

PETITION

COMMITTEE DATE: 12/01/2023

APPLICATION No. **22/02280/FUL**

APPLICATION DATE: 19/09/2022

ED: WHITCHURCH AND TONWYNGLAIS

APP: TYPE: FULL

APPLICANT: Transforming Cancer Services, Velindre University NHS Trust

LOCATION: Whitchurch Hospital, Park Road, Whitchurch

PROPOSAL: Temporary construction access route to the site of the approved Velindre Cancer Centre. The north-south connecting section is then proposed to be converted to provide a revised emergency access for the approved Velindre Cancer Centre.

1. BACKGROUND INFORMATION

1.1 This application is reported to Committee following receipt of a valid petition of over 50 signatures, which allows the petitioners to address the committee.

2. DESCRIPTION OF THE SITE AND AREA

2.1 The application site comprises the existing access route through Whitchurch Hospital, together with the site of former scrub land, which has been approved under planning application reference 20/01110/MJR for the construction of a temporary 7.4 metre wide construction access route through the Whitchurch hospital site into the new Velindre Cancer Care Centre site. This access road is in the process of being constructed.

2.2 The site forms part of the Whitchurch Hospital land and is Grade II listed on the Register of Landscapes Parks and Gardens of Special Historic Interest in Wales. The closest Grade II listed building is the Whitchurch Hospital Chapel immediately adjacent to the route, and the main Whitchurch Hospital buildings are located approximately 170m from the site's south-east boundary.

2.3 Sited approximately 63 metres to the south west is the city hospice building and to the east are the cricket and football pitches and opposite the site are the rugby pitch and the bowling green.

2.4 Along the adopted highway along Pendwyallt/Park Road are a number residential properties that front onto the roads that will be used by the proposed construction traffic

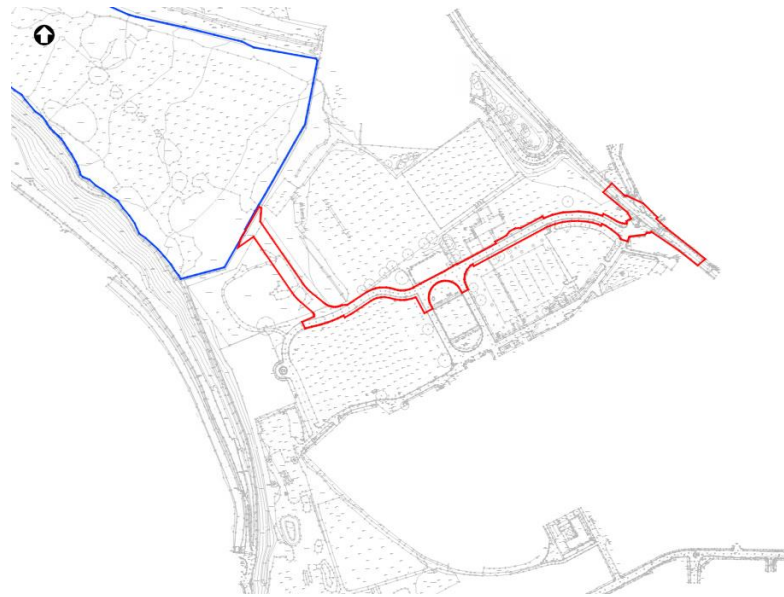


Figure 1: Site Location Plan



Figure 2: Aerial Photograph of Site



Figure 3: Aerial Photograph of Site Showing Access during Construction (December 2012)

3. DESCRIPTION OF DEVELOPMENT

Background

- 3.1 As noted above, planning application reference 20/01110/MJR previously approved the construction of a temporary 7.4 metre wide construction access route through the Whitchurch hospital site into the new Velindre Cancer Care Centre site. The application sought its use “for 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”. Accordingly, the permission included a condition requiring its use to cease by 30/11/2024 and appropriately remediated. This access road is in the process of being constructed (see Figure 3).

Proposal

- 3.2 This application seeks planning permission for two main components, these being as follows:
- i) To allow the existing 130 metre long temporary construction access to be used for an extended period until the construction works have been completed in 2026; and
 - ii) Once the construction works have been finished, to reduce the width of the road from 9.4 metre wide road and footway to a 3.7 metre wide road with barriers either end of the road with landscaping and habitat mitigation to form the permanent secondary emergency access to the new Velindre Centre.

Note: If this application is approved, then the secondary access bridge through the Hollybush Estate (approved under 17/01735/MJR) will no longer be built.

- 3.3 It is noted that the original consent allowed a period of 4 years from the date of Planning Committee (November 2020) up until November 2024. However, the application originally sought a period of no more than 48 months following the completion of the related highway improvement works. The current application thus seeks essentially to allow a period of approximately 3 years (until end of January 2026) from the date of the highway works to the main entrance being completed, thus reflecting the amended delivery dates for the VCC proposal. The applicants also advise that the proposed extension of the period is to increase flexibility of construction access, and improve the efficiency of the construction process, which should result in a reduction in time for construction.
- 3.4 Other than timescales, there will be no material change to the construction use of the access as approved under 20/01110/MJR, including: -
- The exact number of construction vehicles is not known at this stage. However, based on similar developments it is expected that an annual average daily figure of 100 HGV deliveries is likely (200 movements inclusive), with some occasional days where this number will be marginally exceeded.
 - Based on a typical 10-hour working day this would equate to 20 HGV movements an hour.
 - All HGV will be routed via the A470 and M4 J32, then either entering the site via the approved northern access or the proposed TCAR, from Park Lane / Pendywallt Road. Access will not be permitted into the proposed TCAR for HGV traffic travelling northwards to the site from Whitchurch village, and it will also not be permitted for HGV traffic exiting the site to turn right and travel south along Park Road towards Whitchurch village.
 - The predicted number of deliveries to the site by HGV remains consistent with the previous ES for the VCC, however, it is now proposed that they will be split between the northern access and the TCAR.
- 3.5 Figures 4 and 5 below show the cross-sections of the temporary construction access and permanent access respectively.

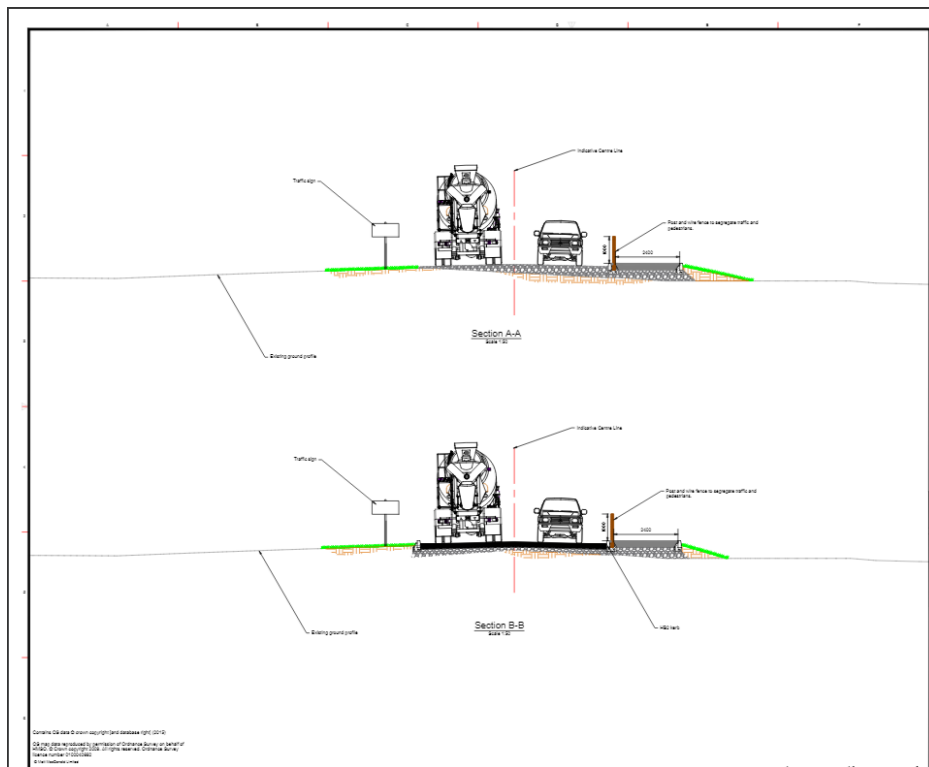


Figure 4: Cross section temporary construction access

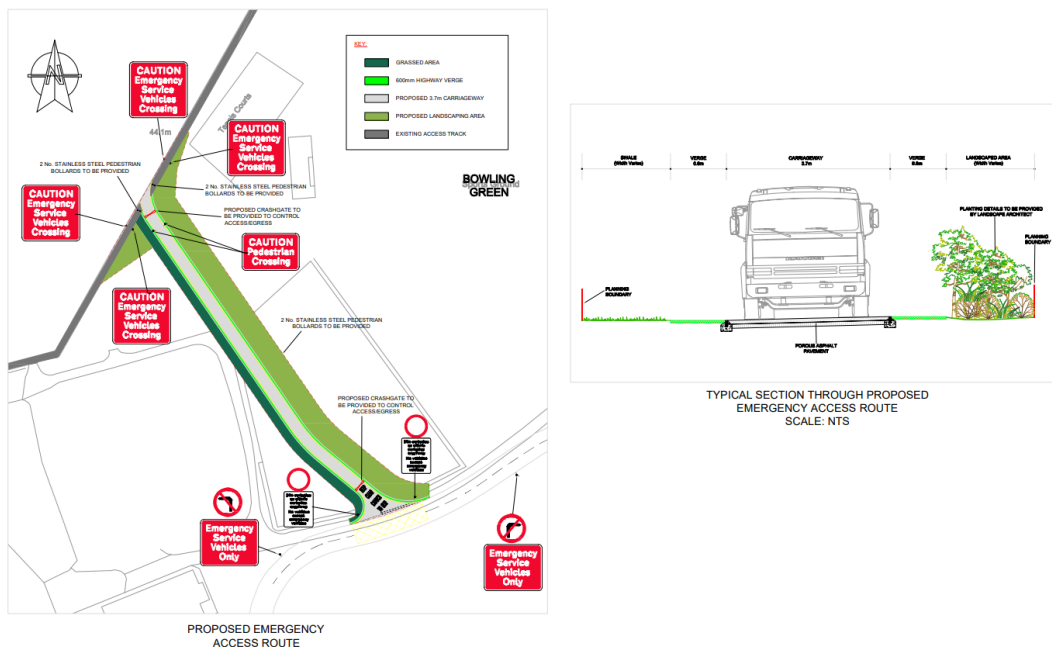


Figure 5: Plan and Cross section permanent Emergency Access

3.6 The land is owned by the Cardiff and Vale NHS Trust, certificate 'B' has been signed and the correct notice has been served on the land owner. In addition Cardiff and Vale Trust have been notified of this application and no objection to the proposal has been received

Supporting Information

- 3.7 The application has been identified as an EIA application as defined by the [Town and Country Planning \(Environmental Impact Assessment\) \(Wales\) Regulations 2017](#), ('the EIA Regulations') and an updated Environmental Statement (ES) has been provided that considers the permanent emergency access. The EIA process aims to ensure that any significant effects arising from a development are systematically identified, assessed and presented to help local planning authorities in determining planning applications. If measures are required to minimise or reduce effects then these are clearly identified.
- 3.8 The submitted Environmental Statement (comprising non-technical summary, main text and technical appendices) has identified 'the baseline conditions' and assessed the potential effects of the development, in relation to:
- Traffic and Transport
 - Biodiversity
 - Cultural Heritage
 - Landscape and Visual Impact
 - Noise and Vibration
 - Air Quality
- 3.9 The assessment below has had regard to all environmental information submitted within the ES along with the comments of statutory consultees on the information supplied, and the comments, observations and representations provided by members of the public have been taken into consideration in the recommendation.
- 3.10 All documentation relating to the application, including plans, can be viewed on the Council's website using the following link: [22/02280/FUL](#)

4. PLANNING HISTORY

4.1 The site has the following relevant planning history: -

- [20/01110/MJR](#) Temporary construction access route for the construction of the approved velindre cancer centre, for 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. Approved

Related history

- 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. Approved
- 20/01108: Proposed engineering works to longwood drive and the Asda

access highway and car park arrangements, enabling access to the proposed Velindre cancer centre. Approved;

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

Undetermined Relevant Applications

- 22/02231/RES: Application for the approval of Reserved Matters pursuant to Outline Planning Permission reference 17/01735/MJR for the delivery of the new Velindre Cancer Centre, parking, landscape works, pedestrian infrastructure and all other ancillary works;
- 22/02585/DOC: Discharge of condition 11 (bus turning/loop and stop) of 17/01735/MJR;
- 22/02634/DOC: Discharge of Condition 17 (CEMP)
- 22/02635/DOC: Discharge of condition 20 (Drainage) of 17/01735/MJR;
- 22/02636/DOC: Discharge of condition 21 (Gas Monitoring) of 17/01735/MJR;
- 22/02637/DOC: Discharge of condition 8 (Highways Details) of 17/01735/MJR;
- 22/02644/DOC: Discharge of condition 16 (Green Infrastructure Management Strategy(GIMS)) of 17/01735/MJR

5. POLICY FRAMEWORK

National Policy

- 5.1 The **Well-being of Future Generations (Wales) Act 2015** (WFG) imposes a duty on public bodies to carry out 'sustainable development' in accordance with the 'sustainable development principle'.
- 5.2 'Sustainable development' means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the well-being goals.
- 5.3 'Sustainable development principle' means that Local Authorities must act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

5.4 Well-being goals identified in the Act are:

- A Prosperous Wales
- A Resilient Wales
- A Healthier Wales
- A More Equal Wales
- A Wales of Cohesive Communities
- A Wales of Vibrant Culture and thriving Welsh Language
- A Globally Responsible Wales

5.5 The **Environment (Wales) Act 2016** has been designed to complement the WFG Act. It imposes a duty to require all public authorities, when carrying out their functions in Wales, to seek to “maintain and enhance biodiversity” where it is within the proper exercise of their functions. In doing so, public authorities must also seek to “promote the resilience of ecosystems”.

National Planning Policy

5.6 [Planning Policy Wales](#) (Edition 11) was revised and restructured in February 2021 to coincide with the publication of, and take into account the policies, themes and approaches set out in, [Future Wales - the National Plan 2040](#) (see below) and to deliver the vision for Wales that is set out therein.

5.7 The primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being of Wales, as required by the Planning (Wales) Act 2015 and the Well-being of Future Generations (Wales) Act 2015.

5.8 PPW11 takes the seven *Well-being Goals* and the five *Ways of Working* as overarching themes and embodies a placemaking approach throughout, with the aim of delivering *Active and Social Places*, *Productive and Enterprising Places* and *Distinctive and Natural Places*. It also identifies the planning system as one of the main tools to create sustainable places, and that placemaking principles are a tool to achieving this through both plan making and the decision-making process.

Technical Advice Notes

5.9 PPW is supported by a series of more detailed [Technical Advice Notes](#) (TANs), of which the following are of relevance: -

- TAN 5: Nature Conservation and Planning (2009);
Noting also the Chief Planning Officer letter dated 23/10/19:
securing bio-diversity enhancement;
- TAN 10: Tree Preservation Orders (1997)
- TAN 11: Noise (1997)
- TAN 12: Design (2016)

- TAN 15: Development and Flood Risk (2004)
- TAN 16: Sport, Recreation and Open Space (2009)
- TAN 18: Transport (March 2007)
- TAN 20: Planning and the Welsh Language (2017)
- TAN 21: Waste (February 2017)
- TAN 24: The Historic Environment (May 2017)

5.10 On 16th July 2020 the Welsh Government published [*Building Better Places: The Planning System Delivering Resilient and Brighter Futures*](#) which provides planning policy guidance for local planning authorities and the development industry on priorities for the planning system to deliver post Covid-19. The guidance is to be read in conjunction with PPW, which contains the principles and policies needed for Wales to recover from Covid-19 in a positive manner, putting placemaking at the heart of future development.

5.11 It also emphasises that development management decisions should focus on creating healthy, thriving active places with a focus on a positive, sustainable future for our communities. The planning system has an important role in supporting healthier lifestyles and reducing inequalities. This includes both direct and indirect opportunities such as the allocation of land for health facilities, ensuring good design and barrier free development, jobs and skills, improving air quality, soundscapes and protecting and improving access to recreation and natural green spaces. These can provide both physical and mental health benefits, improve well-being and help to reduce inequality.

The Development Plan

5.12 Section 38 (6) of the Planning and Compulsory Purchase Act 2004, requires that, if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

5.13 [*Future Wales - the National Plan 2040*](#) now forms part of the Development Plan for all parts of Wales, comprising a strategy for addressing key national priorities through the planning system, including sustaining and developing a vibrant economy, achieving decarbonisation and climate-resilience, developing strong ecosystems and improving the health and well-being of our communities. All Development Management decisions, strategic and local development plans, planning appeals and all other work directed by the development plan need to accord with Future Wales.

5.14 The Local Development Plan is the [*Cardiff Local Development Plan 2006-2026*](#) which was adopted in January 2016, and within which the following policies are of relevance:

KEY POLICIES

- KP5 Good Quality and Sustainable Design
- KP6 New Infrastructure

- KP7 Planning Obligations
- KP8 Sustainable Transportation
- KP15 Climate Change
- KP16 Green Infrastructure
- KP17 Built Heritage
- KP 18 Natural Resources

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
- EN14 Flood Risk

Transport

- T1 Walking and Cycling
- T5 Managing Transport Impacts
- T6 Impact on Transport Networks and Services

Community

- C1 Community Facilities
- C3 Community Safety/Creating Safe Environments
- C4 Protection of Open Space
- C5 Provision for Open space, outdoor recreation, Children's play and sport
- C6 Health

Waste

- W2 Provision for Waste Management Facilities in Development

Supplementary Planning Guidance:

5.15 The following [Supplementary Planning Guidance](#) (SPG) is of relevance to this application: -

- 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)
- Planning Obligations (January 2017)

6. INTERNAL CONSULTEE RESPONSES

6.1 The **Operational Manager (Traffic and Transportation)** advises as follows:

The extension of the temporary construction access raises no concerns to require the application to be refused subject to the previous conditions being reimposed. In terms of retaining a narrower permanent emergency access, I note concerns of residents and users of the sports facilities however, in transportation terms the principle and given the low use of this access, which I understand will be conditioned, does not raise any transportation issues. A condition will be required for general arrangement to limit signage and to ensure acceptable location and details of the bollards and curbing.

6.2 The **Operational Manager (Noise and Air)** advises as follows:

No objections subject to a CEMP and the existing air quality monitoring to be retained during the construction phase.

6.3 **County Ecologist:** No objection subject to conditions

6.4 **Parks Department:** no objections subject to the proposed landscaping being retained and replaced for the first five years of implementation.

6.5 **Public Rights of Way Officer:** No objections

6.6 **Heritage Team:** No objections

7. EXTERNAL CONSULTEE RESPONSES

7.1 **Natural Resources Wales:** raise no objections subject to the submitted plans and documents being conditioned. In addition they request a Construction Environmental Management Plan (CEMP) to reduce the risk of a pollution incident on the Forest farm SSSI sited approximately 60 metres away

7.2 **CADW** No objections subject to the detailing of the barriers/gates and signage

7.3 **Welsh Historic Garden Trust:** Points out that the registered Park now enjoys statutory status and all mitigations that limit the impacts of this development are to be welcomed.

8. REPRESENTATIONS

8.1 The application was advertised on the Council Website and by way of neighbour notification letters, site notices and advertisement in the local press allowing 30 days responses.

8.2 In total 34 letters of representations have been received to date on the following summarised grounds:

- The proposal builds upon the greenfields that are important to the local community
- The proposal increases the risk of flooding to properties along the Glamorganshire canal
- The proposal would have an adverse effect upon the Forest farm area, which is a designated SSSI site
- There must be full community consultation before this application can be approved
- The proposal would affect 2 grade II listed buildings and the registered historic park
- The proposal would result in the loss of sport pitches and should be assessed against TAN16 which requires consultation with the Field Trust
- The proposal was allowed on a temporary basis how can it now be found to acceptable as a permanent road?
- Concern is raised that 'blue light' emergency vehicles using the internal road will lead to conflict with other users of the adjoining sports pitches and people walking there and with dog walkers. What safety assessment has been undertaken?
- Concerned over the piecemeal way the development is being undertaken. Is this a deliberation ploy of Velindre to ensure that the public cannot participate in the decisions affect the community?
- This proposal will cause more suffering on the community
- There is little point imposing conditions as neither Velindre keep to them as demonstrated by construction vehicles using the access during the school embargo times and the planning department failing to enforce the embargo.

8.3 The application has also been the subject of a petition that objects to this application on the grounds that they wish the decision to be made by the Planning Committee rather than Officers and wish the committee to consider all points raised and to take the view of the community seriously.

8.4 All public representations made on the application are available to view in full on the Council's website at:- [22/02280/FUL](#)

8.5 Ward councillors have been notified of this application and make the following points:

- Clearly we are keen to see the removal of any proposal for building a bridge through the Hollybush estate.

- Can committee consider the potential for firming up the agreed timings for construction vehicles accessing the site (i.e. avoiding core times for school children walking to school). Be clearer what constitutes a construction vehicle.
- Once the road is in use as an emergency access route (and during construction) – what is it considered the impact on those playing sport on the pitches may be, should there be an emergency.
- Impact on Forest Farm nature reserve from surface water.

9 ANALYSIS

9.1 The key material considerations in the determination of this application are:

- Principle of Development
- Impact on the Character of the Area
- Transportation / Highway Impacts
- Impact Upon Listed Buildings and Historic Park and Garden
- Impact on Residential Amenity
- Impact on Trees / Landscaping
- Impact on Ecology
- Drainage and Flooding

Principle of Development

9.2 The creation of a temporary access in this location for construction was approved under application ref. 20/01110/MJR. As noted earlier, the original application sought a period of no more than 48 months following the completion of the related highway improvement works. The current application thus seeks essentially to allow a period of approximately 3 years (until then end January 2026) from the date of the highway works to the main entrance being completed, thus reflecting the amended delivery dates for the VCC proposal.

9.3 The principle of extending the use of this access for construction purposes until January 2026 is considered acceptable given the access is still in the process of construction and thus has not become operational. Members should note that once the new bridge from Asda is completed, it is still intended that a large proportion of construction traffic will use such northern access, albeit there will be flexibility (as originally proposed) for both accesses to be used where required.

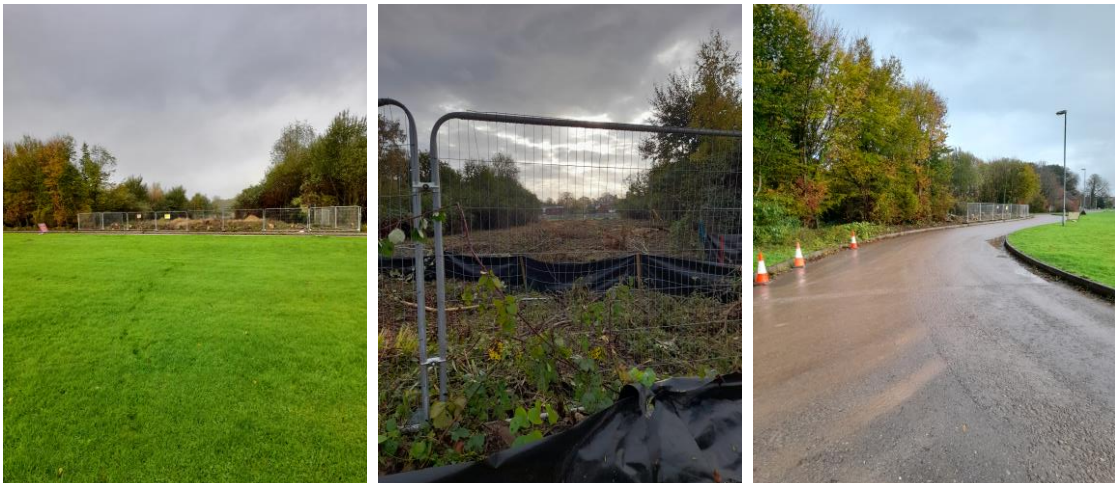
9.4 The proposal for the permanent retention of the access in a reduced form is the primary issue for consideration and will need to be considered on its own merits. The fact that this access would remove any requirement to construct the approved bridge access over to the Hollybush Estate is a material consideration of significant weight.

9.5 In land use terms, the permanent narrower, access is located on scrub land and

not on defined sports pitches that would require assessment under TAN 16. Whilst technically it would result in the loss of a small area of informal functional open space, it is in an area not readily available for the public and as was the case of the previous temporary proposal, such that it is concluded that there are no land use policy objections, provided there are no overriding impacts on matters including amenity and biodiversity.

Impact on the Character of the Area

- 9.6 As noted earlier, the Welsh Government publication [*Building Better Places: The Planning System Delivering Resilient and Brighter Futures*](#) contains the principles and policies needed for Wales to recover from Covid-19 in a positive manner, putting placemaking at the heart of future development.
- 9.7 It also emphasises that development management decisions should focus on creating healthy, thriving active places with a focus on a positive, sustainable future for our communities, and that WG will thus play its role in supporting the vibrancy of places and helping a people-focussed and placemaking-led recovery.
- 9.8 PPW11 also embodies a placemaking approach throughout, with the aim of delivering *Active and Social Places*, *Productive and Enterprising Places* and *Distinctive and Natural Places*. It also identifies the planning system as one of the main tools to create sustainable places, and that placemaking principles are a tool to achieving this through both plan making and the decision making process.
- 9.9 The proposal is located with an area that was formerly scrub land, and the former approval requires the reinstatement of the land to its former condition. Accordingly, the main issue to consider relates to the specific impacts of permanently retaining the access in a reduced form. In this respect, it is clear that there would be an impact, with the key change including the retained access and associated bollards, signage and general highway arrangement.
- 9.10 The photographs below (from Northern Meadows and from the rugby pitch and from City Hospice Road) show that works to create the approved temporary construction access have commenced, although to date the access is not in



use. The photographs (and earlier aerial photograph at figure 3) show the siting of the entrance, which is considered to be discrete and not widely appreciated from wider public viewpoints.

9.11 Although there would be a permanent impact above a 'restored' baseline (post construction), it is considered that subject to appropriate control over details of bollards, signage etc, and landscaping, the degree of change would not be significant or unacceptably affect the character such that retention of the access would accord with Policy 2 (Strategic Placemaking) of Future Wales and Policy KP5 (Good Design) of the adopted LDP. It is also notable that the degree of change is relatively minor compared with the impact of the approved bridge over to the Hollybush Estate.

9.12 The impact on the registered historic park is considered below.

Impact Upon Listed Buildings and Historic Park and Garden

9.13 LDP Policy EN9 (Conservation of the Historic Environment) requires any development relating to historic assets (including their settings) to demonstrate that it preserves or enhances that asset's architectural quality, historic and cultural significance, character, integrity and/or setting.

9.14 In addition to Policy EN9, for the nearby Listed Buildings there is also a statutory duty on the decision maker under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have *special* regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Case law has stated this is an important consideration and not a balancing exercise with other planning considerations.

9.15 In terms of the listed building and the Grade II listed park and garden, the Mott McDonald Heritage Statement Addendum has considered the impact upon heritage assets and assesses the impact upon heritage assets to have minor negative impacts subject to recommendations outlined within the assessment, these being:

- the vibration monitoring of the chapel during the construction works and a final structural assessment;
- resurfacing of the whitchurch hospital road with tarmac;
- signage to be kept as a minimum; and
- planting to screen the permanent emergency access road from key historic features of the historic gardens.



Figure 5: Key Heritage Assets Considered

- 9.16 The Heritage Statement addendum has been considered by the council’s Conservation Team and CADW who both consider the assessment and recommendations acceptable. In addition to conditioning the recommendations outlined within the addendum, additional conditions are proposed in terms of the siting and design of the barriers for the permanent emergency access road (which are now likely to be retractable bollards or similar to reduce impacts) and to greater define the curtilage of the listed chapel through landscaping or curbing to ensure the accessibility and protection of this building.
- 9.17 Subject to such conditions, it is considered that the proposed permanent retention of the access (in its reduced form) would have no unacceptable adverse impacts on the historic park and garden.

Transportation / Highway Impacts

- 9.18 Chapter 4 of PPW ‘Active and Social Places’ addresses transport, stating that people should have access to jobs and services through more efficient and sustainable journeys, by walking, cycling and public transport. It further states that “*new development should prevent problems from occurring or getting worse such as...the reliance on the private car and the generation of carbon emissions.*” It further notes that land use and transport planning should be integrated to minimise the need to travel, reduce dependency on the private car and enable sustainable access to employment, local services and community facilities.
- 9.19 By influencing the location, scale, density, mix of uses and design of new development, the planning system can improve choice in transport and secure accessibility in a way which supports sustainable development, increases physical activity, improves health and helps to tackle the causes of climate change and airborne pollution by:

- Enabling More Sustainable Travel Choices – measures to increase walking, cycling and public transport, reduce dependency on the car for daily travel; and
 - Network Management – measures to make best use of the available capacity, supported by targeted new infrastructure;
- 9.20 The principle of the temporary access has already been approved by committee through the previous permission reference 20/01110/MJR. Since that approval, the access to the Whitchurch Hospital entrance has been widened and pedestrian access improved.
- 9.21 As noted earlier, the proposal will allow for a period of approximately 36 months following the completion of the related highway improvement works and reflects the amended delivery dates for the VCC proposal. The highways officer has no objection to its use for such period.
- 9.22 Concern has been raised over the lack of an embargo for construction vehicles during the dropping off/ picking up at school times. As committee will be aware, for this entrance the embargo times of 08:00-09:30 & 14:30-15:30 were *voluntary* (i.e. not specifically controlled by or enforceable under a condition) and this has caused confusion for both residents and the contractor. Given the confusion in relation to this matter and the wishes previously expressed by committee members it is considered that a condition limiting access to HGV construction lorries (i.e. not to cars, vans or trailers) during when school children will be walking and cycling to school is necessary and reasonable.
- 9.23 As members will appreciate there is a balance between allowing the developer to undertake construction activity and the wishes expressed by objectors. It is also noted that the improvement works at the entrance will be complete prior to use of the access. Following discussions with the developer, and with Ward Members, it is proposed that no HGVs (construction) shall use the Whitchurch hospital access during the following hours 08.15 to 08:45 & 15:15 - 15:45 Monday to Friday (school term times), such hours being specifically controlled by condition. The suggested hours outlined in the condition are considered to fairly balance both parties wishes. An updated Construction Management Plan will also be required, to be informed by the improved access to the site and experience to date, including details of how the Whitchurch hospital entrance will be managed to ensure the safety of cyclists and pedestrians, including management of the HGV restrictions during the specified school hours.
- 9.24 Having regard to the above, it is concluded that the submitted ES and plans demonstrate that both elements of the application would not result in detrimental harm to highway safety.

Impact on Residential Amenity

Emergency access

- 9.25 The relocation of the emergency access from the Hollybush estate, as approved through planning application reference 117/01735/MJR, to this new

location would marginally improve the amenities of those residents (given that the proposal was to be rarely used). However, the proposal would have an impact upon the city hospice and the properties at the entrance of the enlarged Whitchurch hospital entrance.

- 9.26 These impacts have been assessed within the submitted ES and in relation to the emergency access the assessment concludes that given the infrequent use of this access the proposal would have low effect on the residential amenity of those noise sensitive receptors i.e City Hospice and residential properties along Park Road. The assessment has been considered by shared regulatory services (noise and air) who agree with the assessment submitted.

Construction Activity

- 9.27 The assessment (as was the case for the original permission) has concluded, in summary, that without a CEMP condition limiting construction noise hours to and having a robust complaints and monitoring system in place, then the proposal whilst temporary could have an adverse impact.

- 9.28 In terms of air quality, this has been a concern raised by residents. The submitted ES has updated the model from the 20/01110/MJR permission and make the following adjustments, as follows:

- The maximum predicted NO₂ concentration due to construction traffic is 22µg/m³ on Pendwyallt Road which is substantially lower than the air quality assessment level of 40µg/m³. In accordance with the EPUK/IAQM guidance, it is concluded that construction traffic from the proposed development would result in 'negligible' NO_x impacts at nearby human health and ecological receptors and therefore is 'not significant';
- The greatest change in PM₁₀ concentrations is 0.06µg/m³, predicted along Park Road with the maximum concentration of 14µg/m³ predicted along Pendwyallt Road which is below the air quality assessment level of 40µg/m³. In accordance with the EPUK/IAQM guidance, it is concluded that construction traffic from the proposed development would result in 'negligible' impacts on PM₁₀ across all modelled human health receptors and is therefore considered 'not significant'.
- The greatest change in PM_{2.5} concentrations is 0.03µg/m³. The maximum PM_{2.5} concentration is predicted to be 9µg/m³, well below the annual mean air quality target of 25µg/m³ at all modelled receptors. Therefore, in accordance with the EPUK/IAQM guidance, it is concluded that construction traffic from the proposed development would result in 'negligible' PM_{2.5} impacts at all human health receptors and therefore is 'not significant'.

- 9.29 A sensitivity analysis has multiplied the model outputs by a factor of 3 to account for uncertainty in traffic conditions.

- 9.30 The above assessment has been considered by the council's Air Quality Officer who considered the air quality reports from the air monitoring units and

concludes that the model provides for a realistic assessment and raises no objection.

- 9.31 As committee maybe aware, a condition requiring air quality monitoring throughout the duration of the construction period was previously imposed under the previous approval. It is considered reasonable and necessary for the existing approved details to be retained for the additional 2 years of the construction access and a condition has been imposed on this permission to meet this aim.
- 9.32 For the benefit of the planning committee, the results from the existing air quality monitors are publicly available from the Velindre web site ([Site Questions - Velindre University NHS Trust](#)) and the monthly reports show that air pollution is currently significantly below acceptable levels.

Impact on Trees / Landscaping

- 9.33 Future Wales and LDP policies recognise the important play to climate change and the wellbeing of citizens and seeks development to promote landscaping. The submitted arboricultural Statement (dated 6th October) has considered the approved landscaping under 20/01110/MJR, which cannot be implemented under this permission by virtue of the retention of a 3.6 metres wide road. As a result the number of trees that were to be planted has been reduced. However, the report does state that by not building onto the Hollybush estate will ensure that a number of healthy trees, including a category 'A' Oak would be retained.
- 9.34 The amended proposal (see figure 6 below) still provides for a good mix of understorey vegetation and 10 *Acer Campestre* 'Streetwise' (the UKs only native maple tree) in a linear row, which will provide an acceptable mix in landscaping to ensure a positive relationship. The council's Tree Officer has considered the amended proposal and raises no objection to its implementation.

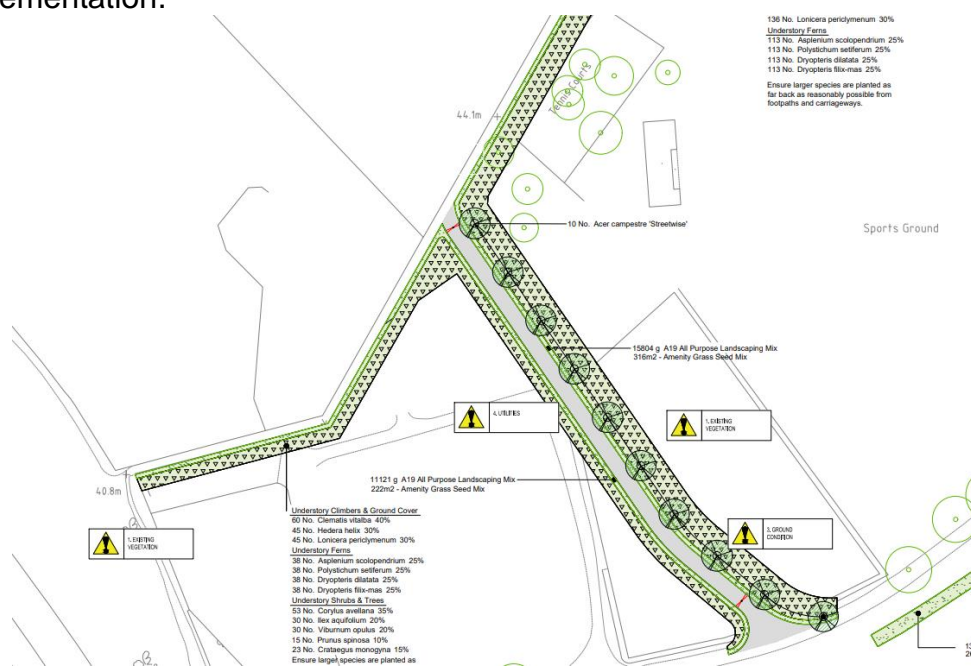


Figure 6: Landscaping

Impact on Ecology

- 9.35 Future Wales Policy 9 Resilient Ecological Networks and Green Infrastructure requires developers to ensure the enhancement of biodiversity, the resilience of ecosystems and provision of green infrastructure. In all cases, action towards securing the maintenance and enhancement of biodiversity (to provide a net-benefit), the resilience of ecosystems and green infrastructure should be demonstrated as part of development proposals.
- 9.36 LDP Policy EN 8 states development will not be permitted that would cause unacceptable harm to trees, woodlands and hedgerows of significant public amenity, natural or cultural heritage value, or that contribute significantly to mitigating the effects of climate change
- 9.37 The proposal within the submitted ES and environmental management plan (EMP) have considered the impact upon ecological receptors. Not just within the application site but within the wider development and to condition 16 (GIMS) of the Velindre development. This is to ensure that, whilst the applications are separate, they consider a site wide approach.
- 9.38 As recognised within previous submission (reference 20/01110/MJR) the ecological boundary between the sites will act as an important crossing area for dormouse and the EMP provides a framework to manage this boundary in the short to medium term. Natural Resources Wales (NRW) have considered the proposal and raise no objection subject to conditioning the information submitted. NRW have also confirmed that a European Protected Species licence is required and suggest that the submission is likely to be permitted, which allows the committee to make a decision on this application.
- 9.39 As acknowledged within the ES and EMP, within 60 metres of the development is the Glamorganshire Canal /Long Wood Site of Special Scientific Interest (SSSI). No objection is raised by either NRW or the County Ecologist to the temporary works but recognise that during the construction phases there is high potential of a pollution incident which could have an effect upon the sensitivity of the SSSI. Both the County Ecologist and NRW believe this matter can be addressed through a CEMP condition.
- 9.40 Neither the County Ecologist nor NRW raise objections, such that the development is considered to be acceptable from an ecological perspective.

Drainage and Flooding

- 9.41 Surface water is dealt within through the national SuDs regulation that is administered through the council as the SAB authority, where the principles of draining within the site are top of the hierarchy. The SAB body have been consulted on this proposal and advise that they are in discussions with Velindre in gaining technical approval. However, based upon the advice of NRW and the County Ecologist it is considered reasonable and necessary to impose a condition ensuring that no surface water discharge should, from this development, discharge into the Glamorganshire Canal as this achieves

planning objectives which may not be met through the SAB regulatory framework. If the above conditions are imposed, it is considered that the proposal would meet ecological objectives outlined in Policy 9 of Future Wales and LDP policies EN7 & EN8. Given the regulatory framework in place and the siting and scale of the development it is considered that the proposal would not increase flooding to neighbouring houses.

Overall Assessment – ‘The Planning Balance’

- 9.42 PPW11 refers to the need to assess the Sustainable Benefits of Development and (at 2.27) emphasises that Planning authorities should ensure that social, economic, environmental and cultural benefits are considered in the decision-making process and assessed in accordance with the five ways of working to ensure a balanced assessment is carried out to implement the Well-being of Future Generations Act and the Sustainable Development Principle.
- 9.43 Paragraph 3.38 of PPW states that the countryside is a dynamic and multi-purpose resource. In line with sustainable development and the national planning principles and in contributing towards placemaking outcomes, it must be conserved and, where possible, enhanced for the sake of its ecological, geological, physiographic, historical, archaeological, cultural and agricultural value and for its landscape and natural resources. The need to conserve these attributes should be balanced against the economic, social and recreational needs of the local communities and visitors.
- 9.44 There may be occasions when one benefit of a development proposal outweighs others, and in such cases robust evidence should be presented to support these decisions, whilst seeking to maximise contributions against all the well-being goals.
- 9.45 Key factors in the assessment process include:
- *Social Considerations*, including: - who are the interested and affected people and communities; who will benefit and suffer any impacts from the proposal;
 - what are the short and long-term consequences of the proposal on a community;
 - *Economic Considerations* including: - the numbers and types of long term jobs expected to be created or retained; whether, and how far, the development will help redress economic disadvantage or support regeneration priorities, for example by enhancing local employment opportunities;
 - *Cultural Considerations* including: - how far the proposal supports the conditions that allow for the use of the Welsh language; whether or not the development protects areas and assets of cultural and historic significance; have cultural considerations and their relationships with the tourism industry been appropriately maximised; and
 - *Environmental Considerations* including: - will important features of the natural and built environment be protected and enhanced; are the

environmental impacts of development on health and amenity limited to acceptable levels and the resilience of ecosystems improved.

- 9.46 At 2.29 it further refers to the need to have an integrated approach to balancing priorities against policy on an individual basis, which enables the full range of costs and benefits over the lifetime of development to be taken into account.
- 9.47 Section 5 of PPW11 provides further emphasis on the need to develop 'Productive and Enterprising Places' which promote our economic, social, environmental and cultural well-being by providing well-connected employment and sustainable economic development.
- 9.48 The role of the Local Planning Authority is therefore to balance the weight to be attributed to each of the positive and negative impacts of the development and come to a balanced conclusion as to whether the development is acceptable or not.
- 9.49 The report has identified some change to the impacts from the earlier approval including an extended use of the access and changes arising from its permanent retention (in a reduced form). However, approving the development would also mean there is no need to construct the emergency bridge over to the Hollybush Estate, removing construction and other impacts, including ensuring that a number of trees that were to be lost for the construction of the bridge will now be retained, along with the ecological connectivity.
- 9.50 The vegetation has already been lost at the application site as the applicant has lawfully commenced development of the temporary construction access, and the overall impacts of retaining the access have been considered to be acceptable. And when considered against the alternative, the planning balance is considered to sit more heavily in favour of the new access arrangements, impacts of which can be addressed by condition.
- 9.51 The key consideration is the replacement landscaping and the impact this would have on ecology, historical and amenity value. Consultees have considered the proposal against the historic situation of the site i.e. scrub land and to a lesser extent the proposed landscaping approved under 20/01110/MJR and all have concluded that the proposal is acceptable, subject to condition.

Other Matters Not Assessed Above

- 9.52 As identified earlier in this report, a number of objections were received in response to the publicity exercise. In response to the main issues raised which have not been addressed elsewhere in this report, the following comments are made:
- Concern has been raised that the current works to the adopted highway has, by virtue of the traffic control, created unacceptable traffic jams meaning that people cannot leave their houses. These concerns are noted, however such disruption is temporary and will be finished early in 2023 when the works to the adopted highway are finished. In terms of

traffic movement within the site, these have been assessed through the approved planning application reference 20/01110/MJR and in the updated ES submitted as part of this application, which confirms that the traffic movements would not cause unacceptable harm to highway safety;

- Concern has been raised in relation to pedestrian safety relating to children going to schools within the area. A HGV *embargo* is proposed when children are likely to be walking to the school. The suggested hours balance the needs of the children using the widened Whitchurch hospital entrance (with the new pedestrian island) and the need to ensure the development can be completed as quick as possible. The Highways Officer is satisfied the proposed hours are acceptable in highways terms.
- Concerns raised that during a 'blue light' event that emergency services using that internal Whitchurch hospital road would have a detrimental impact on users of the sports pitches, dog walkers and other users are noted, however the Whitchurch hospital grounds are private property and access is by agreement with Cardiff and Vale hospital. In addition, the condition imposed by this application ensures that such emergencies are very few and like any blue light situation 3rd parties are expected to act in a reasonable manner. Furthermore, the highways officer has considered these concerns and has raised no objections on highways safety grounds.
- Concern is raised that vehicles crossing the adopted path puts walkers with young children and/ or with dogs at unacceptable risk. The principle of access for vehicles has already been established through the 20/01110/MJR an updated CEMP is proposed to provide clarity on how this interface will be managed. As committee will be aware there is already an existing temporary crossing in close proximity that is manually managed and to date that appears to be successful.
- In relation to the new public rights of way and the impact this development will have has been considered by the PROW Officer who notes that a number of the paths are likely to be diverted to allow the consent development to be built and local diversion can be implemented in the interim and therefore raised no objections
- Concern over air pollution is noted but there is already a permission in place to allow this access to be used for construction vehicles. This permission seeks to extend the use until 2026. The air monitoring units, to date, do not show that the development creates an air pollution problem for the area.
- Concern is raised that the proposal would have an adverse impact upon heritage asset is noted but neither the heritage officer nor CADW support those concerns subject to condition.
- Concerns that the breaking the boundary would have an unacceptable

effect on ecological grounds are noted but the break and proposed mitigation has been considered by both NRW (who will need to issue a EPS licence) and the County Ecologist raise no issues to this proposal subject to the longer term management plan big conditioned as part of this permission;

- Concern that the original permission has been given on a temporary basis and cannot see how a permanent permission can be approved is noted but, as discussed at the planning committee, the applicant is entitled to submit an application and the duty is on the LPA to consider the merits of the submission. In this case, it is considered that retaining a narrower permanent emergency access is acceptable in planning terms.
- Consultation has been undertaken in accordance with regulations, including site & press notices along with neighbour letters. Consideration has been given to material matters raised. It is considered that the planning process has met with legal requirements and the report has arrived at a fair and balanced recommendation.

10 CONCLUSION

- 10.1 The decision to recommend planning permission has been taken in accordance with Section 38 of The Planning and Compulsory Purchase Act 2004, which requires that, in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises the Cardiff Local Development Plan (2011–2026) adopted January 2016. In addition, the Council, in accordance with Section 3(3) of the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017, has taken all the environmental information into consideration.
- 10.2 The submitted ES addendum on noise, air, transportation, heritage has considered the impact this proposal would have on those key receptors and concludes that the proposal would, at worse, have a minor or negligible effect on those areas outlined above. This information has been considered by technical consultees who agree with the conclusions reached subject to the allowed mitigation being undertaken on site. The information, including the long term management of the site, have been conditioned as part of this approval and ensure that the proposal, individually or cumulatively with the adjoining cancer centre would not have a significant impact upon the environment.
- 10.3 Accordingly, the proposed development is in accordance with Policies KP5 (Good Design), KP8 (Sustainable Transport), KP15 (Climate Change), KP16 (Green Infrastructure), KP17 (Built Heritage), KP18 (Natural Resources), 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), EN13 (Air, Noise Light Pollution and Land Contamination), T5 (Managing Transport Impacts), C3 (Community safety/creating safe environments), C4 (Protection of open space) & C6

(Health).

11 OTHER MATTERS RELEVANT TO THE CONSIDERATION OF THIS APPLICATION

- 11.1 Crime and Disorder Act 1998. Section 17(1) of the Crime and Disorder Act 1998 imposes a duty on the Local Authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. This duty has been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable increase in crime and disorder as a result of the proposed decision.
- 11.2 Equality Act 2010. The 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.
- 11.3 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.
- 11.4 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) The adaptability of ecosystems.

It is considered that the LPA has considered its duty under this Act and has met its objectives for the reasons outlined above.

12 RECOMMENDATION

12.1 RECOMMENDATION 1:

That planning permission be **GRANTED** subject to the conditions listed below.

12.2 RECOMMENDATION 2:

That delegated authority is given to the Head of Planning and/or Operational Manager: Strategic Development & Placemaking, to make changes to the conditions and/or Heads of Terms of the required legal agreement, subject to consultation with the Chair of Planning, up to the point where the legal agreement is signed and planning permission issued.

12.3 CONDITIONS

Time Limit Conditions

- 1 All vehicular use of the temporary road hereby approved shall cease by no later than 30th January 2026, and thereafter by no later than 30th July 2026 (or prior to the first beneficial use of the new Cancer Care Hospital whichever comes first) the width of the road shall have been reduced and remaining land restored/landscaped in accordance with the approved Landscape plan reference 70066877-WSP-EV-DR-LA-P1-5101 REV P01 and the general arrangement / details approved under condition 3. The access shall thereafter be retained in its approved form.

Reason: To ensure an acceptable form of development in accordance with Policies KP5, EN8 EN7 EN9 of the adopted Cardiff Local Development Plan (2006-2026)

List of Approved Plans

- 2 The development, unless otherwise required by the ensuing conditions, shall be carried out in accordance with the following approved plans and details:
 - o Drawing 106596-MML-AA-XX-DWG-TPL-5000-001 (P2) Velindre NHS Trust TCAR.Location Plan.' by Mott MacDonald dated 14/9/22;
 - o Drawing 347168-MML-027-XX-DWG-CIV-4000-004 (P03) Velindre NHS Trust. Temporary Construction Access Road. Proposed Road Access Sheet 1 of 2' by Mott MacDonald dated 3/4/2020;
 - o Drawing 347168-MML-027-XX-DWG-CIV-4000-005 (P03) 'Velindre NHS Trust.Temporary Construction Access Road. Proposed Road Access Sheet 2 of 2' by MottMacDonald dated 3/4/2020;
 - o Drawing 70066877-WSP-EV-DR-LA-P1-5101 (P01) 'Velindre University NHS Trust.

Emergency Access Road. Soft Landscape Plan' by WSP dated 23/9/22;
o Drawing 70066877-WSP-EV-DR-LA-P1-5102 (P01) 'Velindre University NHS Trust.

Emergency Access Road. Soft Landscape Detail Sheet 1 of 2' by WSP dated 20/9/22;

o Drawing 70066877-WSP-EV-DR-LA-P1-5103 (P01) 'Velindre University NHS Trust.

Emergency Access Road. Soft Landscape Detail Sheet 1 of 2' by WSP dated 20/9/22;

o Velindre University NHS Trust TCAR and revised Emergency Access Environmental Statement by the Urbanists (undated)

o 'Velindre NHS Trust. Emergency Access Road. Ecological Management Plan - Dormouse' by ESP dated October 2022.

Technical Note 1: New Velindre Cancer Centre - Emergency Access Arboricultural

Statement' dated 06 October 2022 by WSP

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.

Action Conditions

- 3 Notwithstanding the submitted plans, prior to work commencing to permanently reduce the width of the access road, a General Arrangement plan showing in detail the scheme for the retained emergency access road shall have been to and approved in writing by the LPA. The scheme shall identify the area of works and include, but not be limited to, details of the materials and construction finishes for the road, surfacing, kerbs, edging, drainage, lighting, lining, signing and street furniture (such as bollards) required as a consequence of the scheme.

Reason: To ensure the reinstatement of the public highway and provision of the emergency access road, to facilitate safe commodious access to and use of the proposed development, and to ensure an acceptable form of design that has regard to the character of the historic park and gardens in accordance with Policies KP5, EN8 EN7 EN9 of the adopted Cardiff Local Development Plan (2006-2026)

- 4 No street lighting of the road shall be permitted unless full details of such lighting have first been submitted to and approved in writing by the LPA. Reason: To ensure no adverse impact upon protected species in accordance with Policies KP5, EN8 EN7 EN9 of the adopted Cardiff Local Development Plan (2006-2026)
- 5 The construction access hereby permitted shall not become operational until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The scheme shall to include, but not be 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, Details of management of the HGV embargo and how use of the Whitchurch hospital entrance will be managed to ensure the safety of cyclist and

pedestrians, and Complaint Investigation procedures (including site manager's contact details and procedure for engaging with residents). All construction use of the access 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).

Regulatory Conditions

- 6 The permanent emergency access hereby approved shall only be used in an emergency, which for the purpose of this condition is defined as an event/occasion where there is a risk to life or significant impact to buildings, where such access to the Velindre centre and buildings from Coryton gyratory cannot reasonably be achieved.

Reason: To ensure the amenities of the area in accordance with Policy KP5 of the adopted in accordance with Policies KP5, EN8 EN7 EN9 of the adopted Cardiff Local Development Plan (2006-2026)

- 7 All environmental management measures included within the Ecological Management Plan (EMP) for the provision, management and maintenance of the dormouse habitats associated with the application, as approved under discharge of condition app No. 21/01723/MJR, shall be implemented and be carried out in accordance with the approved details.

Reason: To ensure the site's environmental features are adequately managed long term in accordance with Policy EN7 of the adopted Cardiff Local Development Plan.

- 8 The proposed mitigation and monitoring of the Listed Chapel as approved under discharge of condition app No. 21/01723/MJR (according with the Motts Heritage Statement dated August 2020 and 347168-MML-028-XXTCN-LTA-2000-001 Revision A- Potential Vibration Impact Strategy), shall be implemented and be carried out in full accordance with the approved details and methodology.

Reason: To ensure that the Listed Chapel is protected during construction activity in accordance with Policies KP5 and KP17 of the Adopted Cardiff Local Development Plan (2006-2026). Discharge App No. 22/00725/MJR Decision Date: 11/08/2022 Partial Discharge

- 9 The two Zephyr units located on lamposts on Park Road and the Hollybush Inn and a DM11 Pro unit also situated on Park Road, which monitor concentrations of particulate matter for NO₂, PM₁₀ and PM_{2.5} in the air and the six diffusion tube units to monitor NO₂ in the air as approved under discharge of condition application 21/01723/MJR shall be retained until the cessation of the temporary construction access, with air quality monitored in accordance with such approved details, and the results made available on Velindre's web site.

Reason: To ensure acceptable air quality in accordance with EN13 of the adopted Cardiff Local Development Plan (2006-2026).

- 10 No HGVs used in the construction of the Velindre Cancer Care Centre shall use the Whitchurch hospital access during the following hours: 08.15 to 08:45 & 15:15 - 15:45 Monday to Friday (school term times).

Reason: To ensure the safety of pedestrian and cyclist in accordance with Policy T1 of the adopted Cardiff Local Development Plan (2006-2026)

- 11 No surface water shall be allowed to discharge into the Glamorganshire canal.
Reason: To ensure the integrity of the SSSI site in accordance with Policy 9 of Future Wales and Policy EN9 of the adopted Cardiff Local Development Plan (2006-2026)

ADVISORY NOTE 1

The applicant advise to seek a European Protected Species licence from Natural Resources Wales under Regulation 55 of The Conservation of Habitats and Species Regulations 2017 before any works on site commence that may impact upon dormice. Please note that the granting of planning permission does not negate the need to obtain a licence.

ADVISORY NOTE 2

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

ADVISORY NOTE 3

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.

ADVISORY NOTE 4

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.

ADVISORY NOTE 5

The applicant is advised that before undertaking any works for the permanent emergency access that a copy of the European protected species licence shall be provided to the Local Planning Authority