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**FAO: Yvonne Prichard**

13 June 2017

Annwyl Syr/Madam | Dear Sir/Madam,

**A NEW WAKEBOARDING SPORTING FACILITY AT COSMESTON LAKES COUNTRY PARK. NEW INSTALLATION OF ELECTRIC CABLE WAKEBOARDING SYSTEM EQUIPMENT AND A MECHANICAL STORE. NEW INSTALLATION OF MALE CHANGING FACILITIES AND THE WAKE PARK RECEPTION. CONVERSION OF PARKS STORE ROOM TO HOUSE FEMALE CHANGING AREA LOCATED AT COSMESTON VISITOR CENTRE - COSMESTON LAKES COSMESTON COUNTRY PARK, LAVERNOCK ROAD, PENARTH.**

Thank you for referring us to the application above, which we received on 25 May 2017.

**We have significant concerns with the proposed development as submitted. We recommend that you should only grant planning permission if the scheme can meet the following requirements. We would object if the scheme does not meet these requirements.**

Requirement: An Ecological Construction Method Statement and Management Plan is required to fully assess the potential impacts of the proposed development on the feature of interest of the designated site.

#### **Designated Sites**

The proposed development is within Cosmeston Lakes SSSI. The SSSI is notified for the presence of starry stonewort *Nitellopsis obtusa*. We consider the proposed development has the potential to damage the feature of interest of the SSSI.

Section 5.11 of the submitted Ecological Baseline Report prepared by EDP Ltd., report reference EDP3861\_01a, dated March 2017, identifies that avoidance, protection and mitigation measures necessary to ensure the maintenance of the favourable condition of the SSSI should be detailed in an Ecological Construction Method Statement and Management Plan for the Application Site, which could be secured by condition. However, for us to fully assess the potential impacts on the proposed development on the feature of interest of the SSSI, we require the provision of a suitable Ecological Construction Method Statement and Management Plan **prior** to any planning permission being granted.

#### Advice to Applicant

We expect the Ecological Construction Method Statement and Management Plan to include, but not be limited to:

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- Detailed baseline information regarding the current size and state of the starry stonewort population. Without this information it will not be possible to determine whether any changes have occurred to the starry stonewort post-construction (we refer you to bullet point 5 of section 5.11 of the Ecological Baseline Report);
- Details of the type of monitoring and frequency of monitoring (we refer you to Appendix 5 of the Ecological Baseline Report);
- Clarity as to whether NRW would be consulted on the monitoring results, or how/who will determine whether the feature has favourable status;
- Details of the steps to be taken (including decommissioning of the wake boarding facility) should the results of the proposed monitoring show the starry stonewort is declining post-construction;
- Detail relating to the depth of water disturbance – to what depth will turbulence of the water column occur, will sediment disturbance occur and will the proposed booms be removed outside of the season of operation.

### **Flood Risk**

The application site lies within Zone C2, as defined by the Development Advice Map (DAM) referred to in Technical Advice Note 15: Development and Flood Risk (TAN15) (July 2004). Our Flood Map information, which is updated on a quarterly basis, confirms the application site to be within the 1% (1 in 100 year) and 0.1% (1 in 1000 year) annual probability fluvial flood outlines of Sully Brook.

In our opinion, it is considered good practice for a Flood Consequences Assessment (FCA) to be undertaken in support of the application. We recommend an FCA is undertaken to ensure all parties, including your Authority, are aware of the risks to and from the development, and ensure that the risks and consequences of flooding are minimised as far as possible. The criteria for the FCA, which should normally be undertaken by a suitably qualified person carrying an appropriate professional indemnity, are given in Section 7 and Appendix 1 of TAN15. The FCA should be appropriate to the scale and nature of the development being proposed.

The FCA should establish what the predicted flood risk is to the development and its access / egress routes, this will provide a better understanding of the risks and consequences of flooding. We may hold relevant flood risk data that can be used to assist with this assessment. Any requests for this data should be sent to our [Data Distribution](#) team. If the building and/or access/egress routes are shown to flood during events up to and including a predicted 0.1(1 in 1000 year) flood event, the FCA should propose suitable and appropriate mitigation measures to reduce the risks and consequences of flooding.

This application presents an opportunity to raise awareness of the flood risk to the current / future occupiers of the development, incorporate flood resistance / resilience measures into the works, and make provisions for flood warning and emergency access / egress. Dependant on the level of risk posed, the FCA should consider each of these matters and make appropriate recommendations. Further advice on the scope of the FCA can be obtained from our Development and Flood Risk Officer [Carl Lewellyn](#) 03000 65 3092.

Flood resistance/resilience measures that could be incorporated into the development include flood barriers on ground floor doors, windows and access points, implementation of suitable flood proofing measures to the internal fabric of the ground floor, and locating electrical sockets/components at a higher level above possible flood levels. Additional guidance can be found on the [gov.uk website](#). The developer can also access advice and information on protection from flooding from the ODPM publication '[Preparing for Floods: Interim Guidance for Improving the Flood Resistance of Domestic and Small Business Properties](#)'.

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We suggest you consult other professional advisors (e.g. Emergency Planners, Emergency Services, Building Control) on the acceptability of proposals and on matters we cannot advise on, such as, emergency plans, procedures and measures to address structural damage that may result from flooding. Please note, we do not normally comment on or approve the adequacy of flood emergency response and procedures accompanying development proposals, as we do not carry out these roles during a flood. Our involvement during a flood emergency would be limited to delivering flood warnings to occupants/users.

### **Ecology**

We provide the following advice to your Authority when considering environmental interests of local importance.

We consider the submitted ecological assessment made in relation to duties under NERC (2006) (S40 and 42) (superseded by the Environment (Wales) Act 2016), does not take full account of Section 6 of the Environment Act. The assessment of protected / notable species does not consider species listed in Section 7 of the Environment Act (those listed under S42 of the NERC Act).

As part of a joint project between the Vale of Glamorgan and NRW, water vole will be re-introduced to Cosmeston Lakes in 2017. The ecological assessment does not take this into account. We suggest a reassessment should be undertaken, accounting for potential dispersal pathways for the establishing population. Section 5 of the report should be undated accordingly.

### **Other Matters**

We advise the applicant that, in addition to planning permission, it is their responsibility to ensure they secure all other permits/consents relevant to their development. Please refer to our [website](#) for further details.

If you have any further queries, please don't hesitate to contact us.

Yn gywir | Yours faithfully,

### **Sarah Lund**

Ymgynghorydd Cynllunio Datblygu | Development Planning Advisor

[Cyfoeth Naturiol Cymru](#) | [Natural Resources Wales](#)

Ein diben yw sicrhau bod adnoddau naturiol Cymru yn cael eu cynnal, eu gwella a'u defnyddio yn gynaliadwy, yn awr ac yn y dyfodol. | Our purpose is to ensure that the natural resources of Wales are sustainably maintained, enhanced and used, now and in the future.

