

Land at Bro Tathan, St Athan

Pre-Application Consultation Report

by CarneySweeney

October 2023



**Document control**

<b>Prepared by</b>	KG
<b>Checked by</b>	PW



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## 1.0 INTRODUCTION & BACKGROUND

### 1.1 Background

1.1.1 This Pre-Application Consultation (PAC) Report has been prepared by CarneySweeney on behalf of the Applicant, Welsh Ministers, in relation to an application for full planning permission for the following proposal:

*“The provision of above and below ground utilities, associated infrastructure, including the relocation of the Aston Martin Lagonda 11kV electricity substation, and the reprofiling of land by the spreading of overburden at Bro Tathan, St. Athan”.*

1.1.2 The Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016 (“the 2016 Order”) sets out the requirement to undertake pre-application consultation in respect of all planning applications for ‘major’ development. The application is categorised as ‘major development’ and therefore the development proposals are accompanied by this Pre-Application Consultation Report (PAC) as required by Article 2F(1) of the 2016 Order.

1.1.3 This PAC report provides the background to the various consultation processes undertaken in accordance with the above legislation, sets out the consultation responses received and explains how the applicant has addressed these comments including any amendments to the development proposals which have emerged as a result.

### 1.2 Report Structure

1.2.1 The remainder of this report is structured as follows:

- Section 2 outlines the background to the proposals;
- Section 3 sets out the statutory requirements of the PAC report;
- Section 4 provides a summary of PAC responses and outlines how these have been addressed;
- Section 5 provides a summary of the PAC process and conclusions.



## 2.0 THE APPLICATION PROPOSALS

### 2.1 The Proposed Development

- 2.1.1 This utility project has been prepared to support the Welsh Government in the development of Bro Tathan. Bro Tathan is embarking on the next phase in its exciting evolution to create a groundbreaking destination for business offering a range of development and occupational opportunities.
- 2.1.2 In order to achieve this future development but also continue utility provisions to the existing premises, the site is required to undertake a number of utility upgrades. This will result in improving efficiency of services through installing a new electricity and water network to transition from private networks to statutory authority adopted networks. The proposed works also include establishing a site-wide ducting network improving connectivity to the site and the surrounding area which will future proof the site whilst also minimise distribution.
- 2.1.3 The utility works comprise a year-long programme of trenching (approximately 20km) around the Bro Tathan site to install and/or replace a number of utilities and services including electricity, gas, water, drainage and ducting.

### 2.2 The PAC Consultation Package

- 2.2.1 Article 2C of the 2016 Order requires the draft planning application to be made available for a 28-day consultation period. The documentation should include:
- All information that would be required to be submitted as part of a formal planning application. This includes all the information on the relevant planning application form, except the ownership certificates.
  - Scaled plans, with north arrow, to identify the land to which the application relates.
  - All other scaled plans, drawings and information that would be required to describe the proposed development – this includes any technical documents that would be needed in order to validate any subsequent application.
  - Design and Access Statement; and
  - Any information that would be needed in order to comply with any local validation requirements of the relevant local planning authority.
- 2.2.2 In line with the above guidance, the following draft application documents were made available to the public from 14<sup>th</sup> August 2023:
- Completed Application Form
  - Planning Supporting Letter (this document)
  - Design and Access Statement (CarneySweeney, July 2023)



- Archaeological Scoping and Method Statement (Tetra Tech, July 2023)
- Written Scheme of Investigation: Watching Brief (Tetra Tech, July 2023)
- Written Scheme of Investigation: Evaluation and Earthworks (Tetra Tech, August 2023)
- Reactive Remediation Strategy (Tetra Tech, August 2023)
- Arboricultural Impact Assessment (Ecus Limited, August 2023)
- Ecological Assessment (David Clements Ecology, July 2023)
- Wildlife Protection Plan (David Clements Ecology, July 2023)
- Package of planning drawings comprising the following:
  - 50192-BUR-GEN-XX-DR-C-0100\_SiteLocationPlan
  - 50192-BUR-HDG-XX-DR-C-0550\_DuctingDetails
  - 50192-BUR-HDG-XX-DR-C-0551\_TrenchDetailsSH1
  - 50192-BUR-HDG-XX-DR-C-0552\_TrenchDetailsSH2
  - 50192-BUR-HKF-XX-DR-C-1150\_ReinstatementDetail
  - 50192-BUR-ULT-XX-DR-C-2700\_ProposedCombinedUtilitiesOverview
  - 50192-BUR-ULT-XX-DR-C-2701\_ProposedCombinedUtilitiesSH1
  - 50192-BUR-ULT-XX-DR-C-2702\_ProposedCombinedUtilitiesSH2
  - 50192-BUR-ULT-XX-DR-C-2703\_ProposedCombinedUtilitiesSH3
  - 50192-BUR-ULT-XX-DR-C-2704\_ProposedCombinedUtilitiesSH4
  - 50192-BUR-ULT-XX-DR-C-2705\_ProposedCombinedUtilitiesSH5
  - 50192-BUR-ULT-XX-DR-C-2736\_ProposedPotableWaterDetailsSH1
  - 50192-BUR-ULT-XX-DR-C-2737\_ProposedPotableWaterDetailsSH2
  - 50192-BUR-HDG-XX-DR-D-0550\_DrainageDetailSH1
  - 50192-BUR-HDG-XX-DR-D-0551\_DrainageDetailSH2
  - 50192-BUR-HDG-XX-DR-D-0552\_DrainageDetailSH3
  - 50192-BUR-HDG-XX-DR-D-0553\_DrainageDetailSH4
  - 50517-BUR-XX-XX-DR-C-0001\_General Arrangement
  - 50517-BUR-XX-XX-DR-C-0002\_Proposed Levels PS1
  - 50517-BUR-XX-XX-DR-C-0003\_Proposed Levels PS2
  - 50517-BUR-XX-XX-DR-C-0004\_Proposed Long Section PS1
  - 50517-BUR-XX-XX-DR-C-0005\_Proposed Long Section PS2
  - 00007 4 x 4600ltr gas tank
  - 00009 6 x 4600ltr gas tank
  - 00046 2200ltr gas tank
  - 771 2t bulk LPG tank
  - 1410ltr LPG vessel
  - 2357 A01 Rev A AML ss Location and Block Plan
  - 2357 A02 Rev A AML ss Proposed Building
  - GRAF\_380004\_Massskizze\_Carat\_XXL\_36000L
  - GRAF\_380008\_Massskizze\_Carat\_XXL\_56000L



2.2.3 Article 1 of the 2016 Order indicates that in regard to publicity: “*developers are encouraged to use web-based material when such technology is available*” (paragraph 26). As such, the relevant information listed above was made available to view on the following website:

<https://www.carneysweeney.co.uk/consultations/>

2.2.4 Article 1 also states that: “in cases when the developer has made the relevant information available on a website, the location for public viewing can be a library or other public building where computer facilities are made available to the general public” (paragraph 28). In accordance with this guidance, the consultation letter confirmed where computer facilities were available to the general public in the locality i.e. Llantwit Major Library, Boverton Rd, Llantwit Major, CF61 1XZ and set out the relevant opening hours.

2.2.5 This PAC Report has been prepared in accordance with the 2016 Order. In order to meet the statutory requirements, the following is contained within this report:

- a) A copy of the site notice;
- 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;
- c) A copy of the notice given to owners and occupiers of adjoining land;
- d) Copies of all notices provided to councillors, town and community councils, and specialist consultees;
- 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; and
- f) Copies of all responses received from specialist consultees with an explanation of how each response has been addressed by the developer.



### 3.0 STATUTORY REQUIREMENTS

#### 3.1 Site Notice

3.1.1 A copy of the site notice is attached at **Appendix A**. The 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. The site notices were posted in close proximity to the site at six locations as shown in Figure 1 below.



Figure 1: Location of Site Notices



Site Notice 1



Site Notice 1







Site Notice 2



Site Notice 2



Site Notice 3



Site Notice 3

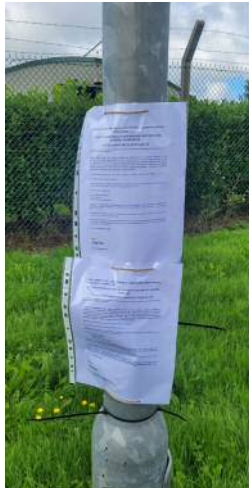


Site Notice 4



Site Notice 4





Site Notice 5



Site Notice 5



Site Notice 6



Site Notice 6

## 3.2 Notice to adjoining Occupiers/Owners

- 3.2.1 Consultation letters were sent to all owners and/or occupiers adjoining the application site, in accordance with the statutory requirements, as set out in the schedule at **Appendix B**. Recipients were given no less than no less than 28 days to respond.

## 3.3 Consultation with Community Consultees

- 3.3.1 A copy of the letter provided to Local Members notifying them of the statutory consultation commencement is attached at **Appendix C**. Recipients were given no less than no less than 28 days to respond. Those issued with a letter are set out in Table 3.1 overleaf.



Table 3.1: Community Consultees

Name	Address	Date of Issue	Response Received
Clr Stephen Haines	C/o Vale of Glamorgan Council Civic Offices, Holton Road Barry, CF6 4RU	14.08.2023	No response received
Clr Julie Lynch-Wilson	C/o Vale of Glamorgan Council Civic Offices, Holton Road Barry. CF6 4RU		No response received
Clr Roger Eustace	St Athan Community Council Old School Community Centre Church Lane, St Athan CF62 4PL		No response received
Mr D. Patterson (Clerk)	Clerk to St Athan Community Council Old School Community Centre Church Lane, St Athan CF62 4PL		06.09.2023 The St Athan Community Council make no comment on the subject application.
Sally Hanks	C/o Vale of Glamorgan Council Civic Offices, Holton Road Barry, CF6 4RU		No response received
S Hookins	Clerk to Llanmaes Community Council C/o Vale of Glamorgan Council Civic Offices, Holton Road Barry, CF6 4RU		No response received
Gwyn John	C/o Vale of Glamorgan Council Civic Offices, Holton Road Barry, CF6 4RU		No response received
Jayne Norman	C/o Vale of Glamorgan Council Civic Offices, Holton Road Barry, CF6 4RU		No response received
Edward Williams	C/o Vale of Glamorgan Council Civic Offices, Holton Road Barry, CF6 4RU		14.08.2023 Expressed support for the scheme noting that the provision of utilities will make this site more viable.
Clr D Powell	Mayor to Llantwit Major Town Council, Town Hall, Llantwit Major, Vale of Glamorgan. CF61 1SD		No response received
Ms R Quinn	Clerk to Llantwit Major Town Council, Town Hall, Llantwit Major, Vale of Glamorgan. CF61 1SD		No response received

3.3.19 A copy of the letter provided to the Specialist Consultees and other relevant departments are attached at **Appendix D**. Those issued with a letter are set out in Table 3.2 overleaf.



Table 3.2: Statutory Consultees

Name	Address	Date of issue	Response received
The appropriate persons	Natural Resources Wales Planning Consultations Cambria House 29 Newport Road Cardiff, CF24 0TP	14.08.2023	12.09.2023
The appropriate persons	The appropriate persons Welsh Government Cathays Park Cardiff, CF10 3NQ		11.09.2023
The appropriate persons	Vale of Glamorgan Council Highways Development Alps Depot, Quarry Road Wenvoe. CF5 6AA		No response received
The appropriate persons	South Wales Fire and Rescue Service Business Park Forest View, Llantrisant CF72 8LX		05.09.2023
The appropriate persons	CADW Welsh Government Ty Afon, Coed Bedwas Road Caerphilly		06.09.2023



## 4.0 SUMMARY OF REPONSES

### 4.1 Statutory Consultees

4.1.1 This section provides an overview of pre-application responses received from consultees. A summary is provided in Table 3.3 overleaf of all issues raised by any person notified of the proposed application in accordance with section 61Z(3) of the 1990 Act and articles 2C and 2D(2) of the 2016 Order. Responses are provided at **Appendix E**.

### 4.2 Community Consultees

4.2.1 We have received two responses from Community Consultees and their response is noted in Table 3.1.

### 4.2 Adjoining Landowners and General Public

4.2.1 In regard to consultation with adjoining landowners, letters were issued to all occupiers/landowners adjoining the site (as outlined in Appendix B), and notices were placed at the application site advising local residents of the proposals. We have received no comments from the general public, and in regard to the adjoining landowners we have received a response from the Welsh Government. The Welsh Government is also a statutory consultee and their response is noted in Table 3.3.



**Table 3.3: Statutory Consultees Responses**

Consultee	Summary of Comments	Applicant's Response
South Wales Fire & Rescue Service	<p>The site plan of the proposal has been examined and the Fire Authority has no objections to the proposed development and advises that the developer should consider the need for the provision of:-</p> <ul style="list-style-type: none"> <li>a. adequate water supplies on the site for firefighting purposes; and</li> <li>b. access for emergency firefighting appliances</li> </ul>	<p>Appropriate water supply and emergency access are available. No further planning action is required at this stage.</p>
CADW	<p>Having carefully considered the information provided, we have no objection to the proposed development in regards to the scheduled monuments or registered historic parks and gardens listed in our assessment.</p> <p>The designated historic assets are located inside 3km of the proposed development, but in most cases 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. Where views of the works are possible, any impact is likely to occur during the construction works and when completed there will be no significant impacts on the settings of these designated historic assets.</p> <p>The proposed works will have a direct impact on scheduled monument GM083 West Orchard Manor House and scheduled monument consent will need to be granted before the works can commence inside the boundaries of the designated area.</p>	<p>We note the response which raises no objection towards the development.</p> <p>Noted.</p>
Welsh Government	<p>The Welsh Government as highway authority would not issue a direction in respect to a future planning application.</p>	<p>We note the response which raises no objection towards the development. No further action is required.</p>
NRW	<p><b>Ecological Survey Information</b></p> <p>It is indicated in the Ecological Assessment that ecological surveys have been undertaken of the Bro Tathan site over recent years including for protected species. However, the report provides no details of these but references a number of separate survey reports for this information. In the absence of this information, we are unable to fully assess the impacts on protected species. We advise that ecological survey reports are submitted in support of the planning application. Notwithstanding the above, we have the following additional comments to make.</p>	<p>The following reports will be submitted with the application.</p> <ul style="list-style-type: none"> <li>• Dormouse Survey Report (February 2023)</li> <li>• GCN Survey Report (February 2023)</li> <li>• Ecological Assessment Incl. Bats (February 2020).</li> </ul>

	<p><u>Bats</u></p> <p>We note that the bat survey reports will include details of bat surveys undertaken of trees on site of the Aston Martin Lagonda electrical sub-station building that is to be re-located. If this is not the case, we advise that these surveys are undertaken in accordance with published best practice and results detailed in the survey report submitted in support of the application. If evidence of bat use is found, suitable mitigation measures should also be included in an updated Wildlife Protection Plan.</p> <p>In relation to the bat houses in Bro Tathan East, we understand from the trees listed in the Ecological Assessment that no trees in the vicinity of the bat houses are to be removed.</p> <p>The Ecological Assessment includes measures to avoid potential disturbance to the bat houses. However, we note that these measures have not been included in the Wildlife Protection Plan. For clarity of delivery, we would advise that the Wildlife Protection Plan is amended to include these measures.</p> <p><u>GCN</u></p> <p>The ecological reports identify that GCN are present at the south of the site. Two areas, The Rotary Zone and West Orchard, are identified where it is considered that the proposed works may impact upon GCN.</p> <p>We welcome the measures that are therefore outlined in the Wildlife Protection Plan to mitigate potential impacts on GCN within these areas. However, we advise that additional information is provided that clarifies the likely impacts on this species and demonstrates the suitability of the measures proposed as follows:</p> <ul style="list-style-type: none"> <li>• We advise that the GCN survey report to be provided will include the locations of all waterbodies across the site, and the results of GCN surveys of waterbodies.</li> <li>• We advise that a detailed description of the habitats present within the two GCN areas identified in the Wildlife Protection Plan is included. The distribution of these habitats, together with the location of the route works area relative to these features, should be shown on supporting drawings.</li> <li>• Clarification of the location of the newt exclusion fencing and of the maintenance since installation, to ensure that it has continued to act as an effective barrier to newt movement.</li> <li>• Whilst we note the indication of the proposed depth of trenches, we advise clarification is provided of how wide the trenches and the working area will be.</li> </ul>	<p>Please see above.</p> <p>This is correct.</p> <p>Paragraphs 3.1.5 and 3.1.6 of the WPP sets out the measures to avoid potential disturbance to the bat houses.</p> <p>The Ecological Assessment has been amended to address these comments - Please refer to Ecological Assessment Report (October 2023). In addition, an Ecological Constraints Plan has been prepared which provides additional information.</p>
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	<ul style="list-style-type: none"> <li>It is indicated that the works will be of short duration and no GCN barrier is therefore proposed during works. We advise that the duration of works within the two GCN areas is stated to support this approach.</li> </ul> <p><u>Dormice</u></p> <p>We note that an area of potential dormouse habitat is to be removed in Bro Tathan West to facilitate the proposed works. We advise that the following additional information is included that clarifies the potential impacts of this aspect of the works:</p> <ul style="list-style-type: none"> <li>The extent of the scrub vegetation to be removed to facilitate installation of utilities in this area.</li> <li>If not included in the survey reports to be provided, a more detailed description, with respect to dormice, of the scrub vegetation and photographs to support the assessment of low quality for this species.</li> <li>The treatment of this area following works including whether habitat will be allowed to re-establish or be replaced.</li> </ul> <p>On provision of the above information to clarify likely impacts on European Protected Species, we can advise on planning conditions.</p> <p>Aside from the above, we note that the draft application form fails to identify there are trees and hedgerows that are present and will be impacted or that there are protected and priority species that may be affected. We advise that this is addressed in the submitted form.</p>	<p>The Ecological Assessment has been amended to address these comments - Please refer to Ecological Assessment Report (October 2023). In addition, an Ecological Constraints Plan has been prepared which provides additional information.</p> <p>Noted</p> <p>Noted. The application form has been amended.</p>
	<p><b>Land Contamination</b></p> <p><u>Underground storage tanks</u></p> <p>From the plans submitted, we note that numerous tanks have been proposed, however, we require clarification on whether these tanks will be below ground or above. If below ground, the comments below should be considered at the full planning application stage. Depending on what is submitted, we may request conditions for the tanks installations at full planning application consultation.</p> <p>For the new fuel tanks we require the following information:</p> <p>a. Location of the storage tanks. We would prefer above ground tanks, but note that the area for the tanks may be limited and that underground tanks is likely to be the preferred options. Please annotate the site plan showing the location of the new and pipe lines.</p>	<p>The proposed gas tanks will be <u>above</u> ground. There are three large underground firefighting water storage tanks being proposed across the site.</p> <p>See above comment.</p>





	<p>Please note, these conditions have been recommended as we are satisfied that there are generic remedial options available to deal with the risks to controlled waters posed by contamination at this site. However, further details will be required in order to ensure that risks are appropriately addressed prior to development commencing.</p> <p><b>Condition 1</b> - No development of land known to be or 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"> <li>1. A preliminary risk assessment which has identified: <ul style="list-style-type: none"> <li>• all previous uses</li> <li>• potential contaminants associated with those uses</li> <li>• a conceptual model of the site indicating sources, pathways and receptors</li> <li>• potentially unacceptable risks arising from contamination at the site</li> </ul> </li> <li>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.</li> <li>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.</li> <li>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.</li> </ol> <p>The remediation strategy and its relevant components shall be carried out in accordance with the approved details.</p> <p><b>Condition 2</b> - Prior to the occupation of the development, 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><b>Condition 3</b> - Prior to the occupation of the development, 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"> <li>• Details of the methods and triggers for action to be undertaken</li> </ul>	<p>Noted</p> <p>Noted</p> <p>Noted</p> <p>Noted</p>
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	<ul style="list-style-type: none"> <li>• Timescales for the long term monitoring and curtailment mechanisms</li> <li>• Timescales for submission of monitoring reports to the LPA</li> <li>• Details of any necessary contingency and remedial actions and timescales for actions</li> <li>• Details confirming that the contingency and remedial actions have been carried out.</li> </ul> <p>The monitoring plan shall be carried out in accordance with the approved details, within the agreed timescales.</p> <p><b>Condition 4</b> - 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 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><b>Ground and Surface Waters</b></p> <p>We note that the proposed works will be affecting the six zones of the Bro Tathan site, and as a result, a number of Main Rivers (Nant Y Stepsau, Boverton Brook and Castleton Brook) will run adjacent to the application site. We therefore request the following condition be imposed on any planning permission granted.</p> <p>Condition 5 - No development shall commence until a site wide Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP should include:</p> <ul style="list-style-type: none"> <li>• Specific locations of the proposed works, location of the headwall outfall and how it will connected to the surface water network and any other areas that will drain via the outfall.</li> <li>• CEMP Masterplan: details of the extent and phasing of development; location of landscape and environmental resources; design proposals and objectives for integration and mitigation measures.</li> <li>• Resource Management: details of fuel and chemical storage and containment; details of waste generation and its management; details of water consumption, wastewater and energy use</li> <li>• Traffic Management: details of site deliveries, plant on site, wheel wash facilities</li> </ul> <p>The CEMP shall be implemented as approved during the site preparation and construction phases of the development.</p>	<p>Noted</p> <p>Noted</p> <p>Noted</p>
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## **5.0 CONCLUSION**

- 5.0.1 In accordance with the Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016, a pre-application consultation was undertaken from the 14 August until 14 September 2023.
- 5.0.2 All responses to the consultation have been recorded and reported, appropriately responded to where necessary.
- 5.1.3 No objections or concerns have been raised by any consultees.
- 5.0.4 It is considered that the content of this pre-application consultation report demonstrates a robust pre-application consultation process has been undertaken. The submitted planning application can be validated and determined on its planning merits.



# Appendix A Site Notice



**Town and Country Planning (Development Management Procedure)  
(Wales) Order 2012**

**PUBLICITY AND CONSULTATION BEFORE APPLYING FOR  
PLANNING PERMISSION**

**NOTICE UNDER ARTICLES 2C AND 2D**

(To be served on owners and/or occupiers of adjoining land and community consultees; and displayed by site notice on or near the location of the proposed development)

**Purpose of this notice:** This notice provides the opportunity to comment directly to the developer on a proposed development prior to the submission of a planning application to the local planning authority (“LPA”). Any subsequent planning application will be publicised by the relevant LPA; any comments provided in response to this notice will not prejudice your ability to make representations to the LPA on any related planning application. You should note that any comments submitted may be placed on the public file.

Proposed development at (a): [Land at Bro Tathan, St Athan, Vale of Glamorgan](#)

I give notice that (b): [Welsh Ministers](#)

is intending to apply for planning permission for the (c): [Provision of above and below ground utilities, associated infrastructure and the reprofiling of land.](#)

You may inspect copies of:

- the proposed application;
- the plans; and
- other supporting documents

online at (d) <https://www.carneysweeney.co.uk/consultations/> and computer facilities are available to view this information online at (e): [Llantwit Major Library, Boverton Rd, Llantwit Major, CF61 1XZ.](#)

between the hours of (f): [10:00-17:00 Monday, Wednesday, Thursday, Friday and 10:00-19:00 Tuesday and 10:00-16:00 Saturdays.](#)

Anyone who wishes to make representations about this proposed development should write to [clodagh.macken@carneysweeney.co.uk](mailto:clodagh.macken@carneysweeney.co.uk) or [CarneySweeney, Brunel House, 2 Fitzalan Road, Cardiff, CF24 0EB.](#)

by (k): **14 September 2023**

Signed:



Date: **14 August 2023**

# GORCHYMYN CYNLLUNIO GWLAD A THREF (GWEITDREFN RHEOLI DATBLYGU) (CYMRU) 2012

## CYHOEDDUSRWYDD AC YMGYNGHORI CYN GWNEUD CAIS AM GANIATÂD

### CYNLLUNIO HYSBYSIAD O DAN ERTHYGLAU 2C A 2D

(i'w gyflwyno i berchnogion a/neu feddianwyr tir cyffiniol ac ymgynghorai cymunedol; a'i arddangos drwy hysbysiad safle ar neu gerllaw lleoliad y datblygiad arfaethedig)

**Diben yr hysbysiad hwn:** Mae'r hysbysiad hwn yn rhoi'r cyfle i gyflwyno sylwadau'n uniongyrchol i'r datblygwr ar ddatblygiad arfaethedig cyn cyflwyno cais cynllunio i'r awdurdod cynllunio lleol ("ACLL"). Bydd unrhyw gais cynllunio dilynol yn cael ei gyhoeddi gan yr ACLL perthnasol; Ni fydd unrhyw sylwadau a ddarperir mewn ymateb i'r hysbysiad hwn yn rhagfarnu eich gallu i gyflwyno sylwadau i'r ACLL ar unrhyw gais cynllunio cysylltiedig. Dylech nodi y gall unrhyw sylwadau a gyflwynir gael eu rhoi yn y ffeil gyhoeddus

Datblygiad arfaethedig yn (a) [Tir yn Bro Tathan, St Athan](#).

Rwy'n rhoi rhybudd bod (b) [Gweinidogion Cymru](#)

yn bwriadu gwneud cais am ganiatâd cynllunio i (c) [Darparu cyfleustodau uwchben ac o dan y ddaear, seilwaith cysylltiedig ac ail-broffilio tir](#).

Gallwch archwilio copïau o:

- y cais arfaethedig:
- y cynlluniau:
- a dogfennau ategol eraill

ar-lein yn (d) <https://www.carneysweeney.co.uk/consultations/> ac mae cyfleusterau cyfrifiadurol ar gael i weld y wybodaeth hon ar-lein yn (e): [Llyfrgell Llanilltud Fawr, Boverton Rd, Llanilltud Fawr, CF61 1XZ](#)

rhwng yr oriau o (f): [10:00-17:00 Dydd Llun, Dydd Mercher, Dydd Iau, Dydd Gwener a 10:00-19:00 Dydd Mawrth a 10:00-16:00 dydd Sadwrn](#).

Rhaid i unrhyw un sy'n dymuno cyflwyno sylwadau am y datblygiad arfaethedig hwn ysgrifennu at yr ymgeisydd/asiant yn (i) [clodagh.macken@carneysweeney.co.uk](mailto:clodagh.macken@carneysweeney.co.uk) neu [CarneySweeney, Brunel House, 2 Fitzalan Road, Cardiff, CF24 0EB](#).

gan (k): **14 Medi 2023**

Signed:



Date: **14 Awst 2023**

## Appendix B

# Schedule of Adjoining Occupiers

To the appropriate person, owner/occupier	Welsh Government Crown Buildings Cathays Park Cardiff CF10 3NQ
To the appropriate person, owner/occupier	Vale of Glamorgan Council Highways Development Alps Depot Quarry Road Wenvoe Vale of Glamorgan CF5 6AA
Peter John Llewellyn	Ty Draw, Picketston, St. Athans, Vale of Glamorgan
Mr Jon Carter - AML	Project Lead – Facilities Aston Martin Lagonda Limited Banbury Road Gaydon Warwick CV35 0DB
Jessica Slack	Defence Infrastructure Organisation Jessica Slack Estates Surveyor Estates North DIO Area Office, MOD St Athan, St. Athans, Vale of Glamorgan





# Appendix C

## Copy of Letters Sent to Community Consultees



Name & Address

14 August 2023

Dear

**TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (WALES)  
ORDER 2012 AS AMENDED**

**PUBLICITY UNDER ARTICLES 2C AND 2D BEFORE APPLYING FOR PLANNING PERMISSION**

**PROPOSED DEVELOPMENT ON LAND AT BRO TATHAN, ST ATHAN.**

In accordance with the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 as amended, we write to give you notice that the Welsh Ministers are intending to apply to the Vale of Glamorgan Council for permission for the following development:

*“Provision of above and below ground utilities, associated infrastructure and the reprofiling of land”*

Please find enclosed the relevant notice for the above, which invites a pre-application consultation response on the proposed development to be provided to us by **14 September 2023**. Your response may be sent by post to us at the address above or by email to: [clodagh.macken@carneysweeney.co.uk](mailto:clodagh.macken@carneysweeney.co.uk)

CarneySweeney complies with the Data Protection Act 1998 and the General Data Protection Regulation 2016 (GDPR) and is a registered Data Controller. For further information on CarneySweeney’s approach to personal data, please request a copy of our Privacy Policy.

The draft planning application form, application drawings and supporting reports may be viewed online at: <https://www.carneysweeney.co.uk/consultations/>. Should they be required, computer facilities are available to view this information online at Llantwit Major Library, Boverton Rd, Llantwit Major, CF61 1XZ 10:00-17:00 Monday, Wednesday, Thursday, Friday and 10:00-19:00 Tuesday and 10:00-16:00 Saturdays.

Yours sincerely,



**Clodagh Macken  
Principal Planner  
CarneySweeney**



# Appendix D

## Copy of Letters Sent to Statutory Consultees



Name & Address of Organisation

14 August 2023

Dear Sir/Madam,

**TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (WALES)  
ORDER 2012 AS AMENDED**

**PUBLICITY UNDER ARTICLE 2D BEFORE APPLYING FOR PLANNING PERMISSION**

**PROPOSED DEVELOPMENT ON LAND AT BRO TATHAN, ST ATHAN.**

In accordance with the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 as amended, we write to give you notice that the Welsh Ministers are intending to apply to the Vale of Glamorgan Council for permission for the following development:

*“Provision of above and below ground utilities, associated infrastructure and the reprofiling of land.”*

Please find enclosed the relevant notice for the above, which invites a pre-application consultation response on the proposed development to be provided to us by **14 September 2023**. Your response may be sent by post to us at the address above or by email to: [clodagh.macken@carneysweeney.co.uk](mailto:clodagh.macken@carneysweeney.co.uk)

CarneySweeney complies with the Data Protection Act 1998 and the General Data Protection Regulation 2016 (GDPR) and is a registered Data Controller. For further information on CarneySweeney’s approach to personal data, please request a copy of our Privacy Policy.

The draft planning application form, application drawings and supporting reports may be viewed online at: <https://www.carneysweeney.co.uk/consultations/>. Should they be required, computer facilities are available to view this information online at Llantwit Major Library, Boverton Rd, Llantwit Major, CF61 1XZ 10:00-17:00 Monday, Wednesday, Thursday, Friday and 10:00-19:00 Tuesday and 10:00-16:00 Saturdays.

Yours faithfully,



**Clodagh Macken  
Principal Planner  
CarneySweeney**



# Appendix E

## Statutory Consultee Responses





Clodagh Macken  
Carney Sweeney  
Brunel House  
2 Fitzalan Road  
Cardiff  
CF24 0EB

[clodagh.macken@carneysweeney.co.uk](mailto:clodagh.macken@carneysweeney.co.uk)

Our Ref: DJH/99-15065 (BR13)  
Your Ref:  
Date: 05 September 2023  
Contact: Crew Manager D J Howells  
Tel: 07867186029  
E-mail: [firesafety@southwales-fire.gov.uk](mailto:firesafety@southwales-fire.gov.uk)

Dear Madam,

**TOWN AND COUNTRY PLANNING ACT 1990  
PROPOSAL: PROVISION OF ABOVE AND BELOW GROUND UTILITIES,  
ASSOCIATED INFRASTRUCTURE AND THE REPROFILING OF LAND.  
LOCATION: LAND AT BRO TATHAN, ST ATHAN.**

I acknowledge receipt of the notification to the South Wales Fire and Rescue Authority ("The Authority") in relation to the above application.

The proposed site plan in relation to the above has been examined and The Authority wish the following comments to be brought to the attention of the committee/applicant. It is important that these matters are dealt with in the early stages of any proposed development.

Changes to our climate and weather patterns will have a significant impact on the well-being of both current and future generations. In line with the **Well-being of Future Generations (Wales) Act 2015** and the **Future Wales – the national plan 2040** framework document, the following areas should be considered early in the planning process:

The climate emergency is likely to increase the risk of flooding as a result of sea-level rises, more frequent severe weather systems and more intense rainfall. Planning authorities should adopt a precautionary approach of positive avoidance of building developments in areas of flooding from the sea or from rivers. Surface water flooding will affect the choice of location and the layout and design of schemes and these factors should be considered at an early stage in formulating any development proposals.

Wildfires are a significant potential threat particularly in populated areas adjoining green spaces such as mountains or forestry. Therefore, it is critical that new developments are designed with this in mind. Where a new development is proposed in an area which is at risk of a wildfire, consideration should be given on how to

Pencadlys Gwasanaeth Tân ac Achub De Cymru,  
Parc Busnes Forest View, Llantrisant, Pont-y-clun, CF72 8LX.

Ffôn 01443 232000 • Ffacs 01443 232180  
[www.decymru-tan.gov.uk](http://www.decymru-tan.gov.uk)

*Rydym yn croesawu gohebiaeth yn y gymraeg a'r saesneg - byddwn yn ymateb yn gyfartal i'r ddau ac yn ateb yn eich dewis iaith heb oedi.*

CODI YMWHYBYDDIAETH - LLEIHAU PERYGL

South Wales Fire and Rescue Service Headquarters,  
Forest View Business Park, Llantrisant, Pontyclun, CF72 8LX.

Telephone 01443 232000 • Fax 01443 232180  
[www.southwales-fire.gov.uk](http://www.southwales-fire.gov.uk)

*We welcome correspondence in Welsh and English - we will respond equally to both and will reply in your language of choice without delay.*

RAISING AWARENESS - REDUCING RISK

mitigate the spread of wildfires. For example, sustainable land management could assist with prevention measures.

### Large Commercial Solar Arrays, Battery Energy storage Facilities, Electric Vehicle Parking/Charging Facilities:

Fires involving the installations detailed above can be very difficult to extinguish. Conditions can cause a thermal runaway within battery cells, which is a highly exothermic reaction creating toxic, flammable, and/or explosive chemical atmospheres.

The developer of such sites should ensure they have suitable safety measures to contain and restrict the spread of fire, using fire-resistant materials and adequate separation between locations where energy systems may be stored.

Active fire safety systems should be incorporated into the design if necessary and may include, automatic fire detection systems, automatic fire suppression and smoke control systems.

The Authority recognises that the charging of electric vehicles and the use of batteries (including lithium-ion) as Energy Storage Systems (ESS) is a new and emerging practice in the global renewable energy sector. As with all new and emerging practices within UK industry, developers should consider the risks associated with such systems early in the design stage of the project.

### Standing Advice.

The site plan/s of the above proposal has been examined and The Authority would wish the following comments to be brought to the attention of the planning committee/applicant. It is important that these matters are dealt with early on in any proposed development:

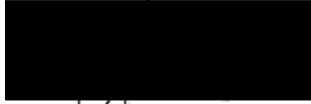
- The Fire Authority has no objection to the proposed development and refers the Local Planning Authority to any current standing advice by the Fire Authority about the consultation.

The developer should also consider the need for the provision of:-

- a. adequate water supplies on the site for firefighting purposes; and
- b. access for emergency firefighting appliances

Should the applicant require further information in relation to these matters they should contact the above named fire safety officer.

Yours faithfully,  
**Duly signed and authorised by**



**for Assistant Chief Fire Officer**  
**cc: [WATERGEN@southwales-fire.gov.uk](mailto:WATERGEN@southwales-fire.gov.uk)**  
Enc: BR13 Appendix



## Appendix

### 1.0 Access For Fire Appliances

Typical vehicle access route requirements:

Appliance Type	Min Width Road	Min Width Gate	Min Turning Circle between Kerb
Pump	3.7m	3.1m	16.8m
Aerial Appliance	3.7m	3.1m	26.9m
Min Turning between Wall	Min Height Clearance	Min Capacity Tonnes	
19.2	3.7m	12.5	
29.0	4.0m	23	

#### Pedestrian Priority

Pedestrian schemes must take into account the need for permanent and unobstructed access for firefighting appliances. The siting of ornamental structures such as flower beds, must take account, not only of the access requirements of the fire appliances but the need to be able to site them in strategic positions; in particular, account must be taken of the working space requirements for aerial appliances. Consultation must take place with the Fire and Rescue Authority during the earliest planning stages of any development to ensure adequate access for fire appliances, their siting and use.

### 2.0 Water Supplies for Firefighting

The existing output of the statutory water supply network may need to be upgraded in certain parts of the local plan area to cater for firefighting needs of new developments. It is recommended that this provision be a condition of planning consent.

#### Access to Open Water Supplies

Where development of water front sites takes place, the need for permanent and unobstructed access for firefighting appliances to the water should be made a condition of any planning consent.

Consultation must take place with the Fire and Rescue Authority during the earliest planning stages of any development to ensure access for fire pumping appliances is satisfactory.

## 2.1 Housing

Minimum main size 100mm. Housing developments with units of detached or semi-detached houses of not more than two floors should have a water supply capable of delivering a minimum of eight litres per second through any hydrant on the development.

Housing developments with units of more than two floors should have a water supply capable of delivering a minimum of 20 to 35 litres per second through any hydrant on the development.

## 2.2 Transportation

Lorry/Coach Parks - Multi-Storey Car Parks-Service Stations

Minimum main size 100mm. All of these amenities should have a water supply capable of delivering a minimum of 25 litres per second through any hydrant on the development or within a vehicular distance of 90 metres from the complex.

## 2.3 Industry

In order that an adequate supply of water is available for use by the Fire and Rescue Authority in case of fire, it is recommended that the water supply infrastructure to any Industrial estate is as follows:

Light Industrial

Minimum Main Size 100mm  
Up to one hectare, 20 litres per second

Commercial/Industrial

Up to two hectares, 35 litres per second - Minimum Main Size 150mm

High Risk Industrial

Two to three hectares 50 litres per second - Minimum Main Size 150mm.  
Over three hectares, 75 litres per second.

In rural areas it may not be possible to provide sufficient mains water. To overcome this, static or river supplies would be considered on site at the above flow rates for at least one hour.

The Fire and Rescue Authority should be consulted at the outline planning stage of any proposed projects to ascertain the exact requirements, as high risk units may require a greater flow.

## 2.4 Shopping, Health and Community Facilities

### **Village Halls**

Should have a water supply capable of delivering a minimum of 15 litres per second through any hydrant on the development or within a vehicular distance of 100 metres from the complex.

### **Primary Schools and single storey Health Centres**

Should have a water supply capable of delivering a minimum of 20 litres per second through any hydrant on the development or within a vehicular distance of 70 metres from the complex.

### **Secondary Schools, Colleges, Large Health and Community Facilities**

Should have a water supply capable of delivering a minimum of 35 litres per second through any hydrant on the development or within a vehicular distance of 70 metres from the complex.

## 2.6 Distances Between Fire Hydrants

The distance between fire hydrants should not exceed the following:

Residential areas	-	200 metres
Industrial Estates (Subject to operational needs)	-	150 metres
Town centre areas	-	90 metres
Commercial (Offices & Shops)	-	100 metres
Residential Hotels	-	Adjacent to access
Hotels	-	Adjacent to access
Institutional (Hospitals & Old Persons Homes)	-	Adjacent to access
Old Persons Homes	-	Adjacent to access
Educational (Schools & Colleges)	-	Adjacent to access

## 2.7 Conclusion

Developers should hold joint discussion with Dwr Cymru - Welsh Water or the National Rivers Authority and the Fire and Rescue Authority to ensure that adequate water supplies are available in case of fire. The Fire and Rescue Authority reserve the right to ask for static water supplies for firefighting on site as a condition of planning consent, if the supply infrastructure is inadequate for any given risk.

Ein cyf/Our ref: CAS-235434-H8T0

Carney Sweeney,  
Brunel House,  
2 Fitzalan Road,  
Cardiff,  
CF24 0EB

Dyddiad/Date: 12 September 2023

Annwyl Kate Gapper/Dear Kate Gapper,

**STATUTORY PRE-APPLICATION CONSULTATION – TOWN AND COUNTRY  
PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (WALES) ORDER 2012  
AS AMENDED**

**BWRIAD/PROPOSAL: PROVISION OF ABOVE AND BELOW GROUND UTILITIES,  
ASSOCIATED INFRASTRUCTURE AND REPROFILING OF LAND**

**LLEOLIAD/LOCATION: BRO TATHAN ST ATHAN BARRY CF62 4QR**

Thank you for providing a requisite notice to us under Article 2D of the above Order. We received a copy of your proposed application on 14 August 2023.

**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 land contamination and European Protected Species (EPS). 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 a Construction Environmental Management Plan on any planning permission granted. Without the inclusion of these conditions by the planning authority, we would be likely to object to the planning application.**

**European Protected Species**

We have reviewed the following information submitted in support of this statutory pre-application:

- 'Bro Tathan Utilities, St Athan, Glamorgan. Ecological Assessment', by David Clements Ecology Ltd, dated July 2023
- 'Bro Tathan Utilities. Wildlife Protection Plan' by David Clements Ecology Ltd, dated July 2023

It is indicated in the above ecological report that great crested newts (GCN), bats and dormice are present on site or within close proximity and may be impacted by the proposals.

#### Ecological survey information

It is indicated in the Ecological Assessment that ecological surveys have been undertaken of the Bro Tathan site over recent years including for protected species. However, the report provides no details of these but references a number of separate survey reports for this information. In the absence of this information, we are unable to fully assess the impacts on protected species. We advise that ecological survey reports are submitted in support of the planning application. Notwithstanding the above, we have the following additional comments to make.

#### Bats

We note that the bat survey reports will include details of bat surveys undertaken of trees on site of the Aston Martin Lagonda electrical sub-station building that is to be re-located. If this is not the case, we advise that these surveys are undertaken in accordance with published best practice and results detailed in the survey report submitted in support of the application. If evidence of bat use is found, suitable mitigation measures should also be included in an updated Wildlife Protection Plan.

In relation to the bat houses in Bro Tathan East, we understand from the trees listed in the Ecological Assessment that no trees in the vicinity of the bat houses are to be removed.

The Ecological Assessment includes measures to avoid potential disturbance to the bat houses. However, we note that these measures have not been included in the Wildlife Protection Plan. For clarity of delivery, we would advise that the Wildlife Protection Plan is amended to include these measures.

#### GCN

The ecological reports identify that GCN are present at the south of the site. Two areas, The Rotary Zone and West Orchard, are identified where it is considered that the proposed works may impact upon GCN.

We welcome the measures that are therefore outlined in the Wildlife Protection Plan to mitigate potential impacts on GCN within these areas. However, we advise that additional information is provided that clarifies the likely impacts on this species and demonstrates the suitability of the measures proposed as follows:

- We advise that the GCN survey report to be provided will include the locations of all waterbodies across the site, and the results of GCN surveys of waterbodies.

- We advise that a detailed description of the habitats present within the two GCN areas identified in the Wildlife Protection Plan is included. The distribution of these habitats, together with the location of the route works area relative to these features, should be shown on supporting drawings.
- Clarification of the location of the newt exclusion fencing and of the maintenance since installation, to ensure that it has continued to act as an effective barrier to newt movement.
- Whilst we note the indication of the proposed depth of trenches, we advise clarification is provided of how wide the trenches and the working area will be.
- It is indicated that the works will be of short duration and no GCN barrier is therefore proposed during works. We advise that the duration of works within the two GCN areas is stated to support this approach.

### Dormice

We note that an area of potential dormouse habitat is to be removed in Bro Tathan West to facilitate the proposed works. We advise that the following additional information is included that clarifies the potential impacts of this aspect of the works:

- The extent of the scrub vegetation to be removed to facilitate installation of utilities in this area.
- If not included in the survey reports to be provided, a more detailed description, with respect to dormice, of the scrub vegetation and photographs to support the assessment of low quality for this species.
- The treatment of this area following works including whether habitat will be allowed to re-establish or be replaced.

On provision of the above information to clarify likely impacts on European Protected Species, we can advise on planning conditions.

Aside from the above, we note that the draft application form fails to identify there are trees and hedgerows that are present and will be impacted or that there are protected and priority species that may be affected. We advise that this is addressed in the submitted form.

### **Land Contamination**

We have reviewed the following information submitted in support of this statutory pre-application:

- 'Bro Tathan - Separation of Utilities - Reactive Remediation Strategy' by Tetra Tech Limited, dated July 2023.

### Underground storage tanks

From the plans submitted, we note that numerous tanks have been proposed, however, we require clarification on whether these tanks will be below ground or above. If below ground, the comments below should be considered at the full planning application stage. Depending on what is submitted, we may request conditions for the tanks installations at full planning application consultation.

For the new fuel tanks we require the following information:

- a. Location of the storage tanks. We would prefer above ground tanks, but note that the area for the tanks may be limited and that underground tanks is likely to be the preferred options. Please annotate the site plan showing the location of the new and pipe lines.
- b. Determine the depth to the water table. The seasonal variation of the water table should be considered and any seasonal highs should be compared with the tank invert level. If the water table is shown to be above the invert level of the storage tanks we will require a risk assessment with respect to the groundwater and mitigation measures to reduce any risks.
- c. Design of the tanks. Please include details of the tank design and cross sections of the geology and tanks with depths below the ground.

Welsh Government policy as set out in Planning Policy Wales paragraph 13.12.1 notes that “the potential for pollution affecting the use of land will be a material consideration in deciding whether to grant planning permission”.

Our approach to groundwater protection is set out in “[Approach to Groundwater Protection](#)” (EA, 2018 and adopted by NRW). In implementing the position statements in this guidance, we will oppose development proposals that may pollute groundwater especially where the risks of pollution is high and the groundwater asset is of high value. We seek to enable development by ensuring that applicants provide adequate information to demonstrate that the risks posed by development to groundwater can be satisfactorily managed. In this instance, the information has not been provided.

In this case, we consider that the proposed development may pose an unacceptable risk of causing a detrimental impact to groundwater quality because the depth to the water table (and its seasonal variation) is unknown and so is the depth of the tanks and how this compares to the water table.

Within this document, we have a number of position statements relating to storage of hazardous substances, in particular the storage within underground tanks – position statement D2 and D3.

#### Soil and groundwater contamination

The current and historical land use of the site as a military airfield may have caused contamination of the soil and groundwater, however, the amount and extent of potential contamination is unknown.

A desk study has been completed and a Reactive Remediation Strategy submitted as part of this statutory pre-application. This is based on generic remediation methods as no site investigation and risk assessment have been completed. Given the environmental setting on site, the level of potential contamination could be high. We therefore request the following conditions and informatives be imposed on any planning permission granted.

In addition to the planning conditions, Environmental Permits from NRW may be required (during construction and operation) and we recommend early consultation with the relevant permitting teams to ensure all permits are in place prior to commencement of development.

Please note, these conditions has been recommended as we are satisfied that there are generic remedial options available to deal with the risks to controlled waters posed by contamination at this site. However, further details will be required in order to ensure that risks are appropriately addressed prior to development commencing.

In line with the advice given in Planning Policy Wales we understand that the Authority must decide whether to obtain such information prior to determining the application or as a condition of the permission. Should the LPA decide to obtain the necessary information under condition we would request that these conditions are applied.

### **Condition 1**

No development of land known to be or 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.

1. A preliminary risk assessment which has identified:
  - all previous uses
  - potential contaminants associated with those uses
  - a conceptual model of the site indicating sources, pathways and receptors
  - 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.

*Justification:* 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 are implemented to prevent unacceptable risks from contamination.

### **Condition 2**

Prior to the occupation of the development, 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.

*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.

### **Condition 3**

Prior to the occupation of the development, 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:

- Details of the methods and triggers for action to be undertaken
- Timescales for the long term monitoring and curtailment mechanisms
- Timescales for submission of monitoring reports to the LPA
- Details of any necessary contingency and remedial actions and timescales for actions
- Details confirming that the contingency and remedial actions have been carried out.

The monitoring plan shall be carried out in accordance with the approved details, within the agreed timescales.

*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.

### **Condition 4**

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 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.

*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.

## **Informative / advice to applicant**

Natural Resources Wales recommends that developers should:

1. Follow the risk management framework provided in [Land contamination risk management \(LCRM\)](#)
2. Refer to '[Land Contamination: a guide for developers](#) (WLGA, 2017) for the type of information that we require in order to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, such as human health.
3. Refer to our [groundwater protection](#) advice on [www.gov.uk](http://www.gov.uk)

The treatment and disposal of contaminated soils and groundwater is regulated by waste legislation and requires an environmental permit.

Excavated materials that are recovered via a treatment operation can be re-used on-site under the [CL:AIRE Definition of Waste: Development Industry Code of Practice](#). This voluntary Code of Practice provides a framework for determining whether or not excavated material arising from site during remediation and/or land development works are waste.

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on site operations are clear. If in doubt, Natural Resources Wales should be contacted for advice at an early stage to avoid any delays.

## **Ground and Surface Waters**

We note that the proposed works will be affecting the six zones of the Bro Tathan site, and as a result, a number of Main Rivers (Nant Y Stepsau, Boverton Brook and Castleton Brook) will run adjacent to the application site.

We therefore request the following condition be imposed on any planning permission granted.

### **Condition 5**

No development shall commence until a site wide Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP should include:

- Specific locations of the proposed works, location of the headwall outfall and how it will connected to the surface water network and any other areas that will drain via the outfall.
- CEMP Masterplan: details of the extent and phasing of development; location of landscape and environmental resources; design proposals and objectives for integration and mitigation measures.
- Resource Management: details of fuel and chemical storage and containment; details of waste generation and its management; details of water consumption, wastewater and energy use
- Traffic Management: details of site deliveries, plant on site, wheel wash facilities

- Pollution Prevention: demonstrate how relevant Guidelines for Pollution Prevention and best practice will be implemented, including details of emergency spill procedures and incident response plan to ensure sources of pollution and run off will be prevented from entering watercourse and surface drainage.
- Details of the persons and bodies responsible for activities associated with the CEMP and emergency contact details
- Landscape/ecological clerk of works to ensure construction compliance with approved plans and environmental regulations.

The CEMP shall be implemented as approved during the site preparation and construction phases of the development.

*Justification:* A CEMP should be submitted to ensure necessary management measures are agreed and implemented for the protection of the environment during construction.

### **Other Matters**

Please note, if further information is prepared to support an application, it may be necessary for us to change our advice in line with the new information.

Our comments above only relate specifically to matters included on our checklist, *Development Planning Advisory Service: Consultation Topics* (September 2018), which is published on our [website](#). We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests.

In addition to planning permission, you are advised to ensure all other permits/consents/licences relevant to the development are secured. Please refer to our [website](#) for further details.

Further advice on the above matters could be provided prior to your planning application being submitted, however there would be a charge for this service. Additional details are available on our [website](#).

If you have any queries on the above, please do not hesitate to contact us.

Yn gywir / Yours faithfully,

### **Ryan Rees**

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

E-bost/E-mail: [southeastplanning@cyfoethnaturiolcymru.gov.uk](mailto:southeastplanning@cyfoethnaturiolcymru.gov.uk)

Croesewir gohebiaeth yn Gymraeg a byddwn yn ymateb yn Gymraeg, heb i hynny arwain at oedi./Correspondence in Welsh is welcomed, and we will respond in Welsh without it leading to a delay.



Llywodraeth Cymru  
Welsh Government

Plas Caeveur, Unit 57, Cefn Coed  
Parc Namtgarw, Cardiff, CF15 7QQ  
Ffôn 0300 025 6004  
E-bost [cadw@gov.wales](mailto:cadw@gov.wales)  
[www.cadw.gov.wales](http://www.cadw.gov.wales)  
0300 025 6000  
[cadw@gov.wales](mailto:cadw@gov.wales)/[cadw@llyw.cymru](mailto:cadw@llyw.cymru)  
[www.cadw.gov.wales](http://www.cadw.gov.wales)

Carney Sweeney

Eich cyfeirnod  
Your reference

By email

Ein cyfeirnod  
Our reference

LC

Dyddiad  
Date

6 September 2023

Llinell uniongyrchol  
Direct line

0300 0256004

Ebost  
Email:

[cadwplanning@gov.wales](mailto:cadwplanning@gov.wales)

Dear Sir/Madam

## **Pre-Planning Application - Provision of above and below ground utilities, associated infrastructure and the reprofiling of land, Land at Bro Tathan, St Athan**

Thank you for your letter of 14 August inviting our comments on the pre-planning application consultation for the proposed development described above.

### Advice

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.

Having carefully considered the information provided, we have no objection to the proposed development in regards to the scheduled monuments or registered historic parks and gardens listed in our assessment of the application below.

The national policy and Cadw's role in the planning process is set out in Annex A.

### Assessment

#### Scheduled Monuments

GM001 Old Beaupre Castle  
GM032 Summerhouse Camp  
GM082 East Orchard Manor House  
GM083 West Orchard Manor House  
GM113 Bedford Castle  
GM137 Llantwit Major Castle  
GM140 Llantwit Major Dovecot  
GM141 Llantwit Major Gatehouse  
GM142 Llantwit Major Monastic Settlement (Site of)  
GM189 Domen Fawr Round Barrows

Mae Gwasanaeth Amgylchedd Hanesyddol Llywodraeth Cymru (Cadw) yn hyrwyddo gwaith cadwraeth ar gyfer amgylchedd hanesyddol Cymru a gwerthfawrogiad ohono.

The Welsh Government Historic Environment Service (Cadw) promotes the conservation and appreciation of Wales's historic environment.

Rydym yn croesawu gohebiaeth yn Gymraeg ac yn Saesneg.  
We welcome correspondence in both English and Welsh.



BUDDSODDWR MEWN POBL  
INVESTOR IN PEOPLE



GM297 West Aberthaw Medieval Site  
GM300 Fleminston Deserted Village  
GM307 Deserted Medieval Village North East of Rock Farm  
GM337 Llandough Castle, Remains of Hall  
GM422 Boverton Place  
GM490 The Chantry House  
GM534 Llandcadle Deserted Medieval Village  
GM598 East Orchard Wood Pillbox  
GM601 Limpert Bay Anti-invasion Defences  
GM604 Treguff RAF Airfield Decoy Control Centre  
GM625 St. Illtud's Church, Early Medieval Cross, Cross Shafts and Pillar  
GM626 Llanmaes Castle (Malefant Castle)  
GM630 Round Barrow Cairn, 340m west of The Parwg

Registered Parks and Gardens

PGW(Gm)34(GLA) Llanmihangel Place  
PGW(Gm)38(GLA) Old Beaupre  
PGW(Gm)39(GLA) Fonmon Castle

This pre-planning application is for the provision of above and below ground utilities, associated infrastructure and the reprofiling of land on land at Bro Tathan, St Athan.

The proposed works include a number of utility upgrades and also include establishing a site-wide ducting network improving connectivity to the site and the surrounding area.

The above designated historic assets are located inside 3km of the proposed development, but in most cases 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. Where views of the works are possible, any impact is likely to occur during the construction works and when completed there will be no significant impacts on the settings of these designated historic assets.

The proposed works will have a direct impact on scheduled monument GM083 West Orchard Manor House and scheduled monument consent will need to be granted before the works can commence inside the boundaries of the designated area.

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](http://www.ggat.org.uk)

Yours sincerely,

Laura Cooper  
Casework Officer

## **Annex A**

### Our role

Our statutory role in the planning process is to provide the local planning authority with an assessment concerned with the likely impact that the proposal will have on scheduled monuments, registered historic parks and gardens, registered historic landscapes where an Environmental Impact Assessment is required and development likely to have an impact on the outstanding universal value of a World Heritage Site. We do not provide an assessment of the likely impact of the development on listed buildings or conservation areas, as these are matters for the local authority.

It is for the local planning authority to weigh our assessment against all the other material considerations in determining whether to approve planning permission.

### National Policy

Applications for planning permission are considered in light of the Welsh Government's land use planning policy and guidance contained in Planning Policy Wales (PPW), Technical Advice Notes and related guidance.

PPW [planning-policy-wales-edition-11.pdf](#) explains that it is important that the planning system looks to protect, conserve and enhance the significance of historic assets. This will include consideration of the setting of an historic asset which might extend beyond its curtilage. Any change that impacts on an historic asset or its setting should be managed in a sensitive and sustainable way.

The conservation of archaeological remains and their settings is a material consideration in determining a planning application, whether those remains are a scheduled monument or not. Where nationally important archaeological remains are likely to be affected by proposed development, there should be a presumption in favour of their physical protection in situ. It will only be in exceptional circumstances that planning permission will be granted if development would result in a direct adverse impact on a scheduled monument (or an archaeological site shown to be of national importance)

[Technical Advice Note 24: The Historic Environment](#) elaborates by explaining that when considering development proposals that affect scheduled monuments or other nationally important archaeological remains, there should be a presumption in favour of their physical preservation in situ, i.e. a presumption against proposals which would involve significant alteration or cause damage, or would have a significant adverse impact causing harm within the setting of the remains.

### Historic Parks and Gardens

PPW also explains that local authorities should value, protect, conserve and enhance the special interests of parks and gardens and their settings included on the register of historic parks and gardens in Wales and that the effect of a proposed development on a registered park or garden or its setting should be a material consideration in the determination of a planning application.

## Kate Gapper

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**From:** Thomas, Rhodri <Rhodri.Thomas@wsp.com>  
**Sent:** 11 September 2023 10:24  
**To:** Clodagh Macken  
**Cc:** LGC\_Development\_Control-South@gov.wales  
**Subject:** FW: Pre Planning - LAND AT BRO TATHAN EAST, ST ATHAN [Filed 11 Sep 2023 10:54]

**Categories:** Filed by Mail Manager

You don't often get email from rhodri.thomas@wsp.com. [Learn why this is important](#)

**CAUTION:** This message originated from outside of Carneysweeney Ltd. Use caution when opening attachments, clicking links or responding to requests for information.

Morning Clodagh Macken,

On behalf of the Welsh Government, please find our response to two number pre-planning applications for the land at Bro Tathan,

Pre Planning - LAND AT BRO TATHAN EAST, ST ATHAN  
Demolition of existing buildings/structures and the erection of two new bat houses

&

Pre Planning - LAND AT BRO TATHAN, ST ATHAN  
Provision of above and below ground utilities, associated infrastructure and the reprofiling of land

I refer to your consultation of 10/08/2023 regarding the above pre-planning applications and advise that the Welsh Government as highway authority for the M4 motorway would not issue a direction in respect to a future planning application.

If you have any further queries, please forward to the following Welsh Government Mailbox  
[Lgc\\_development\\_control-south@gov.wales](mailto:Lgc_development_control-south@gov.wales)

Regards

Rhodri

**Rhodri Thomas BSc. (Hons) GMICE**  
Senior Engineer

I am now on secondment, and will have intermittent access to emails.



T+44 (0) 29 20 769 275

1 Capital Quarter, Tyndall Street  
Cardiff  
CF10 4BZ

**wsp.com**