COMMITTEE DATE: 15/01/2022

APPLICATION No. 21/00049/MJR APPLICATION DATE: 06/08/2021

ED: WHITCHURCH/TONGWYNLAIS

APP: TYPE: Discharge of condition

APPLICANT: Velindre NHS Trust & Asda Stores Ltd

LOCATION: ASDA CORYTON, LONGWOOD DRIVE, WHITCHURCH,

CARDIFF

PROPOSAL: DISCHARGE OF CONDITIONS 3 (ARBORICULTURAL

METHOD STATEMENT AND TREE PROTECTION

PLAN) AND 4 (SOFT LANDSCAPING) OF

20/01108/MJR

RECOMMENDATION 1: That conditions 3 (Arboricultural Method Statement and Tree Protection Plan) and 4 (Soft Landscaping) of 20/01108/MJR shall be partially discharged and shall be undertaken in accordance with the following documents:

Arboricultural Method Statement reference A3805 Revision A; Landscape Planting Methodology and Management Plan, reference A3805, revision C

Tree Planting & Landscape Plan, reference A3805-04 Revision F;

Soil Resource Survey and Soil Resource Plan, reference TOHA/20/8547/AC; Tree Pit details reference A3805-05 Revision A;

Tree Pit details-Specific Details A3805-06 Revision A:

RECOMMENDATION 2:

The applicant is reminded that before undertaking any works on Highways Authority land that the appropriate permissions are sought from the Highways Authority. The discharging of these conditions does no grant approval under the Highways Act

1. <u>DESCRIPTION OF PROPOSED DEVELOPMENT</u>

1.1 Technical approval is sought from the Local Planning Authority (LPA) for the discharge of conditions 3 (Arboricultural method statement and tree protection plan) and 4 (soft landscaping) of planning permission 20/01108/MJR.

Condition 3 (Arboricultural method statement and tree protection plan) reads as follows:

No development shall take place until the following have been submitted to and approved in writing by the Local Planning Authority (LPA) in accordance with the current British Standard 5837:

- An Arboricultural Method Statement (AMS) detailing the methods to be used to prevent loss of or damage to retained trees within and bounding the site, and existing structural planting or areas designated for new structural planting. The AMS shall include details of site monitoring of tree protection and tree condition by a qualified arboriculturist, undertaken throughout the development and after its completion, to monitor tree condition. This shall include the preparation of a chronological programme for site monitoring and production of site reports, to be sent to the LPA during the different phases of development and demonstrating how the approved tree protection measures have been complied with.
- A Tree Protection Plan (TPP) in the form of a scale drawing showing the finalised layout and the tree and landscaping protection methods detailed in the AMS that can be shown graphically.

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

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

Condition 4 (soft landscaping) reads as follows:

No development shall take place until full details of soft landscaping have been submitted to and approved in writing by the Local Planning Authority. These details shall include:

- A soft landscaping implementation programme.
- Finalised scaled planting plans prepared by a qualified landscape architect.
- Evidence to demonstrate that existing and proposed services, lighting, CCTV, drainage and visibility splays will not conflict with proposed planting.
- Finalised schedules of plant species, sizes, numbers and densities prepared by a qualified landscape architect.
- Scaled tree pit sectional and plan drawings prepared by a qualified landscape architect that show the Root Available Soil Volume (RASV) for each tree.
- Topsoil and subsoil specification for all planting types, including full details of soil assessment in accordance with the Cardiff Council Soils and Development Technical Guidance Note (Soil Resource Survey and

Plan), soil protection, soil stripping, soil storage, soil handling, soil amelioration, soil remediation and soil placement to ensure it is fit for purpose. Where imported planting soils are proposed, full specification details shall be provided including the parameters for all imported planting soils, a soil scientists interpretive report demonstrating that the planting soil not only meets British Standards, but is suitable for the specific landscape type(s) proposed. The specification shall be supported by a methodology for storage, handling, amelioration and placement.

- Planting methodology and long-term post-planting aftercare methodology prepared by a qualified landscape architect, including full details of how the landscape architect will oversee landscaping implementation and report to the LPA to confirm compliance with the approved plans and specifications.
- That the recommendations of paragraph 6.2.3 of the TACP Ecology walk over survey have been incorporated into the proposed landscaping.
- The submitted details shall be consistent with other plans submitted in support of the application and the landscaping shall be carried out in accordance with the approved design and implementation programme.

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

The submitted documents and plans, as outlined in the recommendation 1 above, have been amended to overcome the concerns of the County Tree Officer who raised concerns that the too many trees were proposed within too small an area.

The submitted details provide an acceptable planting specification, (similar to the submission committee approved in 2021). Management and after care is also described in the application to ensure the success of the proposed landscaping.

The soil analysis seeks to re-use existing soil but has provided an acceptable standard for the replacement soil. The submission states the sub soil to be 600mm with the topsoil being at 300mm.

The necessary site assessment has been undertaken, and as advised within the submission, there is no known reason why the proposed landscaping cannot be met on site.

2. DESCRIPTION OF THE SITE AND AREA

2.1 The application site covers approximately 2.8ha of land at the Asda supermarket, Coryton, including part of Longwood Drive and the existing

roundabout, which provides access from the Coryton interchange to the existing retail store, McDonald's restaurant, Asda Service Station and Starbucks Coffee Shop. This highway also provides access to industrial uses further west. The Asda land comprises the existing vehicular and pedestrian access, plus service access and car parking.

2.2 To the south is the land known as the "northern meadows" (the site of the proposed new Cancer Centre) which is screened from the Asda site by woodland, beyond which is a former railway cutting. To the east and north east is the Village Hotel and a school for children with autism, Ty Coryton, which is also screened from the application site by woodland. To the north is Longwood Drive and the M4 Motorway.

3. PLANNING HISTORY

3.1 Within the last 5 years:

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- Granted 16/11/2020;

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

3.2 Earlier relevant history:

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

08/011874/W: Existing grassed area to be removed and replaced with new full depth car park to form colleague car park. Approved

05/01827/W: Construction of car deck and alterations to car park. Approved

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

4. POLICY FRAMEWORK

4.1 National Planning Policy:

- Future Wales: National Plan 2040
- Planning Policy Wales (11th Ed, 2021)

Planning Policy Wales Technical Advice Notes:

 Technical advice note (TAN) 5: Nature conservation and planning (September 2009);

- Technical advice note (TAN) 10: Tree preservation orders (October 1997);
- Technical advice note (TAN) 11: Noise (October 1997);
- Technical advice note (TAN) 12: Design (March 2016);
- Technical advice note (TAN) 18: Transport (March 2007);

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

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

4.2 Cardiff Local Development Plan 2006-2026:

KEY POLICIES

KP5 (Good Quality and Sustainable Design);

KP6 (New Infrastructure);

KP15 (Climate Change);

KP16 (Green Infrastructure);

KP17 (Built Heritage).

DETAILED POLICIES

ENVIRONMENT

EN6 (Ecological Networks and Features of Importance for Biodiversity);

EN7 (Priority Habitats and Species);

EN8 (Trees, Woodlands and Hedgerows);

EN11 (Protection of Water Resources);

COMMUNITY

C3 (Community Safety/Creating Safe Environments);

C6 (Health).

Supplementary Planning Guidance:

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

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

Planning for Health and Wellbeing (November 2017).

5. INTERNAL CONSULTEE RESPONSES

5.1 The Operational Manager (Traffic and Transportation) states:

The application is the subject of a S278 legal agreement and that is likely to be concluded soon, therefore, I have no objections to the discharge of these conditions

- 5.2 Public Rights of Way (PROW): No objections
- 5.3 The Strategic Planning Trees and Landscaping Officer:

The amended plans have overcome my concerns and based upon the amended plans, I raise no objections.

6. EXTERNAL CONSULTEE RESPONSES

6.1 Natural Resources Wales: No objections

7. REPRESENTATIONS

- 7.1 Given concerns raised to previous applications on the site, this discharge of condition application was notified to interested members of the public. 10 letters of representation have been received objecting to this application. These objections are summarised below:
 - 1. The lack of resources to ensure compliance with the details;
 - 2. The proposal does not compensate for the loss of the existing habitat;
 - 3. Not qualified to understand the implications of the submission;
 - 4. The planning system does not protect the environment and is in need of reform;
 - 5. The proposal is destroying the environment of an outdated hospital;
 - 6. The proposal will result in an increase of noise and air pollution
 - 7. The proposal to replace 160 trees with 153 would not have the same impact on the environment as it would take some considerable time for the new trees to have the same impact as the existing the mature trees;
 - 8. Concern that the developer is not clear where the water main is and will require the contractor to be careful not to break this main pipe
- 7.2 Local Ward Members have been notified. No comments received.

8 ANALYSIS

- 8.1 This application is submitted to discharge technical matters associated with the approved planning permission. It is not an opportunity to consider the merits of the planning permission or to question matters the committee has already agreed, such as the removal of the trees or the principle of replacement planting.
- 8.2 Condition 3 (Arboricultural method statement (AMS) and tree protection plan)

Condition 3 was imposed to ensure that the development has taken into account the conditions of the existing environment and to ensure adequate provision was in place to protect existing landscaping. Complying with these

requirements of the condition would ensure that the development would accord with national and local policies that seek to ensure the natural environment is protected and enhanced.

The revised AMS has undertaken an appropriate assessment of the existing 169 trees, including those that are to remain.

As committee will be aware, there are no trees that are covered under a Tree Preservation order that will be removed from the site. Section 4 of the submitted AMS provides appropriate protective fencing & Signage, including the requirements for no storage of equipment within the protected areas. Section 5 of the AMS provides for onsite monitoring and reporting of matters to the LPA (see extract below).

Stage	Site Operation	Monitoring	Report to LPA
Prior to start	Erect tree protection fencing	Inspect fencing is as per detail and in correct location	*
Preliminary Start on site	Remove existing trees (outside nesting bird season March-August)	Inspect tree removal works and check existing trees are correctly protected and undamaged	
Ground preparation	Prepare soft landscaping areas for new tree planting	Inspect ground preparation and soil complied with specification	>
Landscaping	Tree planting/ landscaping	Inspect tree stock complies with specification	
Completion	Removal of tree protection fencing	Inspect existing trees are undamaged	*

This monitoring regime has been considered by the County Tree Officer who is satisfied that the appropriate key stages of the development have been identified and a suitable reporting mechanism is proposed.

The Tree Protection Plan primarily focuses on the trees of the adjoining land of Ty Coryton and Heronry. This plan has been considered by the Tree Officer who raises no objection to the location of the protected fencing.

8.4 Condition 4 (soft landscaping)

The condition was imposed at the request of the County Tree Officer and agreed by committee. The condition seeks details to ensure compliance with

national and local policies and guidance that seek to ensure acceptable landscaping, including its long-term viability.

The submitted landscape management plan considers a minimum of 5 year's cycle of maintenance. The proposed planting regime, species and strategy remains as considered by the planning committee in its meeting of the 16th September, 2020.

The above amended details have been considered by the County Tree officer and overcome his concerns regarding the planting of too many trees into too small a space which would have undermined future growth.

The proposal would meet planning policy objectives on biodiversity with the submission according with the TACP Ecology walk report that committee and the ecologist considered previously.

The assessment has undertaken an appropriate impact on infrastructure, including underground utilities, and based upon available information the proposal, including future rooting growth, would not undermine existing infrastructure.

Other matters not considered above

- The principle of the development has been established through by the approval of the planning application reference 20/01108/MJR;
- The concerns raised over the proposed cancer hospital model has been raised previously and is not a material consideration in the determination of discharging the details for conditions 3 &4;
- Concern raised over monitoring is noted and has been considered by the Tree Officer who raises no objection to the proposed monitoring regime. It is also worth noting that the embankment along Longwood Drive (where significant landscaping is proposed) is under the ownership of the Council's Highways Authority and who will require their own monitoring to ensure compliance, including inspection, as a result it is considered that there are sufficient safeguards in place to ensure compliance with the approved details;
- Concern over the loss of existing trees and their replacement with semimature trees and additional landscaping would not improve air or noise quality is noted. However, the submitted details are not substantially different to the proposals the committee and technical consultees considered and raised no objections

8.5 Conclusion

The submission is in general accordance with the details committee have previously considered. The proposal has been considered by technical consultees who raise no objections to the amended plans. Whilst a number of

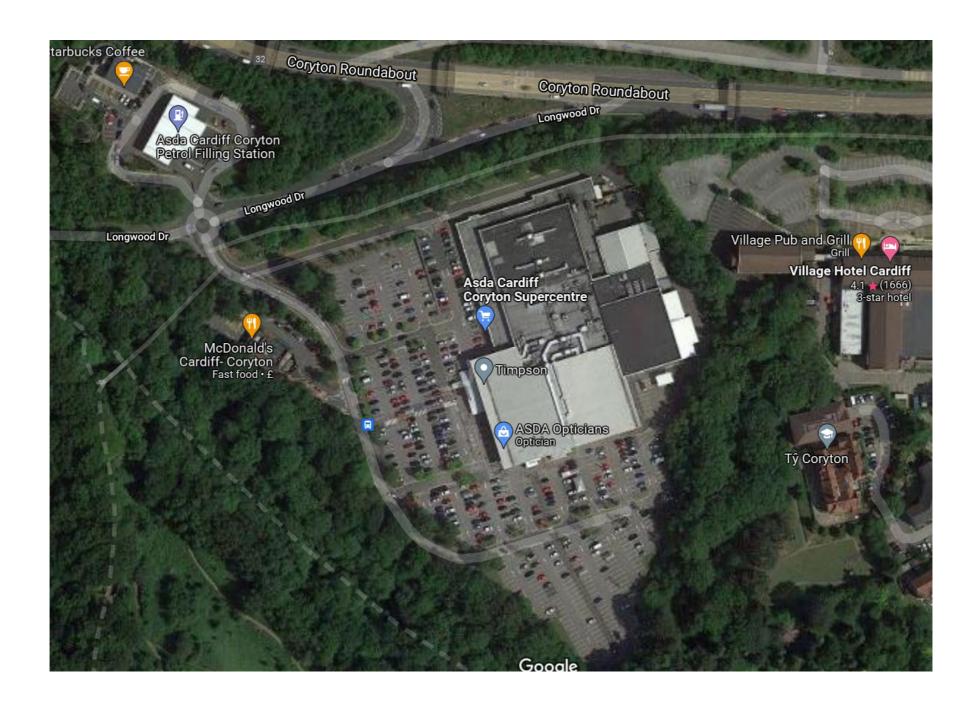
objections have been received, those objections do not raise material matters to warrant the conditions to be refused. Having regard to all material matters it is considered that the proposal accords with the requirements of the conditions and accords with planning policy as a result it is recommended that these conditions are discharged as outlined in recommendation 1 of this report.

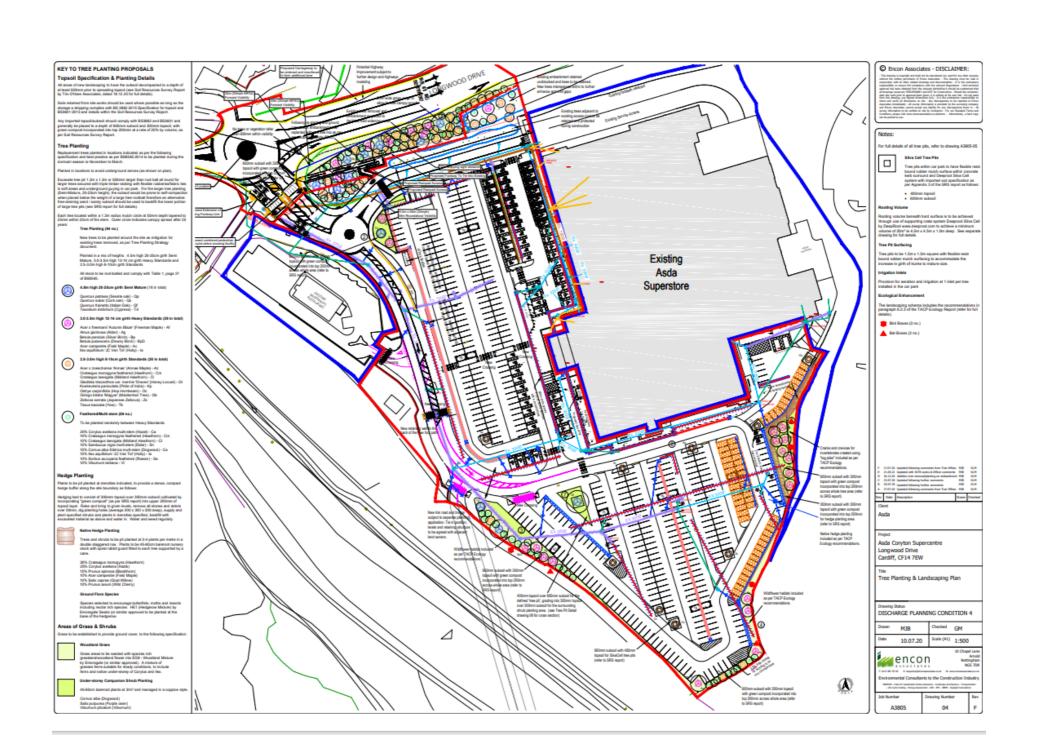
Other matters relevant to the consideration of this application

- 9.1 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.
- 9.2 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.
- 93 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.
- 9. 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.



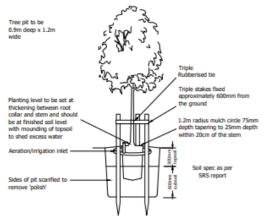


Tree Pit & Stake Specifications

Type A

To be used for semi-mature and heavy standard in soft landscaping areas.

Trees to be planted as per Landscape Planting Methodology & Management Plan - Section 2

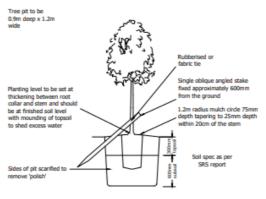


Type B

NOT TO SCALE

To be used for standard, feathered and multi-stem trees in soft landscaping areas

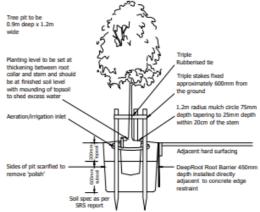
Trees to be planted as per Landscape Planting Methodology & Management Plan - Section 2



Type C

To be used for all trees located less than 1.0m from paved surfacing to protect paved surfaces from root have. DeepPool Root Barrier 450mm depth installed directly adjacent to concrete edge restraint to divert roots downwards to a level where they can safely establish without surface damage.

Trees to be planted as per Landscape Planting Methodology & Management Plan - Section 2



Root Available Soil Volume for Silva Cell Pits

Type D

To be used for all tree planting within the car park

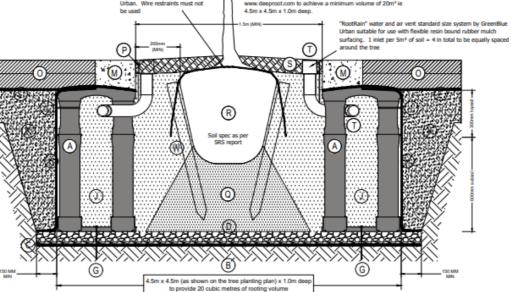
Trees to be planted as per Landscape Planting Methodology & Management Plan - Section 2

KEY TO DETAIL OPPOSITE

- (A) SILVA CELL SYSTEM (DECK, BASE, AND POSTS)
- B SUBGRADE, COMPACTED
- C GEOTEXTILE FABRIC, PLACED ABOVE SUBGRADE
- 100 MM MIN AGGREGATE SUB BASE, COMPACTED TO 95% PROCTOR
- G ANCHORING SPIKES CONTACT DEEPROOT FOR ALTERNATIVE
- GEOGRID, WRAPPED AROUND PERIMETER OF SYSTEM, WITH 150 MM TOE (OUTWARD FROM BASE) AND 300 MM EXCESS (OVER TOP OF DECK)
- () CABLE TIE, ATTACHING GEOGRID TO SILVA CELL AT BASE OF UPPER LEG FLARE, AS NEEDED
- Q PLANTING SOIL, PER PROJECT SPECIFICATIONS, PLACED IN LIFTS AND WALK-IN COMPACTED TO 75-85% PROCTOR
- (K) COMPACTED BACKFILL AS PER PROJECT SPECIFICATIONS
- (L) GEOTEXTILE FABRIC TO EDGE OF EXCAVATION
- (M) CONCRETE KERB EDGE
- SURFACING AND AGGREGATE BASE AS PER PROJECT SPECIFICATIONS
- (P) DEEPROOT ROOT BARRIER, 450 MM, DEPTH DIRECTLY ADJACENT TO CONCRETE EDGE RESTRAINT
- PLANTING SOIL BELOW ROOT BALL, COMPACTED WELL TO PREVENT SETTLING
- R ROOT BALL
- TREE PIT SURFACE TREATMENT (RESIN BOUND RUBBER MULCH AS PER SPECIFICATION)
- T) "ROOTRAIN" WATER AND AIR VENT 4 NO.
- UNDERGROUND GUYING 3 NO. TIMBER STAKES 75MM DIA 1.2M LONG TO SECURE THE ROOTBALL WITH WIRE

SILVA CELL SYSTEM 3X

Root ball secured with ArborGuy
Deadman Anchor by GreenBlue
Urban. Wire restraints must not
be used full supporting crate system Deeproot Silva Cell by DeepRoot
www.deeproot.com to achieve a minimum volume of 20m² le
4.5m x 4.5m x 1.0m deep.



C Encon Associates - DISCLAIMER:

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Notes:

Refer to Tree Planting Plan (A3805-04) for tree pit

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Asda Coryton Supercentre Longwood Drive Cardiff, CF14 7EW

Title
Tree Pit Details for Quercus frainetto

Drawing Status

A3805

M1B

DISCHARGE PLANNING CONDITION 4

Date 21.05.21 Scale (A1) 1:500

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Job Number Drawing Number Rev