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## LATE REPRESENTATIONS

<b>Committee</b>	PLANNING COMMITTEE
<b>Date and Time of Meeting</b>	THURSDAY, 8 SEPTEMBER 2022, 1.30 PM

Please see attached Late Representation Schedule received in respect of applications to be determined at this Planning Committee

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**PLANNING COMMITTEE****8<sup>TH</sup> SEPTEMBER 2022**AMENDMENT SHEET / LATE REPRESENTATIONS

<b>AGENDA ITEM</b>	PAGE NO.
<b>APPLICATION NO:</b>	<b>21/02608/MNR</b>
<b>LOCATION:</b>	Land Either Side of River Taff Comprising Land South of Existing Access Road Within Hailey Park and Land at Eastern Turning Head of De Braose Close, Danescourt, Cardiff
<b>PROPOSAL:</b>	The Construction of Sewerage Pumping Station and Associated Compound Within Hailey Park Connecting to the Existing Gated Hard Standing Access Road Including Internal Kiosk Units with Security Fencing and Landscape Planting to the Eastern, Western and Southern Boundaries to Prevent Landscape Impacts on Hailey Park. The De Braose Close Development Would Include a 1.2m Tall Actuation Valve Kiosk Upon Overgrown Scrubland Adjacent to the Eastern Pedestrian Footway

<b>AGENDA ITEM</b>	PAGE NO.
<b>APPLICATION NO:</b>	<b>22/00347MJR</b>
<b>LOCATION:</b>	Plasdŵr, Radyr, North West, Cardiff
<b>PROPOSAL:</b>	Re-discharge of condition 24 (strategic foul drainage masterplan) of outline planning permission 14/02733/MJR (condition 24 previously discharged under application 19/02887/MJR)

BACKGROUND INFORMATION:

Members will be aware that the above two applications are being reported concurrently to Planning Committee and, while relating to two different matters and requiring two separate decisions, both applications 'hinge' upon application ref. 21/02608/MNR which proposes a new pumping station in Hailey Park.

Late representations have been received from a number of interested parties (citing one or both of the applications in question), and for the purposes of this amendment

sheet (unless otherwise stated), the issues raised have been summarised and considered below as if they relate to both applications as the issues raised are inter-related.

Details relating to petitions are, however, covered separately at the end of this amendment sheet.

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## LATE REPRESENTATIONS

Late representations have been received in respect of the applications which are detailed below: -

**FROM:** Councillors Jennifer Burke-Davies and Dilwar Ali (Llandaff North Ward)  
Councillor Rhys Owain Livesy (Pentyrch and St Fagans Ward)  
Llandaff North Residents Association (LNRA)  
Rhys ab Owen AS/MS and Heledd Fychan AS/MS (South Wales Central)  
Andrew RT Davies MS (South Wales Central)

## **SUMMARY:**

All of the above local Councillors and Senedd Members have submitted requests (in support of that made separately by the LNRA) that both applications are not considered at the 8<sup>th</sup> September committee (i.e. a further deferral) for the following (summarised) reasons:

- The timing of Thursday's planning meeting, while stakeholders and their representatives have been on holiday and organising for children to return to school, has not allowed the community nor our elected representatives to adequately engage in the process, and scrutinise and respond to recent changes to the applications' documentation.
- Additional information has very recently been added to both applications. Neither we nor Friends of Hailey Park were notified of the amendments to both planning applications, or a recent 'request for a screening opinion'.
- Paragraph 1.3 of the planning officer's report for 21/02608/MNR states that "a significant level of amended and additional information has been submitted". Despite this, there has been no additional public consultation time.
- In the interests of fairness, the public, stakeholders and elected representatives need time to go through all the information properly and be able to respond if necessary.
- A request for a 'screening opinion' was received by Cardiff Council on 16 August. This was given a different reference number and therefore was not immediately and obviously identifiable as related to the two planning applications.
- The 'screening opinion' decision was added to the online portal on 2 September but the background information was not added until 5 September following a request from us last week. We, the wider public, stakeholders and our elected

representatives need time to properly understand, scrutinise and, if necessary, respond to the decision.

- Given the size, nature of the development, controversy, importance to (and impact upon) the community, Cardiff Council should be open and transparent with their information and documentation and go over and above any minimum requirement in this case.
- The timing of these amendments during the school holiday period, along with the scheduling of the planning committee meeting, mean that several stakeholders have been on holiday with no signal or access to emails until 5 September.
- Cardiff Council have not replied to a related FOI request within the statutory timeframe. The request was made on 27 July and a response was due on 22 August.
- On 26 July, Andrew RT Davies wrote to Cabinet Member for Planning, Cllr Dan De'Ath. We are unsure if Mr Davies has received a response, nor been able to share it with residents or reply to it.
- Our MP, Anna McMorrin and MS, Julie Morgan met on site with Welsh Water on Friday 2 September, and have not had an opportunity to feed back to us and residents. Given the importance we would like that to be at a face-to-face meeting with the community, before the planning committee.
- Our ward Cllr, Dilwar Ali, is not available until after 21 September to represent us, and is therefore unable to speak on our behalf at the planning committee. As Cabinet member, Cllr Burke-Davies advises that due to her position she may have limited freedom to speak in relation to the Plasdŵr masterplan.
- We have been denied the opportunity to appraise our other elected representatives of the recent changes and developments to the applications and seek their advice.
- The implications of these planning committee decisions for local residents and for Cardiff are enormous and requires thorough consideration
- A short delay to October would enable thorough engagement and due diligence, which the historic Hailey Park, Llandaff North residents, and the whole of Cardiff deserve.

## **RESPONSE:**

The following response is made in response to these requests to defer: -

- It is noted that the Llandaff North Residents Association (LNRA) has requested that the application is deferred again, and that they have received the support of local Members and Members of the Senedd for such a deferral. The main reasoning behind such a request (other than the timing relating to school holidays) is that there has been insufficient time to consider new information (and a lack of consultation in respect of the same).
- While the planning system seeks to engage with local communities and have regard to representations made in reaching planning decisions (having regard

to the 21 day statutory consultation period on relevant applications), it is important to emphasise that there is also an expectation that Local Planning Authorities process planning applications expeditiously, and in the wider public interest, and do not unacceptably delay progressing applications to determination. To do so risks bringing the planning system into disrepute.

- Within this context, Members should note that application ref. 21/02608/MNR was first validated back in November 2021, and has since been the subject of ongoing discussions with the applicant, including the submission of additional information to address identified concerns, or technical information (submitted post April Committee) which seeks to avoid the pre-commencement conditions that were recommended when the matter was brought to Committee in April 2022. At the April committee, Members resolved to defer for a Members' site visit – notably because of the extent of public concern - which took place in June.
- The Planning department has received a number of objections to the scheme (and the related application for re-discharge of drainage condition no.24), along with valid petitions, and a period of five months has passed since the April deferral within which time there has been opportunity for submission of additional representations.
- The applicant has also expressly requested that the application is progressed to the September committee due to the critical timelines associated with provision of such drainage infrastructure.
- It is clear that the proposals to site the proposed new pumping station in Hailey Park has raised significant local concern. The extent and nature of these objections is, however, well known and it is considered that the report being presented to the 8<sup>th</sup> September Committee has captured the concerns of the local community, and responded to the matters raised therein, such that there is no reason to delay the matter being brought before Members again for a determination.
- In respect of new information, it is noted that the technical submissions have been available online since 10<sup>th</sup> May 2022, with additional information clarifying technical matters (odour/noise and lighting) available since 8<sup>th</sup> July. Additional technical information relating to soil re-use etc. and an updated planning statement have been available since 1<sup>st</sup> August 2022.
- The submissions requesting deferral refer notably to the recent request by Dŵr Cymru Welsh Water (made on 16<sup>th</sup> August 2022) for a screening opinion relating to the wider sewer reinforcement works which includes the pumping station, and state that there is a need for time to “properly understand, scrutinise and, if necessary, respond to the decision”.
- This has, however, been fully addressed in the Officer's report to Committee, with the report emphasising that such works have been subject of a recent negative Screening Opinion (i.e. a conclusion that the works do not constitute EIA development). This Opinion has been reached alongside the work by Officers to progress these applications to the September committee. It is important to emphasise that no consultation is statutorily required on such a request for a screening opinion, nor would the views of the public influence such a legal determination. Nevertheless, the Opinion has had regard to the views

expressed by the public under these applications that the development should be EIA development (because of its links to Plasdŵr). Officers have, however, concluded otherwise, and that decision has been made and cannot be undone (other than following a successful legal challenge) and is not the subject of the matters reported to Committee.

- In respect of attendance from Cllr Ali who is away, it is reiterated that it is necessary for the Committee to progress all matters to determination when Officers present them, and not unduly delay the planning process. However, Cllr Burke-Davies is able to represent the views of the community in any event, while the opportunity would remain for Cllr. Ali to attend the meeting virtually should he be able to do so. Cllr Ali's objections have also been reported and he previously addressed the Committee in April.
- In regard to the related FOI request (made on 27 July), the information requested (relating to matters such as easements; sales; future status of land; notification; and correspondence) are Estates matters relating to the ownership of the land, and are not material planning matters. It is understood that the response has been delayed due to the need to collate all the requested information but that a response will be issued shortly.

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**FROM:** Julie Morgan AS/MS

**SUMMARY:**

Raises the following concerns of her constituents regarding the proposed pumping station at Hailey Park before the upcoming planning meeting.

Environmental:

- Loss of biodiversity is a major concern during construction and as a result of subsequent loss of habitat as the park is home to species of flowers, bees, butterflies and frogspawn.
- The Green Flag Community award has been awarded to Hailey Park volunteers for a number of years and there are concerns that the development could affect this.
- Local residents also point out that a flooding risk assessment of Hailey Park has not been carried out.
- It has also been brought to my attention that an Environmental Impact Assessment was only considered for the land affected by the blueprint of the pumping station building but not for other land that will be disturbed, for example, by the installation of pipes in the ground.

Construction / Development:

- Welsh Water have assured residents that the pumping station will not produce any noise or smell once construction is completed but noise and pollution during the construction period remains a concern.

- Welsh Water say the Hailey Park pumping station will need upgrading in 15 years. Residents are worried the pumping station at Hailey Park will be the start of further development.

#### Additional Concerns:

- Residents do not feel they have been provided with adequate information about these plans and for that reason would like the decision deferred to a future planning committee.
- The loss of Hailey Park could limit access to green spaces which may impact local residents with limited resources. The wider impact of wellbeing needs to be considered.

#### **RESPONSE:**

In response the following points are made: -

- Loss of biodiversity has been given due consideration. The proposal is supported by a significant level of information in this regard and it is considered subject to development being undertaken in accordance with any planning permission granted no adverse impact would result and there would be an overall enhancement. These matters are addressed at Sec. 6.5, 6.6, 7.1 and Sec. 9.4 of the report (21/02681/MNR). Furthermore, Conditions 3, 4, 5, 8, 9, 10 and 12 are recommended in respect of such matters.
- The 'Green Flag' status is acknowledged and consideration has been given to the loss of open space and impact upon the character of the park. The loss of a relatively small area of low quality unmanaged vegetation would not negatively impact informal or formal recreational open space and the proposed planting is considered appropriate to mitigate the effect of the development and enhance the appearance of the area. These matters are addressed at Sec. 9.1, 9.2 and 9.4 of the report.
- Appropriate consideration has been given to flood risk and given the circumstances it is considered that there would be no adverse impact. Natural Resources Wales, the relevant consultee, have raised no concerns in this regard as detailed at Sec. 7.1 of the report.
- The proposals have been screened in full, including with regard to works not included within the application, and it has been determined the proposal would not be 'EIA development'. This matter is addressed at Sec. 3.7-3.13 of the report.
- Whilst it is likely that some disruption and inconvenience will result from proposed construction works it is considered subject to being undertaken in accordance with any planning permission granted there would be no undue harm. This matter is addressed at Sec. 9.7.1 of the report and Condition 9 requires development be undertaken in accordance with the submitted Construction Environmental Plan (CEMP) and other statutory controls exist in respect of a range matters including those detailed within Sec. 13 of the report.



- The extent of operational land is restricted to the proposed site compound (refer to Condition 9). The Local Planning Authority, however, cannot comment upon any future proposals for development in this regard.
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### LATE REPRESENTATIONS (22/00347MJR ONLY)

**FROM:** A resident of a property in Bromley Drive, Caerau (with support / on behalf of Llandaff North Residents Association)

**SUMMARY:** A number of matters have been raised in separate correspondence, which are summarised below: -

- Argues that it is not possible to 're-discharge' a condition – and therefore any such decision “would breach planning law” - and instead states that the application should have been dealt with under section 73 as *removal or variation* of the condition in the original 2014 planning. Argues also that the fee is incorrect and that the authority cannot consider an application under planning law until the appropriate fee has been paid. Therefore requests that the application is withdrawn.
- States that the application is EIA Schedule 2 as it amends the Plasdŵr EIA Sch.1 planning consent of 2014 (and attaches case law to argue the point). Argues that the officer's report shows the officers failed to conduct the formal EIA Screening process to determine if the applicants need to supply an Environmental Statement. Also argues the ES has to cover the significant indirect effects pointed out in objections from the public, so the full EIA processes had to be followed. Notes that EIA Reg. 3 forbids the Council from giving planning consent until an ES is submitted and the EIA procedures complied with.

### **RESPONSE:**

- Officers are satisfied that the application can be legally processed as a (re-) discharge of condition application, and that the £115 paid for the application is the correct fee.
  - Officers are also satisfied that matters relating to EIA development have been adequately addressed in the report, and the matters raised do not require further examination or further delay to the process of determining the planning application.
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### PETITIONS

#### APPLICATION NO. 21/02608/MNR

**FROM:** Ian Drew on behalf of Llandaff North Residents' Association

**SUMMARY:** An electronic petition of objection with a total of 130 email signatures was submitted on 5<sup>th</sup> September 2022. The petition comprises a document setting out the reason for the petition and a spreadsheet of petitioners.

The reason for the petition is as follows:

*Dwr Cymru Welsh Water has applied for permission to build a new sewer pumping station on Hailey Park (21/02608/MNR). We are opposed to this development for the following reasons:*

- *Cardiff Council, the land owner, has not consulted local residents and park users about the development and the change of use.*
- *We object to development on our park.*
- *The proposed site is in a well-used, Green Flag award winning park and will result in the loss of green space. The area is not simply “low quality scrubland” and has social, ecological, environmental, health and aesthetic benefits. Given the climate emergency, declared by Cardiff Council in March 2019, the protection of green spaces is imperative.*
- *The area is part of the Taff river corridor and Cardiff’s Local Development Plan says “development proposals should protect, promote and enhance the natural heritage, character and other key features of the river corridor”. The size and design of the proposal will have an overbearing visual impact on the park and is not in keeping with the character of the area. The proposed planting plan will not screen the development from view, in fact the development will not be screened at all along approximately 1.5 sides.*
- *The proposed sewer pump will service the Plasdŵr development. Plasdŵr’s foul water drainage scheme is the subject of a separate planning application (22/00349/MJR) but there remain serious questions about that application. Other options listed within that application have a lower environmental impact and are more future-proof than this proposal. This planning application needs to be considered within this wider context as it may not be necessary at all and we call for this application to be paused until the Plasdŵr application is decided.*
- *The planning application does not mention, and the development is at odds with, the historical nature of the area, including the links with the Glamorganshire canal, the Melingriffith works and the Taff Vale Railway.*
- *There is insufficient information in relation to the risks of flooding and the potential for raw sewage leaks. The field is on a flood plain and the River Taff has burst its banks into Hailey Park several times in recent years. The drains on nearby streets regularly overflow during periods of heavy rain. There has been no assessment of the likelihood of flooding and/or spills. East Moors treatment works, which a pump on Hailey Park would direct sewage to is already overloaded; in 2021 it discharged raw sewage 71 times for a total of over 710 hours. It is not clear what the implications of the increased flow would be.*
- *There remain questions about noise and odour.*

- *If this proposal goes ahead, there is the realistic prospect that the facility might need to be expanded to increase capacity, further encroaching on our green space. In any event, granting this application would set a precedent for further development on Hailey Park.*
- *The distance from dwellings is based upon the guidance for a Type 3 sewage pumping station but the proposal is a Type 4 sewage pumping station which is outside the scope of the “Sewers for Adoption” standard. A much larger distance from dwellings will, therefore, be necessary.*
- *The construction works will have an adverse impact upon local residents, park users and wildlife. There are also concerns about the implications of these works being carried out on contaminated land with the area being a former landfill site.*
- *Residents report numerous backups and flooding in the area, and these need to be collated and considered as part of this and Plasdŵr master plan planning applications.*

*We urge the planning committee not to grant permission for this development.*

The petition spreadsheet allows ‘optional’ comments to be submitted and these are summarised as follows: -

- Proposal is unacceptable on so many levels and we are sick of bearing the brunt of ill-considered and disastrous developments on our doorsteps
- constant over development of housing that does not contain any social housing element is despicable. To then destroy green areas to accommodate the inappropriate development ...
- Local green spaces need to be protected from any kind of development especially with the current environmental /climate issues, obesity increasing
- Has to be a better way to deal with the sewage, without losing some of our precious green space.
- Hayley park is the people’s park. Green spaces need to be protected
- Please don’t spoil Hailey Park and let future generations enjoy it as we do.
- Hailey Park is of significant cultural, historical and current importance for the people and ecosystems of Cardiff. It is as close to a tranquil oasis as we can get in the suburbs
- In a climate emergency, & post pandemic cost of living crisis, we need our green spaces to be safe & secure, NOT reduced & developed
- Beggars’ belief that our area & park should suffer to build new developments miles away, WHY! This would not just be a blight on the landscape but detrimental to a well-loved green space.
- Selected site is open access parkland, close to the Taff Trail and residential properties. Due diligence checks and full public consultation should be the bare minimum requirements
- Against Welsh Water putting any sewage plant in Hailey Park where it is used for family's to enjoy days out
- Accessing the Taff corridor and Hailey Park are a daily part of my routine - for work, wellbeing and exercise.

- I object to this proposal as it will have significant impact on the ecological health, visitor health and river health of our community
- Park forms a vital part of the green 'lung' that extends to the city centre. It is essential that it is protected from development and encroachment
- Planned 7000 houses in Radyr and then simply tell the residents of Llandaff north that they would have to accept the station being built was either planned duplicity or massive
- Resident living very close to the park and am very concerned about the impact on flooding risks, potential toxicity created by disrupting a former landfill site
- an unacceptable, unworkable 'solution' to the Plasdŵr problem. It's short-termist, not future proof in any way. It presents an ecological and environmental risk. The disruption during construction is unacceptable
- Look for a new option that is feasible and will solve the problem long-term - perhaps a new sewage treatment works at Plasdŵr
- the grandson of Claude Hailey - I know that he would have opposed any form of development on this land
- Mental health is at an all time low! Our green open spaces must be protected not taken away.
- park is well loved by locals and users from further afield. The northern part of the Park with the playing fields and meadow are home to so many plant and animal species
- Leave our Hailey Park and what's left of our green area alone for us and future generations
- totally opposed to this planning application and the prospect of any future development on this site and the implications on our green space
- taking green space away and polluting the community of Llandaff north and giving nothing back, all to save a private developer some extra profit
- Is used by all the community, Plasdŵr developers and welsh water should be building the sewage pumping station on their own community land not ours
- proposed site is in a well-used, Green Flag award winning park and will result in the loss of green space
- fact that Cardiff Council is even considering letting Welsh Water use Hailey Park as the site for the sewage pump is appalling. It shows complete disregard for the climate emergency
- apparent lack of consideration of any adverse effects on the park, local area and local residents and the lack of consultation with local residents
- Hailey Park has been a well-known community field and area to have picnics walk your dog, a beautiful relaxing area, the thought of that getting ruined haven't sewage and all sorts put in is that too disturbing please consider this.
- our much loved & much used park. We can't afford to allow this to happen
- Do not appreciate the underhand method Welsh Water has used trying to go through the back door
- Utter disbelief that the planning committee have even entertained this idea. What percentage of the planning committee actually live in Llandaff North?
- Please don't take anymore of our green space. Your already taking the meadows from us.

- taking our beautiful green spaces, messing with the natural drainage and now want to give a sewage farm back in return. You are destroying our area - this must stop
- will leak raw sewage into the river where children swim
- utter disgrace the way Cardiff Council continues to bulldozer its way through green land throughout the county and then later think about critical infrastructure!
- very concerned about this potential development so close to our house and the impact it will have on all the issues listed above and future house prices in the area.
- Cardiff Councils appetite for destruction of green space never be satisfied. Leave our beautiful parks alone
- was always led to believe that Hailey Park was left to the people of Llandaff North and that it wasn't to be built on that includes a sewerage station
- Would have major impact on community and nature
- would have a detrimental impact on the area. Community. Historical value. And nature. The park is the peoples not welsh waters to do what they want with.
- Hailey Park is a public park and should not be used for industrial purposes.
- need to save Hailey Park for future generations
- don't put sewage station on our park - every bit of this green space both managed and unmanaged areas is important to all communities - humans and wildlife communities
- Cardiff Council should not have the ability to reuse ANY greenspace when we are faced with climate and nature crises and at a time when the wellbeing of future generations is in question
- Adequate facilities for the Plasdŵr estate should have been agreed and put in place prior to building
- The area is used by many walkers, dog walkers, cyclists, runners and other outdoor enthusiasts
- Its not just the park that will suffer but those who live near the park - do our houses have to be reduced in value to serve an area of more expensive
- the wrong place on a beautiful park, between this and additional widening of footpaths to enable more cyclists to speed around I get the idea Cardiff council are trying to destroy...

## **RESPONSE:**

The petitioner has been advised that a petition needs to have been received at least 7 clear days before the date of the committee meeting. As this petition was submitted within this period, there are no speaking rights for this petition. This does not affect the speaking rights attached to the initially submitted petition.

The issues raised by these additional petition comments largely go to the heart of the issue which is the principle of siting such new drainage infrastructure in the park and the impacts thereof. In this respect, such matters have already been addressed within the Planning Committee report.

The following additional comments are offered in respect of additional matters raised:

- Matters relating to consultation by the Council as land owner are not material planning considerations, with such matters separate to the Regulatory planning process;
- Noting concern that the pumping station might need to be expanded in future, it is emphasised that the extent of *operational land* is restricted to the proposed site compound (refer to Condition 9). The Local Planning Authority would therefore have control over any further development outside of such land.

### **APPLICATION NO. 22/00347MJR**

**FROM:** Ian Drew on behalf of Llandaff North Residents' Association

**SUMMARY:** A second electronic petition of objection with a total of 167 email signatures was submitted on 5<sup>th</sup> September 2022. The petition comprises a document setting out the reason for the petition and a spreadsheet of petitioners.

The reason for the petition is as follows:

*We object to the planning application (22/00347/MJR) to “re-discharge” Condition 24 for the following reasons:*

- 1. Condition 24 was fully discharged by Cardiff Council on 29 April 2021. That determination cannot be undone, and to change the approved plan to meet Condition 24 a new and fully detailed application to vary the Conditions attached to 14/02733/MJR is required.*
- 2. The proposal to direct sewage to a substantial pumping station in Hailey Park was not one of the options included in the Hydraulic Modelling Assessment (HMA). A HMA calculates the flow rate of the sewer network and the impact of proposals on flooding, sewage spills and water courses and is a requirement under Condition 24. The HMA carried out includes four options, none of which involve Hailey Park. The application to “re-discharge” Condition 24 does not include a new or amended HMA covering the impacts of the new proposal and, as such, whether the proposal will have sufficient capacity and the likelihood of flooding and/or spills has, to our knowledge, not been assessed.*
- 3. There is no explanation or rationale for the option being put forward at this very late stage (when construction of houses has begun), or for why it is being favoured over the four options included in the original HMA. There is certainly no justification for why this proposal is deemed “essential”.*
- 4. In 2021, the two treatment works, Cog Moors and East Moors, being utilised by this proposal, discharged raw sewage 54 times for a total of over 684 hours and 71 times for a total of over 710 hours respectively. These Waste Water Treatment Works (WWTW) are already overloaded and betterment is required even if flows were to remain the same. Alternatives, including the option included in the original HMA, to build a new treatment works on the site of Plasdŵr must be more appropriate.*
- 5. Given the above, the claim (4.2.3 of ARUP Planning Statement 3 November 2021) that the Hailey Park sewage pumping station “would futureproof the*

- existing sewerage network and would accommodate additional population growth and housebuilding in Northern Cardiff” is unsupported and not credible. The proposal does nothing to increase the capacity of the existing treatment works.*
- 6. The plans suggest that storm water could be removed to offset the increased flows but the areas where and the means by which this could be done have not been identified or, again, considered by the HMA. Because these plans are totally undefined, the likely effectiveness of them is completely unknown. Full proposals should be available prior to any decision on this application being made and this should incorporate a proper allowance for the increasing levels of rainfall caused by climate change. We believe, given how overloaded the treatment works are, any new compensatory drainage works should be installed before the network is expanded.*
  - 7. Any new drainage works could cause unacceptable inconvenience to residents of the affected streets and neighbourhoods of Cardiff.*
  - 8. There is no new Environmental Impact Assessment (EIA) and we strongly disagree that the new proposal “does not raise any significant environmental effects beyond those which were previously considered”, as is stated in the application. There are a number of serious potential environmental impacts, including, but not limited to:
    - a) The impacts of the actual infrastructure being placed on parkland, especially given that Hailey Park is a Site of Importance for Nature Conservation (SINC).*
    - b) The possibility of an increased risk of flooding and/or spills along the route.*
    - c) The fact the development site is partly or wholly on a floodplain.*
    - d) Raw sewage discharges in the event that the sewer system and/or the treatment works are unable to cope with the increased flows.*
    - e) Building in and on contaminated land - the area of Hailey Park in question was formerly used as a landfill site.*
    - f) The thrust boring/tunnelling activities under Hailey Park, the Taff and Railway Line, over to Plasdŵr. We understand this will involve a shaft, presumably on or near the site of the proposed pumping station in Hailey Park, with reinforced concrete walls approximately 20m deep and 15m in diameter. Large construction plant and equipment will then be required to construct the new 2m+ diameter sewer. These works could take a number of years to complete.*
    - g) The impacts, both during construction and longer term, of any additional drainage works to separate out storm water. These issues need to be addressed as part of a new or updated EIA.**
  - 9. The proposals take no account of the Welsh Government declaration of a Climate Emergency.*
  - 10. The proposals take no account of the Welsh Government declaration of a Nature Emergency.*
  - 11. The proposals take no account of Cardiff Council’s declaration of a Climate Emergency.*
  - 12. The proposals take no account of Cardiff Council's declaration of a Nature Emergency.*

*We urge the planning committee not to grant this application.*

The petition spreadsheet allows ‘optional’ comments to be submitted and these are summarised as follows:

- loss of and harmful impact on green public open space which is well used and enjoyed, and should be protected
- impact upon nature, ecology, biodiversity, climate change and flooding
- impact on the local community and lack of consideration for local people
- lack of consideration for wider sewerage infrastructure
- lack of transparency / need for detailed scrutiny
- concern that the proposal is ill conceived, short-termist, not needed and not futureproofed
- frustration at poor planning decisions
- the park has been gifted to the people of Llandaff north and doesn't belong to the Council to give to Welsh Water
- objection to the principle of siting infrastructure to serve the Strategic Development within the park that serves another ward
- the pumping station needs to be incorporated into the Plasdŵr site
- the issue should have been considered prior to Plasdŵr being granted planning permission
- concern that the Council have planning permission for Plasdŵr without doing an EIA
- query whether an Equalities Impact Assessment has been done

## **RESPONSE:**

The petitioner has been advised that a petition needs to have been received at least 7 clear days before the date of the committee meeting. As this petition was submitted within this period, there are no speaking rights for this petition. This does not affect the speaking rights attached to the initially submitted petition.

The majority of issues raised are already addressed within the Planning Committee report. The following additional comments are offered in respect of additional matters raised:

- The issue of the gifting of the park and land ownership is a private legal matter. The discharge of this condition would not override any private legal rights that exist.
- Outline planning permission 14/02733/MJR was subject to Environmental Impact Assessment and an Environmental Statement submitted and approved