

PETITION

COMMITTEE DATE: 16/03/2023

APPLICATION No. **22/02634/DOC**

APPLICATION DATE: 04/11/2022

ED: Whitchurch and Tongwynlais

APP: TYPE: Discharge of condition

APPLICANT: Acorn Consortium

LOCATION: Land to the North-West of Whitchurch Hospital Playing Fields,
Cardiff

PROPOSAL: Discharge of Condition 17 (CEMP) of 17/01735/MJR

1. BACKGROUND INFORMATION

- 1.1 This application is reported to Committee as the application is the subject of a petition of more than 50 signatures, which states as follows: -

We, the undersigned, are of the view that the above listed application will have a major effect on the immediate and wider community. We therefore request that the planning application is called before Cardiff Council Planning Committee to enable a thorough, transparent, public examination of the documentation and decision making, for the views of communities to be heard, and enable any concerns to be recorded and resolved.

2. DESCRIPTION OF THE SITE AND AREA

- 2.1 The site comprises the land to the North West of Whitchurch Hospital Playing Fields, which is the subject of outline planning approval (ref. 17/01735/MJR) for a proposed new Velindre Cancer Centre (see Figure 1 below).



Figure 1: Site Location Plan

3. DESCRIPTION OF DEVELOPMENT

- 3.1 This application seeks technical approval from the Local Planning Authority for the discharge of condition 17 (Construction Environmental Management Plan - CEMP), which reads as follows:

17. *Prior to the commencement of any site clearance, construction works or development (except for demolition), a Construction Environmental and Management Plan (CEMP) for the whole site shall be first submitted to and approved in writing by the Local Planning Authority. The CEMP shall accord with the Landscape Masterplan and mitigation measures set out in the Environmental Statement and its addendum, and in the Environmental Mitigation Plan. The CEMP shall include:*

- a. An implementation programme;*
- b. A Construction Traffic Management Plan, to include but not limited, to the management of site access, parking (to be within the main body of the site) and wheel washing facilities;*
- c. Details of site hoardings (including the erection, maintenance, security and any decorative displays) and means of enclosure to prevent unauthorized access during construction;*
- d. Details of the storage of plant and materials (including any oils, fuels and chemicals), construction compounds, any temporary facilities for construction staff;*
- e. Dust Management Plan and measures to control the emission of dust and dirt from construction and minimise sediment loading*
- f. A Noise Management Plan and measures to control and monitor noise, the details to be submitted shall include the suggested information (including phasing) outlined in Chapter 9: Noise and vibration Environmental Statement dated October 2017;*
- g. Measures to control cementitious materials;*
- h. A Site Waste Management Plan for the recycling and/ or disposal of all waste resulting from construction works;*
- i. A Construction Drainage Scheme indicating how surface water and land drainage run off will be dealt with to prevent contamination, nuisance, subsidence or flooding;*
- j. a Green Infrastructure Construction Protection Strategy (GICPS) detailing measures for the protection of the ecological (habitats & protected species), arboricultural, landscape, soil, open space and SuDs resource during clearance and construction, including those existing elements proposed for retention and translocation, and those proposed to be created or enhanced as part of the application. The GICPS shall comply with the approved Arboricultural Impact Assessment, Arboricultural Method Statement and Tree Protection Plan and the approved Soil Resource Survey and Soil Resource Plan for that site/ land and shall include but shall not be limited to:*
 - an assessment of the impacts*
 - a plan showing green infrastructure to be lost, retained, enhanced, translocated and newly created and its phasing*
 - a plan showing protection zones for the ecological (habitats & protected species), arboricultural, landscape, soil, open space and SUDS*

resource for the construction phase, which shall include but not be limited to a 15m wide buffer zone alongside the Glamorgan Canal / Long Wood SSSI precautionary measures to avoid harm to previously undetected dormice and badgers;

- *pre-construction checks Mott MacDonald | new Velindre Cancer Centre Construction Environment Management Plan 347168-MML-028-XX-RPT-CIV-2000-001 | 14 October 2020 2*
- *details of site clearance and construction methods and measures to be taken to minimize the impact of any works*
- *phasing / timing of works*
- *a lighting scheme, including measures to reduce light spillage from construction onto key habitats and corridors.*

k. List of on-site contacts and their responsibilities and arrangements for ecological site inductions for contractors working on site; the details so approved and any subsequent amendments as shall be agreed in writing by the Local Planning Authority shall be complied within in full throughout the construction period.

l. Details of the remediation and timescale of the triangular piece of land to the east of the Hollybush Estate.

m. The details so approved and any subsequent amendments as shall be agreed in writing by the Local Planning Authority shall be complied within in full throughout the construction period

Reason: To manage the impacts of construction in the interests of highway safety, and protection of the environment and public amenity in accordance with Policy KP16 of the adopted Cardiff Local Development Plan (2006-2026

- 3.2 This application builds upon the partial approval the committee gave for the framework set under planning references 20/01515/MJR and the enabling works reference 22/00802/MJR. The combination of these 3 applications would, once fully implemented, allow the condition to be fully discharged.
- 3.3 The plans have been amended to take into accounts comments received from technical consultees.
- 3.4 The submitted information provides a time for works to be completed on the main cancer site, this being June 2025.
- 3.5 The CEMP submission covers all the points of the condition. A point of interest to the committee will be use of 3 tower cranes of heights of 45.5m, 36.6 and 25m)

Supporting Information

- 3.6 The approved outline development is EIA development and, therefore, the application to discharge the condition is treated as a 'subsequent application' under the [Town and Country Planning \(Environmental Impact Assessment\) \(Wales\) Regulations 2017](#), ('the EIA Regulations') and therefore there is a need to consider whether the initial Environmental Statement is still sufficient for the purpose of testing environmental impacts.

- 3.7 It is considered that the environmental information set out in the Environmental Statement, submitted in support of the outline application, and the ES addendum submitted in support of reserved matters reference 22/02231/RES are adequate to assess the environmental effects.
- 3.8 The assessment below has had regard to all environmental information submitted within the ES and addendum 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.
- 3.9 All documentation relating to the application, including plans, can be viewed on the Council's website using the following link: [22/02634/DOC](#)

4. PLANNING HISTORY

4.1 The site has the following relevant planning 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/MJR**: Proposed engineering works to longwood drive and the Asda access highway and car park arrangements, enabling access to the proposed Velindre cancer centre. Approved;
- **20/01110/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
- **22/02280/FUL**: 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. Approved
- **20/01481/MJR**: Partial Discharge of condition 16 (green infrastructure management strategy) of 17/01735/MJR. Approved (partially discharged – enabling works Phase 1)
- **20/01515/MJR**: Partial 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.
- **22/02585/DOC**: Discharge of condition 11 (bus turning/loop and stop) of

17/01735/MJR; Awaiting determination.

- **22/02634/DOC:** Discharge of Condition 17 (CEMP): Reported concurrently to this Committee.
- **22/02635/DOC:** Discharge of condition 20 (Drainage) of 17/01735/MJR; approved.
- **22/02636/DOC:** Discharge of condition 21 (Gas Monitoring) of 17/01735/MJR; approved.
- **22/02637/DOC:** Discharge of condition 8 (Highways Details) of 17/01735/MJR: Awaiting determination.
- **22/02644/DOC:** Discharge of condition 16 (Green Infrastructure Management Strategy (GIMS)) of 17/01735/MJR. Reported concurrently to this Committee.

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 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'.
- 5.3 '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.
- 5.4 '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.
- 5.5 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
- 5.6 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

- 5.7 [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.
- 5.8 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.
- 5.9 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

- 5.10 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 15: Development and Flood Risk (2004)
 - TAN 16: Sport, Recreation and Open Space (2009)
 - TAN 18: Transport (March 2007)
 - TAN 21: Waste (February 2017)
 - TAN 24: The Historic Environment (May 2017)
- 5.11 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.
- 5.12 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

- 5.13 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.
- 5.14 [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 wellbeing 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.
- 5.15 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

- C3 Community Safety/Creating Safe Environments
- C4 Protection of Open Space
- C6 Health

Waste

- W2 Provision for Waste Management Facilities in Development

Supplementary Planning Guidance:

5.16 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)** raises no concern and advises that the condition can be discharged

6.2 **Shared Regulatory Services (Air Quality):** Recommends the condition can be discharged

6.3 **Shared Regulatory Services (Noise):** Recommends the condition can be discharged

6.4 **County Tree Officer:** Recommends the condition can be discharged

6.5 **Public Rights of Way Officer:** The timescales for these phases are substantially understandable, however, that is on the basis that the public are not able to access any of the new footpath diversions if they are confirmed. The new routes do not come into effect until they are physically constructed and we have signed them off. This needs to happen prior to the construction of the site being substantially completed otherwise the legal order is not valid. Every 6 months a temporary closure notice has to be applied for and approved by Welsh

Government therefore it is expected that we should be able to provide the southern routes early on in the development phase and the northern route may be provided later.

7. EXTERNAL CONSULTEE RESPONSES

- 7.1 **Natural Resources Wales:** Has no objection to the discharge of condition 17 of 17/01735/MJR
- 7.2 **Cadw:** No response received.

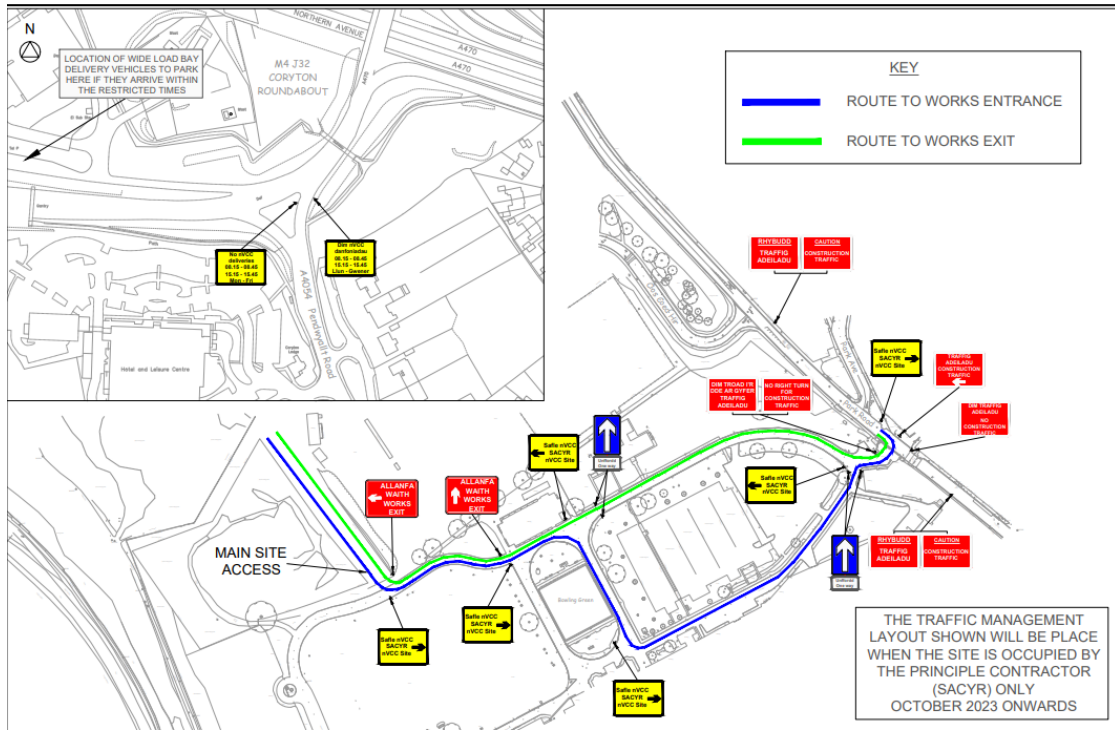
8. REPRESENTATIONS

- 8.1 The application was advertised on the Council Website and by way of neighbour notification letters and site notices. The application is a subsequent application under Regulation 19 of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017.
- 8.2 Following receipt of additional information in support of the application, namely: dormouse mitigation, additional publicity was undertaken in accordance with Regulation 24 of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (requiring site notice and neighbour letters providing an additional 30 day's consultation). The additional information related to dormice mitigation.
- 8.3 To date, no letters of representations have been received, although a petition has been received requesting the matter is brought to committee on grounds (see 1.1) that the application will 'have a major effect on the immediate and wider community'.
- 8.4 Ward Councillors have been notified: No comments received to date

9 ANALYSIS

Transportation / Highway Impacts

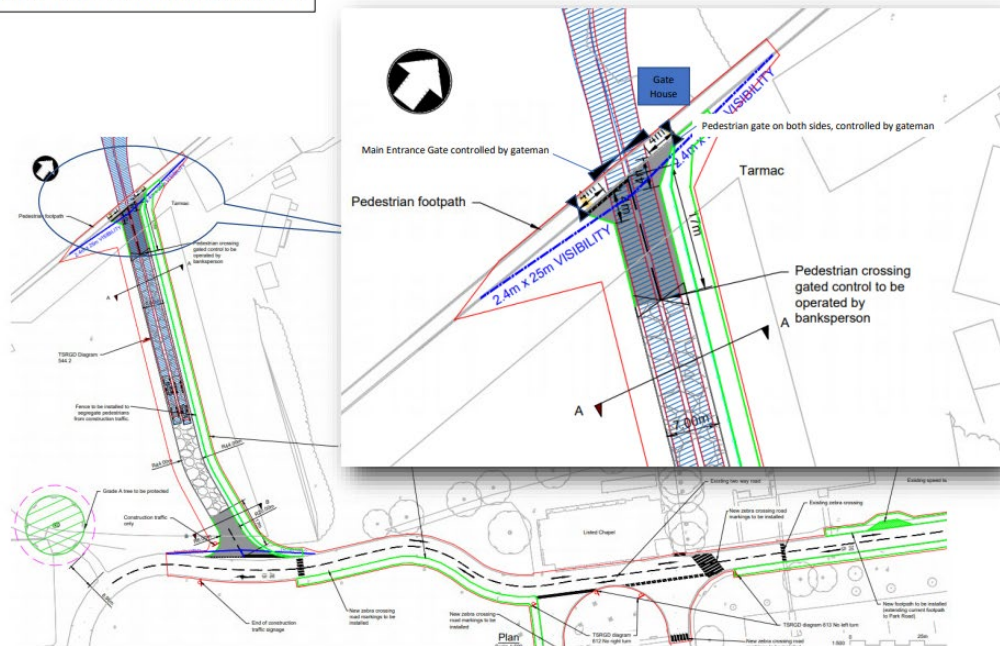
- 9.1 Construction route - The amended Traffic Management Plan (TMP) dated January 2023 (& appendix 3) show the route to the application site from the Coryton Gyratory via the enlarged Whitchurch hospital entrance and via the grade II listed chapel. Appropriate signage will be provided (see below).



9.2 Members will recall that this route has recently been approved by the Planning Committee (January 2023) for construction access for the next 4 years, as part of the southern access route proposals (ref. 22/02280/FUL). Therefore, the principle of this route has already been accepted.

9.3 The TMP confirms that banksmen will be located where the southern access crosses the adopted highway and at the Whitchurch entrance with priority given to pedestrians. See image below

SKETCH 1 – DETAILS OF CONTROLLED SITE ENTRANCE



- 9.4 The TMP re-confirms that during school terms there will be a traffic embargo for HGV between the hours of 08.15-08.45 & 15.15-15.45. This is consistent with other recent approvals and is therefore acceptable.

Impact on Public Rights of Way (PROW)

- 9.5 Since the outline application was approved and the discharge of conditions for the enabling works a number of new paths have been confirmed through the site and will need to be diverted before works commence in these area. The PROW team have confirmed that the diversions are acceptable to them but will require legal confirmation and that process is currently ongoing.

Impact Upon Listed Buildings and Conservation Areas

- 9.6 Construction vehicles would be access and egressing via the southern access which will be close to the Grade II chapel and within the registered park and garden. Previous concern has been raised upon the impact of these historic assets but sufficient safeguards (Heras fencing and vibration monitor within the building) have been provided through the extension of time of the southern access routes to ensure this submission would not cause detrimental impact.

Impact on Residential Amenity

- 9.7 Construction hours will be Monday - Friday 08:00 - 18.00 and 08:00 - 13:00 on Saturday. These are in line with the current operations on site and are in line with the Control of Pollution Control Act 1974.

Vibration

- 9.8 Paragraph 7.4.2 of the CEMP confirms that Sacyr UK Ltd. have replaced piling with a cut and fill alternative to minimise the risk of vibration from piling operations. In addition the statement also states that they will undertake an appropriate risk assessment for construction vibration to ensure that adverse levels of vibration are not experienced at any residences. The assessment will be undertaken prior to commencement of works on site.

Noise

- 9.9 Paragraph of the CEMP states as follows:

“The sampling methods detailed will include regular sampling throughout the whole period (e.g.15 min across every 2 hours, over the working period). Construction noise will be measured in terms of the A-weighted equivalent continuous sound pressure levels (LAeq,T). It is proposed to install two long term sound level meters close to the most sensitive receptors. One will be situated close to the George Thomas Hospice to monitor construction traffic and works passing by the southern access road. It is anticipated to maintain this long-term monitoring position until the southern access route is replaced by the northern access through Asda. A second sound level meter is proposed to be moved around the site, at the closest points to nearby sensitive receptors, to capture where the noisiest works are taking place.”

Predicted levels will be calculated prior to works commencing for each method of works. These predicted levels for each activity will be shared with the local authority to agree a trigger level which should not be breached by any of the works. Where trigger levels are likely to be breached, Sacyr UK Ltd. will discuss this with the EHO as well as further mitigation and noise reduction requirements.”

- 9.10 The Noise officer in SRS has confirmed that the above is acceptable.

Privacy

- 9.11 The proposal will introduce 4 tall cranes within the site at heights of 45.5m, 36.6m and 25metres. Given these heights, these would be new features within the landscape such that those living or walking within the area may feel they are being watched but given their operation and temporary nature (4 year) it is considered that the cranes would not result in the loss of privacy

Air quality

- 9.12 Paragraph 6.3.6 of the CEMP report provide comprehensive checks and monitoring within the site, these conditions are the same as that approved by committee through the other CEMP conditions. As committee will be aware and discussed on monitoring air quality from construction traffic air quality monitors have been secured through the development phase through approval of the southern access route application and they will monitor this construction activity.

Impact on Ecology

- 9.13 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.
- 9.14 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.
- 9.15 The CEMP and appendices 5 (Dormouse mitigation and management strategy), 6 (Reptile mitigation and management strategy), 7 (ecology site manual) provides detailed compliance on management of protected species that would be monitored by their ecologist RSK. The proposals and process have been considered by the County Ecologist and NRW who raise no objections to discharging the condition. It must also be remembered that for the habitat of bats and dormice, which are protected species, will require a license from NRW. A failure to gain or not comply with a license is a criminal act.

Reptiles

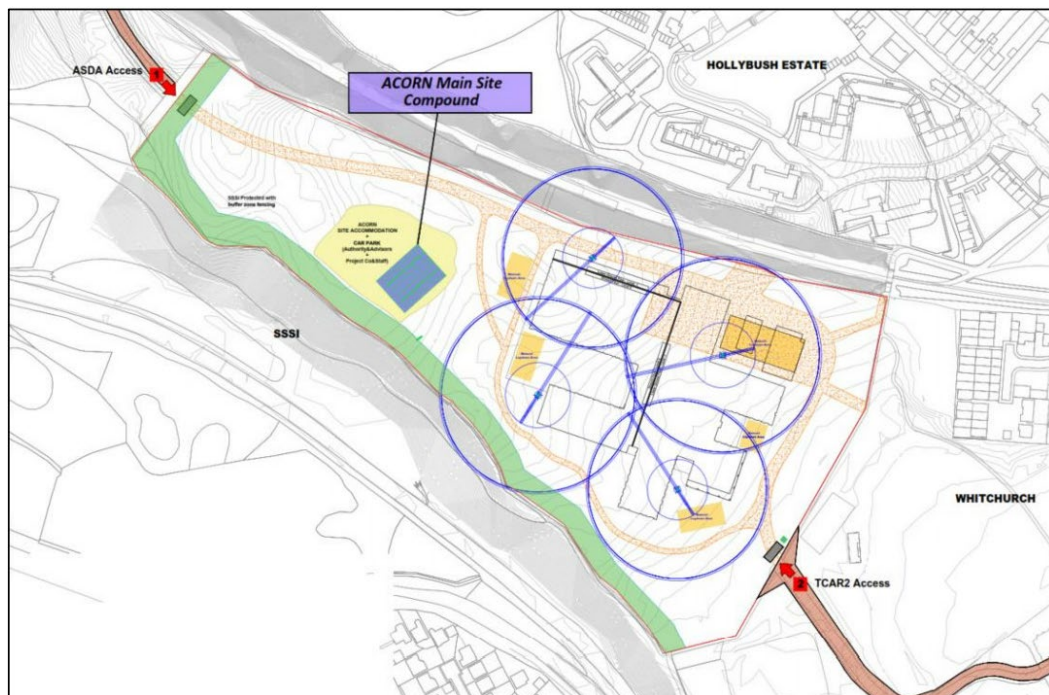
- 9.16 Reptiles are not protected under the European legislation but have protection under the Countryside and Wildlife Act 1981 (amended). Chapter 10 of the CEMP and Appendix 6 'Reptile Mitigation and Management Strategy' have considered the presence of reptiles, including an Adder snake. The toolbox (appendix 7 of the CEMP), which would be issued to all employees identifying the key signs to look for and what to do in the event of identification. This information has been considered by the County Ecologist and believes the detail and mitigation is appropriate to the development. The updated submission and Appendix 6 show the location of translocation of reptiles to Forest Farm, which given the potential low numbers is acceptable.

Dormice and bats

- 9.17 The CEMP appendices have considered acceptable lighting to ensure there is no unacceptable impact upon the protected species. The clearance and protection measures outlined within appendices 2 & 5 are considered acceptable and would likely be built upon at EPSL stage. Given that neither the County Ecologist nor NRW object to this application there is a realistic prospect of the licence being issued and as such allows the LPA to favourably determine this application.

Compound

- 9.18 The updated CEMP acknowledged that for period of time the MIM contractor (the applicant for this submission) and the enabling works 'Walters' will be both working the site. As a result the MIM contractor compound will be located on the area proposed for the surface car park. The image below also shows the location of the proposed 4 cranes.



Surface water and Forest Farm SSSI

- 9.19 Paragraph 6.3.5 of the report recognises the importance of ensuring no surface run off to the adjoining SSSI site. Section 10 of the GIMS submission (reference 22/02644/DOC, reported concurrently) identifies the mitigation proposed has been considered and accords with the general principles agreed by the committee in application reference 20/01515/MJR.

10 OTHER MATTERS RELEVANT TO THE CONSIDERATION OF THIS APPLICATION

- 10.1 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.
- 10.2 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.
- 10.3 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.
- 10.4 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.

11 RECOMMENDATION

11.1 RECOMMENDATION 1:

Having taken the environmental information into consideration on this subsequent application, that the details below are approved in FULL discharge of the condition 17 (Construction Environment Management Plan) of planning permission 17/01735/MJR, granted on 27/03/2018, subject to implementation and completion in full accordance with the approved details outlined below

1. Construction Environmental Management Plan (CEMP) new Velindre cancer centre (nVCC) Response to Reserved Matters Planning Condition 17 (17/01735/MJR) February 2023 (V5 final)
 - Appendix 1 – Implementation programme
 - Appendix 2 – Phasing of Habitat and Species Clearance
 - Appendix 3 – Traffic Management Plan
 - Appendix 4 – Pre-Construction Site Waste Management Plan
 - Appendix 5 – Dormouse Mitigation and Management Strategy
 - Appendix 6 – Reptile Mitigation and Management Strategy
 - Appendix 7 – Ecology Site Manual and Toolbox Talks
 - Appendix 8 – INNS Management Plan