

LOCAL MEMBER OBJECTION & PETITION

COMMITTEE DATE: 16/09/2020

APPLICATION No. **20/01108/MJR** APPLICATION DATE: 11/06/2020

ED: **WHITCHURCH/TONGWYNLAIS**

APP: TYPE: Full Planning Permission

APPLICANT: Velindre NHS Trust & Asda Stores Ltd
LOCATION: ASDA CARDIFF CORYTON, LONGWOOD DRIVE,
WHITCHURCH, CARDIFF, CF14 7EW
PROPOSAL: PROPOSED ENGINEERING WORKS TO LONGWOOD
DRIVE AND THE ASDA ACCESS HIGHWAY AND CAR
PARK ARRANGEMENTS, ENABLING ACCESS TO THE
PROPOSED VELINDRE CANCER CENTRE

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

1. C01 Statutory Time Limit
2. The development shall be carried out in accordance with the following approved plans
 - 10211-100-04E- GENERAL ARRANGEMENT;
 - 10377-003A - SWEPT PATH ANALYSIS OF GENERAL ARRANGEMENT;
 - 10377-SK-002- EXISTING AND PROPOSED SECTIONS ;
 - 180162 PL03A REV B - PROPOSED SITE PLAN;
 - 180162 PL03H - PROPOSED SITE PLAN;
 - 180162 PL04E - EXISTING AND PROPOSED OVERLAY PLAN;
 - 180162 PL05G- PROPOSED LEVELS PLAN;
 - 180162 PL06E - PROPOSED SURFACE FINISHES PLAN;
 - 180162 PL07A - PROPOSED ATM PLAN AND ELEVATIONS;
 - 180162 PL08B - PROPOSED SWITCH BACK RAMP;
 - 180162 PL09A - PROPOSED SITE PLAN -1TO200 -SHEET 1 OF 3;
 - 180162 PL10A - PROPOSED SITE PLAN -1TO200 -SHEET 2 OF 3;
 - 180162 PL11A - PROPOSED SITE PLAN -1TO200 -SHEET 3 OF 3;
 - A3805/01/ Revision B- TREE PLANTING AND LANDSCAPING PLAN.
 - Proposed Tree Planting Strategy (July 2020 – Revision A)
 - 6997-MJM-00-FN-DR-C-1521S2P3 - PROPOSED DRAINAGE STRATEGY FOR ADDITIONAL HARD LANDSCAPE AREA;

Reason: To ensure satisfactory completion of the development and for the avoidance of doubt in line with the aims of Planning Policy Wales to promote an efficient planning system

3. No development shall take place until the following have been submitted to and approved in writing by the Local Planning Authority (LPA) in accordance with the current British Standard 5837:
 - An Arboricultural Method Statement (AMS) detailing the methods to be used to prevent loss of or damage to retained trees within and bounding the site, and existing structural planting or areas designated for new structural planting. The AMS shall include details of site monitoring of tree protection and tree condition by a qualified arboriculturist, undertaken throughout the development and after its completion, to monitor tree condition. This shall include the preparation of a chronological programme for site monitoring and production of site reports, to be sent to the LPA during the different phases of development and demonstrating how the approved tree protection measures have been complied with.
 - A Tree Protection Plan (TPP) in the form of a scale drawing showing the finalised layout and the tree and landscaping protection methods detailed in the AMS that can be shown graphically.

Unless written consent is obtained from the LPA, the development shall be carried out in full conformity with the approved AMS and TPP.

Reason: To enable the Local Planning Authority to assess the effects of the proposals on existing trees and landscape; the measures for their protection; to monitor compliance and to make good losses in accordance with policy EN8 of the adopted Cardiff Local Development Plan (2006-2026).

4. No development shall take place until full details of soft landscaping have been submitted to and approved in writing by the Local Planning Authority. These details shall include:
 - A soft landscaping implementation programme.
 - Finalised scaled planting plans prepared by a qualified landscape architect.
 - Evidence to demonstrate that existing and proposed services, lighting, CCTV, drainage and visibility splays will not conflict with proposed planting.
 - Finalised schedules of plant species, sizes, numbers and densities prepared by a qualified landscape architect.
 - Scaled tree pit sectional and plan drawings prepared by a qualified landscape architect that show the Root Available Soil

Volume (RASV) for each tree.

- Topsoil and subsoil specification for all planting types, including full details of soil assessment in accordance with the Cardiff Council Soils and Development Technical Guidance Note (Soil Resource Survey and Plan), soil protection, soil stripping, soil storage, soil handling, soil amelioration, soil remediation and soil placement to ensure it is fit for purpose. Where imported planting soils are proposed, full specification details shall be provided including the parameters for all imported planting soils, a soil scientists interpretive report demonstrating that the planting soil not only meets British Standards, but is suitable for the specific landscape type(s) proposed. The specification shall be supported by a methodology for storage, handling, amelioration and placement.
- Planting methodology and long-term post-planting aftercare methodology prepared by a qualified landscape architect, including full details of how the landscape architect will oversee landscaping implementation and report to the LPA to confirm compliance with the approved plans and specifications.
- That the recommendations of paragraph 6.2.3 of the TACP Ecology walk over survey have been incorporated into the proposed landscaping

The submitted details shall be consistent with other plans submitted in support of the application and the landscaping shall be carried out in accordance with the approved design and implementation programme.

Reason: To enable the Local Planning Authority to determine that the proposals will maintain and improve the amenity and environmental value of the area, and to monitor compliance in accordance with Policy EN8 of the adopted Cardiff Local Development Plan (2006-2026).

5. Any newly planted trees, plants or hedgerows, which within a period of 5 years from the completion of the development die, are removed, become seriously damaged or diseased, or in the opinion of the Local Planning Authority (LPA) otherwise defective, shall be replaced. Replacement planting shall take place during the first available planting season, to the same specification approved in discharge of condition 4, unless the Local Planning Authority gives written consent to any variation.

Reason: To maintain and improve the amenity and environmental value of the area in accordance with Policy EN8 of the adopted Cardiff Local Development Plan (2006-2026).

6. No part of the development hereby permitted shall be commenced until a scheme of highway works to Coryton Interchange slip road/Longwood Drive, the Asda roundabout and site road, footpath/cycleway provision and highway verges, as shown in principle on the approved plans, has been submitted to and approved in writing by the Local Planning Authority (LPA). The scheme shall include, but not be limited to, details

of the construction and layout, including as required surfacing, kerbs, edging, drainage, lighting, lining, signing, soft and hard landscaping and street furniture as required as a consequence of the scheme. No part of the development shall be occupied until the approved scheme has been implemented to the satisfaction of the LPA.

Reason: To provide safe and commodious pedestrian, cycle and vehicle access to the proposed development, in the interests of highway safety, in accordance with Policies T1 and T5 of the adopted Cardiff Local Development Plan (2006-2026).

7. No part of the development hereby permitted shall be commenced until a scheme of construction management has been submitted to and approved in writing by the Local Planning Authority, to include as required, but not limited to, details of site hoardings, site access and wheel washing facilities, site compounds, drainage details to ensure that there is no contamination of the SSSI, site manager's contact details and procedure for notifying the residents of the Hollybush Estate, Coryton Primary School and Ty Coryton House, in advance of each element of work. Construction of the development shall be managed strictly in accordance with the scheme so approved.

Reason: In the interests of highway safety and public amenity, in accordance with policies T5, T6 and EN13 of the adopted Cardiff Local Development Plan (2006-2026).

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

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

9. No development shall commence until details of a method statement and risk assessment for the protection of the structural condition of the strategic water main crossing the site has been submitted to and approved in writing by the Local Planning Authority. The approved protection measures shall be implemented in full before any other development hereby permitted has commenced, and shall be retained at all times for the duration of the approved operations including the restoration works.

Reason: To ensure that the proposed development does not affect the integrity of the public water supply system in the interests of public health and safety, in accordance with policies EN10 and EN11 of the adopted Cardiff Local Development Plan (2006-2026).

10. No clearance of trees, bushes or shrubs to take place between 1st March and 15th August unless otherwise approved in writing by the Local Planning Authority. This approval will be given if it can be demonstrated

that there are no birds nesting in this vegetation immediately (48 hrs) before works commence.

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

RECOMMENDATION 2: To protect the amenities of occupiers of other premises in the vicinity attention is drawn to the provisions of Section 60 of the Control of Pollution Act 1974 in relation to the control of noise from demolition and construction activities. Further to this the applicant is advised that no noise audible outside the site boundary adjacent to the curtilage of residential property shall be created by construction activities in respect of the implementation of this consent outside the hours of 0800-1800 hours Mondays to Fridays and 0800 - 1300 hours on Saturdays or at any time on Sunday or public holidays. The applicant is also advised to seek approval for any proposed piling operations.

RECOMMENDATION 3: The applicant is advised that any pruning necessary to implement the planning permission should be undertaken in accordance with British Standard 3998: 2010 'Tree Work' or any Standard that replaces it.

RECOMMENDATION 4: The applicant is advised to contact Wales and West Utilise, quoting 8150107822 (tel: 02920 278757) prior to undertaking any works due to the location of a gas pipe line close to the site.

RECOMMENDATION 5: Since January 7th 2019, all new developments of more than 1 house, or where the construction area is 100 square metres or more, require sustainable drainage to manage on-site surface water. Surface water drainage systems must be designed and built in accordance with mandatory standards for sustainable drainage published by the Welsh Ministers.

These systems must be approved by the local authority acting in its SuDS Approving Body (SAB) role before construction work begins. The SAB will have a duty to adopt compliant systems so long as they are built and function in accordance with the approved proposals, including any SAB conditions of approval.

It is recommended that the developer engage in consultation with the Cardiff Council SAB team as the determining SuDS Approval Body (SAB) in relation to their proposals for SuDS features. To arrange discussion regarding this please contact SAB@cardiff.gov.uk

RECOMMENDATION 6: The highway works required by planning condition(s), and any other works to the existing or proposed adopted public highway to be undertaken by the developer, are to be subject to agreement(s) under Section 38 and/or Section 278 of the Highways Act 1980 between the developer and Council. Any works to the Coryton Interchange will require an agreement under Section 278 of the Highways Act 1980 between the developer and the Welsh

Government.

1. DESCRIPTION OF PROPOSED DEVELOPMENT

- 1.1 Planning permission is sought to reconfigure the existing road layout and parking arrangements to and within the car park of the Asda supermarket at Coryton, in order to make provision for access to the proposed new Velindre Cancer Centre (nVCC), planning permission for which was granted in March 2018. The application also includes improvements to the Asda car park area and service access. In order to implement the approved access arrangement, some alteration to the internal Asda access road and car parking layout is required. Following the granting of planning permission for the nVCC the applicant has proposed an amended and improved access arrangement which is better suited to the operational requirements of Asda by improving the circulation within the existing car park. This proposed scheme is therefore essentially a variation to the previously approved access improvements plus other additional associated changes to the Asda car park area.
- 1.2 The Planning Statement submitted with the application outlines those elements that are proposed to change, being:
- A dedicated turning lane from Longwood Drive into the site, with widening of the existing roundabout and improvements to the turning radii into the site;
 - Provision of a new mini-roundabout at the junction of the Asda access road / service access road to improve safety and flow;
 - Reconfiguration of access arrangements into the car parking areas from the service access road and the spine road;
 - Reconfiguration of the internal car parking layout across the site;
 - Addition of a dedicated right turning lane from the spine road into the McDonalds restaurant;
 - Provision of a bus lay-by;
 - Formation of appropriate pedestrian and cycle links to both Asda and nVCC, including a new ramped access and replacement shared cycle and pedestrian link; and
 - Proposed junction from the spine road to provide access to the nVCC.
- 1.3 The proposals also account for the potential provision of an additional lane to the east bound section of Longwood Drive east of the roundabout.
- 1.4 The scheme overall would lead to a net loss of 40 parking spaces from the existing 593 space provision (7%). It also involves the removal of 122 of trees from within the car park. The proposals include a landscape strategy, which comprises the planting of 58 new trees, native hedge planting, and species-rich woodland/grassland areas, to offset the removal of existing trees.
- 1.5 This application does not relate to the bridges crossing the railway embankment or the proposed Cancer Centre on the land to the north-west of Whitchurch Hospital Playing Fields. Those matters were considered by the Planning Committee at its meeting in December 2017, when the principle of constructing the new Cancer Centre in that location was accepted and outline planning permission was granted under planning reference 17/01735/MJR. That

approval includes full permission for the details of the access roads to the site (including the bridges).

- 1.6 The current application is supported by a Pre-Application Consultation report, ecological walkover survey report (TACP) dated April 2019, Surface Water Drainage Statement January 2020, Transport Assessment (Sanders Associates) report reference: 10377/002/04; and arboricultural survey report (TACP), as updated by the Proposed Tree Planting Strategy (July 2020 – Revision A).
- 1.7 A 'Holding' directive has been issued by the Welsh Government to allow the government the opportunity to consider if they wish to 'call in' this application for their determination. This prevents the Council only from granting planning permission until the Welsh Government has issued its decision – it does not prevent it from continuing to process or consult on the application, or refuse planning permission.

2. DESCRIPTION OF THE SITE AND AREA

- 2.1 The application site covers approximately 2.8ha of land at the Asda supermarket, Coryton, including part of Longwood Drive and the existing roundabout, which provide access from the Coryton interchange to the existing retail store, McDonald's restaurant, Asda Service Station and Starbucks Coffee Shop. This highway also provides access to industrial uses further west. The Asda land comprises the existing vehicular and pedestrian access, plus service access and car parking.
- 2.2 To the south is the land known as the "northern meadows" (the site of the proposed new Cancer Centre) which is screened from the Asda site by woodland, beyond which is a deep former railway cutting. To the east and north east is the Village Hotel and a school for children with autism, Ty Coryton, which is also screened from the application site by woodland. To the north is Longwood Drive and the M4 Motorway.

3. PLANNING HISTORY

- 3.1 Within the last 5 years:

17/01735/MJR: Proposed Velindre Cancer Centre including specialist cancer treatment centre, centre for learning, research and development, primary means of access (from Coryton Interchange), emergency access (via Hollybush estate), temporary construction accesses, parking, energy centre, landscape works, pedestrian paths, and Maggie's Centre. Granted 27/03/2018.

- 3.2 Earlier relevant history:

10/01286/DCO: Proposed extension and alterations to existing car park to form home shopping service. Approved;

08/011874/W: Existing grassed area to be removed and replaced with new full

depth car park to form colleague car park. Approved;

05/01827/W: Construction of car deck and alterations to car park- approved;

05/00059/W: Alterations to car parking layout. Approved.

3.3 Current/undetermined applications on adjoining land:

20/01110/MJR: Temporary construction access route for the construction of the approved Velindre cancer centre, or a period of no more than 48 months following the completion of the related highway improvement works, or until 30/11/24, whichever is first. Undetermined;

20/01481/MJR: Discharge of condition 16 (green infrastructure management strategy) of 17/01735/MJR. Undetermined;

20/01515/MJR: Discharge of conditions 17 (construction environment management plan), 10 (highway and pedestrian works details), 13 (bridge finishes), and 14 (soil resource survey (access and enabling works)) of 17/01735/MJR. Undetermined

20/00357/MJR: Variation of conditions 1c and 1d of planning permission 16/01530/MJR to extend the timescales to submit a reserved matters application and commence development (Whitchurch Hospital site including the northern meadows). Undetermined.

4. **POLICY FRAMEWORK**

4.1 National Planning Policy:

- Planning Policy Wales (10th Ed, 2018)

Planning Policy Wales Technical Advice Notes:

- Technical advice note (TAN) 5: Nature conservation and planning (September 2009);
- Technical advice note (TAN) 10: Tree preservation orders (October 1997);
- Technical advice note (TAN) 11: Noise (October 1997);
- Technical advice note (TAN) 12: Design (March 2016);
- Technical advice note (TAN) 18: Transport (March 2007);
- Technical advice note (TAN) 21: Waste (February 2017);
- Technical advice note (TAN) 23: Economic development (February 2014);
- Technical advice note (TAN) 24: The historic environment (May 2017);

Chief Planning Officer letter dated 23/10/19: securing bio-diversity enhancement;

Building Better Places: The Planning System Delivering Resilient and Brighter Futures: Placemaking and Covid 19 recovery (July 2020).

4.2 Cardiff Local Development Plan 2006-2026:

KEY POLICIES

KP5 (Good Quality and Sustainable Design);
KP6 (New Infrastructure);
KP15 (Climate Change);
KP16 (Green Infrastructure);
KP17 (Built Heritage).

DETAILED POLICIES

ENVIRONMENT

EN6 (Ecological Networks and Features of Importance for Biodiversity);
EN7 (Priority Habitats and Species);
EN8 (Trees, Woodlands and Hedgerows);
EN9 (Conservation of the Historic Environment);
EN10 (Water Sensitive Design);
EN11 (Protection of Water Resources);
EN13 (Air, Noise, Light Pollution and Land Contamination).

TRANSPORT

T1 (Walking and Cycling);
T5 (Managing Transport Impacts);
T6 (Impact on Transport Networks and Services).

COMMUNITY

C3 (Community Safety/Creating Safe Environments);
C6 (Health).

WASTE

W2 (Provision for Waste Management Facilities in Development).

- Supplementary Planning Guidance:

Green Infrastructure (including Technical Guidance Notes relating to: Ecology and Biodiversity; Trees and Development; Public Rights of Way and Development; River Corridors; Protection and Provision of Open Space in New Developments; Soils and Development) (November 2017);

Managing Transportation Impacts (Incorporating Parking Standards) (July 2018).

Planning for Health and Wellbeing (November 2017).

5. **INTERNAL CONSULTEE RESPONSES**

5.1 The Operational Manager (Traffic and Transportation) states:

The proposed works covered by the application include:

- The provision of a dedicated turning lane from Longwood Drive into the Asda site, with widening of the existing roundabout and improvements to the turning radii into the site;
- Provision of a new mini-roundabout at the junction of the Asda access road/service access;
- Reconfiguration of access arrangements into the car parking areas from the service access road and the main spine road;
- Reconfiguration of the internal car parking layout across the site;
- Addition of a dedicated right turning lane from the spine road into the McDonalds restaurant;
- Provision of an inbound bus lay-by;
- Formation of pedestrian and cycle links to both Asda and new Velindre Cancer Centre (nVCC), including a new ramped access and replacement shared cycle and pedestrian link;
- Proposed protected right turn junction from the main spine road to provide access to the nVCC.

The submission also indicates that the proposed works allow for the potential provision of an additional traffic lane to the east bound section of Longwood Drive, to the east of the Asda roundabout. The implementation of the additional lane being subject to further design and highway modelling.

Overall the submitted scheme leads to a net loss of 40 parking spaces from the existing 593 space provision in the existing Asda car park, which is considered both policy compliant and otherwise acceptable. In which respect it should be noted that other than at exceptional peak times such as Christmas weekends, there is no data that suggest the current car park is of insufficient capacity to cope with parking demand.

The submitted Planning statement concludes that: *The proposed engineering works will enable an improved access to the nVCC site, whilst improving highway safety, and improving efficiency of the use of the existing car park. The principle of access to the nVCC is already established by the extant permission, and these current proposals seek to improve upon that position, in terms of vehicular flows and the wider site layout. The development is considered to be acceptable having regard to applicable planning policy.*

In considering the proposed revisions to the Asda roundabout on Longwood Drive, it is noted that the land take required for the road widening and dedicated turning lane is consistent with that (the land take) for the currently approved arrangements via the extant permission. The overall impact on the existing soft landscaping, and adopted highway and verges at this junction is therefore comparable with that currently approved scheme.

However what the now proposed arrangement seeks to do is to facilitate the provision of an improved access that is compatible with and supports both the existing Asda use, the detailed car park layout, and new VCC, while minimising the potential for conflict between retail traffic and that associated with the nVCC. The submission provides details in respect of the proposed layout and operation

of the Asda car park; widening of the main access road to enable creation of protected right turns for McDonalds and the nVCC; details of pedestrian and cycle links serving Asda and nVCC; and the provision of a bus stop and layby.

The provision of a widened spine road, along with the generous lengths of protected right turns to serve the existing McDonalds and nVCC are welcomed, and together will help to ensure that any traffic associated with any of the uses does not obstruct other traffic on the main spine road. The provision of the new protected right turns particularly will help to ensure that any turning or queuing traffic associated with the existing or proposed developments does not impact on or interfere with traffic on the adjacent local or strategic highway network.

Swept path analysis of the junctions for the expected vehicle types has been undertaken as part of the submitted Transport Assessment. This analysis demonstrates that the proposed alterations to the nVCC access, Asda car park, main site road, service access and roundabouts will operate successfully, without impacting on the movement of traffic on the adopted highway network. The vehicle types considered in the assessment include a 16.5 m long articulated vehicle, for the two roundabout junctions and service access; a single decker bus, entering the site, accessing the proposed bus stop and the nVCC; a 12.0m rigid vehicle entering the site and accessing the nVCC; and a large car, throughout the submitted roads, junctions and car park layout.

The TA also considers vehicle trip generation and undertakes junction capacity analysis on the key development junctions. This analysis is based on data used by Mott MacDonald for the nVCC application, supplemented by Automatic Traffic Count (ATC) data obtained from the eastern section of Longwood Drive, between the Asda roundabout and the Coryton Gyratory. The TA reports that a review of ATC survey results established that there is a predictable increase in traffic associated with Asda on Fridays.

As Friday is known to be a busier trading day for Asda, as supported by the traffic data, an exercise was undertaken to derive the factor by which traffic flow differed. This exercise, undertaken by Mott MacDonald and verified by Sanderson Associates in the submitted TA determined that the AM peak traffic flows were 8.8% higher and the corresponding PM peak flow 10.85% higher. The base flows provided by Mott MacDonald in their analysis have therefore been increased by the above factors to ensure a robust assessment is provided.

From the capacity modelling undertaken in the TA all junctions appear to operate within their practical capacity, generally accepted as being represented by a Ratio of Flow to Capacity (RFC) of 0.85, with no material queuing or delay. As such it is considered that the TA demonstrates that the existing and proposed junctions operate within capacity as submitted, with no material impact on the operation of the wider highway network and in particular at the roundabout junction of Longwood Drive with the Asda store and PFS.

- 5.2 The Operational Manager (Shared Regulatory Services: Air Quality): No objections.

5.3 The Operational Manager (Shared Regulatory Services: Noise): No objections.

5.4 The Council's Trees and Landscaping officer states:

The Tree Planting Strategy proposes 43 new 'specimen' trees (7 of 'semi-mature' size, 21 'heavy standards' and 15 'standards') and 30 feathered trees and woody shrubs. This planting comprises 20 different tree species and 6 different woody shrub species, with native hedging and native seeding additionally. In terms of diversity, it far exceeds the existing landscaping that supports just 7 tree species. Furthermore, the proposed planting provides a balance between native trees and non-native trees and includes many genera capable of large size and long life (Acer, Ginkgo, Gleditsia, Koelreuteria, Ostrya, Quercus, Taxodium, Taxus, Zelkova) and that are well adapted to meet the predicted impacts of climate change. The group planting of native species with understory shrubs and herbaceous planting should maximise biodiversity benefits and avoids the swathes of 'amenity grass' that can dominate landscaping schemes.

The trees lost (122 in total) comprise ash (41), maple (34), silver birch (24), aspen (10), cherry (7), oak (4), and pear (2). Of these, 51 attain 'B' categorisation though it will be noted that the ash are all vulnerable to ash dieback disease, the maples in G8 achieving 'B' categorisation are the small 'mop top' maples in the car-park (*Acer platanoides* 'Globosum'); silver birch and aspen and cherry are not typically long-lived trees (aspen can be structurally vulnerable as evidenced by the tree report) and the oaks affected are of low quality and value ('C' category). Consequently, the existing trees cannot be seen as a viable, sustainable tree population in the long-term in the context of ash dieback disease and climate change. Nevertheless, the loss of 122 trees is significant on any scale, particularly if mitigation is inadequate or unsuitable. Purely in terms of numbers, the replacement planting does not offset the loss, though if it is considered that 'C' category trees should not unduly constrain development and it is the loss of 'B' category trees that is of concern, then the replacement does exceed the losses (51 'B' category trees lost, 58 new trees when the feathered *Crataegus*, *Ilex* and *Sorbus* are taken into account). It will be noted that 'shoe-horning' large numbers of trees in to soft landscaping will be counter-productive, resulting in gross mutual suppression and structural vulnerabilities meaning trees have a much reduced safe, useful life expectancy. Taking into account the increased diversity of proposed planting, its suitability in the context of climate change and the inclusion of large, long-lived trees within the car-park, the scales become more even. A key consideration in the overall balance is the specification of planting and aftercare. A Soil Resource Survey and Plan is essential in ensuring that the soil resource is utilised sustainably and appropriately. A healthy, fully functional soil environment is critical to the establishment and healthy long-term growth of trees, in addition to being important in its own right in terms of biodiversity and mitigating the predicted impacts of climate change. Details should be provided via discharge of condition.

5.5 The Council's Ecologist states:

I have considered the Ecology Walkover Survey Report provided by TACP dated April 2019, and in general I support the methodology and conclusions of that report. Most of the ecological impact relates to loss of trees and landscaping, However, the impact will be limited to impacts on nesting birds, regardless of which trees are to be lost. Therefore, a nesting bird condition should be imposed. I accept that the trees on site are likely to be of negligible bat roost potential.

The enhancement measures set out in section 6.2.3 are welcomed and we should attach to any consent a recommendation that these measures be implemented as part of the scheme

The green infrastructure is limited to trees and shrubs, so I would support the measures the County Tree Officer comments which requires to maintain and enhance the arboricultural resource at this site.

In terms of the impact upon the heronry, I do not consider that an internal re-configuration of the car park is going to have any additional impact on the Herons, beyond what is there at the moment.

- 5.6 The Operational Manager (Flood & Coastal Risk Management) has been consulted and no representations have been received. Developments that have an impact upon surface water (such as this proposal) are required to obtain separate approval from the Council's Drainage section acting as SAB approval body. A Compliance Statement has been submitted in support of this application that recognise the requirement of this separate legislation.

6. EXTERNAL CONSULTEE RESPONSES

6.1 Wales and West Utilities:

No objections but request that the developer liaise with them regarding a gas pipe line which is in close proximity to the site.

6.2 Natural Resources Wales:

Based on the information provided, we would have no objection to the proposed development and would provide the following advice.

Designated Sites:

The proposed development site is approximately 35m from Glamorgan Canal / Longwood Site of Special Scientific Interest (SSSI). Due to the proximity of the site to the SSSI, we would advise all during the construction phase of the development the Developer should take precautions to prevent contamination of surface water drains and local watercourses. Oils and chemicals should be stored in bunded areas and spill kits should be readily available in case of accidental spillages.

European Protected Species:

The Ecological Walkover Survey Report prepared by The Urbanists, dated April 2019, has identified bats were not using the application site and no further EPS surveys are required. We would therefore have no adverse comments to make in relation to EPS.

6.3 Cadw:

No objections.

PGW (Gm) 67(CDF) Coryton House (grade II)

The south-eastern boundary of the Asda carpark coincides with the north-western boundary of the registered Coryton House historic park and garden. This boundary is heavily vegetated and whilst, in theory, the proposed works will be visible from the registered historic park and garden, the proposed changes will not will not have any effect of the way that it is experienced, understood and appreciated. Consequently the proposed development will have no impact on the setting of registered Coryton House historic park and garden.

6.4 Glamorgan Gwent Archaeological Trust:

We have consulted the information contained in the Historic Environment Record and have concluded that the proposals forming the current application for engineering works for access to the Velindre Cancer Centre and Asda, are unlikely to impact on any buried archaeological resource. Consequently, as the archaeological advisors to your Members, we have no objections to the positive determination of this application.

6.5 Welsh Government Transportation Group:

No objections.

6.6 Dwr Cymru Welsh Water:

No objection to the proposed surface water drainage arrangement whereby surface water will be discharged to existing onsite surface water drainage at a rate of 2l/s. However, as shown on the Proposed Site Plan (drawing PL-03a) we note the proposed re-location of the roundabout whereby works will be carried out in close proximity to our 24 inch watermain. Therefore we would request a Risk Assessment Method Statement (including cross sectional plans if significant ground profiling is proposed) is submitted which will demonstrate how the watermain will be protected during construction works.

7. **REPRESENTATIONS**

7.1 For clarification, please note that there are other applications in the locality more generally (as referenced in Section 3 of the report) for which representations have also been received. However, in accord with established practice, this report can only consider those representations where the appropriate application reference number/description has been indicated or it is otherwise

clear that the remarks clearly relate to the merits or otherwise of this specific proposal.

7.2 The application was advertised by way of neighbour notification letters, site notices and advertisement in the local press. 480 letters of representation have been received which object to this application. These are summarised below:

1. The proposal will result in traffic congestion within the area due to the additional traffic for Velindre and the proposed configuration of the car park. As a result there is concern by local residents that this will have an adverse effect upon the Coryton interchange and the surrounding roads causing gridlock similar to that seen when the Coca Cola lorry was sited within the Asda car park at Christmas time;
2. The proposal results in the reconfiguration of footpaths and cycle lanes that are used by the public, some of which are their sole means of accessing Asda. The proposal would result in routes that are not as attractive or safe as the current arrangement and fail to achieve the requirements of the Active Travel Act.
3. The proposed construction vehicles will require access through Whitchurch village. These roads are not suitable for such vehicles and therefore will result in unacceptable risk to pedestrians and cyclists;
4. Many of the paths within the area and the northern meadow itself are used by children either to get to Coryton Primary School and Whitchurch High School or for recreational use. This proposal would by its design and increase in traffic result in an unacceptable risk to children who use these paths.
5. There is concern that the proposal will increase air pollution by increasing traffic and congestion within the area. This concern is supported by reports by Public Health Wales that suggest there is a link between commuter traffic and respiratory problems, especially in children.
6. The removal of the trees within the area, which absorb harmful gases from cars, would result in an increase of harmful gases and combined with the above would mean that Cardiff is not meeting its international commitment to reduce harmful gases.
7. The proposal would remove ecologically important habitat and would have an adverse impact upon the adjoining heronry, which is the largest in south Wales. This is contrary to Section 6 of the Environment Act, which places a duty of the council to maintain and enhance biodiversity and promote the resilience of ecosystems, and the Chief Planning Officer letter: "Securing Biodiversity Enhancements" which states "The attributes of ecosystem resilience (PPW para 6.4.9 refers) should be used to assess the current resilience of a site, and this must be maintained and enhanced post development. If this cannot be achieved, permission for the development should be refused."

Both of these requirements are not met.

8. The proposal fails to meet the objectives outlined in the Welsh Government post COVID 'building better places' document which states 'Development management decisions should focus on creating healthy, thriving active places with a focus on a positive, sustainable future for our communities.'
9. The proposal would result in the loss of the northern meadows, which is a community asset that has helped the community's mental well being and provided much need outdoor space for the elderly residents of the Hollybush Estate.
10. The proposal fails to achieve the aims of the Wellbeing and Future Generations Act by:
 - Failing to consult and engage with the community in a meaningful manner,
 - Destroying the only out door space for children in this part of Whitchurch;
 - Removal of significant amount of trees;
 - Increasing mental stress by removing the only out door space for residents to relax and reflect.
11. The increased construction period at Asda will negatively affect the students at Ty Coryton. The Ty Coryton site sits directly behind Asda, and will be adversely affected by the increased levels of noise and air pollution, as well as the vibrations from the construction site. This shall interrupt the education and care of the children here, who have serious Autism Spectrum Disorder and who rely on regular and consistent routine to stay happy and calm. This extension in building work would be contrary to the UN Convention on the Rights of the Child.
12. The submitted Transport information in support of this application is flawed for the following reasons:
 - The data is over 4 years old, even the most recent data was a 1 week snap shot;
 - It does not take into account post COVID assessment;
 - Does not define what types of HGV would be using these roads,
 - Does not take into account future travel patterns of the McDonalds or Starbucks.
 - The removal of the right hand turn would result in more traffic not less onto J32;
13. There has been insufficient community engagement by the Council or the developer to this application. With over 300 members of the local community protesting against this development the committee cannot ignore the express view of the residents who would be directly affected by this proposal.

- 14 The proposed model of cancer care support by Velindre is outdated and is discouraged in England where Cancer care should be next to a general hospital and land has been offered by UHW for this.
 - 15 The proposal fails to meet the Climate emergency declared by both Cardiff Council and Welsh Government
 - 16 This application should not be determined until the Senedd enquiry.
- 7.2 A petition of 443 signatures has been submitted by the 'save the northern meadows' group who object to this application on the following grounds:
- The proposal does not reflect post-COVID travel patterns;
 - The amendments would result in air pollution affecting local residents;
 - No residents of the Hollybush estate have been notified even though this affects their route to Asda;
 - Failure of Velindre not consulting residents during their PACs process due to Covid restrictions,
 - Lack of signage and engaging with Asda customers;
 - The staff and parents at Ty Coryton have not been consulted which is a serious failure by the council.
- 7.3 An 11,000 signature petition has also been received but does not meet the Council's requirements for a petition to be valid as it simply states 'Save the meadows', gave no planning reference, did not have signatures or email addresses and a number of the petitioners are located in other parts of the world and could not be reasonably affected by the development.
- 7.4 98 letters of support for the proposed cancer hospital have also been submitted (that have quoted the above reference) which consider the need for a modern and accessible hospital for Velindre patients is more important than the marginal loss of trees and green space and also note that the site is NHS land and the proposal is to use the land for NHS purpose
- .
- 7.5 Local Ward Members have been consulted and Councillors Morgan, Rees and Philips object to this application on the following grounds:
- The statutory requirements laid out, and guidance adopted by the authority, indicate that this new application must be considered under this new context, despite outline permissions having been granted for the hospital project as a whole (and in the case of the road access sought to be amended by 20/01108). A whole project view must be taken.
 - We object to 20/01108/MJR on the same grounds that are laid out in our objection letter to 20/00357/MJR, i.e. fails to meet environmental objectives of Planning Policy Wales or the Council's LDP. In addition, it also fails the legal tests of Section 6 of the Environment Act, Future Generations and Well being Act i.e. fails to meet the environmental bar set by the above legislation.

- The environmental concerns are the same – the road access and bridge construction will materially harm the environment, to which no mitigation can reasonably be expected to fully balance out. Under the new framework, where there is a detrimental impact an application must be refused.

In summary we feel these applications should be rejected. As with 20/00357/MJR, if they are not, we are giving no credit to the positive and progressive changes made to planning policy in the last two decades, and certainly it renders meaningless any declaration of a climate emergency.

We are also concerned that the letters of support are not from people who live within the area and may not know the full environmental impacts.

- 7.6 In addition, Councillor Morgan has also written separately to object, stating *“Very opposed to the applications. This is my home and we need to protect the meadows for future Generations” and request that this application is deferred for a site visit and is called in for Welsh Government to consider.*”
- 7.7 Councillor Williams (ward member for Pontprennau and Old St. Mellons) Objects to this application as many of his constituents have raised with him their concern over the loss of a valuable green space to the community
- 7.8 Anna McMorris, Member of Parliament for Cardiff Central, makes the following representation:

“Many constituents and community groups with differing views have been in contact with me on this complex issue to share their thoughts. I have listened to the views expressed and whilst I support the need for a modern cancer hospital the concerns expressed to me by my constituents need to be considered by the committee, these being:

Given the climate Emergency declared by Cardiff Council and Welsh Government the location of this development would have significant environmental impact and undermines the Climate emergency declarations;

Fails to provide the need for green space for the local community

Does not meet modern planning policy objectives;

The site selection is flawed as there are brownfield sites that could accommodate the hospital, however, the community would prefer to see a cancer hospital than housing, which still stands.

Whilst I understand the permission for the hospital was approved in 2018 and this is not dependant on this application as this application amends what also has already been approved. However, the view of my constituents is that a holistic approach must be considered and that this scheme must be considered against all the other applications and not in isolation.”

7.9 Julie Morgan (Member of the Senedd for Cardiff Central) writes in her capacity as the Senedd Member representing Cardiff Central and raises her constituents' concerns as follows:

“Environmental impact

The main concern of my constituents lies in the environmental impact of the proposed northern access road and access bridge, which will be built across the former railway cutting into the main site.

In order to complete these works, I understand that a significant number of trees will need to be felled and vegetation cut back. Constituents are very concerned about the loss of this biodiversity and the impact it will have on wildlife and future habitats. I am encouraged that within the Green Infrastructure Management Strategy it is confirmed that trees will be replanted in a 1:2 ratio, and that ‘Understorey woodland planting will be introduced which will diversify the existing woodland and provide a new woodland edge ecotone’. I am also encouraged that plans are in place to affix bat and bird boxes on the side of the access bridge to compensate for the loss of their habitat.

However, constituents fear that no matter how many mitigation plans are put in place to save or replant trees and other important areas of biodiversity, the area will ultimately be dramatically changed and therefore wildlife that depend on this area will be impacted.

In February 2020, the area around the proposed site of the northern access road saw the worst storms and flooding in over 40 years. It is felt by constituents that without the large number of trees in and around the railway cutting, the floods experienced in the surrounding areas would have been far greater and would have had a more devastating impact on local residents. It is therefore absolutely essential that the number of trees felled to create the access road is kept to the bare minimum.

I have also raised with Velindre the importance of keeping the northern access road as close to the new Velindre Cancer Centre as possible in order to make the site more compact, ensuring that as much land and open space around the hospital is retained. Velindre has assured me that this is something that they are happy to look into and accommodate.

Due to the nature of the site and its ecological importance, each decision made about the enabling works and cancer centre development must ensure that the environmental impact, both now and in the future, is minimal.

Traffic

Constituents have raised concerns about the impact construction and associated traffic will have on customer access to Asda, McDonalds and Starbucks. As lockdown measures have been eased and hospitality opened up, queues were seen forming at McDonald’s and Starbucks’s Drive-Thru. This increase in traffic further highlighted to constituents that traffic such as this

around Asda could be experienced during the period of construction of the access road and bridge, and ultimately the construction of the new Velindre Cancer Centre. It is feared by constituents that this would impact on people going about their day-to-day business for some years.

I have raised these concerns with Velindre and have been reassured that the planning application for the Asda access will increase road capacity, with the creation of a new slip road onto the site, a new roundabout and traffic flow. This will also include a dedicated turning lane for motorists to enter McDonalds, which I understand at the moment causes the most amount of congestion.

I understand that the number of construction vehicles, deliveries and working hours on the northern access road site have been agreed with Asda and it is expected that the volume of construction traffic will be approximately 20 vehicles a day until the access bridges have been built. There is no doubt that the increase in vehicles and construction traffic in the area will mean that there will be higher levels of air pollution. Constituents have raised their concerns about the impact this will have on the health and wellbeing of local residents. Despite the immediate locality being mostly retail and woodland, there are occupied houses and a primary school nearby which will inevitably experience a rise in their air pollution levels.

It will be important, throughout construction of the northern access road and bridge, to ensure that air quality is constantly monitored so that if levels do rise action can be taken to mitigate any damage and bring levels down."

7.10 Tongwynlais Community Council objects to this application on the following grounds:

- *Pollution is obviously likely to increase with an increase in traffic. It is likely the roads in the area will be heavily congested at times with stationary vehicles queuing to enter or exit the Coryton Interchange. An increase in pollution will have an adverse effect on resident's health, as well as the local environment.*
- *Coryton Primary School is very close to the proposed development site and any increase in traffic, especially heavy vehicles during the construction phase, will cause a danger to young children and families walking to school, as well as other pedestrians.*
- *Forest Farm Nature Reserve is adjacent to the site and benefits from a vast range of wildlife and is home to a variety of nesting birds. Any development or increase in traffic and pollution in the vicinity would have a negative impact on the environment.*
- *Northern Meadows is a large green area which is enjoyed by many residents in Whitchurch and Tongwynlais. Losing this space to any development will have a negative impact on people's health and enjoyment of an outside area. An increase in pollution, congestion, and increased traffic, as well as*

removal of this green area will have a negative impact on any wildlife and any natural flora and fauna which should be preserved and protected.

8 ANALYSIS

8.1 The application before Committee is described as:

“Proposed engineering works to Longwood Drive and the Asda access highway and car park arrangements, enabling access to the proposed Velindre cancer centre”.

This is an application for full planning permission. Paragraphs 3.1 to 3.3 of this report identify the planning history of the site and adjoining areas, as well as current, as yet undetermined applications within the area. Applications which have yet to be determined by the Local Planning Authority are not material factors in the consideration of this application.

It should be noted that the application site is located to the north of the railway cutting and that the red line (boundary) of the application site does not include land within the Northern Meadows.

8.2 Material planning factors to consider for this application are:

- The impact upon the character of the area;
- The impact upon the amenity of neighbouring occupiers and the area;
- The impact upon transportation, access and movement;
- The impact upon the natural environment; and
- Any other material factors.

8.3 Impact Upon the Character of the Area

8.3.1 Policy KP5 requires that all new development should respond *‘to the local character and context of the built and landscape setting so that layout, scale, form, massing, height, density, colour, materials, detailing and impact on the built and natural heritage are all addressed within development proposals’.*

8.3.2 The application site is the access road and car park that serves the Asda superstore and McDonald’s fast food restaurant. There is a steep embankment from Longwood drive towards Asda and McDonalds. The site is enclosed by trees with limited landscaping within the car park. It is considered that the proposed reconfiguration of the car park, replacement planting and access road will not have any adverse impact upon the character of the area.

8.4 Impact Upon the Amenity of Neighbouring Occupiers and the Area

8.4.1 Policy KP5 seeks to ensure that *‘no undue effect on the amenity of neighbouring occupiers’* results from development.

8.4.2 The proposal seeks to reconfigure the access road and parking provision within an existing retail superstore. The most sensitive receptors are the residential properties at Whitworth Square located 130 metres to east and screened from

the site by trees, and the Ty Coryton School which shares a common boundary with the site, but is screened by a c.58 metre deep tree canopy. A condition has been imposed for a construction management plan (condition 7), which includes a requirement to inform neighbours in advance of any loud construction activity, which should provide Ty Coryton the ability to ensure their children can adapt to the changes.

8.4.3 The operation of the reconfigured car park, once completed, would be no different to that which residents currently experience.

8.4.4 It is considered that the proposal would not have any undue impact upon the amenity of neighbouring occupiers or the area, subject to condition 7, and accords with the principles of Policy KP5.

8.5 Impact upon Transportation, Access and Movement

8.5.1 Policy KP8 seeks to achieve a 50:50 modal split between journeys by car and other more sustainable means and, therefore, seeks to reduce reliance on the private car as a means of transport in favour of more sustainable methods. Policy T5, supports this key policy, by seeking to ensure *'that all new developments properly address the demand for travel and its impacts, contributes to reducing reliance on the private car and avoids unacceptable harm to safe and efficient operation of the road, public transport and other movement network and routes'*.

8.5.2 The principle of the proposed access road from the Coryton gyratory and through Asda to serve the proposed Velindre hospital site has been established by permission reference 17/01737/MJR.

8.5.3 The proposed access and egress arrangements have been considered by the Council's Transportation Manager and by Welsh Government, both of whom raise no objection to the proposals

8.5.4 The proposal results in the loss of 40 car parking spaces. Active travel is promoted by creating useable walking/cycling routes to access the site. A condition is also recommended (condition 8) to provide well deigned cycle parking provision within the site, which is in close proximity to existing cycle routes and is supported by the Council's Transportation Officer.

8.5.5 The proposed roundabout off Longwood Drive is considered acceptable to both the WG and Council's Highways Departments.

8.5.6 For the above reasons, it is considered subject to conditions, that the proposal would have no adverse transport impact upon the road network and accords with the principles of Policies KP8 and T5.

8.6 Impact Upon the Natural Environment

8.6.1 Natural Resources Wales (NRW), the Council's Ecologist and Tree Officer have considered the submitted information and representations received, and raise

no objection, subject to conditions. Their comments and advice are contained in Sections 6 and 7 of this report.

- 8.6.2 Policies KP15, KP16 and EN8 seek to ensure that green infrastructure is protected and the effects of climate change associated with such loss are mitigated. The submitted information indicates a loss of trees but as the County Tree Officer has highlighted in Section 6 above, the mitigation is considered acceptable and takes into account climate change and Welsh Ministers advice on biodiversity. The principle of the proposed development in this regard is considered acceptable, however, further detail is required to ensure that appropriate landscaping is provided and that no harm results. Conditions are recommended in this regard.
- 8.6.3 The proposal results in a loss of trees within and around the car park as outlined by the County Tree Officer in Section 6 of this report; some of which are classed as category 'B'. However, it is considered that the proposed mitigation, subject to conditions, would constitute long term betterment and be more resilient to climate change.
- 8.6.4 The development has been screened in respect of the T&CP Environmental Impact Assessment Regulations (Wales) 2019 and found not to constitute EIA Development/be likely to have such significant environmental effect as to require the submission of an Environmental Statement to allow the Local Planning Authority to determine this application.
- 8.6.5 Local Development Plan Policies EN10 and EN14 require water sensitive design solutions that do not increase risk of flooding elsewhere, and are incorporated within new developments. Welsh Water have confirmed that the proposal is not objectionable on drainage grounds. In addition, the application requires technical approval from the council's SAB approving body, which is considered under separate legislation. The applicant has submitted a SAB compliance statement, to ensure that there are no inherent conflicts between the consenting regimes and the proposal.
- 8.6.6 For the reasons outlined above, the proposal is considered acceptable in terms of its impact upon the natural environment.

8.7 Other matters relevant to the consideration of this application

- 8.7.1 480 letters of objection and a petition of objection have been submitted which are captured in Section 7 of this report as well as objections and representations from Elected Members. Objections and letters of support relating to the use of land referred to as the "Northern Meadows" as a cancer hospital are not matters which are considered material planning considerations to this application. The principle of such use has been established by planning permission reference 17/01735/MJR. Of those matters raised by objectors which are not addressed above, the following comments are made.
- 8.7.2 Comments relating to the appropriateness or otherwise of any model for delivering cancer services is not relevant to this application, and is neither a

material planning consideration. References to any Senedd Inquiry, or the statutory duties of Welsh Government are not matters for the Planning Committee to consider.

- 8.7.3 Concern has been raised in relation to the publicity arrangements undertaken by Velindre for their Pre Application Consultation (PAC) process. Before the coronavirus outbreak and the subsequent national 'lock down', nVCC and their agents conducted a face-to-face public meeting where the plans were explained to the public. The plans were also available on the applicants and agents web sites with the ability to make comments. It is considered that this met the requirements set under the PAC process. It is noted that these requirements have been relaxed during the pandemic period (*The Planning Applications (Temporary Modifications and Disapplication) (Wales) (Coronavirus) Order 2020 ("the Amendment Order")*).
- 8.7.4 In terms of the Council's publicity arrangements, the requirements outlined within the Development Management Procedure Order have been met. Officers can confirm that Ty Coryton House has been notified of this application and re-notified of the amendments. In addition, the application has been publicised by site notices around the site and by a press notice within the Western Mail newspaper. Given the level of comments received to the first consultation, the LPA sought to publicise the amended plans beyond statutory requirements by allowing 21 days for comments, placing site notices around the site and also sending letters and emails beyond immediate neighbours (These emails / letters were sent to interested parties on the 27/7/2020).
- 8.7.5 It is recognised that construction activity will result in some disturbance and inconvenience to residents and users of the site. Conditions have been recommended above to manage and minimise any impact of construction upon neighbouring residents and users.
- 8.7.6 Crime and Disorder Act 1998. Section 17(1) of the Crime and Disorder Act 1998 imposes a duty on the Local Authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. This duty has been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable increase in crime and disorder as a result of the proposed decision.
- 8.7.7 Equality Act 2010. The Act identifies a number of 'protected characteristics', namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; marriage and civil partnership. The Council's duty under the above Act has been given due consideration in the determination of this application. It is considered that the proposed development does not have any significant implications for, or effect on, persons who share a protected characteristic, over and above any other person.
- 8.7.8 Well-Being of Future Generations Act 2016. Section 3 of this Act imposes a duty on public bodies to carry out sustainable development in accordance with the sustainable development principle to act in a manner which seeks to ensure

that the needs of the present are met without compromising the ability of future generations to meet their own needs (Section 5). This duty has been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the recommended decision. It is also noted that section 2(5) of the Planning (Wales) Act 2015 affords protection to decisions taken under Part 3 of the 1990 Act, in that the Well-being of Future Generations (Wales) Act 2015 does not alter whether regard is to be had to any particular consideration under section 70(2) of the 1990 Act or the weight to be given to any consideration to which regard is had under that subsection. This means the provisions of the development plan, so far as material to the application, and any other relevant other material considerations remain the primary considerations when determining planning applications.

8.7.9 Section 6 of Environment (Wales) Act 2016 subsection (1) imposes a duty that a public authority must seek to maintain and enhance biodiversity in the exercise of its functions, and in so doing promote the resilience of ecosystems, so far as is consistent with the proper exercise of those functions. In complying with subsection (1), a public authority must take account of the resilience of ecosystems, in particular the following aspects:

- (a) Diversity between and within ecosystems;
- (b) The connections between and within ecosystems;
- (c) The scale of ecosystems;
- (d) The condition of ecosystems (including their structure and functioning);
- (e) he adaptability of ecosystems.

The application has been supported by Ecology Walkover Survey Report provided by TACP dated April 2019. This information, along with the submitted plans have been considered by the Council's Ecology Officer and NRW who raise no objections to the proposed development. It is considered that the LPA has considered its duty under this Act and has met its objectives for the reasons outlined above.

8.7.10 The United Nations Convention on Childrens' Rights provide 42 rights to children and young people. These rights have been incorporated in domestic law in Wales through the Rights of Children and Young Persons (Wales) Measure 2011. The key rights in relation to this application are:

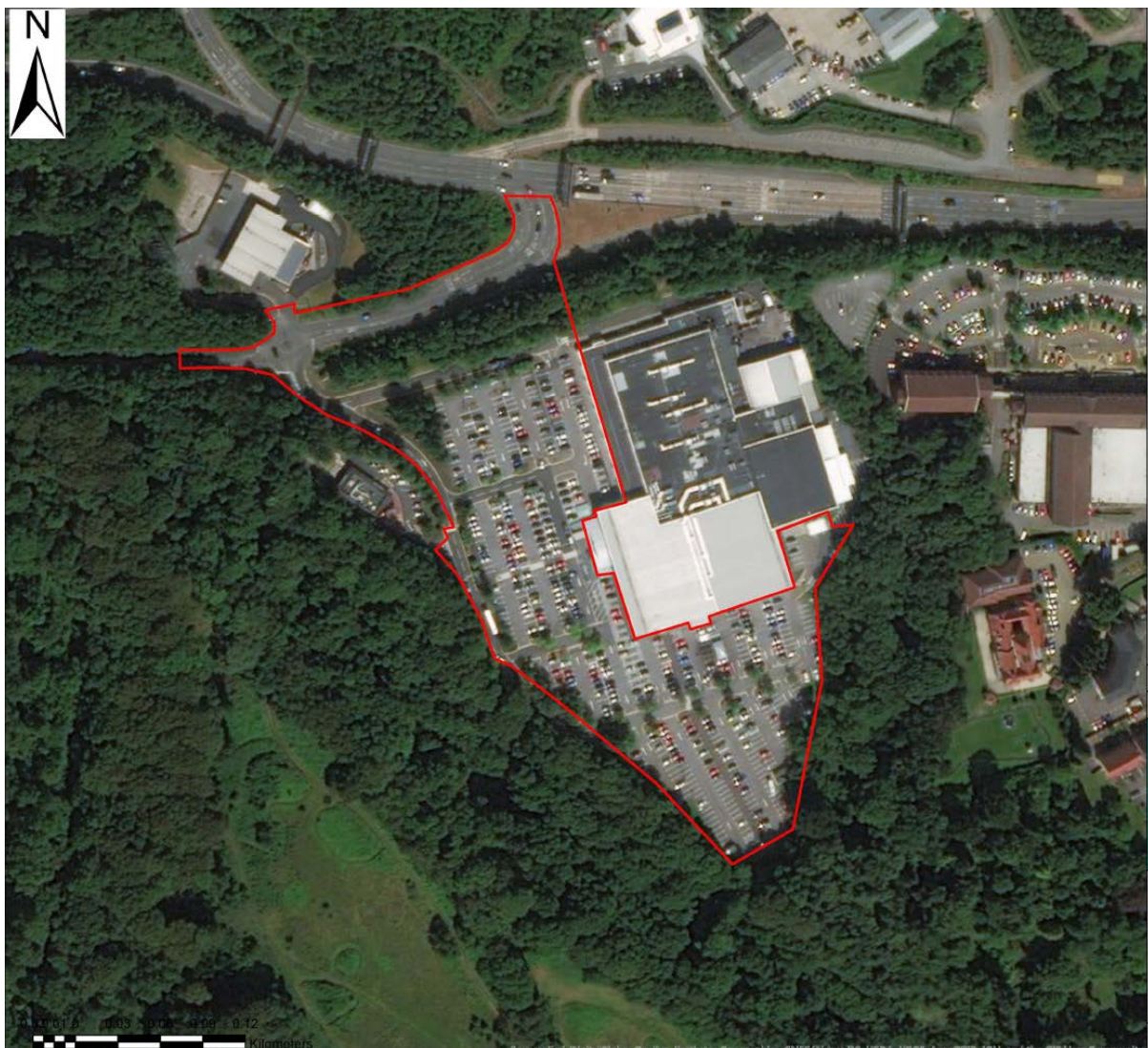
- Article 3 (To do what is right for each child);
- Article 6 (The right to grow up healthy);
- Article 12 (The right to your say and to be listened to);
- Article 13 (The right to information);
- Article 31 (To be able to relax and play)
- Article 36 (To be protected from doing things that could harm you)

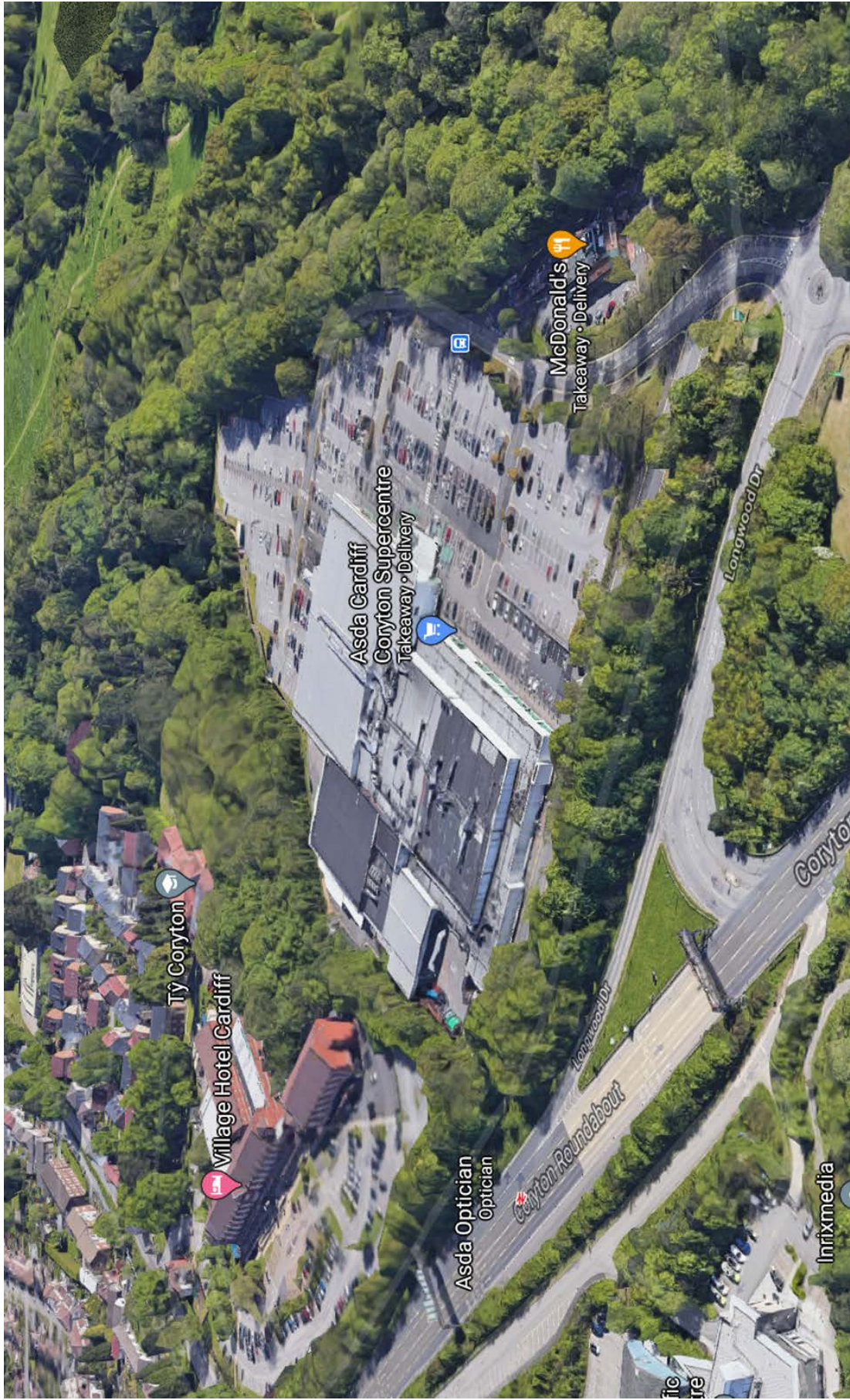
A number of representations (including pictures, emails and letters) have been received from children who have raised concerns over the loss of the "Northern Meadows". They raise concerns that their health will be worsened due to air pollution and they are concerned regarding the loss of wildlife.

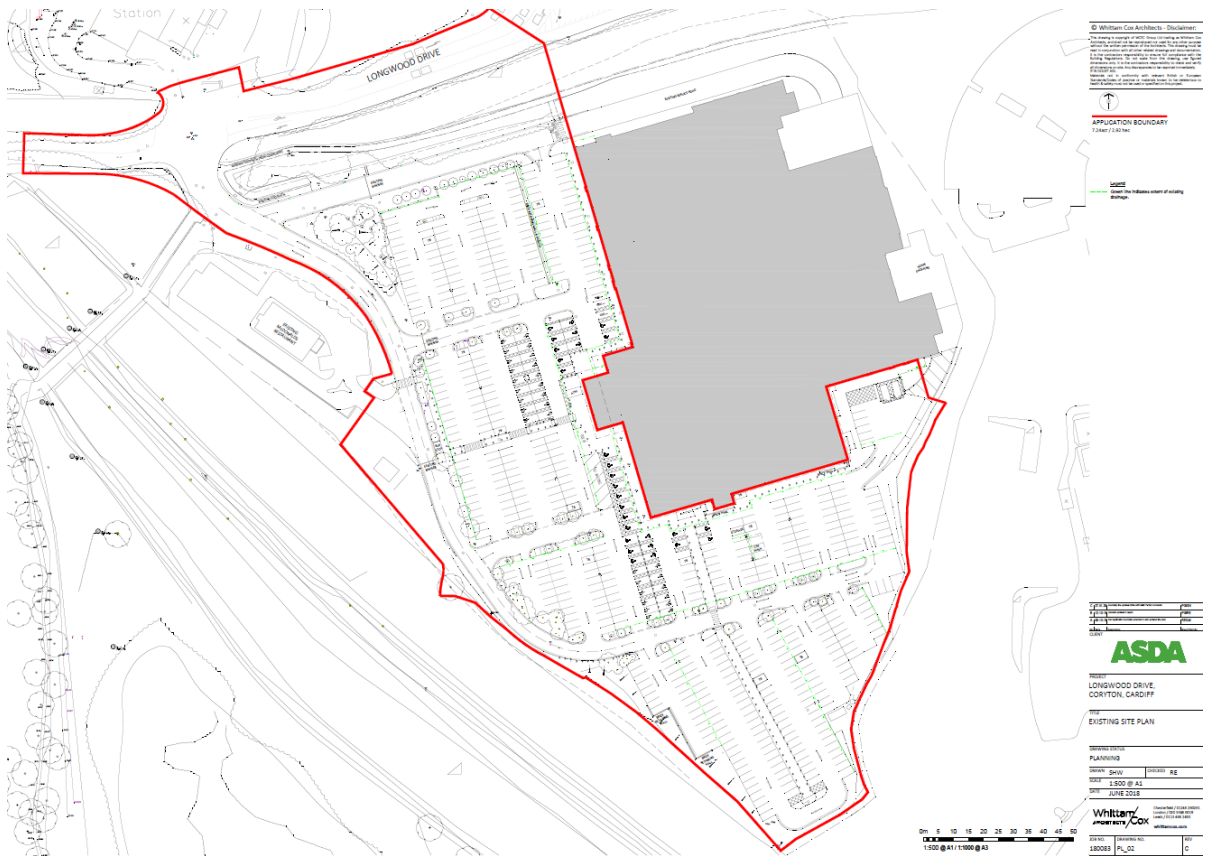
Whilst these concerns are noted, the application relates to the existing Asda car park and not to the “Meadows” itself. However, those matters that are material to the consideration of this application have been considered above and do not undermine those rights outlined above.

8.8 Conclusion

8.8.1 For the above reasons, the proposal is considered acceptable and it is recommended that planning permission be granted, subject to conditions.







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↑
 APPLICATION BOUNDARY
 1:2000 @ A3

Green
 Green indicates the location of existing drainage

Project Name	Asda
Client	Asda
Site	Longwood Drive, Cardiff
Drawn	[Name]
Checked	[Name]
Scale	1:2000 @ A3

ASDA

PROJECT
 LONGWOOD DRIVE
 CARDIFF, CARDIFF

EXISTING SITE PLAN

REVISIONS	
NO.	DATE
001	2008
002	2008
003	2008
004	2008
005	2008
006	2008
007	2008
008	2008
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030	2008

Whitham Cox Architects
 1500 @ A3
 1:2000 @ A3

0m 5 10 15 20 25 30 35 40 45 50
 1:500 @ A1 1:1000 @ A3

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 APPLICATION BOUNDARY
 1:2000 @ A3
 OWNERSHIP BOUNDARY
 Ownership Subject for Confirmation

Legend:
 Existing asphalt
 Existing concrete
 Existing grass
 Existing drainage
 Existing footpaths
 Existing public realm
 Proposed paving
 Proposed landscaping

Project Name	Asda
Client	Asda
Site	Longwood Drive, Cardiff
Drawn	[Name]
Checked	[Name]
Scale	1:2000 @ A3

ASDA

PROJECT
 LONGWOOD DRIVE
 CARDIFF, CARDIFF

PROPOSED SURFACE FINISHES PLAN

REVISIONS	
NO.	DATE
001	2008
002	2008
003	2008
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