

PARC CALON GWYRDD LIMITED

LAND AT ROVER WAY

PRE-APPLICATION CONSULTATION REPORT

**REMOVAL OF FILL MATERIAL AND CONSTRUCTION OF
INDUSTRIAL ACCOMMODATION (B8 USE CLASS), NEW
ACCESS ROADS AND ASSOCIATED LANDSCAPING
WORKS**

SEPTEMBER 2021



Geraint John Planning

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INTRODUCTION

Background

- 1.1 This Pre-Application Consultation (PAC) Report has been prepared in support of a planning application, submitted on behalf of the applicant, Parc Calon Gwyrdd Limited, in relation to the following development proposal on Land at Rover Way, Cardiff:

'THE REMOVAL OF FILL MATERIAL AND THE CONSTRUCTION OF INDUSTRIAL ACCOMODATION (B8 USE CLASS), NEW ACCESS ROADS AND ASSOCIATED LANDSCAPING WORKS'.

Information Submitted in Support of the Application

- 1.2 The following information was consulted upon as part of the PAC process in support of the planning application:

Document	Consultant
Planning Application Forms	Geraint John Planning
Applications Drawings and Plans	Southgate & Sarabia Architects
Design and Access Statement	Southgate & Sarabia Architects
Environmental Statement and Appendices	Various
Energy Statement	Aecom
Job Creation Statement	La Salle Investment Management

Purpose and Structure of this Report

- 1.3 The Report documents the Pre-Application Consultation exercise undertaken by the applicant in light of the introduction on 1st August 2016 of the PAC process by the National Assembly of Wales, under Article 1 of the Town and Country Planning (Development Management) (Wales) (Amendment) Order 2016.
- 1.4 This report meets the specified content requirements, as outlined within Paragraph 44 of the Welsh Government's Guidance on Pre-Application Consultation document <http://gov.wales/docs/desh/publications/160129annex-1-pre-application-consultation-en.pdf>. It also meets the requirements of an Amendment Order to the Town and Country Planning (Development Management Procedure) (Wales) Order 2012, which came into force at midnight on 19th May 2020.
- 1.5 This is documented within the following table:

Ref.	Minimum Requirement	Report Reference
A	A copy of the site notice (Notice 1D) for emergency period	Appendix A
B	A declaration that the site notice was displayed in accordance with the statutory requirements, i.e. in at least one place on or near the development site for no less than 28 days	Section 3
C	A copy of the notice given to owners and occupiers of adjoining land to be given during emergency period	Appendix A
D	Copies of notices provided to councillors, town and community councils and specialist consultees (1C Notice)	Appendix B
E	A summary of all issues raised in response to the statutory publicity (i.e. site notice and letters to owners, occupiers) – the developer must confirm whether the issues raised have been addressed and, if so, how they have been addressed	Section 4
F	Copies of all responses received from specialist consultees with an explanation of how each response has been addressed by the developer.	Appendix C and Section 4

1.6 The Report is structured as follows:

- **Section 2** provides planning policy context on the PAC process;
- **Section 3** provides a declaration that the site notice was displayed accordingly;
- **Section 4** provides a summary of the representations received; and
- **Section 5** sets out our conclusions.

2.0 PLANNING POLICY CONTEXT

2.1 From 1st August 2016, the requirement to undertake PAC is applicable to all 'major' (as defined in article 2 of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012) planning applications (full or outline) and applications for Development of National Significance (DNS).

2.2 In a letter sent from the Welsh Minister for Housing and Local Government to Local Authority Heads of Planning in Wales on 15th May 2020, some changes were outlined to the protocol for pre-application consultations for major development before submitting a planning application. This is outlined below, as stated in the letter:

'developers must make all the information available on a website and send hard copies of the documents to any person who requests it. If hard copies are requested, an application must not be submitted before the period of 14 days beginning with the day on which the last document is sent'

2.3 Therefore, and as set out in Article 4 Part 1A of The Town and Country Planning DMPWO (Amendment) 2016, **AND** the Planning Applications (Temporary Modifications and Disapplication) (Wales) (Coronavirus) Order 2020 (The Amendment Order), the applicant must for a period of no less than 28 days before an application is submitted:

- Display a site notice in at least one place on or near the land to which the proposed application relates for a period of no less than 28 days before submitting an application for the proposed development;
- Write to any owner or occupier of land adjoining the land to which the proposed application relates;
- Make the draft planning application information available publicly;
- **Make all draft planning application documents available on a website and send hard copies of the documents to any person who requests it, and if hard copies are requested, an application must not be submitted before the period of 14 days beginning with the day on which the last document is sent;**
- Consult community and specialist consultees before applying for planning permission;
- Consider if an Environmental Impact Assessment (EIA) is required for the project;
- Submit a PAC report as part of the planning application.

2.4 This document confirms to Cardiff Council that the above requirements have been met within the pre-application consultations exercise for the proposed development.

3.0 DECLARATION

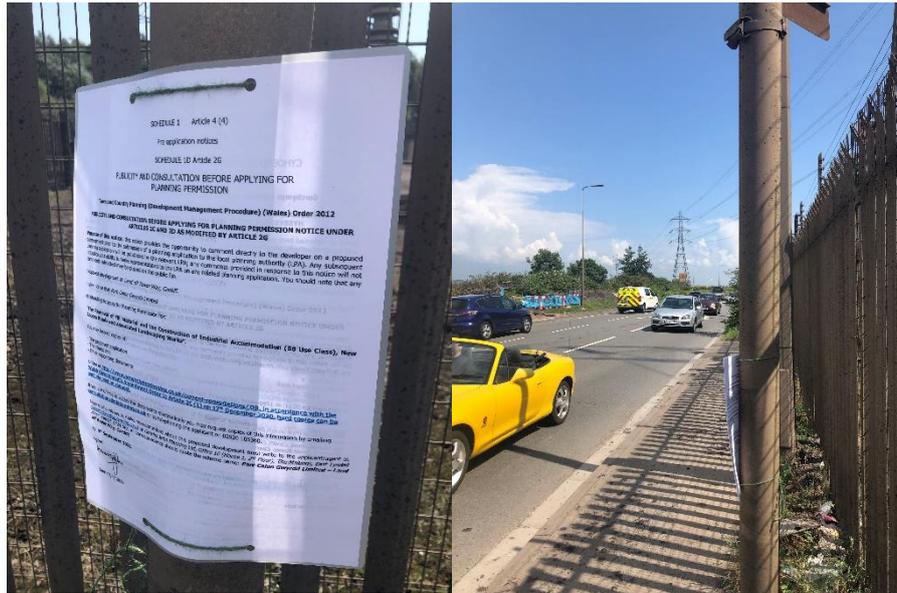
3.1 This section provides, in line with article 2C(1)(a)(i) of the Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016, a declaration that the applicant has publicised the proposed application by bilingual (English and Welsh) site display in various locations surrounding the site, as noted and identified in the map below:

- One at the junction between Seawall Road and Rover Way in direct proximity to the Traveller's Site and the footfall associated with Rover Way; and
- One in the Rover Way Industrial Estate in direct proximity to the businesses in the area.

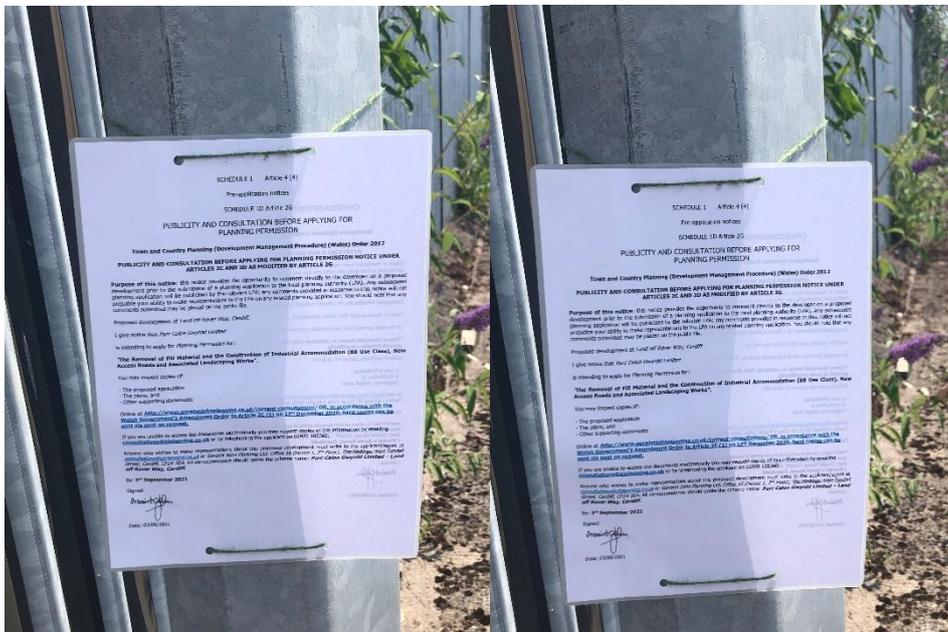


Location of displayed site notices (identified by yellow circles)

3.2 The site notices were erected on 3rd August 2021. Photographs of the displayed site notices are provided overleaf:



Site notice displayed near Traveller's site



Site notice displayed in Industrial Estate

- 3.3 The site notices were on display from 3rd August 2021 until 3rd September 2021.
- 3.4 The site notice (Schedule 1D), included in **Appendix A**, advises that Parc Calon Gwyrdd Limited is applying for 'THE REMOVAL OF FILL MATERIAL AND THE CONSTRUCTION OF INDUSTRIAL ACCOMMODATION (B8 USE CLASS), NEW ACCESS ROADS AND ASSOCIATED LANDSCAPING WORKS' at Land at Rover Way.
- 3.5 Copies of the proposed application including, but not limited to, the plans and other supporting documents, were available online at [PARC CALON GWYRDD LIMITED – LAND OFF ROVER WAY, CARDIFF – Geraint John Planning](#). The information was made available on the website from 3rd August 2021 to 3rd September 2021.

- 3.6 As per The Planning Applications (Temporary Modifications and Disapplication) (Wales) (Coronavirus) Order 2020 ("the Amendment Order"), plans and documents were made available on the website, and the site notice and Notice 1D document confirmed that hard copies were available to be sent upon request, in accordance with The Amendment Order.
- 3.7 Representations on the proposed development were directed to the agent, Geraint John Planning Ltd, either by email (to consultations@gjplanning.co.uk) or by post (to Office 16, House 1, 2nd Floor, The Maltings, East Tyndall Street, Cardiff) within 28 days of the initial site notice, quoting the scheme name: *PARC CALON GWYRDD LIMITED – LAND OFF ROVER WAY, CARDIFF.*

4.0 SUMMARY OF REPRESENTATIONS

- 4.1 In line with article 2F(2)(d) of the Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016, **Appendix A** contains a copy of the Schedule 1D notice given to community consultees, whilst **Appendix B** contains a copy of the notice 1C given to specialist consultees.

Community / Adjoining Owner/ Occupier Notices

- 4.2 Bilingual Schedule 1D notices were posted to surrounding occupiers / owners of land adjoining the development on 3rd August and were sent to the local ward Councillors – Councillor Stubbs, Councillor Thomas and Councillor Henshaw via email on the same day. The extent of neighbourhood consultation, as illustrated in the image below, was carefully considered and discussed with planning officers at Cardiff Council to ensure the exercise was robust and productive.



Extent of Community Consultation

- 4.3 The letters informed the occupiers identified in the map above of the applicant's intention to submit an application. The notices also identified where the associated plans and reports could be viewed and how to provide feedback concerning these. They also outlined where and how hard copy plans could be obtained, if required. In light of ongoing restrictions related to the corona-virus pandemic, and the lack of possibility to enter the buildings belonging to adjoining landowners (which are predominantly industrial in nature and gated), please note that the below adjoining landowners were consulted via first-class post due to the inability to physically post a notice.

PAC Best Practice

- 4.4 In addition to the minimum statutory requirements, officers at the Local Planning Authority were sent a location plan and description of development prior to the start of the pre-application period and asked to confirm the appropriate consultees and provide guidance as to whether the proposed extent of neighbour consultation was acceptable. This was done to ensure that the PAC exercise was as extensive as possible and to fully reflect any consultation that the Local Planning Authority may carry out following receipt of this report and the associated planning application. On receipt of an email from Tim Walter dated 29th July 2021, the applicant added the *Cardiff Council Contaminated Land Team* to the list of statutory consultees and both *Celsa Manufacturing* and the *Rover Way Traveller Site* to the list of neighbour consultees. This

was at the suggestion of the Local Planning Authority and actively addressed by the client demonstrating the applicant's willingness to ensure the scope of the PAC exercise was as robust and productive as possible.

Adjoining Land Owners	
Bayliss Metals Cardiff, Tremorfa Industrial Estate, Martin Road, Cardiff, CF24 5SD	By letter addressed to the owner and/or occupier
Bill Way & Co Ltd, Tremorfa Industrial Estate , 16 Martin Road, Cardiff, CF24 5SD	By letter addressed to the owner and/or occupier
Celsa Manufacturing, Seawall Rd, Cardiff, CF24 5PH	By letter addressed to the owner and/or occupier
Dwr Cymru Welsh Water, Tide Fields Road, Cardiff, CF24 5SB	By letter addressed to the owner and/or occupier
Generation Hire & Sale, Tremorfa Industrial Estate, Martin Rd, Cardiff, CF24 5SD	By letter addressed to the owner and/or occupier
National Engine Centre, Tremorfa Industrial Estate, Rover Way, Cardiff, CF24 5SD	By letter addressed to the owner and/or occupier
Sims Metal Cardiff, Unit 6, Martin Road, Cardiff, CF24 5SD	By letter addressed to the owner and/or occupier
Steelphalt, Tide Fields Rd, Cardiff, CF25 5SB	By letter addressed to the owner and/or occupier
Rover Way Travellers Site, Rover Way, Cardiff, CF24 5PH	By letter addressed to the owner and/or occupier
1 st Choice Vehicles, Unit 12, 13 Martin Road, Cardiff, CF24 5SD	By letter addressed to the owner and/or occupier
Cardiff Car Finder, 16A Martin Road, Tremorfa, Cardiff, CF24 5SD	By letter addressed to the owner and/or occupier
Cardiff Reclamation, Tremorfa Industrial Estate, Martin Road, Cardiff, CF24 5SD	By letter addressed to the owner and/or occupier
Diggers Vehicle Dismantlers, Martin Road, Tremorfa, Tremorfa Industrial Estate, Cardiff, CF24 5SD	By letter addressed to the owner and/or occupier
Dragons Taxis Cardiff, Unit 5, Martin Road, Tremorfa, Industrial Estate, Cardiff, CF24 5SD	By letter addressed to the owner and/or occupier
Engine Centre.com, 1 Tremorfa Industrial Estate, Derby Rd, Tremorfa, Cardiff, CF24 5SD	By letter addressed to the owner and/or occupier
Tremorfa Industrial Estate, Derby Rd, Cardiff, CF24 5SD	By letter addressed to the owner and/or occupier
Welsh Water Organic Energy, Tide Fields Road, Cardiff, CF24 5SB	By letter addressed to the owner and/or occupier

Adjoining Landowners consulted via letter

- 4.5 In total, no responses were received from the adjoining landowners or local residents regarding the proposed development.
- 4.6 Similarly, no comments were received from the Local Councillors.

Specialist Consultee Notices

- 4.7 Bilingual Schedule 1C notices were sent via email on 3rd August 2021 to the following parties so as to inform them of the Applicant's intention to submit an application and also where and how they could view the associated plans and reports and provide feedback concerning these:
- Cadw;
 - Cardiff Council Drainage;
 - Cardiff Council Ecology;
 - Cardiff Council Estates;
 - Cardiff Council Highways;
 - Cardiff Council Pollution Control;
 - Cardiff Council Contaminated Land Team;
 - Coal Authority;
 - DCWW;
 - GGAT; and
 - NRW.
- 4.8 In line with article 2F(2)(f) of the Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016, **Appendix D** contains a copy of all of the responses received from specialist consultees. **Table 2** provides a summary of all issues raised by the specialist consultees and a response to how they have been addressed. It must also be noted that, in the interest of good practice, reminders were sent to statutory consultees halfway through the process to ensure the robustness of the consultation exercise.

Table 2 – Summary of representations received from specialist consultees

Date	Consultee	Representation	Response
06/08/2021	Environment Team (Shared Regulatory Services)	Further to receipt of your email enquiry below on 3 August 2021, the following comments are provided by Shared Regulatory Services Environment Team (SRS) in relation to land quality: 'Parc Calon Gwyrdd Limited' are intending to apply for Planning Permission for: "The Removal of Fill Material and the Construction of Industrial Accommodation (B8 Use Class), New Access Roads and Associated Landscaping Works". The information available via the consultation link includes a draft Environmental Statement. This considers the existing contamination, as informed by desk studies and ground investigations, comprised of the chemical analyses of the overburden materials sampled during trial pitting undertaken by Integral Géotechnique in 2017. The ES goes on to consider how these will be affected by the proposed development during construction and operational phases and proposes strategies for mitigating the impacts identified in respect of contamination and ground gas. The ES acknowledges that further surveys (and permit approvals under other legislation) will be required as the development progresses. Any areas of concern either not considered or identified by those assessments submitted at the application stage can be dealt with by the inclusion of geo-environmental conditions as part of any consent. Based on available information, the relevant standard conditions included as part	The response is noted.

Date	Consultee	Representation	Response
		<p>of the planning process are included below for information:</p> <p><u>Conditions</u></p> <p>PC13 Ground Gas Protection</p> <p>Prior to the commencement of any development works a scheme to investigate and monitor the site for the presence of gases* being generated at the site or land adjoining thereto, including a plan of the area to be monitored, shall be submitted to the Local Planning Authority for its approval.</p> <p>Following completion of the approved monitoring scheme, the proposed details of appropriate gas protection measures to ensure the safe and inoffensive dispersal or management of gases and to prevent lateral migration of gases into or from land surrounding the application site shall be submitted to and approved in writing to the LPA. If no protection measures are required than no further actions will be required.</p> <p>All required gas protection measures shall be installed and appropriately verified before occupation of any part of the development which has been permitted and the approved protection measures shall be retained and maintained until such time as the Local Planning Authority agrees in writing that the measures are no longer required.</p> <p>Gases' include landfill gases, vapours from contaminated land sites, and naturally occurring methane and carbon dioxide, but does not include radon gas. Gas Monitoring programmes should be designed in line with current best practice as detailed in CIRIA 665 and BS 8485:2015+A1:2019 Code of practice for the design of protective measures for methane and carbon dioxide ground gases for new buildings.</p> <p>Reason: To ensure that the safety of future occupiers is not prejudiced.</p> <p>PC14A. CONTAMINATED LAND MEASURES – ASSESSMENT</p> <p>Prior to the commencement of the development an assessment of the nature and extent of contamination shall be submitted to and approved in writing by the Local Planning Authority. This assessment must be carried out by or under the direction of a suitably qualified competent person * in accordance with BS10175 (2011) Code of Practice for the Investigation of Potentially Contaminated Sites and shall assess any contamination on the site, whether or not it originates on the site. The report of the findings shall include:</p>	

Date	Consultee	Representation	Response
		<p>(i) a desk top study to identify all previous uses at the site and potential contaminants associated with those uses and the impacts from those contaminants on land and controlled waters. The desk study shall establish a 'conceptual site model' (CSM) which identifies and assesses all identified potential source, pathway, and receptor linkages;</p> <p>(ii) an intrusive investigation to assess the extent, scale and nature of contamination which may be present, if identified as required by the desk top study;</p> <p>(iii) an assessment of the potential risks to:</p> <ul style="list-style-type: none"> - human health, - groundwaters and surface waters - adjoining land, - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, - ecological systems, - archaeological sites and ancient monuments; <p>and</p> <ul style="list-style-type: none"> - any other receptors identified at (i) <p>(iv) an appraisal of remedial options, and justification for the preferred remedial option(s).</p> <p>All work and submissions carried out for the purposes of this condition must be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR 11' (September 2004) and the WLGA / WG / NRW guidance document 'Land Contamination: A guide for Developers' (2017), unless the Local Planning Authority agrees to any variation.</p> <p>* A 'suitably qualified competent person' would normally be expected to be a chartered member of an appropriate professional body (such as the Institution of Civil Engineers, Geological Society of London, Royal Institution of Chartered Surveyors, Institution of Environmental Management) and also have relevant experience of investigating contaminated sites.</p> <p>Reason: To ensure that information provided for the assessment of the risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems is sufficient to enable a proper assessment.</p>	

Date	Consultee	Representation	Response
		<p>PC14B. CONTAMINATED LAND MEASURES – REMEDIATION & VERIFICATION PLAN</p> <p>Prior to the commencement of the development a detailed remediation scheme and verification plan to bring the site to a condition suitable for the intended use by removing any unacceptable risks to human health, controlled waters, buildings, other property and the natural and historical environment shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.</p> <p>All work and submissions carried out for the purposes of this condition must be conducted in accordance with DEFRA and the Environment Agency’s ‘Model procedures for the Management of Land</p> <p>Contamination, CLR 11’ (September 2004) and the WLGA / WG / NRW guidance document ‘Land Contamination: A guide for Developers’ (2017), unless the Local Planning Authority agrees to any variation.</p> <p>Reason: To ensure that any unacceptable risks from land contamination to the future users of the land , neighbouring land, controlled waters, property and ecological systems are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy EN13 of the Cardiff Local Development Plan.</p> <p>PC14C. CONTAMINATED LAND MEASURES - REMEDIATION & VERIFICATION</p> <p>The remediation scheme approved by condition x (PC14B above) must be fully undertaken in accordance with its terms prior to the occupation of any part of the development unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.</p> <p>Within 6 months of the completion of the measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.</p>	

Date	Consultee	Representation	Response
		<p>All work and submissions carried out for the purposes of this condition must be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR 11' (September 2004) and the WLGA / WG / NRW guidance document 'Land Contamination: A guide for Developers' (2017), unless the Local Planning Authority agrees to any variation.</p> <p>Reason : To ensure that any unacceptable risks from land contamination to the future users of the land , neighbouring land, controlled waters, property and ecological systems are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy EN13 of the Cardiff Local Development Plan.</p> <p>PC14D. CONTAMINATED LAND MEASURES – UNFORESEEN CONTAMINATION</p> <p>In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing within 2 days to the Local Planning Authority, all associated works must stop, and no further development shall take place unless otherwise agreed in writing until a scheme to deal with the contamination found has been approved. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme and verification plan must be prepared and submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be submitted to and approved in writing by the Local Planning Authority. The timescale for the</p> <p>above actions shall be agreed with the LPA within 2 weeks of the discovery of any unsuspected contamination.</p> <p>Reason: To ensure that any unacceptable risks from land contamination to the future users of the land , neighbouring land, controlled waters, property and ecological systems are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy EN13 of the Cardiff Local Development Plan.</p> <p>PC15A IMPORTED SOIL</p> <p>Any topsoil [natural or manufactured], or subsoil, to be imported shall be assessed for chemical or other potential contaminants in accordance with a scheme of investigation which shall be submitted to and approved in writing by the Local</p>	

Date	Consultee	Representation	Response
		<p>Planning Authority in advance of its importation. Only material approved by the Local Planning Authority shall be imported. All measures specified in the approved scheme shall be undertaken in accordance with the relevant Code of Practice and Guidance Notes.</p> <p>Subject to approval of the above, sampling of the material received at the development site to verify that the imported soil is free from contamination shall be undertaken in accordance with a scheme and timescale to be agreed in writing by the LPA.</p> <p>Reason: To ensure that the safety of future occupiers is not prejudiced in accordance with policy EN13 of the Cardiff Local Development Plan.</p> <p>PC15B IMPORTED AGGREGATES</p> <p>Any aggregate (other than virgin quarry stone) or recycled aggregate material to be imported shall be assessed for chemical or other potential contaminants in accordance with a scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority in advance of its importation. Only material approved by the Local Planning Authority shall be imported. All measures specified in the approved scheme shall be undertaken in accordance with the relevant Code of Practice and Guidance Notes.</p> <p>Subject to approval of the above, sampling of the material received at the development site to verify that the imported material is free from contamination shall be undertaken in accordance with a scheme and timescale to be agreed in writing by the LPA.</p> <p>Reason: To ensure that the safety of future occupiers is not prejudiced in accordance with policy EN13 of the Cardiff Local Development Plan.</p> <p>PC15C USE OF SITE WON MATERIALS</p> <p>Any site won material including soils, aggregates, recycled materials shall be assessed for chemical or other potential contaminants in accordance with a sampling scheme which shall be submitted to and approved in writing by the Local Planning Authority in advance of the reuse of site won materials. Only material which meets site specific target values approved by the Local Planning Authority shall be reused.</p> <p>Reason: To ensure that the safety of future occupiers is not prejudiced in accordance with policy EN13 of the Cardiff Local Development Plan.</p>	



Date	Consultee	Representation	Response
09/08/2021	The Coal Authority	<p>I have checked the site location plan against the information held by the Coal Authority and can confirm that the proposal development site is located outside of the defined coalfield.</p> <p>Accordingly, there is no requirement for the applicant to consider coal mining legacy as part of any formal planning application for this site, or for the Local Planning Authority to consult The Coal Authority.</p>	The response is noted.
09/08/2021	GGAT	<p>Many thanks for the pre-planning enquiry. We have consulted the regional Historic Environment Record (HER) and note the application area is formed from industrial material placed to reclaim ground from the Severn Estuary during the 1970s. The ground is formed from layers of material tipped in different events since then, forming a modern made-ground of significant depth. The site is currently composed of a motor cross track, formed of fill 'sourced from St Davids 2 construction site, the Leckwith out of town development and sports facilities and Celsa steel works'. Furthermore, archaeological works adjacent to the southwest of the proposal have not shown any significant archaeological features or finds.</p> <p>As a result it is unlikely that significant archaeological material will be encountered during the course of the proposed works.</p> <p>Therefore, should a similar application to the one you have outlined be submitted, we would be unlikely to recommend any pre-determination works, or that any archaeological conditions are attached to any consent. This is consistent with our previous responses for this site.</p>	The response is noted.
16/08/2021	Public Rights of Way	<p>Having looked over the site plans, the Wales Coast Path which is also a Public Right of Way, Sploft No.1, appears to be retained on the general alignment. The end locations appear to be a bit strange, however, in how the site is designed as the footpath is taken into the compound. The footpath would have to cross the bund on the eastern side as well so a rethink on how this is going to work is needed. There are a number of issues in the vicinity for vandalism and fly tipping therefore we would have expected the footpath to stay outside of the compound and road network for their own site security. It also means the footpath can be retained within a green corridor. It would be useful to have the footpath overlooked at the end points so that it isn't hidden away creating areas of antisocial behaviour/vandalism.</p>	The response is noted.

Date	Consultee	Representation	Response
		<p>Overall, there are no real issues as they have stated they will implement biodiversity improvements, better signage for the Wales Coast Path and surface improvements. We will await these details to provide further comments.</p>	
26/08/2021	DCWW	<p>I refer to your pre-planning enquiry received relating to the above site, seeking our views on the capacity of our network of assets and infrastructure to accommodate your proposed development. Having reviewed the details submitted I can provide the following comments which should be taken into account within any future planning application for the development.</p> <p><u>SEWERAGE</u></p> <p>I refer to the Schedule 1C - Article 2D notice received and your formal request for a pre-application consultation response before applying for planning permission from Dwr Cymru Welsh Water as a 'Specialist Consultee' as defined by Paragraph (y) of Schedule 4 of the Town & Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016. It is acknowledged that the consultation request relates to a major development site and thus seeks a substantive response within 28 days from the date of the notice, as per the requirements of Article 2E. This request includes our views on the capacity of our network of assets and infrastructure to accommodate your proposed development. Having reviewed the details submitted I would advise that we OBJECT to the proposed development and offer the following standing advice which should be taken into account within any future planning application for the development.</p> <p><u>ASSET PROTECTION</u></p> <p>As stated in previous planning responses to the proposed development site, we advise this site is traversed by and located in close proximity to a number of public sewers/assets, some of which are of strategic importance. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at</p>	<p>The response is noted and the applicant is forthcoming with regards to supplying the information needed.</p> <p>It must be noted, however, that the provided layouts are indicative only at this stage, as there are four options provided. In light of this, the applicant is looking to engage with Welsh Water and Cardiff Council, at the appropriate time, to establish the preferred layout.</p> <p>The applicant's responses to the DCWW comments, and how the issues raised will be addressed, are outlined in further detail below.</p>

Date	Consultee	Representation	Response
		<p>all times. No part of any building will be permitted within a specified protection zone which are defined as:</p> <p>12 metres either side of the centreline of the 2400mm public combined sewer 12 metres either side of the centreline of the 2500 public combined sewer overflow 8 metres either side of the centreline of the 1850mm public combined sewer 7.5 metres either side of the centreline of the 1500mm public combined sewer 6 metres either side of the centreline of the 1200mm public surface water sewer 6 metres either side of the centreline of the 1065mm public surface water sewer 4.5 metres either side of the centreline of the 900mm public surface water sewer</p> <p>However, having regard to the Proposes Site Plans, it appears the proposed development would be situated within the protection zone of these strategic assets.</p> <p>Given the size and strategic nature of these assets we advise we would not permit for any of these existing public sewers to be diverted. Therefore, we recommend the proposed development is repositioned to accommodate for the required protection zones. In the first instance, it is recommended that the developer carry out a survey to ascertain the location of this sewer and establish its relationship to the proposed development.</p> <p>SEWERAGE</p> <p>We acknowledge this development proposes a number of industrial buildings. However, in order for us to assess whether suitable capacity exists within the sewerage network, we kindly request the following further information from the applicant, including:</p> <ul style="list-style-type: none"> - Proposed number of employees - Proposed foul discharge rate - The proposed use of the industrial buildings - If communication of non-domestic foul flows (Trade Effluent) is required <p>From further review upon retrieval of this information, should we determine there is insufficient capacity within the existing public sewerage network, we may recommend that you instruct us to undertake a Hydraulic Modelling Assessment (HMA) which is at the developer's expense and will examine the impact of the introduction of flows from your development upon the performance of the existing network and consider. Where required and appropriate, the HMA will then identify solutions and points of communication to ensure that your site can be accommodated within the system.</p> <p>SEWAGE TREATMENT</p>	

Date	Consultee	Representation	Response
		<p>No problems are envisaged with the Waste Water Treatment Works for the treatment of domestic discharges from this site.</p> <p>WATER SUPPLY</p> <p>We acknowledge this development proposes a number of industrial buildings. However, in order for us to assess whether suitable capacity exists within the clean water network, we kindly request the following further information from the applicant, including:</p> <ul style="list-style-type: none"> - Proposed number of employees - Required potable water rate - The proposed use of the industrial buildings - Confirmation of any proposed clean water storage tanks <p>From further review upon retrieval of this information, should we determine there is insufficient capacity within the existing public clean water network, we may recommend that you instruct us to undertake a Hydraulic Modelling Assessment (HMA) which is at the developer's expense and will examine the impact of the introduction of flows from your development upon the performance of the existing network and consider. Where required and appropriate, the HMA will then identify solutions and points of communication to ensure that your site can be accommodated within the system.</p>	
01/09/2021	Cadw	<p><u>Advice</u></p> <p>The following comments are based on information made available to us as part of the pre-application consultation and we will review our comments when we are consulted on the final planning application. Our assessment of the pre-application is given below.</p> <p>Having carefully considered the information provided, we have no objection to the proposed development in regard to the scheduled monuments or registered historic parks and gardens listed in our assessment of the application below.</p> <p>The national policy and Cadw's role in the planning process is set out in Annex A.</p> <p><u>Assessment</u></p> <p>Scheduled Monuments GM296 Pen y lan Roman Site GM474 Relict Seawall on Rumney Great Wharf</p> <p>Registered Parks and Gardens: PGW (Gm) 24(CDF) Roath Park (grade I) PGW (Gm) 29(CDF) Waterloo Gardens and Roath Mill Gardens (grade II)</p>	The response is needed.

Date	Consultee	Representation	Response
		<p>This planning application is a proposal for outline consent for the removal of fill material and the construction of industrial accommodation (use class b8), new access roads and associated landscaping works on land off Rover Way, Cardiff.</p> <p>The above designated historic assets are located inside 3km of the proposed development but apart from scheduled monument GM474 intervening topography, buildings, and vegetation block all views between them. Consequently the proposed development will have no impact on the settings of these designated historic assets.</p> <p>Scheduled monument GM474 Relict Seawall on Rumney Great Wharf. The monument consists of a relict seawall 540m in length located to the north of the modern seawall on Rumney Great Wharf. Documentary evidence shows this length of wall to have been set back in 1591 and much of the surviving clay bank may be original. The wall stands between 1m to 2m high on the seawall side and 3.2m high on the landward side. It is 6m to 7m wide at the base and 2m at the top.</p> <p>The seawall was located to protect the flat land behind it and views were not a factor in its position. Its setting relates to its relationship with the sea and the land it protects: However in recent year considerable works on the land behind it have altered this area from its' historic agricultural use to soil storage with bunds and industrial buildings and equipment being constructed.</p> <p>The proposed development will be visible from the scheduled monument but not in a significant view and will be seen as part of the industrial complexes along Rover Way. As such whilst there may be a very slight visual change in the view from the monument this will not have any effect on the way that it is experienced, understood and appreciated. Consequently the proposed development will have no impact on the setting of scheduled monument GM474.</p> <p>It is noted that the proposed development is located on reclaimed marshland, which formed part of the Gwent Levels. As such it is possible that important archaeological features could be located in the development area but this possibility has not been considered in the Environmental Statement that has been prepared for submission with the planning application. It is therefore strongly recommended that the Glamorgan-Gwent Archaeological Trust, the archaeological advisors to Cardiff City Council, should be consulted as part of this pre-application consultation to ascertain if information on this possible material consideration in the</p>	

Date	Consultee	Representation	Response
		<p>determination of this application should be provided.</p> <p>Finally, there may also be undesignated historic assets that could be affected by the proposed development and, if you have not already done so, we would advise that you consult the Historic Environment Record held by the Glamorgan-Gwent Archaeological Trust www.ggat.org.uk</p>	
03/09/2021	Cardiff Council Highways	<p>Thank you for the invitation to comment on this PAC which outlines a proposal to replace an approved biomass plant with additional warehousing (Use Class B8 Use). I would also confirm receipt of a discussion note outlining the approach in Transportation terms in April 2021.</p> <p>The proposal is to replace the approved biomass plant and 12,000m² of B8 with 50,000m² of B8 which would result in an additional 38,000m² of B8. There are a number of indicative internal layouts for the proposed development provided and one has been used as a possible example of the layout of development being proposed.</p> <p>The applicant is proposing to retain the existing vehicular access via Tide Fields Road as well as the new approved priority junction with right turn lane on Rover Way. The new access arrangement off Rover Way has full approval to construct and it is illustrated that the junction would operate in an acceptable manner. It is noted that the PAC documentation provides no detail regarding the Tide Fields Road access, but it is noted this forms part of Cardiff Council's adopted highway and currently provides for all movements associated with the Welsh Water Treatment Works. It was also the access used by Cardiff County Council to accept over a million tons of fill material onto the site from the St Davids 2 development and the new Cardiff City Stadium and sports arena at Leckwith. As such, it is considered totally acceptable and satisfactory that Tide Fields Road can be used as an additional access to the site during construction and operation.</p> <p>As outlined in the PAC documentation the removal of waste material from the site would be undertaken in the already approved manner (associated with the approved land use permission) assuming that no changes in duration of the process were to be applied. There are a number of existing conditions associated with the movement and number of HGVs associated with the operation within the existing permission, which it is envisaged (at this time) would continue / be re-applied to any permission.</p> <p>It is noted that the documentation identifies additional traffic movements on Rover Way in particular generated by the additional B8 use. The Transport Note in Appendix 9.1</p>	The response is noted.

Date	Consultee	Representation	Response
		<p>indicates that there will be an increase in AM and PM peak flows of 2% and daily flow of 3% over the scheme which had its consent extended in January 2021. Your suggestion is that the traffic flows within Cardiff are now well below pre-Covid flows. Whilst this is a general statement and there is no detailed evidence to support this assertion with particular reference to Rover Way, increases of this small magnitude are well within weekly variations of existing flows and are considered acceptable.</p> <p>We would normally expect applicants to use the junction assessment tool within the Council's Managing Transportation Impact SPG, as well as the associated guidance document, which refers to the methodology for Assessment of Priority Controlled Junctions. However, we recognise that Vectos have undertaken a detailed junction capacity assessment using industry standard software within the submitted Transport Statement (Junctions9) and this is considered robust. The assessment confirms the junction will operate within capacity albeit with some queueing (typically one vehicle) on the development arm during the morning and evening peak period.</p> <p>The PAC documentation indicates support for a number of policy documents, including PPW (ed 11), Wales Transport Strategy, Active Travel Act (Wales) 2013, Future Wales and the council's LDP, which rely upon the support of alternative modes of travel to a site. We recognise that the Transport Statement included in Appendix 9.1, Within the PAC documentation, makes reference to the scheme is indicative at this stage and describes the reasoning for the difference in the SPG Parking Standards and that shown on the indicative layout. It is recognised that this is an outline application and this matter will need to be the subject of more detailed discussion at the time of submission of a detailed application and supporting Transport Management Plan.</p>	
03/09/2021	NRW	<p>We have concerns with the application as proposed because inadequate information has been provided. To overcome these concerns, you should provide further information in your planning application regarding protected sites. If this information is not provided, we may object to the planning application when formally consulted by the planning authority. Further details are provided below. We also advise that based on the information submitted to date, we would ask the planning authority to include conditions regarding land contamination and drainage on any planning permission granted. Without the inclusion of these conditions by the planning authority we would be likely to object to the planning permission. Ecology - Protected Sites (SAC, SPA, Ramsar and SSSI) We have reviewed Environmental Statement, Chapter 8 (Ecology) and note submission of the following documents in support of Chapter 8:</p>	<p>The response is noted.</p> <p>With regards to what was approved in the extant consent on the site in January, the applicant considers the information supplied in the ES to be appropriate.</p> <p>It is considered that the flood defence scheme's impact on the development will be none – the same applies to any changes in the coastal</p>

Date	Consultee	Representation	Response
		<p>'Parc Calon Gwyrdd Limited, Land at Rover Way, Cardiff – Ecological Survey' by Sturgess Ecology dated August 2017 (Survey) • 'Aculeate Survey of Former Frag Tip, Rover Way Cardiff' by Liam T. Olds dated 14 August 2017 • 'Proposed Site Plan' Drawing ref SASA-90113-A-ZZ-XX-DR by Southgate and Sarabia dated 24 June 2021 (Proposed Site Plan) • 'Proposed Site Sections - 01' Drawing ref SASA-90302-A-ZZ-XX-DR by Southgate and Sarabia dated 24 June 2021 (Proposed Site Sections) The Severn Estuary Special Area of Conservation (SAC), Special Protection Area (SPA), Wetland of International Importance (Ramsar Site) and Site of Special Scientific Interest (SSSI) lie adjacent to the application boundary. We note that aspects of the construction works will be undertaken within the designated sites' boundary. The Gwent Levels – Rumney and Peterstone SSSI lies approximately 1.5km from the application boundary. We recommend you seek the advice of the local authority ecologist to determine whether ecological survey supporting this application needs to be updated given the time lapse since the original survey effort. Ornithology We welcome the measures stated to minimise the disturbance to Severn estuary SPA, SSSI and Ramsar site bird features during construction, particularly a working method to be agreed with us. Proposed permanent changes to the route of the Wales Coast Path (WCP) to follow the top of the coastal bund, therefore breaking the skyline, have the potential to disturb the migratory and overwintering bird features of the Severn Estuary SPA, SSSI and Ramsar site. The temporary re-routing of the WCP onto the foreshore during the summer construction period is unlikely to impact the migratory and overwintering features of the Severn Estuary SPA, SSSI and Ramsar site. We agree that the permanent re-routing of the WCP along the top of the coastal bund has the potential to increase disturbance to the migratory and overwintering species of the Severn Estuary (ES 8.5.31), as the skyline will be being broken in an area where it was not previously. However, although WCP users in this area are currently determined to be low, there could potentially be increased risk of disturbance to wintering and migratory bird species through increased use of the WCP following the completion of the works. Disturbance of birds by pedestrians using the WCP should be considered in further detail and, should it be necessary because of the findings of the assessment, further mitigation is incorporated into the proposal. However please note the following comments seeking clarification for the relationship of the WCP and engineering works. We note that Proposed Site Plan indicates that the majority of the WCP will be retained in its current position and two sections near the east and west boundaries of the site, will be re-routed. We note that the Proposed Site Plan indicates the location of existing sloped land and the majority of the WCP is located on the sloped land. We note Chapter 8, Section 8.5.31 states that the Wales</p>	<p>path delineation and impact of bird flight.</p> <p>The applicant's response to the NRW comments is set out in further detail below.</p>

Date	Consultee	Representation	Response
		<p>Coast Path (WCP) will be re-routed and users of the path will be less screened than at present.</p> <p>However, it is unclear from the submitted Proposed Site Plan and Proposed Site Sections plans if engineering works will result in the WCP being located so to cause breaks in the skyline during pedestrian use. The location of WCP and the coastal bund should be clarified to establish where breaks in skyline are located. We also note paragraphs 8.4.20 and 8.5.10 refers to previous studies used for determining locations of birds relative to the site. Paragraph 8.5.30 also refers to bird movements / behaviour which are not referenced with a source. We advise the studies that inform these comments are submitted in support of your planning application, thus providing the necessary justification regarding their validity (e.g. in terms of age). Mitigation and Enhancement We provide the following advice regarding the Proposed Mitigation and Enhancement which is likely to need to be secured through the planning permission and referenced in any Habitat Regulations Assessment (HRA) prepared by the planning authority. Further advice on the HRA is set out below. Working Method We agree working methods will need to be agreed and secured through a planning condition. These should avoid and mitigate risk of disturbance to estuary species. Construction Environment Management Plan (CEMP) We agree the provision and submission of a CEMP. We advise you to refer to NetRegs GPP5 'Works and maintenance in or near water'. Habitat Management Plan We note the reference to Habitat Management Plan to maintain habitat to meet the SINC qualification criteria and provide suitable habitat for the Brown-banded Carder Bee. We presume this will be controlled through condition. We would need to review the Plan to ensure any proposed mitigation does not conflict with features of the Severn Estuary SSSI, including the Brown-banded Carder Bee. Wildflower Mix We note the proposed use of wildflower mix. We advise that if wildflower seed mix is to be used, it should be of local provenance to avoid the introduction of non-native species, of species that are not suitable for the character of the site. We advise that seed mix should be as local as possible, such as that from Great Traston Meadows, run by the Gwent Wildlife Trust. Where possible vegetation should be allowed to regenerate naturally, as this may allow colonisation by salt tolerant species, such as those found in the salt marshes along the Rhymney River.</p> <p>Pollution Prevention – Conditions 1-6 We note submission of the following chapters of the Environmental Statement submitted in support of the application:</p> <ul style="list-style-type: none"> • Chapter 7 - Geotechnical Conditions and Contaminated Land • Chapter 11 - Hydrology and Flooding <i>Drainage</i> <p>We note that foul water will be disposed of off-site into the local mains sewer network and this</p>	

Date	Consultee	Representation	Response
		<p>has been agreed with DCWW. For surface water disposal we note the proposed use of SUDS, given the previous land uses and proposed capping of the site we request the following condition be imposed.</p> <p>Condition 1: No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details. <i>Justification:</i> To prevent pollution to the water environment.</p> <p><i>Land Contamination</i></p> <p>Neither chapter 7 or 11 of the Environmental Statement consider the risk of the construction and final development on groundwater (controlled waters) – only human health impact have been assessed. The proposal includes the removal of material and the installation of a cap to prevent infiltration, but it is not clear if any basal liner is present or will be installed. We therefore request the following suite of conditions to be imposed on any planning permission granted for the site.</p> <p>Condition 2: No development, of land known to be / suspected of contamination, shall commence until the following components of a scheme to deal with the risks associated with contamination at the site, has been submitted to and approved in writing by the Local Planning Authority.</p> <ol style="list-style-type: none"> 1. A preliminary risk assessment which has identified: i. all previous uses ii. potential contaminants associated with those uses iii. a conceptual model of the site indicating sources, pathways and receptors iv. potentially unacceptable risks arising from contamination at the site 2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site. 3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken. 4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. The remediation strategy and its relevant components shall be carried out in accordance with the approved details. <p><i>Justification:</i> To ensure the risks associated with contamination at the site have been fully considered prior to commencement of development as controlled waters are of high environmental sensitivity; and where necessary remediation measures and long-term monitoring</p>	



Date	Consultee	Representation	Response
		<p>are implemented to prevent unacceptable risks from contamination.</p> <p>Condition 3: Prior to the of the a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include a long-term monitoring and maintenance plan for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be carried out in accordance with the approved details.</p> <p>Justification: To ensure the methods identified in the verification plan have been implemented and completed and the risk associated with the contamination at the site has been remediated prior to occupation or operation, to prevent both future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.</p> <p>Condition 4: Prior to the occupation or operation of the , a long term monitoring plan for land contamination shall be submitted and approved in writing by the Local Planning Authority. The long term monitoring plan should include:</p> <ul style="list-style-type: none"> • Details of the methods and triggers for action to be undertaken <ul style="list-style-type: none"> • Timescales for the long term monitoring and curtailment mechanisms e.g. a scheme of monitoring for 3 years unless the monitoring reports indicate that subsequent monitoring is or is not required (for x years) • Timescales for submission of monitoring reports to the LPA e.g. annually • Details of any necessary contingency and remedial actions and timescales for actions <ul style="list-style-type: none"> • Details confirming that the contingency and remedial actions have been carried out. <p>The monitoring plan shall be carried out in accordance with the approved details, within the agreed timescales.</p> <p>Justification: A long term monitoring plan should be submitted prior to occupation or operation, to ensure necessary monitoring measures are approved to manage any potential adverse impacts as a result of development on controlled waters.</p> <p>Condition 5: If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this</p>	

Date	Consultee	Representation	Response
		<p>unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be carried out as approved.</p> <p>Justification: To ensure the risks associated with previously unsuspected contamination at the site are dealt with through a remediation strategy, to minimise the risk to both future users of the land and neighbouring land, and to ensure that the development can be carried out safely without unacceptable risks.</p> <p><i>Piling</i></p> <p>Given the proposed capping of the site, if piling is considered as an engineering option for building foundations, we request this condition to ensure it has been demonstrated how piling will interact with the installed cap acceptably.</p> <p>Condition 6: Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater.</p> <p>Justification: There is an increased potential for pollution of controlled waters from inappropriate methods of piling.</p> <p>Habitats Regulations Assessment</p> <p>From the information provided, we are unable to conclude that the proposed development would have no likely significant effect on the Severn Estuary SAC and SPA. We recommend the planning authority, as the competent authority, carry out an 'appropriate assessment' of the proposal in accordance with Regulation 61(1) of the Conservation of Habitats and Species Regulations 2017 prior to determination of any planning application for these proposals.</p> <p>The purpose of the appropriate assessment is to assess the implications of the proposed development, with respect to the conservation objectives of the Severn Estuary SAC and SPA. The conclusions of the appropriate assessment should enable the competent authority to ascertain whether or not the proposed development would adversely affect the integrity of the Severn Estuary SAC and SPA. In addition, there is a need to consider this proposal 'in combination' with other developments in the vicinity, particularly the possible cumulative impacts from other proposed developments along this stretch of the Severn Estuary (including the Cardiff Coastal Defence Scheme).</p> <p>Our main concerns relate to the possible adverse impacts of the proposed development on the features of the Severn Estuary SAC and SPA, in particular with respect to:</p> <ul style="list-style-type: none"> • Site drainage and release of any existing land contamination causing pollution of the Severn Estuary during construction; and • Disturbance to bird features arising from construction activities and the re-routing of the WCP 	

Date	Consultee	Representation	Response
		<p><i>Disturbance to SPA bird features during construction</i></p> <p>Our comments under Ornithology should be considered and any further information submitted by the applicant used to inform this part of the HRA.</p> <p>We welcome the measures stated to minimise disturbance to SPA bird features during construction, such as the phasing of works and the creation of a bund (Chapter 8 of ES and supporting documents). We note that during winter working at the construction site, additional mitigation measures such as screening along the top of the bund are proposed. We recommend that all measures to avoid detrimental impact on the SPA features are detailed as part of a future planning application.</p> <p><i>Mobilisation of contamination during construction</i></p> <p>The reworking and removal of contaminated material, particularly along the foreshore, and the potential to create/reopen pathways through the retained material may cause polluted material to enter the Severn Estuary and adversely impact the habitat and species features of the sites. Whilst we welcome reference in Chapter 7 of the ES to mitigation measures to be detailed in the site Construction and Environmental Management Plan (CEMP), we recommend specific measures to prevent adverse impact on the Severn Estuary are stipulated at this stage.</p> <p><u>Severn Estuary Ramsar Site</u></p> <p>Please note that it is Welsh Government policy to treat developments potentially affecting Ramsar sites in the same way as for SACs and SPAs. Our concerns for the Severn Estuary Ramsar Site are the same as for the Severn Estuary SPA and SAC highlighted above.</p> <p><u>Severn Estuary SSSI</u></p> <p>The application site lies adjacent to the Severn Estuary Site of Special Scientific Interest (SSSI). Our concerns for the Severn Estuary SSSI are the same as those for the SAC and SPA outlined above. Providing the HRA demonstrates that there is no adverse effect on site integrity, we would raise no objection to the application, subject to appropriate conditions being attached to any future permission. We will likely need to provide advice on a final list of conditions when consulted on any Appropriate Assessment from the planning authority.</p> <p>Flood Risk Management</p> <p>We note submission of the following documents in support of the application:</p> <ul style="list-style-type: none"> • Environmental Statement, Chapter 11 - Hydrology and Flooding • 'Flood Consequences Assessment' by Vectos dated August 2017 (FCA) <p>The application site lies partially within Zone C2 as defined by the Development Advice Map.</p>	

Date	Consultee	Representation	Response
		<p>We note the FCA indicates that the majority of the site is located within DAM zone B. The proposed built development is to be located in flood zone B. As such we have no comments with this aspect of the development.</p> <p>It should be noted that the FCA suggests an area of the site to the North East includes an access road within DAM zone C2 which could be at risk from a tidal event. As such, the LPA may wish you to further consider site access and egress, in terms of potential depths and velocities of floodwaters in this area and the implications of this should a flood event occur. If so, we would be happy to provide further advice. However, there is an alternative access route at the western end of site which is shown to be outside zone C2 and therefore we have no adverse comments from a flood risk perspective.</p> <p>Protected Species</p> <p>We note submission of the following documents in support of the application:</p> <ul style="list-style-type: none"> • Chapter 8 (Ecology) of the Environmental Statement • 'Parc Calon Gwyrdd Limited, Land at Rover Way, Cardiff – Ecological Survey' by Sturgess Ecology dated August 2017. <p>We note the findings of the above surveys and note it appears that Protected Species are unlikely to be affected by the proposals. However, we note the survey report is 4 years old and recommend you seek the advice of the local planning authority ecologist to determine if there is a reasonable likelihood of Protected Species, being present within the application site. If so, in accordance with Technical Advice Note 5: Nature Conservation and Planning (paragraph 6.2.2) updated survey(s) may be required.</p> <p>We therefore would have no comments to make on the application, as submitted. However, if further surveys are carried out and the planning authority consult us on new surveys, we may have further comments to make.</p> <p>Waste Management</p> <p>We note the findings of Chapter 7 and Appendixes of the Environmental Statement submitted in support of the application and that the site has been previously used as a non-domestic landfill site with capping, leachate collection and gas venting. Paragraph 7.4.30 proposes to remove circa 1,000,000 tonnes of the overburden material to local development schemes that require general up-filling.</p> <p>Any material excavated from a historical landfill will be considered a waste and will need to be dealt with in line with relevant waste legislation. Any material therefore removed will be considered a waste and waste permits would be required for storage, treatment and deposits. The use of the material within local development schemes would also require a permit, either a deposit for recovery permit or a landfill permit,</p>	

Date	Consultee	Representation	Response
		depending on the details. It is therefore important that the applicant and/or developer approaches NRW for advice prior to commencing any works, so that they can be advised on their proposed options.	
	Cardiff Council Drainage	No Response.	
	Cardiff Council Ecology	No Response.	
	Cardiff Council Estates	No Response.	
	Cardiff Council Contaminated Land Team	No Response.	
	Cardiff Council Pollution Control	No Response.	

DCWW Response

- 4.9 As outlined in the above table, the response from Welsh Water is noted by the applicant. However, at this stage, it must be noted that the four submitted layouts are indicative only and that, crucially, the applicant is forthcoming with regards to engaging with both Welsh Water and, Cardiff Council, to finalise a layout which takes into account these comments and make the appropriate provisions for the presence of the mains, and the necessary easements. Additionally, following the comments from Welsh Water, the applicant has undertaken the necessary due diligence with regards to the detailed design of the scheme. In fact, the architects appointed on the scheme have overlaid the drainage layout on the proposals and plotted the easements for each drainage run. Through the medium of this exercise, the client has complete confidence that the proposed 50,000 sqm of B8 Industrial Accommodation can be delivered, and demonstrated at the detailed planning stage, whilst still respecting the parameters set out by DCWW.

NRW Response

- 4.10 As outlined in the above table, the NRW response is noted. With regards to whether the Environmental Statement information needs updating (in particular the survey report which is 4 years old), it must be noted that this information was deemed appropriate in January 2021, despite being four years old, as it made up the submission for the extant permission (Planning Application Reference: 20/01279/MJR) and there is no material planning consideration as to why this should not be the case in this instance. With regards to the bird study survey, again, this request is noted by the applicant. However, whilst this request was reasonable with regards to the biomass proposals (Planning Application Reference: 17/02130/MJR) in light of the proposed turbine, it is considered unnecessary, on this occasion as the proposals seek a development form which is lower in height. In this way, it is evident that there will be no impact on bird flight or overwintering birds utilising the estuary. Confirmation of this from Cardiff City Council, and the ecology department which have not responded to the PAC, is welcomed.

Finally, the applicant also considers that the Flood Defence scheme will have no impact on the development and that the proposals will not cause any change to the Coastal Path delineation.

Interim Summary

- 4.11 As a result of the Pre-Application Consultation dialogue with members of the local community, local councillors and statutory consultees, the proposals are considered to fully respond to the comments and advice provided by statutory consultees who were consulted as part of this pre-application consultation exercise. Indeed, no unsurmountable concerns or objections have been raised by any community or specialist consulted party at this stage. As outlined in Table 2, while the objection from Welsh Water is duly noted by the applicant, it must be considered that the layouts provided at this stage are indicative only. In this way, the applicant will engage with Cardiff Council and Welsh Water, during the determination of the application, to address the issues raised and establish an appropriate layout. Similarly, whilst the additional information requested by NRW is not deemed necessary by the applicant, the applicant will await from confirmation from Cardiff Council and is looking forward to engaging in the relevant discussions at the appropriate stage. Therefore, in light of the above, it is reasonably considered that the application can proceed to be submitted without major amendment, or further information.
- 4.12 The below sets out the summary and conclusions of this PAC Report and the exercise.

5.0 SUMMARY AND CONCLUSIONS

Purpose of this Report

- 5.1 This PAC report provides a copy of the relevant notices, a summary of responses from consultees including neighbours, community consultees and specialist consultees and how the PAC process (i.e the receipt of consultee input) has informed amendments or the inclusion of additional information to the planning application.
- 5.2 The pre-application consultation undertaken by the applicant has met and exceeded the requirements of the Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016 AND The Planning Applications (Temporary Modifications and Disapplication) (Wales) (Coronavirus) Order 2020 ("the Amendment Order").
- 5.3 The local community, local members and statutory consultees have had the opportunity to be involved in the pre-application process and through this consultation process we have helped the community to understand the benefits and impacts of the proposed development. This is further emphasised by the fact that halfway through the process, reminders were sent to statutory and community consultees to remind them of the PAC and their opportunity to issue commentary.
- 5.4 The applicant's forthcoming approach and commitment to good practice is further emphasised by the decision to extend the consultation period to the 3rd September to allow late representations to still be included and to account for the August Bank Holiday period.
- 5.5 This report sets out the feedback received and how the comments have been considered and responded to. Where appropriate, we have sought to respond directly to comments raised or directed people to the relevant documentation provided as part of the consultation. This process has helped us understand and address any relevant concerns and has resulted in amendments to the final submission. This meaningful consultation has, we believe, improved the quality of our proposal.
- 5.6 All comments have been duly noted.
- 5.7 No objections to the proposals have been received from either community or statutory consultees apart from the DCWW objection. The applicant is looking forward to addressing and alleviating these concerns at the appropriate stage and, crucially, has undertaken further due diligence on the scheme demonstrating that the proposals can be delivered whilst fully taking into account the parameters set out by DCWW. No responses at all have been received from neighbouring land owners or businesses in the area.

- 5.8 In conclusion, this report documents the way in which the Applicant has addressed and met the PAC requirements outlined within the Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016 and The Planning Applications (Temporary Modifications and Disapplication) (Wales) (Coronavirus) Order 2020 (“the Amendment Order”).
- 5.9 It is accordingly requested that the Local Planning Authority consider the content of this report in the processing, validation and assessment of the planning application.



APPENDIX A – NOTICE UNDER SCHEDULE 1D



APPENDIX B – NOTICE UNDER SCHEDULE 1C



APPENDIX C – SPECIALIST CONSULTEE RESPONSES



