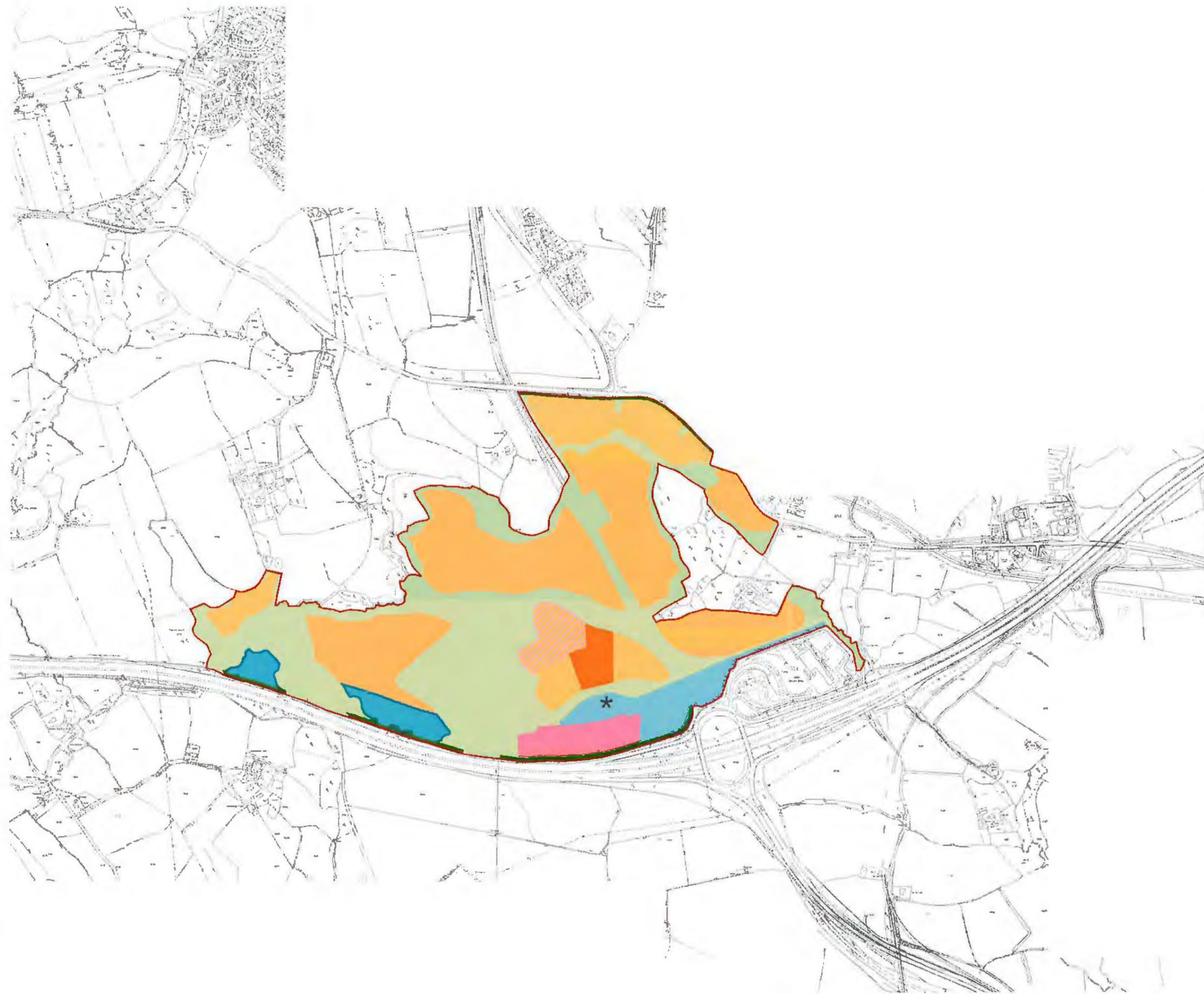
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| | | | |
|---|--|---------|-----------|
|  | Residential | 33.34Ha | (82.38ac) |
|  | Local Centre (including mixed use and residential) | 1.38Ha | (3.41ac) |
|  | Employment (including interchange) | 6.47Ha | (15.99ac) |
|  | Park & Ride | 2.58Ha | (6.33ac) |
|  | Primary School/Community Usage | 2.00Ha | (4.94ac) |
|  | Noise Attenuation/Buffer | 1.32Ha | (3.26ac) |
|  | Open Space (including allotments, orchard, natural play, NEAP & LEAP and road crossings) | 30.35Ha | (75.00ac) |



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Project
 Westgate Park, Cardiff
 Junction 33, M4
 Drawing Title
 Amount
 Figure 3.7

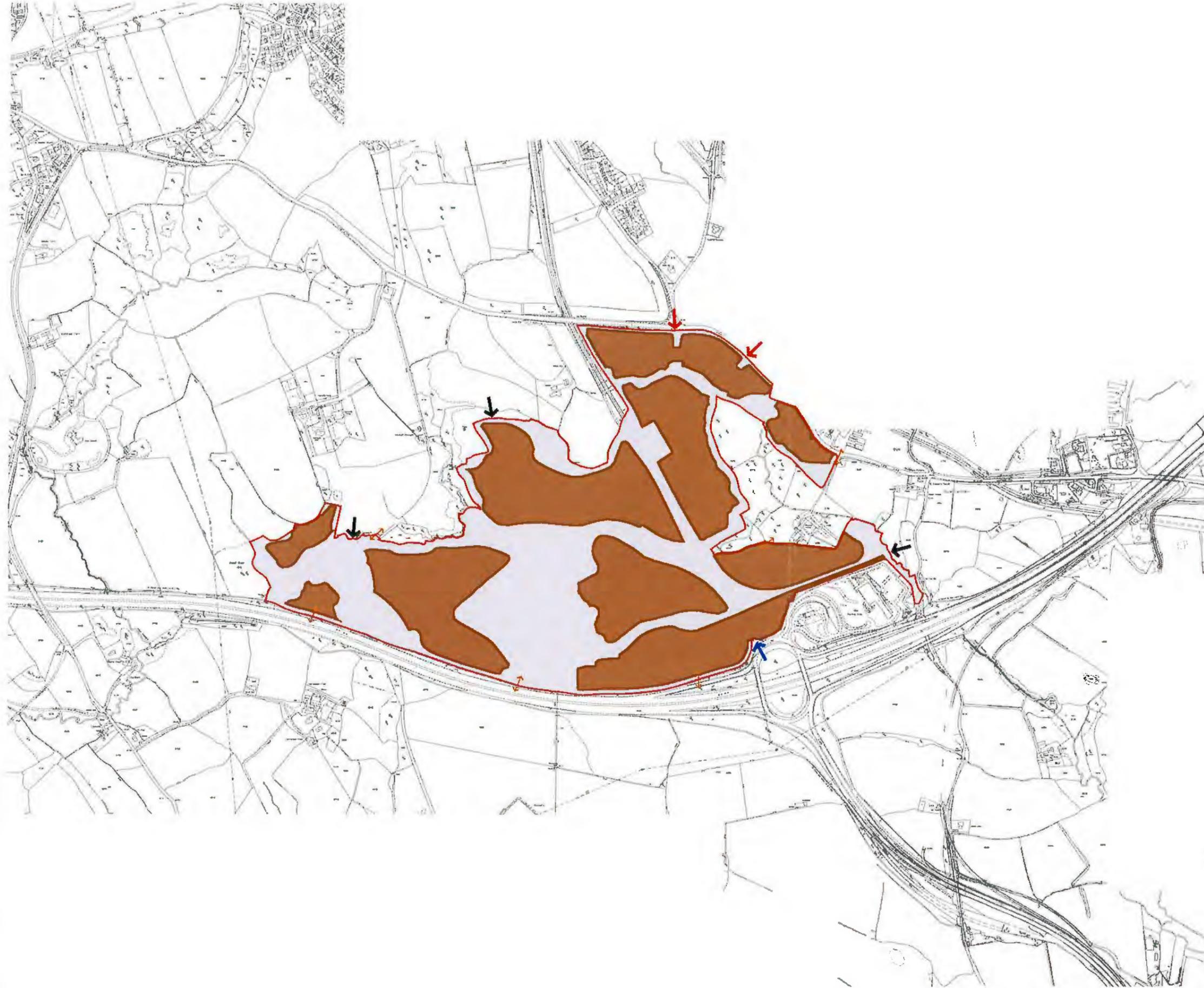
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-  Application Site Boundary
-  Vehicular Access
-  Limited Vehicular Access
-  Existing Pedestrian / Cycle access
-  Future Access Points
-  Development Areas
-  Non - Development Areas
(including open space and road crossings)

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Project
Junction 33
WestGate, Cardiff

Drawing Title
Development Concept Plan
Figure 3.9

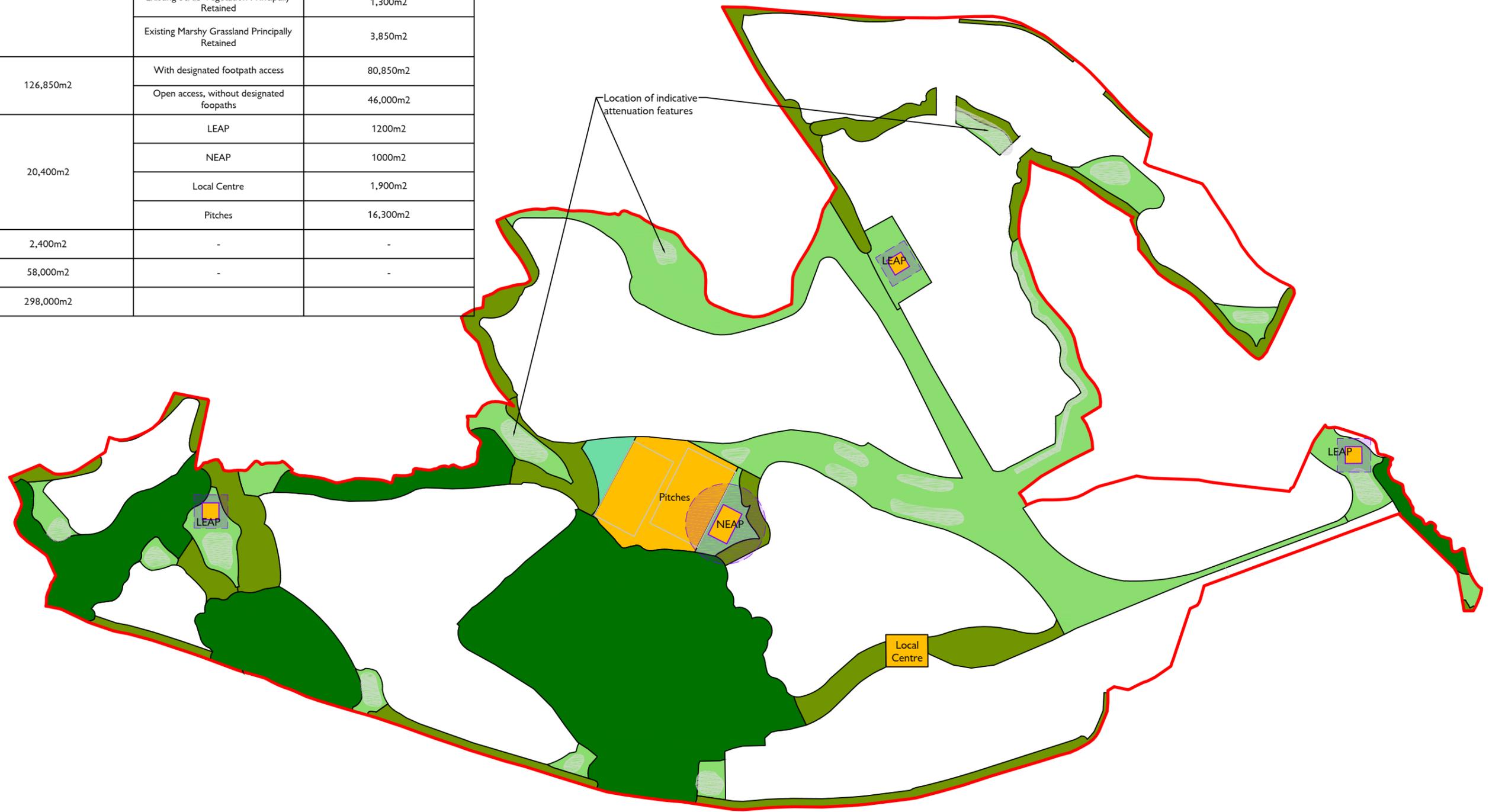
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| Project No | Drawing No | Revision | |
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| Indicative Typology Area Measurements | | | |
|--|-----------------------------|---|----------------------------------|
| Multi-functional GreenInfrastructure Type | Total Area (approx.) | Measured Sub-type | Measured sub-type Area (approx.) |
| Semi natural/ multi-functional open space | 90,350m ² | Accessible green spaces and corridors (including retained and proposed landscape) | 68,950m ² |
| | | Attenuation 'basins'/ run off storage (shallow, mostly dry) | 15,600m ² |
| | | Attenuation 'basins'/ run off storage (mostly wet) | 650m ² |
| | | Existing Scrub Vegetation Principally Retained | 1,300m ² |
| | | Existing Marshy Grassland Principally Retained | 3,850m ² |
| Recreational woodland | 126,850m ² | With designated footpath access | 80,850m ² |
| | | Open access, without designated footpaths | 46,000m ² |
| Central Sports and Play | 20,400m ² | LEAP | 1200m ² |
| | | NEAP | 1000m ² |
| | | Local Centre | 1,900m ² |
| | | Pitches | 16,300m ² |
| Allotments | 2,400m ² | - | - |
| Structural landscape framework/ visual setting | 58,000m ² | - | - |
| APPROXIMATE TOTAL: | 298,000m² | | |



Key:
 Application Site Boundary

Green Infrastructure Typology

The key components of the site propose a multi-functional Green Infrastructure asset itemised below. This excludes Green Infrastructure within development parcels, such as street scenes, local scale green spaces, school grounds and private gardens. The following key itemises Green Infrastructure, albeit the collective dynamic mix of elements provides the main multifunctional benefits to the overall development.

- Semi natural/ multi-functional open space
- Central Sports and Play, plus Local Centre

- Recreational Woodland (with and without designated footpath access)
- Allotments
- Structural landscape / Visual setting
- LEAP/NEAP Activity Area

| | | | |
|------|----------|--------------------------------------|-------|
| B | 03.08.15 | Amendment to Typology Categorisation | ES |
| A | 03.08.15 | General Revisions | CL |
| * | 22.07.15 | First issue | ES |
| Rev. | Date | Comment | Drawn |

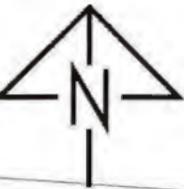
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|--------------------------------|--|----------|-----------|
| o client/project | o drawing | | |
| Persimmon Homes | Multi-functional Green Infrastructure Typology | | |
| Junction 33 Development | | | |
| o drawing no. | o revision | o scale | o date |
| 1348501/P/S/005 | B | NTS @ A3 | July 2015 |
| | o drawn | | |
| | ES | | |

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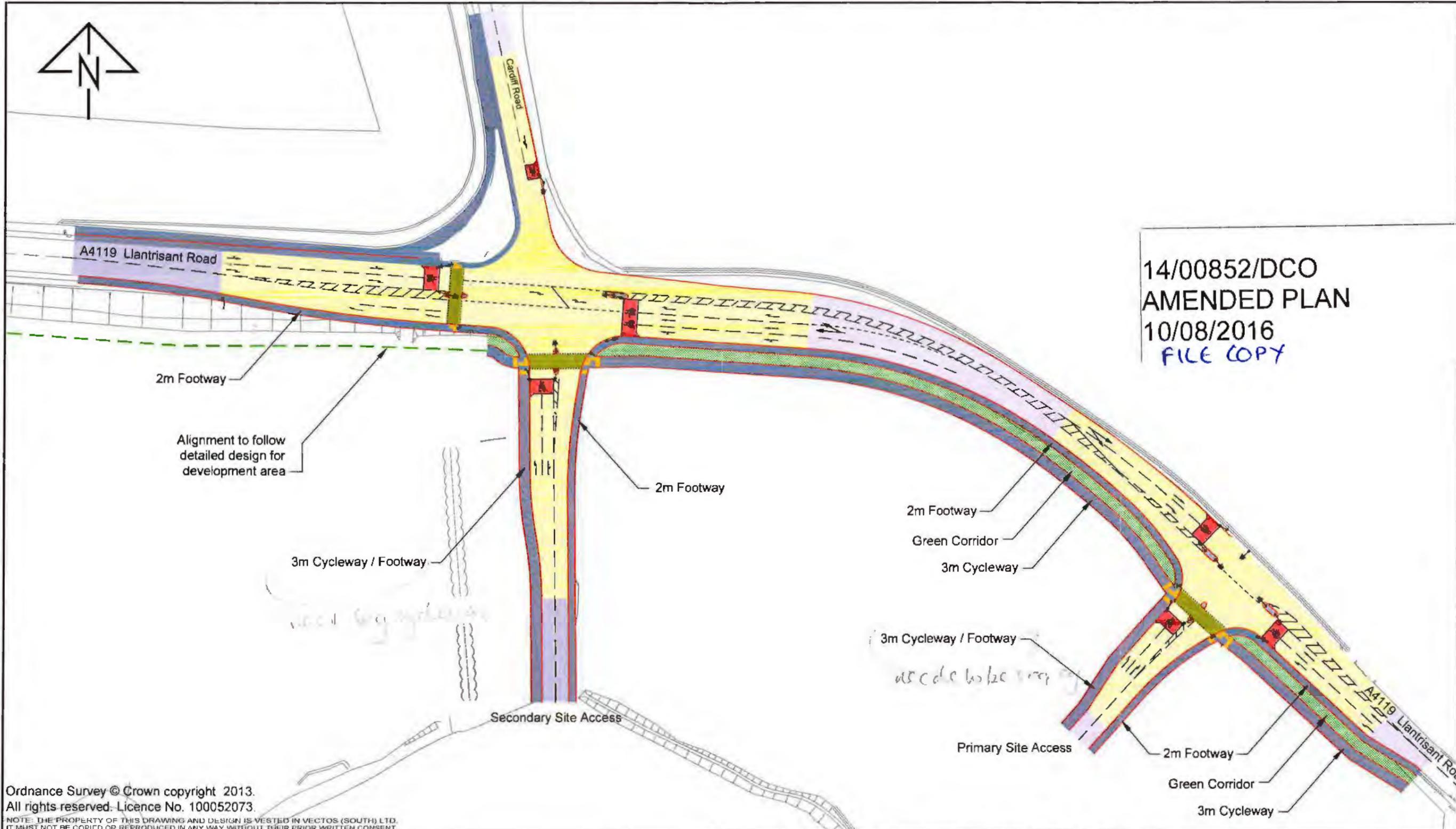
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Vale of Glamorgan
CF64 2AA

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| REV | DETAILS | DRAWN | CHECKED | DATE |
|-----|---------------------------|-------|---------|----------|
| A | Cycleway shown indicative | AP | CMP | 08.08.16 |

Notes:

- This is not a construction drawing and is intended for illustrative purposes only.
- White lining and signal heads are shown as indicative only.

Legend:

--- Indicative Alignment of 3m Cycleway

| | | | |
|--|-----------------|---|-------------------------|
| M4 JUNCTION 33 | | Persimmon | |
| A4119 Llantrisant Road Signalised Junction Arrangement Alternative Alignment | |  10th Floor, Helmont House, Churchill Way, Cardiff CF10 2HE t: 02920 720 860 e: enquiries@vectos.co.uk | |
| DRAWN: AP | CHECKED: CMP | DATE: 02.03.16 | SCALES: 1:1000 at A3 |
| DRAWING NUMBER: W131169/SK/24 | | REVISION: A | |

Llantrisant Road

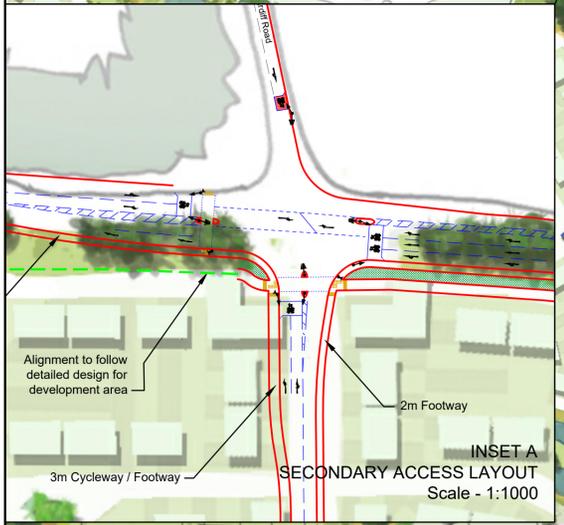
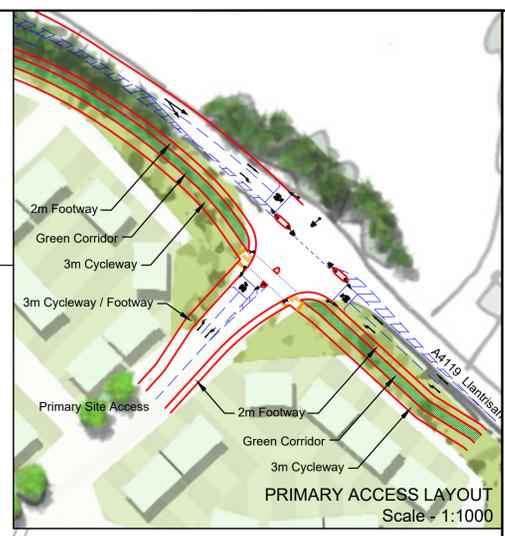
Llwynldf

Creigiau Nurseries



SEE INSET B

SEE INSET A



Chapel Llanilltarn

M4

Service Area

BUS GATE

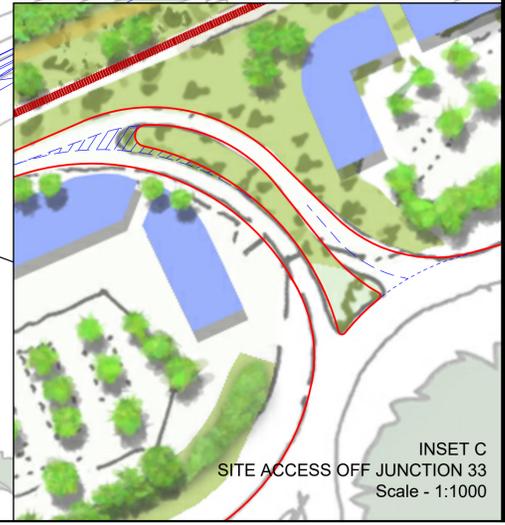
CARRIAGEWAY NARROWING

SEE INSET C

Junction 33

M4

BUS GATE



Notes:
1. This is not a construction drawing and is intended for illustrative purposes only.
2. White lining is indicative only.

| | | | | |
|---|--|----|-----|---------|
| I | Llantrisant Road Access Junctions Updated to SK24 Rev A | AP | CMP | 9.8.16 |
| H | Reassigned Cardiff Rd/Llantrisant Road junc and P&R changes to tie in with Masterplan. | VE | CR | 3.2.15 |
| G | Masterplan image and revised Junctions on Llantrisant Road added. | VE | CR | 30.1.15 |
| F | Inset C added. | VE | CR | 1.4.14 |
| E | Reloaded OS/Topo base with new scheme (27.3.14). | VE | CR | 28.3.14 |
| D | New scheme base. | VE | CR | 27.3.14 |
| C | Western roundabout moved to suit Masterplan (Inset A). | VE | TB | 20.2.14 |
| B | New scheme base. | VE | TB | 18.2.14 |
| A | WG/Jacobs Junction 33 layout added. | VE | TB | 13.2.14 |

REV: DETAILS DRAWN CHECKED DATE

CLIENT: Persimmon

PROJECT: J33

DRAWING TITLE: Masterplan showing Proposed Vehicular Access Points

SCALES: 1:2000 at A1

DRAWN: HE CHECKED: TB DATE: 5.2.14



10th Floor, Helmont House, Churchill Way, Cardiff CF10 2HE
t: 02920 720 860 e: enquiries@vectos.co.uk

DRAWING NUMBER: W131169/B/04 REVISION: 1

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