

COMMITTEE DATE: 21/06/2017

APPLICATION No. **17/00383/MJR** APPLICATION DATE: 07/03/2017

ED: **BUTETOWN**

APP: TYPE: Full Planning Permission

APPLICANT: Associated British Ports

LOCATION: LAND AT CARGO ROAD, CARDIFF BAY, CARDIFF, CF10  
4RP

PROPOSAL: PROPOSED HMS CAMBRIA SECURE TRAINING AND  
EDUCATION FACILITY (USE CLASS: SUI GENERIS) FOR  
USE BY ROYAL NAVY RESERVE UNIT, INCLUDING MEANS  
OF ACCESS, PARKING, LANDSCAPE WORKS, BOUNDARY  
TREATMENT, AND EXTERNAL EXERCISE AREA,  
FOLLOWING DEMOLITION OF EXISTING BUILDINGS

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**RECOMMENDATION 1** : That planning permission be **GRANTED** subject to the following conditions :

1. C01 Statutory Time Limit
2. Planning Permission is Granted for the development indicated on drawing references:
  - 08E Vertical RopesA1 Dims
  - 4079-CHT- 00-00-DR-A-01001\_Site Location Plan-PL2
  - 4079-CHT- 00-00-DR-A-01002\_Site Demolitions Plan-PL2
  - 4079-CHT- 00-00-DR-A-01050\_Proposed Site Plan-PL8
  - 4079-CHT- 00-00-DR-A-01051\_Proposed External Finishes-PL4
  - 4079-CHT- 00-01-DR-A-01101\_First Floor GA Plan-PL7
  - 4079-CHT- 00-02-DR-A-01102\_Second Floor GAPlan-PL7
  - 4079-CHT- 00-03-DR-A-01103\_Third Floor GA Plan-PL7
  - 4079-CHT- 00-GF-DR-A-01100\_Ground Floor GA Plan-PL7
  - 4079-CHT- 00-RL-DR-A-01104\_Roof GA Plan -PL8
  - 4079-CHT- 00-XX-DR-A-02100\_Proposed Elevations PL4
  - 4079-CHT- 00-XX-DR-A-02101\_Proposed Elevations -PL1
  - 4079-CHT- 00-ZZ-DR-A-03100\_GA Sections Sheet1- PL2
  - 4079-CHT- 00-ZZ-DR-A-03101\_GA Sections Sheet2- PL2
  - 8266/48B REGAIN ROPES

Reason: For the avoidance of doubt

3. Confirmation by way of report will need to be submitted for approval to the local planning authority detailing all fixed plant achieves a rating level of background -10dB when measured and corrected at the nearest noise sensitive property, or at the boundary of any site for which residential usage has been established (including for the avoidance of doubt, Plot L

of the Porth Teigr development), in accordance with BS 4142: 2014 (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.

4. No development shall commence until a final drainage scheme for the site has been submitted/confirmed to and approved by the local planning authority in writing. The scheme shall confirm the discharge arrangements for foul (including rights of connection and capacity to/of any third party sewer), surface, and land water run-off. Thereafter the scheme shall be implemented in full in accordance with the approved details prior to the beneficial use of the development and thereafter shall be maintained in perpetuity; with no further foul water, surface water and land drainage being allowed to connect directly or indirectly with the public sewerage system.

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

5. Prior to the beneficial use of any dormitory accommodation, a scheme shall be submitted to and approved in writing by the Local Planning Authority which will describe how it is intended that the dormitory accommodation adjacent to the Gym within the development will be sound proofed.

Reason: To ensure that the design of the development will be likely to achieve a sleeping environment for occupants of the accommodation approved.

6. Prior to the beneficial use of any dormitory accommodation adjacent to the proposed Gym, a report shall be submitted to and approved by the local planning authority in writing to evidence that the sleeping areas within the development adjacent to the Gym are insulated to the receipt of sound up to 60dB.

Reason: To ensure that an acceptable sleeping environment for occupants has been achieved.

7. Prior to the commencement of any development works the proposed details of appropriate gas protection measures to ensure the safe and inoffensive dispersal or management of gases and to prevent lateral migration of gases into or from land surrounding the application site shall be submitted to and approved in writing to the LPA. If no protection measures are required than no further actions will be required.

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

\* 'Gases' include landfill gases, vapours from contaminated land sites,

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

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

8. Prior to the commencement of the development a detailed remediation scheme and verification plan to bring the site to a condition suitable for the intended use by removing any unacceptable risks to human health, controlled waters, buildings, other property and the natural and historical environment shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

All work and submissions carried out for the purposes of this condition must be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR 11' (September 2004) and the WLGA / WAG / EA guidance document 'Land Contamination: A guide for Developers' (July 2012), unless the Local Planning Authority agrees to any variation.

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

9. The remediation scheme approved by condition 8 must be fully undertaken in accordance with its terms prior to the occupation of any part of the development unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

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

All work and submissions carried out for the purposes of this condition must be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land

Contamination, CLR 11' (September 2004) and the WLGA / WAG / EA guidance document ' Land Contamination: A guide for Developers' (July 2012), unless the Local Planning Authority agrees to any variation.

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

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

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

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

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

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

12. Any aggregate (other than virgin quarry stone) or recycled aggregate

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

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

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

13. Any site won material including soils, aggregates, recycled materials shall be assessed for chemical or other potential contaminants in accordance with a sampling scheme which shall be submitted to and approved in writing by the Local Planning Authority in advance of the reuse of site won materials. Only material which meets site specific target values approved by the Local Planning Authority shall be reused.  
Reason: To ensure that the safety of future occupiers is not prejudiced in accordance with policy EN13 of the Cardiff Local Development Plan.

14. Prior to beneficial occupation of the development, 20 No. Secure undercover cycle spaces shall be provided within the compound and the usage of such spaces shall be monitored and additional spaces provided should demand for the spaces exceed available supply; [or] within 3 months of the request of the Local Planning Authority if such demand can be reasonably evidenced.  
Reason: To ensure that sufficient facilities are provided to accommodate those who wish to travel by sustainable modes.

15. Prior to the commencement of development, a construction and environmental management plan providing full details of construction traffic routes, vehicle movements, contractor parking, delivery protocols, dust suppressions, noise mitigation, wheel washing facilities, site enclosures, actual and potential pollution contaminant, site security and other such features as are proposed to minimise interference with, and maintenance of the safe and convenient free flow of traffic along the highway, protection of neighbouring amenity, and protection of the surrounding environment shall be submitted to and approved by the local planning authority in writing. Construction management shall thereafter accord with the approved details.  
Reason: To ensure for an orderly form of development with least impact on existing businesses and residences in the area.

16. The development must be undertaken in strict accordance with the recommendations contained within the Wildwood Ecology Ltd

Preliminary Ecological Appraisal submitted with the planning application.

Reason: In the interests of the preservation and wellbeing of protected species and wildlife.

17. Prior to the commencement of development, A final detailed landscaping scheme, comprising a scaled proposed underground services plan; scaled planting plan, plant schedule, tree pit section, topsoil and subsoil specification, planting methodology, implementation plan and minimum 5 year aftercare methodology shall be submitted to and approved in writing by the local planning authority, and shall thereafter be implemented in accordance with the approved details.

Reason: To provide an appropriate and visually enhanced appearance to the area and building.

18. If at any time the use of the premises is to involve the preparation and cooking of hot food, then all fumes from the food preparation areas shall be mechanically extracted to a point to be agreed with the local planning authority and the extraction system shall be provided with a deodorising filter; all fans, pumps and flues shall be so mounted and installed so as not to give rise to any noise nuisance or visual intrusion. Details of the above equipment shall be submitted to and approved by the Local Planning Authority in writing and the equipment installed prior to the cooking of any food commencing and thereafter be maintained in accordance with manufacturer's instructions.

Reason: To ensure that the amenities of adjoining and nearby occupiers are not prejudiced.

19. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%. All filling points, vents, gauges and sight glasses shall be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework shall be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets shall be detailed to discharge downwards into the bund.

Reason : To prevent pollution of the water environment.

20. E3D Retain Parking Within Site

21. C3F Details of Access Road Junction

**RECOMMENDATION 2** : Prior to the commencement of development, the developer shall notify the local planning authority of the commencement of development , and shall 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.

**RECOMMENDATION 3** : It is confirmed that in making the recommendation to grant planning permission the Local Planning Authority has had due regard to the environmental information submitted as part of this application.

**RECOMMENDATION 4** : The contamination assessments and the effects of unstable land are considered on the basis of the best information available to the Planning Authority and are not necessarily exhaustive. The Authority takes due diligence when assessing these impacts, however you are minded that the responsibility for

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

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

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

**RECOMMENDATION 5** : The Operators and promoters of the facility are requested to encourage those visiting the site to do so by public transport or sustainable transport modes, and not to promote the availability of private vehicle parking on the site for use by anyone other than attending cadets/volunteers/reservists in need of such provision.

**RECOMMENDATION 6** : The developer is advised that Cargo Road, adjacent and giving access to the proposed development, is subject to existing Highways Act 1980 Section 38 and Section 278 adoption agreements, that will need to be amended to reflect the amended site access junction.

## 1. **DESCRIPTION OF DEVELOPMENT**

- 1.1 The Royal Navy Reserve training and education facility is proposed to relocate to Cardiff.
- 1.2 Statutory public consultation required prior to the submission of an application for planning permission for 'major' development was undertaken in accordance with the requirements of the Planning (Wales) Act 2015.
- 1.3 Within this planning application, the new facility is shown to comprise a Circa 4700m<sup>2</sup> training building, outdoor training space, parking area, landscaping and secure site enclosure.
- 1.4 The building would be some 67 ½ m long by 19 1/2m wide and would have two principal roof heights of 13 ¾ m and 17 m, and would be finished in a diamond grid of equitone fibre cement panels in an assemblage of greys (silver through black) to define different areas of the facades.
- 1.5 The building will include a lobby; induction area; male and female changing areas; dormitories; hall / assembly space, fitness suites; kitchen and canteen area, store rooms, bar; office space (open plan and enclosed), class rooms and teaching spaces with break out areas. Part of the roof space would be used to accommodate photovoltaics and is designed to achieve a sustainability rating of BREEAM 'Excellent'.
- 1.6 An area for the future expansion of the building (16m) is also indicated to be able to be provided as a southern extension to the building as a means of futureproofing the Navy's investment.
- 1.7 The external finishes for the site are a mix of hard and soft landscape treatments including feature paving around the building; slate paving to demarcate the entrances into the building and a flag mast area; tarmac internal highways; a functional concrete parade ground; gravels; grass and ground cover shrubs and tree planting.
- 1.8 The development will be used as a training centre for the military, primarily by HMS Cambria, which is the Royal Naval Reserve Unit associated with Cardiff; and on occasion by the Royal Marines reserves.
- 1.9 The reserves (adult volunteers) would attend the facility for periods of physical training and education to prepare them for periods of active service at sea.

As such the proposed development is considered a 'Sui Generis' use, i.e. a use of so many different characteristics that it would not fit comfortably within any one defined planning use class. As such, if granted planning permission, the building could not be used for any other purpose without a further specific planning permission.



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

- 2.1 The site is an irregularly shaped piece of land of some 0.97 hectares located at the entrance to Cardiff Docks opposite the roundabout junction dividing docks traffic and domestic/business traffic to Porth Teigr (Roath Basin South).
- 2.2 The site has aspect to Cargo Road (Circa 150m) and the site incorporates the termination of Tyneside Road, which also allows the site an aspect to the narrowed waterway between Queen Alexandre Dock and Roath Dock (A frontage of some 100m omitting the path of the Compass Road swingbridge). The site comprises vacant ground, scrub, and contains a number of small buildings of industrial character.
- 2.3 The BBC Roath Lock studios building is located to the south west of the site some 130m away, and the proposed Porth Teigr mixed use office/housing and leisure development would be located to the west on the opposite side of Cargo Road. The perimeter of Plot 'L' of the Porth Teigr development is some 20m from the site boundary and 50m from the proposed building at the closest point. Plot 'L' currently benefits from a resolution to Grant Residential development of circa 104 residential units with a flatted complex on the opposite side of the road to the site.

Operational port land surrounds the site to the north, east and south.

- 2.4 The Cardiff Bay commercial area is located approximately 500 metres to the west of the site and Cardiff City Centre is located 2 kilometres to the North West.

## 3. **SITE HISTORY**

### Site History

01/02091/C                      Store/Workshop/Headquarters building for Sea Cadets.  
Granted December 2001.

### Relevant nearby Site History

09/2120/C                      Full Planning Permission for 15,800 sq m BBC Roath  
Lock television studios  
Granted July 2010  
(Implemented and Operational).

09/01672/C                      Variation of conditions and masterplan (of  
Outline Planning Permission 03/00099/C) for 1010  
residential units, 112,000 sq m office and business space,  
and 11,000 sq m retail and leisure commercial uses, open  
space and car parking.  
Granted March 2015.  
(Not yet implemented)

15/00787/MJR      Reserved matters permission for 104 units of residential development of 'Plot L' (2.6ha) of Porth Teigr to the west of the application site.  
Resolved to be Granted subject to signing of legal agreement July 2015.  
(Legal Agreement not yet signed)

4.      **POLICY FRAMEWORK**

Planning Policy Wales Edition 9, November 2016

WG Technical Advice Notes

TAN 12:      Design (2009)  
TAN 15:      Development and Flood Risk (2004)  
TAN 18:      Transport (2007)

Welsh Office Circular

11/99:      Environmental Impact Assessment 30/06/99  
16/94:      Planning Out Crime 25/02/94

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

**KEY POLICIES**

KP5: GOOD QUALITY AND SUSTAINABLE DESIGN

**DETAILED POLICIES**

**ECONOMY**

EC1: EXISTING EMPLOYMENT LAND  
EC3: ALTERNATIVE USE OF EMPLOYMENT LAND AND PREMISES

**ENVIRONMENT**

EN5: DESIGNATED SITES  
EN12: RENEWABLE ENERGY AND LOW CARBON TECHNOLOGIES  
EN13: AIR, NOISE, LIGHT POLLUTION AND LAND CONTAMINATION  
EN14: FLOOD RISK

**TRANSPORT**

T1: WALKING AND CYCLING  
T6: IMPACT ON TRANSPORT NETWORKS AND SERVICES

**WASTE**

## W2: PROVISION FOR WASTE MANAGEMENT FACILITIES IN DEVELOPMENT

### Supplementary Planning Guidance to Adopted LDP

Waste Collection & Storage Facilities Oct 2016

Planning Obligations Jan 2017

### Supplementary Planning Guidance to former Local Plan

This guidance is material in so far as it is the most recently approved guidance and is compliant with National Guidance and Policies.

Access, Circulation and Parking Standards Jan 2010

Safeguarding Land for Business and Industry Jun 06

## 5. **INTERNAL CONSULTEE RESPONSES**

### 5.1 **Waste**

The waste management facilities are considered acceptable.

### 5.2 **Parks**

The proposals have no direct impact on Parks Services.

### 5.3 **Trees**

This site does not hold any existing trees of amenity value and since the majority of the site is sealed, underlying soils are highly unlikely to represent a valuable, re-usable resource for landscaping purposes.

The proposal to incorporate a continuous soft landscape verge along the western and southern boundary and partially along the eastern boundary, is welcomed, as are the incidental areas of soft landscape within the site. As part of my response to the pre-application consultation for this site, I offered comments concerning appropriate treatments in terms of tree and hedge planting. These comments have been followed in the current submission, as shown on the proposed external finishes plan. However, since the extent of soft landscape is greater under this application than under the pre-application submission, there is scope to amend the planting scheme to accommodate an additional x2 trees and a slightly revised palette. I have annotated the submitted proposed site plan to show suggested additions and amendments, summarised as follows: -

Total of x14 new trees and x1 length of evergreen hedge. Trees to comprise x2 large pine species (one pine substituting a proposed Sorbus intermedia) separated by x2 medium sized Hippophae salicifolia 'Streetwise' that will contrast effectively with the pines. Alternating Hippophae salicifolia 'Streetwise' and medium sized Ilex x koehneana 'Chestnut Leaf' in an evergreen Quercus

illex hedge on the southern boundary. These trees will contrast with each other, whereas a continuous, dark, evergreen feature might be perceived as oppressive. Total of x5 standard grown Arbutus unedo in more confined beds, and x2 Sorbus intermedia or Crataegus x prunifolia 'Splendens' as stand-alone trees close to a cycle shelter and bin store. I have suggested minor changes to the proposed drainage layout if possible, to maximise unconstrained root available soil.

- 5.4 All the trees suggested have good tolerance to coastal exposure, but will require access to 30m<sup>3</sup> root available soil volume per tree in the case of the pines, 15-20m<sup>3</sup> in the case of the Crataegus, Hippophae, Ilex and Sorbus, and 5-10m<sup>3</sup> in the case of the Arbutus. Imported soils should be provided to give these volumes, assuming a profile of 300mm topsoil over 600mm subsoil for all trees, 300mm over 300mm for shrubs including hedging, and 150mm over 150mm for grass and herbaceous elements. Tree planting soils should comprise neutral to slightly acidic sandy loams, certified in accordance with BS 3882:2015 and BS 8601:2013. Tree pits may need to incorporate a soakage layer of clean stone (below minimum 900mm combined topsoil and subsoil), and 150-400mm (dependent on planting sizes and local ground conditions) horticultural grade, sharp, quarried sand, to seat the root-ball on/act as a partial subsoil immediately around the lower half of the root-ball. Shallow root barriers may be required to edge areas directly adjoining tree planting beds, with deeper barriers adjacent drains. Ground anchors or triple, low staking are the preferred methods of support.

A detailed, upfront landscaping scheme is preferred, comprising scaled planting plan, plant schedule, tree pit section, topsoil and subsoil specification, planting methodology and minimum 5 year aftercare methodology.

## 5.5 **Pollution Control (Noise)**

With regard to the above application I have reviewed the acoustic report and am acceptable to its findings including the proposed mitigation measures for insulation to the bunks situated in the development.

However by way of condition, Confirmation of the proposed construction method to ensure its compliance with the recommend Rw 60dB for the partition between the gym and bunks will need to be confirmed in writing to the local planning authority prior to commencement of development.

The plant noise assessment is correct in its assumption that the local authority would impose a background -10dB requirement this can be covered in the following condition

### PC7b PLANT NOISE

Confirmation by way of report will need to be submitted for approval to the local planning authority detailing all fixed plant achieves a rating level of background -10dB when measured and corrected at the nearest noise sensitive property in accordance with BS 4142: 2014(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

## 5.6 **Pollution Control Contaminated Land and Air Quality**

Further to your correspondence of the 16<sup>th</sup> March 2017 and 25<sup>th</sup> May 2017, I confirm our comments are as follows:

The following was submitted as part of the application:

CJ Associates Geotechnical Limited, January 2017; Site Investigation No. AE1176/AE0709 Factual and Interpretative Report.

- 5.7 The above report includes the details and findings of the contamination assessment of the development. It identifies lead and hydrocarbon contamination within the made ground above acceptable levels for the proposed use. Remediation will be required in relation to this, particularly in relation to proposed areas of soft landscaping and the decommissioning of fuel tanks and the surrounding ground. A remediation strategy will need to be submitted for approval. Subsequently, any approved remediation will need to be verified.
- 5.8 The report also provides a ground gas assessment, based on which the conditions at the development are concluded to be Characteristic Situation of (2). Gas protection measures will be required and the details of those measures proposed will need to be submitted for approval and approved measures must be verified.
- 5.9 Should there be any importation of soils to develop the landscaped areas of the development, or any site won recycled material, or materials imported as part of the construction of the development, then it must be demonstrated that they are suitable for the end use. This is to prevent the introduction or recycling of materials containing chemical or other potential contaminants which may give rise to potential risks to human health and the environment for the proposed end use.
- 5.10 Shared Regulatory Services requests the inclusion of the following conditions and informative statements in accordance with CIEH best practice and to ensure that the safety of future occupiers is not prejudiced in accordance with policy EN13 of the Cardiff Local Development Plan:
- 5.11 Ground gas protection (amended); contaminated land measures – remediation & verification plan; contaminated land measures - remediation & verification; contaminated land measures – unforeseen contamination; imported soil; imported aggregates; use of site won materials; together with an contamination and unstable land advisory notice

## 5.12 Transportation

I would confirm that the above application submission has been assessed and is considered to be acceptable in principle subject to the comments and conditions detailed below.

The application proposes the provision of a new 4 storey 4,629 sq/m Royal Navy Training facility including training rooms/spaces, gym, dormitories, changing rooms, lobby and offices, kitchen/canteen/bar areas, parking/servicing, landscaping, recreational facilities and associated works on land to the north of Cargo Road and Tyneside Road. Supporting documents report that the Training Centre will be manned 24 hours/day, employ 10 staff and be routinely attended by some 70 volunteers; and typically operate five days per week 08:00- 16:30; three evenings per week 18:30-22:30; and one weekend per month 19:30 Friday - 15:30 Sunday. Security personnel would be present on site at all times and access to the site would be controlled via a security area.

Vehicle access to the facility is to be taken from Cargo Road via a modified junction at the existing Tyneside Road, submission/agreement of the details for which are subject to proposed planning condition. The proposed car park, along with the rest of the site, will be gated to provide a secure environment. Servicing is to take place at the northern end of the building, where a service area is proposed. The proposal includes the provision of 53 car parking spaces, including disabled spaces, minibuss parking, the service area and cycle parking. Pedestrian/cycle access would also be taken from Cargo Road via the secure gatehouse. It is confirmed that visitors to the site (be they staff/volunteers/other visitors) will be encouraged to travel by non-car/sustainable means and make use of local cycle facilities and public transport services.

The site is well connected to the local and strategic highway network via Pierhead Street and Queesgate Roundabout/A4232, and has direct access to good quality footways, cycleways and crossings; which in turn provide walking and cycling connections to local facilities, amenities and public transport services. Bus stops and the Butetown Rail station are within acceptable walking and cycling distance of the site. Ongoing redevelopment in the vicinity of the site will also enhance the built environment and provide further improved walking and cycling facilities over time.

It is considered that the proposed development is acceptable in transport terms subject to the requested conditions, and as such any objection on traffic or parking grounds would be unsustainable.

The following conditions are sought:

Standard condition E3D Retain Parking Within Site;

Standard condition C3F Details of Access Road Junction;

Standard condition C3S Cycle Parking;

Construction Management Plan condition.

Second recommendation:

The developer is advised that Cargo Road, adjacent and giving access to the proposed development, is subject to existing Highways Act 1980 Section 38 and Section 278 adoption agreements, that will need to be amended to reflect the amended site access junction.

#### 5.13 **Ecology**

A preliminary Ecological report was recommended at pre-application stage. This has been undertaken.

#### 5.14 **Regeneration**

No comments received

#### 5.16 **Drainage**

No comments received

#### 5.17 **Cardiff Harbour Authority**

No comments received

#### 5.18 **Housing**

Although the site provides for on-site dormitory accommodation, the sui-generis use is not considered to constitute 'housing' as such. On this basis the housing manager has no comment on the application.

### 6. **EXTERNAL CONSULTEE RESPONSES**

#### 6.1 **Natural Resources Wales**

6.2 In response to the Local Planning Authority consultation, NRW confirmed that they maintain significant concerns in respect of foul drainage, pollution prevention and land contamination as expressed at the Statutory Pre-application stage. They recommend that the LPA should only grant planning permission if the scheme can meet their requirements, and that NRW would object if the scheme does not... NRW's advice regarding designated sites and flood risk management remain as at the time of the pre-application response.

6.3 NRW have provided a copy of the response which they had provided the applicant at the statutory pre-application consultation stage, as follows:

#### 6.4 Foul Drainage

At full planning application stage, we would require details regarding foul drainage. We note the reference to an offsite sewer system, however it is not explicit as to whether this is a DCWW drainage network or an internal dock system operated by ABP. If it is an internal dock drainage system, it should be indicated as to whether access to the network has been agreed (assumed with ABP) and whether it will have capacity for the proposed development.

#### 6.5 Pollution Prevention

The site is in close proximity to the docks, which are hydrologically connected to the River Severn. It will be important to ensure that appropriate measures are taken to prevent demolition / construction works from affecting water quality, details of such measures / pollution prevention measures should be provided as part of a Construction Environment Management Plan (CEMP), which should be submitted at formal planning application stage.

Working areas may need to be dewatered. There should be no discharges made to the docks without prior consent from NRW. Demolition/construction wastes must be safely stored on site prior to disposal by registered waste carrier.

We will be pleased to comment further when more detailed information is available.

#### 6.6 Land Contamination

We have reviewed the following documents:

1. Site Investigation No. AE1176/AE0709 Factual and Interpretative Report, Proposed Training Facility, Cardiff Docks. CJ Associates Geotechnical Limited, January 2017.
2. Site Investigation No. AE0709 Piling Risk Assessment Proposed Training Facility Cardiff Docks. CJ Associates Geotechnical Limited, October 2016.

We accept the conclusion of the site investigation report as moderate risk to controlled waters from the site.

At the planning application stage we will require details on how the ground fuel tank has been or will be decommissioned, i.e. demonstrating that the ground below the tank is checked for potential contamination, any potential contamination risks are identified and any remediation undertaken.

It is recommended that the requirements of Planning Policy Wales and the Environment Agency Guiding Principles for Land Contamination (GPLC 1, 2, and 3), March 2010, should be followed – NRW have adopted this guidance. Furthermore, if, during development, gross contamination is found to be present at the site the Local Planning Authority may wish to re-consult the Natural Resources Wales.



## Designated Sites

Severn Estuary Site of Special Scientific Interest (SSSI), Special Area of Conservation (SAC) Special Protection Area (SPA), RAMSAR

Provided the proposals are undertaken as stated in the documents provided, we consider that the proposal would not be likely to have a significant effect on the Severn Estuary SAC and SPA.

## 6.7 Flood Risk Management

We have considered the FCA undertaken by Hydrock, dated January 2017. The FCA indicates the following:

- The finished floor levels will be in the order of 9.6m AOD.
- The site is protected by tidal flood defences.
- The site is predicted to be flood free in a 1 in 200 year tidal scenario with a 100 year lifetime of development. This is compliant with the guidance in Technical Advice Note 15: Development and Flood Risk (TAN15) (July 2004).
- The site is predicted to be at risk during a 1 in 1000 year tidal event with a 100 year lifetime of development. In this scenario, a maximum flood depth of up to 500mm is predicted, which is within the tolerable limits of TAN15. However this data incorporates an additional allowance for uncertainty (the upper level 95% confidence bound), and is therefore very precautionary.

In consideration of the above, we offer no objection to the proposal from a flood risk perspective.

## 6.8 Other Comments

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

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

If you have any further queries, please don't hesitate to contact us.

## 6.9 In a later communication with the applicant, NRW confirmed that:

## 6.10 Foul Drainage

At application stage we will require confirmation from DCWW and the local drainage network provider (ABP) that they are satisfied with taking the foul water from the development.

## 6.11 Pollution Prevention

We have no further comment at this stage.

## Land Contamination

6.12 The proposed works for decommissioning the above ground tank are acceptable. At the planning application stage we would require a verification report detailing the decommissioning of the tank and remediation of the ground below the tank; a simple technical note to support the application would be sufficient.

### 6.13 **Welsh Water**

We would request that if you are minded to grant Planning Consent for the above development that the Conditions and Advisory Notes provided below are included within the consent to ensure no detriment to existing residents or the environment and to Dwr Cymru Welsh Water's assets.

### 6.14 SEWERAGE

The proposed site falls within land controlled by the Associated British Ports (ABP) which was the subject of an appeal during the time of the private sewer transfer in 2011. As a result the drainage in this land remained as private and therefore the mandatory adoption requirement does not apply unless a connection is sought on land outside of their control.

Having reviewed the details submitted with particular focus on the Flood Consequence Assessment reference 161526-HYD-XX-RA-RP-D-5001 P2 and Drainage Strategy drawing reference STF-HYD-XX-XX-DR-C-0001 rev P3 it appears that a public sewer connection is sought for foul only flows. The location of the proposed manhole connection point appears to be outside of land controlled by ABP and therefore subject to the mandatory adoption requirements under the Water Industry Act.

We acknowledge that surface water generated from the proposed site will discharge to Cardiff Docks via an existing outfall. To ensure that this arrangement remains for the lifetime of the development we request that if you are minded to grant planning consent that the following conditions and advisory notes are included within any subsequent consent.

### 6.15 Conditions

No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network

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

## 6.16 Advisory Notes

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

The applicant is also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

## 6.17 WATER SUPPLY

Dwr Cymru Welsh Water has no objection to the proposed development.

A water supply can be made available to serve this proposed development. The developer may be required to contribute, under Sections 40 - 41 of the Water Industry Act 1991, towards the provision of new off-site and/or on-site watermains and associated infrastructure. The level of contribution can be calculated upon receipt of detailed site layout plans which should be sent to the address above.

The proposed development is crossed by a 6 inch distribution watermain, the approximate position being shown on the attached plan. Dwr Cymru Welsh Water as Statutory Undertaker has statutory powers to access our apparatus at all times. I enclose our Conditions for Development near Watermain(s). It may be possible for this watermain to be diverted under Section 185 of the Water Industry Act 1991, the cost of which will be re-charged to the developer. The developer must consult Dwr Cymru Welsh Water before any development commences on site.

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

## 6.18 **South Wales Police**

Have no observations to make regarding this application.

## 7. **REPRESENTATIONS**

7.1 **Local Members** have been notified of the proposals. No comments have been received.

7.2 **Neighbours** have been consulted and the application has been advertised in the local press and very liberally by site notice. No representations have been received.

## 8. **ANALYSIS**

### 8.1 **Environmental Impact Assessment**

The works are not a Schedule 2 development for the purposes of assessment under the Environmental Impact Assessment regulations in terms of quantum, and are not considered likely to have any significant environmental effects warranting the submission of an Environmental Statement to allow the Local Planning Authority to determine the environmental implications of the development.

The application is accompanied by

An Acoustics report  
Design and Access Statement  
External Lighting Strategy  
Flood Risk Assessment  
Mechanical/Electrical/Utilities Report  
Piling Risk Assessment  
Preliminary Ecological Appraisal  
Site Investigation Report  
Transport Statement  
Statutory Pre-Application Consultation Report.

These documents are considered sufficient to allow the Local Planning authority to consider the likely environmental effects of the development.

### 8.2 **Land Use**

The application site is identified as existing employment land (EC1.2 Cardiff Port) as defined by the LDP proposals map. Policies EC1 and EC3 are therefore of relevance. This policy framework aims to protect existing employment land for B Use Class employment to ensure that a range and choice of employment land and premises are available across the city to assist economic competitiveness, encourage entrepreneurship and promote the growth of indigenous business. Policy EC3 identifies a range of criteria against which applications for the alternative use of business and industrial land will be assessed.

8.3 The existing brownfield site is currently occupied by the Cardiff Fuel Centre, Cabins and outbuildings formerly associated with the Cardiff Sea Cadets and

Atkins Trade Specialists. The proposed development is a secure training facility for Royal Navy Reserves.

Under policy EC3, the Council seeks the retention of employment land and premises identified in Policy EC1 and defined on the Proposals Map unless it can be clearly demonstrated that:-

- i. The land and premises are no longer well located for business, industrial and warehousing use; or
- ii. There is no realistic prospect of employment use on the site and/or the property is physically unsuitable for employment use, even after adaption/refurbishment or redevelopment; or
- iii. There is no need to retain the land and premises for business, industrial or warehousing use, having regard to the demand for such land and premises and the requirement to provide for a range and choice of sites available for such use; and
- iv. There will be no unacceptable impact on the operating conditions of existing businesses.

- 8.4 Although a Sui Generis use (A use not falling wholly or characteristically within any given Town Planning Use Class) , the proposed training facility would create a minimum equivalent of 10 FTE jobs on land identified for employment; a number that is comparable to that which would arise from general industrial use (Use Class B2) on the site. The development would also train 70 reservists who would receive pay for every drill night and weekend. The proposed training facility would also not prevent or impact on the operating conditions of existing businesses at the port or prejudice the potential future use of the site for port related activities.

Given the development site is modest in size (0.97ha), equivalent to just 0.77% of the operational port land; that use class B employment generating uses would continue to operate on the remaining land and; the training facility will provide an employment and training function on land identified for employment purposes, the application raises no land use policy concerns.

## 8.5 Design

### Layout

The site is some 0.97 hectares of irregular shape, but roughly paralleling the highway boundary of Cargo Road (N-S axis). Vehicular access would be provided from the North via an upgraded site access from Cargo Road, first into a holding enclosure and then into a secure compound.

The building is provided to the north east of the site, and has a one way internal access road to the west, and parking facilities to its west and south west. A hard surfaced parade ground is located to the south of the site together with ancillary climbing rope apparatus.

A layby would be located outside of a gatehouse secure entry point. Cars and minibus movements would be directed around a one access route with 53 standard parking bays, and 6 disabled bays located opposite the main entrance.

The building would initially provide approximately 1250m<sup>2</sup> coverage of a 9700m<sup>2</sup> site but is proposed to be able to be extended by a further 290m<sup>2</sup> to allow for an element if future proofing.

## 8.6 Scale and Mass

The building would be some 66m x 19m in footprint with its longest edge running north-south. This would be constructed to 4 storey height with parapet to a height of 17 ¼ m. The potential area of future extension would be a storey lower than the main building at its southern end.

The elevations of the building are of the nature of a parallelogram/rhomboid presentation which is enhanced by the choice of finish as detailed below; and the building conveys a very ship like quality both in scale, mass and finish.

## 8.7 Finish

The development proposes a high quality, exciting contemporary building and its concept is to encompass both the character and heritage of the Royal Navy in the form of a dynamic building of modern design.

The building is clad in bands of diamond shaped panels, which in composition reflect the waves of the sea and land mass in a variety of grey tones from silver to slate. The diamond nature of the panel provides a very bold and exciting appearance. A number of glazing panels are also of a diamond shape form on the western frontage of the building, remaining windows are in groups of square shaped windows following the internal floor levels which provides for a porthole style aesthetic. All glazing to the main accommodation is set flush to the outer cladding line to develop a rock face aesthetic. The building has 'fins', and also a balcony situated from the ward room (First floor Northern end) which wraps to the eastern elevation and provides views out across the dock. The stair cores would be glazed along the gables to add a further layer of transparency / activity.

The design is considered an innovative composition which uses the chosen materials very successfully to reflect robustness and solidity of land and a large vessel.

The design by Chetwoods architects is wholly supported.

## 8.8 Equalities

Section 149 Equality Act 2010 requires that due regard be given to any actual or potential differential impact of the development on the needs of those with protected characteristics.

The scheme includes for disabled parking provision, accessible building design and a lift. On this basis it is concluded that the proposal results in no apparent abnormal differential impact to any user group or individual.

#### 8.9 Utilities

The existing site has a number of underground, and overhead utility / port services which will need to be appropriately cleared, maintained and diverted prior to and in preparation of construction. An existing Western Power Distribution 11kV cable would require diversion.

The new supply would run from the Cargo Road substation under footway to the main security gates to the new building. A Wales and West Utilities low pressure gas main would also need to be relocated to avoid the perimeter fencing around the site, with the supply rising from below ground before entering the new building through the wall of a ground floor plant room. A Welsh Water main would need to be diverted and laid internal and external to the construction boundary. The mains cold water supply would be brought into the site from a connection to a new Welsh Water main in Cargo Road. A new fire hydrant that would be within 18m of the entrance doors to the new building would be provided as part of the diversion works. BT Cables would require significant diversion and again would be undertaken prior to the commencement of construction.

8.10 The Planning Officer notes these necessary works but considers these issues of technical approval not material to the determination of the planning application submission as there will be no depletion of infrastructure after the period of construction.

#### 8.11 Amenity of users

A noise survey has been undertaken to understand and assess the need for mitigation of noise from the surrounding port area. The building is an insulated construction and appropriately glazed. Outside activities are not of a nature that would be compromised by port noise as the principal noise source in proximity to the use.

The Pollution Control Officer's request for particular sound insulation measures between the dormitory accommodation and gym within the scheme is noted and requested via condition.

#### 8.12 Amenity of Neighbours.

The building would provide a contained and insulated facility for teaching and associated activities and is not considered likely to impact adversely on any nearby amenities in terms of light or noise nuisance.

The outside parade yard and high rope areas will be utilised for training and drill, but these are considered to be a sufficient distance from the Porth Teigr Plot L boundary where the principle of residential accommodation has been

resolved; and the nearest existing residential accommodation at Adventurers Quay, not to be likely to present a nuisance; and likely comparable to a commonplace relationship between housing and school playgrounds in many areas of the city.

### 8.13 Renewable Energy

The application is supported by a Mechanical and Electrical Engineering record which confirms that the design will be underpinned by a particularly low energy and sustainable approach, through reducing the requirements for energy and improved efficiency by design including the use of Low/Zero carbon energy sources and renewable technologies. These are shown to include for a 10 kW photovoltaic system which will support the building and grid.

This is welcomed and considered a positive response to the aims of LDP Policy EN12.

### 8.14 Waste Management

A waste compound is indicated near the site entrance and is acceptable to both the Waste Manager and Planning Officer.

### 8.15 Transport

A Transport Statement Accompanies the application, it predicts that:

- the development will generate around 53 vehicle movements across a daily period. In a typical week, these movements would be generated on three out of five weekdays with the site operating on three evenings per week.

Within the vicinity of the site, the majority of these vehicle movements are likely to occur outside the AM (0800 – 0900) and PM (1700 – 1800) peak hours as the site is operational from 1830 hours.

It is considered that the vehicle trips will not have material impact on the safe and efficient operation of the surrounding local highway network.

- The site is accessible by sustainable means of travel with good walking and cycling infrastructure within the vicinity of the site as well as high frequency bus services operating throughout the day and in the evenings within a 5 to 10-minute walk.
- An appropriate level of on-site car parking has been proposed to suitably accommodate the operational requirements of the development whilst encouraging the use of sustainable modes of travel. The parking provision ensures that any impact from overspill parking on local streets is minimised and is provided to minimum requirements for the operational viability of the site.



- There are therefore no reasons with regard to highways and transport as to why the proposed development should not be permitted.

8.16 Although on operational port land, the development falls within the City Centre boundary for purposes of assessment under the Access, Circulation and Parking Standards Supplementary Planning Guidance, where minimum on-site car parking provision would be encouraged.

However the applicant has suggested that the use of the building as unique sui-generis use would have a character of use for which it might be considered acceptable to consider a similarly unique parking standard.

The Parking Standards SPG at Para 3.1.3. allows for such consideration, recognising that non land use specific uses will be considered on a site specific basis; and para 3.1.4. provides the criteria upon which such site specific assessment will be undertaken.

8.17 In terms of envisaged usage, the proposed site will comprise a training facility, a parade ground, a gym, accommodation for up to 60 adult volunteers are proposed to be accessible 24 hours a day via controlled / secure access arrangements.

The main hours of operation for the proposed training facility will however be on three weekday evenings between 1830 and 2230 and on weekends between 1930 on a Friday and 1530 on a Sunday. A total of approximately 70 adult volunteers and 10 staff are anticipated to be on-site at any one time during these hours of operation. Outside of the main hours of operation the site will be available for use by the wider community.

8.18 The compound is shown to provide parking space for 53 car parking spaces, two minibus spaces, six disabled spaces, and a covered cycle shelter.

8.19 If considered as a business facility (e.g. offices), the maximum parking allocation indicated within the adopted parking guidelines, given the sites location in the central area, would be 16 car parking spaces plus reasonable operational/servicing space, 20 longterm cycle spaces, and 4 short term cycle spaces. If considered as a boarding school, a maximum of Circa 30 parking spaces would be permitted, together with reasonable operational/servicing space and cycle parking provision. If considered as a non-residential training facility then only operational parking space would be permitted.

8.20 The Planning Officer has therefore considered the reasonableness of overprovision of circa 23 on-site car parking spaces against the standards contained in the adopted guidelines in terms of the special nature of the use, likely travel patterns, and times of operation, and requirement for secure parking to ensure for the safety of those attending the building.

8.21 It is noted that the majority of the movements associated with the Navy Reserve usage of the site are likely to occur outside of network peak hours, [AM (0800 – 0900) and PM (1700 – 1800)] and that more pertinently, training will take place

over weekends and during evenings/overnight when public transport options are less likely to be as frequent/available/convenient. This in addition to the special nature of the use, which would attract attendees on a region basis, potentially with uniform and kit, is considered sufficient to reason a requirement for the 53 car parking spaces proposed; although the planning officer would caveat any recommendation for planning permission, to require the facility to advise those visiting the site to use sustainable transport modes via submission and implementation of a travel plan, and not to promote the availability of parking on the site for anything other than reservists or operational usage.

- 8.22 The proposals indicate ten no. undercover cycle parking spaces, based on the predicted ratio of attendee usage. As this is proportionately lower than that indicated in the parking guidelines, and on the basis that the site is very well serviced by cycle paths and cycle routes, the planning officer remains of a mind to require the provision of an additional 10 cycle spaces, and to elevate the advised intention to “monitor the provision against demand” to a requirement by means of planning condition, and these are recommendations of this report..
- 8.23 Access to the site will be provided via a relocated priority junction with Tyneside Road / Cargo Road bordering the western periphery of the application site. This access will be used to service both the proposed development site and an adjacent site directly to the west of the development site.

#### 8.24 **Economy**

Cardiff are pleased that the Royal Navy have chosen the Port of Cardiff as the home for training of Navy Reserves. This is seen as having both direct and indirect economic benefits to the City's economy.

#### 8.25 **The Natural Environment**

A preliminary ecological appraisal has been submitted with the application which confirms that the site is part of the Cardiff docks area, with shipping canals in proximity. The land on which the Site is located is described as an island, with Roath Basin, Roath Dock and Queen Alexandra Dock surrounding it.

- 8.26 All habitats within and immediately adjacent to the Site were classified and mapped. All habitats with the potential to support rare, protected, or otherwise notable species of flora or fauna were noted. A habitat map was drawn up incorporating target notes used to highlight features of particular ecological interest. The study also looked for the presence of invasive plant species such as knotweed and Himalayan Balsam. Habitats and features with potential to support protected and/or notable conservation priority species of fauna, were also recorded.
- 8.27 The report concluded that there are no statutory or non-statutory designations on the site itself; Noted that the Severn Estuary SAC, SPA, Ramsar and SSSI designated is a minimum of 680m away from the development site; that the three locally designated SINCs found within 1km of the Site are all sufficiently

well separated from the site that no direct or indirect impacts on their designated features are anticipated as a result of the development; that the habitats observed included semi-improved neutral grassland, scrub, bare ground, buildings and hardstanding areas and standing water; and that the onsite buildings provide negligible potential for roosting bats.

8.28 The report makes recommendations in respect of the identified habitats and mitigation measures relating to prevention of pollution of the docks; the undertaking of a Habitats Regulations Assessment by the LPA; lighting in respect of disturbance to bats; vegetation clearance outside of the bird nesting season; otters; and enhancement of habitats through appropriate landscaping an incorporation of roost boxes into the development

8.28 The Planning Officer concludes that the report findings and recommendations are reasonable and can be translated to planning conditions (indicated in the recommendation of this report). No further requirements have been requested by the Council's Ecologist.

#### 8.29 **Pollution - Contaminated Land and Air**

The applicant has undertaken site investigation including ground conditions/ground gas and hydrological survey and is aware of the condition of the land.

In summary the ground is soft and made up and contains elevated levels of contamination which will need to be mitigated against and which would favour a piled foundation to the building in design terms. However the site would not appear to possess any characteristics that could not reasonably be addressed by planning condition and mitigation.

The Pollution Control Officers comments and requirements are noted and concurred with and appropriately worded conditions are recommended as indicated.

#### 8.30 **Pollution – Noise and Amenity**

The Design and Access statement advises that the development would not include activities that would result in high levels of noise that would have an adverse impact on surrounding uses; and that the same would apply in respect of air quality.

8.31 The planning officer notes that there would be potential for increased off peak traffic movements but considers that these would be unlikely to have such adverse amenity implications as to be damaging to existing occupiers at Adventurers Quay or at the proposed development of Plot L of Porth Teigr when considered against the activities of those developments, and the BBC television studios, the existing traffic usage of Cargo Road and Porth Teigr and against existing background Port Noise.

Access point to the facility would be some 30m away from the boundary of the plot L development of Porth Teigr at closest point, and the building some 50m away. The building would also be some 160m from the nearest accommodation in Adventurers Quay.

This is considered acceptable in terms of likely privacy, noise, and neighbour relationships.

- 8.32 Construction activities, including numbers of vehicle movements, dust suppression and operational management will be subject to mitigating measures required in a construction and environmental management plan which can be required by planning condition.

### 8.33 **Flood Risk**

The application is supported by a flood consequence assessment.

The comments of Natural resources Wales are noted.

- 8.34 The proposal is for a secure training facility including dormitory accommodation, and is currently located in flood zone 'B' of NRW's Development Advice Map, but has the potential to be within Flood Zone C1 over the expected lifetime of the development if the tidal defence scheme is not maintained and protection increased in line with climate change induced sea level rise.

The proposed development is therefore considered 'highly vulnerable development' with respect to flood risk; however the consequences of this flooding are considered to be able to be appropriately managed on the basis that although providing for dormitory accommodation, that the building does not provide for any permanent place of residence, and given the finished floor levels of the development in excess of 9.6m AOD, that this would sufficiently mitigate against any future extreme flooding event.

As such it is considered that the development is justifiable and acceptable and that the consequences of flooding can be adequately managed.

### 8.35 **Drainage**

The comments of Natural resources Wales and Welsh Water are noted.

Surface water /land run-off from the site will be discharged at an unrestricted rate into the Cardiff Docks tidal waters, as per the existing arrangement, using existing outfalls where possible.

An alarmed class 1 oil separator will be provided upstream of the outfall to ensure that the water quality in the dock is not adversely affected.

This is considered acceptable, and appropriate.

- 8.36 The foul water management strategy includes for the facility to discharge foul water from the building via an on-site pumping station to the currently private infrastructure of Porth Teigr (completed in 2012) or via an alternative option which would process foul discharge to an on-site package treatment plant. Natural Resources Wales have raised issues relating to the adopted status of the available infrastructure and to connection rights, however these are legal matters, and the Planning Officer is confident that foul discharges from the development can be practically serviced, and that it is sufficient to apply a planning condition to sign off on the detail of the final proposal in due course.

Welsh Water have clarified the situation but have not objected to the proposal provided that a condition maintains the agreed system in perpetuity. This is a recommendation of the report.

- 8.37 As such the proposal is considered to appropriately address the requirements of Technical Advice Note 15.

9. **SECTION 106 MATTERS**

The development would not require any legal undertaking to allow its provision or offset any impacts in terms of securing mitigation.

10. **RECOMMENDATION**

That Planning Permission be Granted subject to recommended conditions.



