

FAO: Stephen Butler

The Vale of Glamorgan Council
Development Control
Docks Office
Subway Road
Barry
CF63 4RT

11 May 2018

Annwyl Syr/Madam / Dear Sir/Madam,

AMENDED INFORMATION - THE CHANGE OF USE OF LAND AS AN EXTENSION TO THE EXISTING WASTEWATER TREATMENT WORKS SITE AND THE CONSTRUCTION OF AN ADVANCED ANAEROBIC DIGESTION (AAD) PLANT, TOGETHER WITH ASSOCIATED LANDSCAPING AND MITIGATION MEASURES AND THE FORMATION OF TEMPORARY CONSTRUCTION COMPOUNDS AT COG MOORS WASTEWATER TREATMENT WORKS, CARDIFF ROAD, DINAS POWYS.

Thank you for consulting us on the above application, which we received on the 20 April 2018.

We recommend that you should only grant planning permission if you attach the following conditions in relation to dormice, a European Protected Species. These conditions would address significant concerns that we have identified and we would not object provided you attach them to the planning permission.

We have reviewed the following updated submitted information:

- 'Cog Moors WWTW-Proposed Advanced Anaerobic Digestion (AAD) Plant. Dormouse Survey Report' by Arcadis dated March 2018
- 'Cog Moors WWTW-Proposed Advanced Anaerobic Digestion (AAD) Plant. Biodiversity Strategy' by Aracadis dated March 2018.

We note dormice are confirmed present in woodland at the eastern end of the application site, in the area of the Site of Importance for Nature Conservation (SINC). In addition, previous records for the species are found to the north of the application site. We note the revised proposals for dormouse mitigation, to include an area of habitat creation on land currently adjacent to land owned by Dwr Cymru/ Welsh Water (DCWW). We understand this area is currently in the process of being secured.

We therefore do not consider that the development is likely to be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range, provided the land is secured and the following conditions are included on any permission your authority is minded to grant:

Condition1: Long term habitat management and monitoring

We note that proposed dormouse mitigation is included in the dormouse survey report, and is elaborated further in the Biodiversity Strategy, which also includes outline proposals for long-term habitat management and monitoring. We therefore advise a condition is secured:

- A long term management plan to ensure the favourable management of habitat for dormice on site. The plan should include, but not exclusively, a description of new and existing habitats and their desired condition, the nature of management operations required to deliver and maintain the desired condition, appropriate scheduling and timing of activities, proposals for the periodic reporting of the results of monitoring to NRW and the LPA, proposals for on-going review of management and remedial action to be undertaken where problems are identified by the dormouse monitoring scheme.

Condition 2: Lighting

The presence of lighting can reduce the likelihood of dormice utilising certain areas. We therefore advise that, in addition to the proposed dormouse mitigation, a lighting scheme is required which reduces light pollution of dormouse habitats. This will benefit a range of other biodiversity including bats. We therefore advise a lighting condition is secured:

- A lighting scheme to ensure lighting measures do not conflict with the use of the site by protected species to be agreed with LPA (in consultation with NRW) prior to works on site commencing. This scheme shall include details of the siting and type of lighting to be used, drawings setting out light spillage in key areas for wildlife, and any operational measures necessary to ensure that dormouse habitats are not illuminated. The scheme should address the construction and operational phases of the development.

European Protected Species Licence

We advise that the applicant seeks a European Protected Species licence from Natural Resources Wales under Regulation 55 of The Conservation of Habitats and Species Regulations 2017 before any works on site commence that may impact upon

dormice. Please note that the granting of planning permission does not negate the need to obtain a licence.

Our comments in relation to flood risk and air quality at this site remains the same, and are repeated below for your convenience.

Flood Risk

The proposal involves the erection of less vulnerable development located partially 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 site to be partially within the fluvial 1% (1 in 100 year) and 0.1% (1 in 1000 year) and tidal 0.5% (1 in 200 year) and 0.1% (1 in 1000 year) annual probability flood outlines.

We note from the submitted Flood Consequences Assessment (FCA) Technical Note prepared by Arcadis dated 7 November 2017 that no permanent development is proposed within the flood outlines however, there is a temporary construction compound and car park to the west of the site which is at risk of flooding. Further to this we note:

- The temporary construction compound and car park to the west of the site is at risk of flooding during the 1% (1 in 100 year) event and 0.1% (1 in 1000 year) flood event;
- During the 1% (1 in 100 year) event with 20% climate change the predicted flood levels are 6.84m AOD;
- During the 0.1% event the predicted levels are 7.45m AOD

It is proposed to raise the cabins within the area at risk 300mm above the flood level of 6.84m AOD giving a finished floor level of 7.14m AOD. This would allow the flood waters to convey underneath. The velocity of floodwaters in this area would be 0.36m/s, together with the depth 300mm this equates to a moderate flood hazard. During the 0.1% (1 in 1000 year) event the cabins could flood to a depth of 310 mm if levels are raised to 7.14m AOD this is therefore within the tolerable limits of A1.15.

A small section of the western end of the carpark associated with the temporary compound, could potentially flood to 300mm during the 1% (1 in 100 year) event with a 20% climate change event. It could also flood to a maximum depth of 600 mm during a 0.1% (1 in 1000 year) event.

As outlined in the FCA technical note we understand this is the preferred option. In this instance given the type of development; the level of predicted risk, and the temporary nature associated with it, we have no objection to the application as submitted, from a flood risk perspective, subject to the developer being made aware of the potential flood risks.

As it is for your Authority to determine whether the risks and consequences of flooding can be managed in accordance with TAN15, we recommend that you consider consulting other professional advisors on the acceptability of the developer's proposals, on matters that we

cannot advise you 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.

Air Quality

We previously provided pre-application advice in relation to Air Quality where we advised the critical load used for Cog Moors was too low and should be 20kgN/ha/yr. We note that the submitted report 'Air Quality Assessment' prepared by Arcadis dated November 2017 has been revised following our advice.

The results indicate that the emissions of nitrogen oxides (annual and 24hr), nitrogen deposition and acid deposition will not be significant at the designated sites that were within the relevant screening distance.

Other Matters

Our comments above only relate specifically to matters that are included on our checklist Natural Resources Wales and Planning Consultations (March 2015) which is published on our website at this link (<https://naturalresources.wales/media/5271/150302-natural-resources-wales-and-planning-consultations-final-eng.pdf>). We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests, including environmental interests of local importance. The applicant should be advised that, in addition to planning permission, it is their responsibility to ensure that they secure all other permits/consents relevant to their development.

If you have any further queries, please do not hesitate to contact us.

Yn gywir / Yours faithfully

Lindy Marshall

Ymgynghorydd Cynllunio Datblygu/ Development Planning Advisor
Cyfoeth Naturiol Cymru / Natural Resources Wales