

25 October 2023

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Vale of Glamorgan Council
Planning Enquires
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Planning Portal Reference: PP-12288265

Dear Sir/Madam,

Application by Welsh Ministers for the Provision of Above and Below Ground Utilities, Associated Infrastructure and Reprofiting of Land at Bro Tathan, St. Athan, Vale of Glamorgan

CarneySweeney are instructed by the Welsh Ministers (the Applicant) to submit the enclosed planning application for 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 at Bro Tathan, St. Athan.

This Planning Supporting Letter provides a summary of the site description, the proposed development and planning policies of relevance to the site and proposal. The following documents are submitted in support of this application:

- 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, October 2023)
- Dormouse Survey Report (David Clements Ecology, February 2023)
- GCN Survey Report (David Clements Ecology, February 2023)
- Ecological Assessment Including Bats (David Clements Ecology, February 2020)
- Wildlife Protection Plan (David Clements Ecology, October 2023)
- Pre-Application Consultation Report (CarneySweeney, October 2023)
- Package of planning drawings comprising the following:
 - 50192-BUR-GEN-XX-DR-C-0100: Site Location Plan
 - 50192-BUR-GEN-XX-DR-C-0116: Ecological Constraints Plan
 - 50192-BUR-HDG-XX-DR-C-0550: Ducting Details
 - 50192-BUR-HDG-XX-DR-C-0551: Trench Details Sheet 1
 - 50192-BUR-HDG-XX-DR-C-0552: Trench Details Sheet 2
 - 50192-BUR-HKF-XX-DR-C-1150: Reinstatement Detail
 - 50192-BUR-ULT-XX-DR-C-2700: Proposed Combined Utilities Overview
 - 50192-BUR-ULT-XX-DR-C-2701: Proposed Combined Utilities Sheet 1
 - 50192-BUR-ULT-XX-DR-C-2702: Proposed Combined Utilities Sheet 2
 - 50192-BUR-ULT-XX-DR-C-2703: Proposed Combined Utilities Sheet 3
 - 50192-BUR-ULT-XX-DR-C-2704: Proposed Combined Utilities Sheet 4
 - 50192-BUR-ULT-XX-DR-C-2705: Proposed Combined Utilities Sheet 5



- 50192-BUR-ULT-XX-DR-C-2736: Proposed Potable Water Details Sheet 1
- 50192-BUR-ULT-XX-DR-C-2737: Proposed Potable Water Details Sheet 2
- 50192-BUR-HDG-XX-DR-D-0550: Drainage Detail Sheet 1
- 50192-BUR-HDG-XX-DR-D-0551: Drainage Detail Sheet 2
- 50192-BUR-HDG-XX-DR-D-0552: Drainage Detail Sheet 3
- 50192-BUR-HDG-XX-DR-D-0553: Drainage Detail Sheet 4
- 50517-BUR-XX-XX-DR-C-0001: General Arrangement
- 50517-BUR-XX-XX-DR-C-0002: Proposed Cross Section Levels
- 50517-BUR-XX-XX-DR-C-0003: Proposed Levels
- 50517-BUR-XX-XX-DR-C-0004: Proposed Long Section
- 50517-BUR-XX-XX-DR-C-0005: Proposed Long Section
- 1 x 1410ltr gas tank
- 1 x 2200ltr gas tank
- 1 x 4600ltr gas tank
- 4 x 4600ltr gas tank
- 6 x 4600ltr gas tank
- 3 x 2t bulk LPG tank
- 2357 A01 Rev A AML ss Location and Block Plan
- 2357 A02 Rev A AML ss Proposed Building
- GRAF_380004_Carat_XXL_36000L: Underground Water Tank
- GRAF_380008_Carat_XXL_56000L: Underground Water Tank

The application site measures 76,935m² giving rise to a £17,710 planning application fee. This will be paid under separate cover.

Site Description

The Application Site (referred to as 'the Site' hereafter) comprises land within the Bro Tathan site. The extent of the Site is shown on the enclosed Site Location Plan.

Bro Tathan is strategically located in the heart of the Vale of Glamorgan approximately 8 miles west of Barry, 12 miles south-east of Bridgend, 4 miles west of Cardiff Airport and 14 miles south of Junction 33 of the M4.

Bro Tathan provides around 150,000 sq.m of employment floorspace together with its own fully operational 1.8km runway which is licensed by the Civil Aviation Authority. Home to major occupiers including Aston Martin Lagonda, eCube Solutions and Bristow Helicopters it has five zones as follows:

- **Y Gogledd (North):** land to the north at Picketston with direct vehicular access from the Ffordd Bro Tathan; and
- **Y Gorllewin (West):** land north of the runway, east of the army-occupied West Camp and including the Aston Martin Lagonda (AML) car manufacturing facility with access to the runway;
- **Y Dwyrain (East):** stretching to 52 hectares this comprises land north of the runway between the eastern boundary of the AML factory and the overall site boundary to Cowbridge Road in the east with its own independent access and benefitting from access to the runway;
- **Y De (South):** land south of the runway at Batslays, West Orchard and Beggar's Pound;
- **Y Porth:** land to the south of Ffordd Bro Tathan, north of Caerlav Ltd and west of the roundabout serving AML; and land to the west of Caerlav Ltd, south of Scott Way.

The site lies within the Cardiff Airport and St Athan Enterprise Zone, where Policy MG10 of the adopted Vale of Glamorgan Local Development Plan (LDP) is relevant. This is discussed in more detail below.



Application Proposals

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.

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.

The utility works comprise a year-long programme of trenching (approximately 20km) around the Bro Tathan site to install and/or replace the following utilities and services.

Electricity:

- installing a new site wide electricity network
- the relocation of the Aston Martin Lagonda 11kV electricity substation

Water:

- installing a new site wide water network
- connections from the site wide water network to each building premises
- installation of 3no water tanks for firefighting purposes

Gas:

- installation of LPG tanks and associated pipework to provide a local gas network to the buildings utilising gas on the site

Drainage:

- carrying out surface water diversions to an outfall position within the Boverton Brook
- carrying out foul water diversion to a DCWW manhole located on Eglyws Brewis Road
- installation of a new pumping main to replace ageing infrastructure crossing Ffordd Bro Tathan
- carrying out a foul water diversion to Aston Martin Lagonda's foul network to the South East of their premises.

Ducting:

- installation of Openreach ducts and associated duct chambers to the site's shared utility trenches
- installation of Ogi ducts and associated trenches to the site's shared utility trenches
- installation of spare ducts and associated duct chambers to the site's shared utility trenches

Sustainable Material Reuse:

- reuse of material (up to 32,718m³) within the Y Porth area of the site to facilitate its development in line with the site's allocation in the Local Development Plan. This material will comprise material generated from trench work (up to approximately 19,733m³, depending on material type, bulking, compaction etc) and existing site stockpiles in and around the Y Porth area.

The proposed route of the utility works can be seen in Figure 2 overleaf.



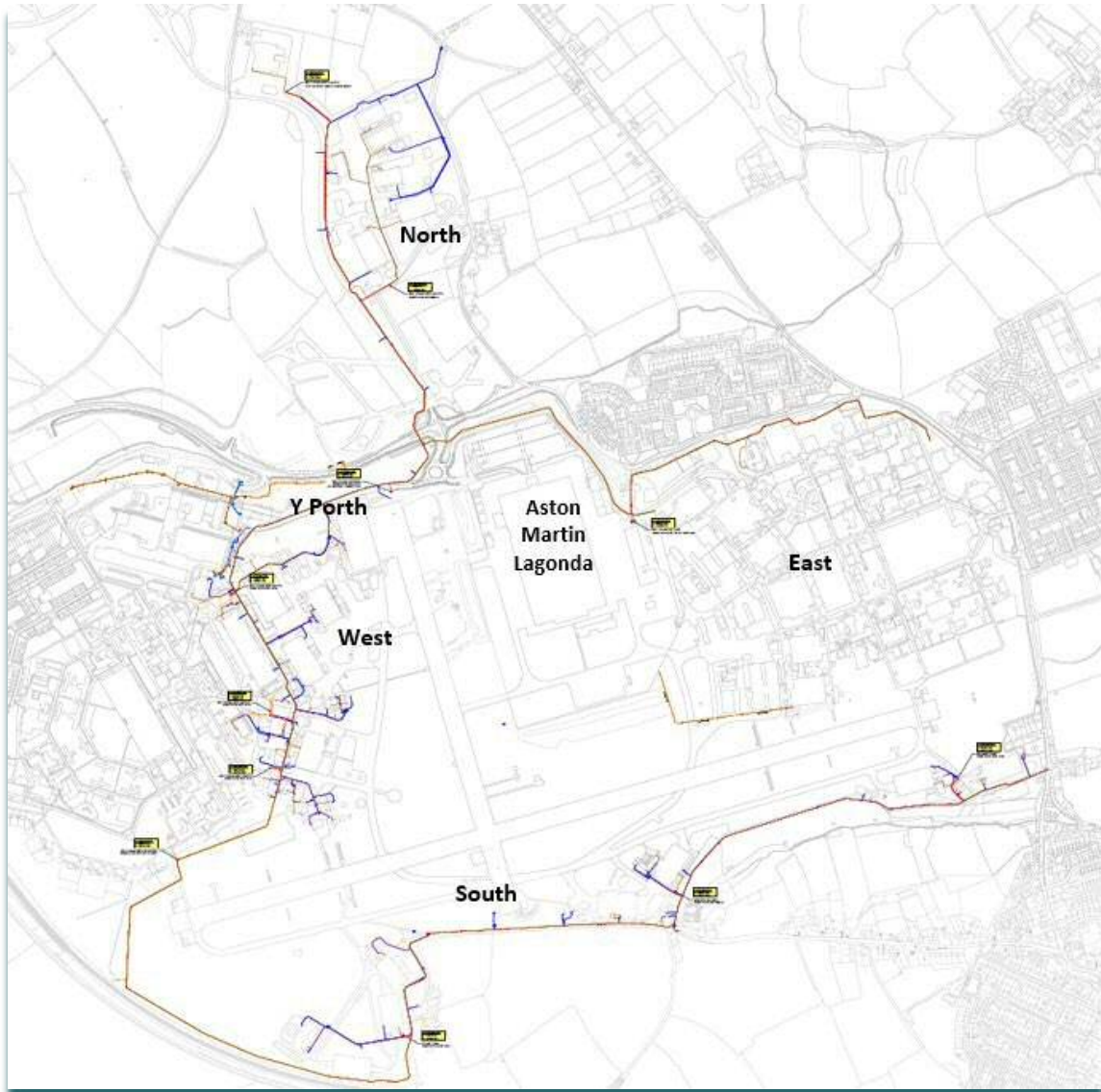


Figure 2: Route of Proposed Utility Works

Some aspects of the works are deemed to be permitted development but have been included within the application due to their interface with the remainder of the works.

Overview of Planning Policy Context

Section 38(6) of The Planning and Compulsory Purchase Act 2004 requires that the determination of planning applications must be in accordance with the Development Plan unless material considerations indicate otherwise.

The Development Plan relevant to the Site comprises Future Wales – the National Plan 2040 (published February 2021) and the Vale of Glamorgan Local Development Plan 2011-2026, which was formally adopted in June 2017. Material considerations include national policy in the form of Planning Policy Wales (PPW). Those policies that are considered to be relevant to the proposed development in the Development Plan and PPW are summarised below.



Future Wales – the National Plan 2040

The National Plan 2040 was published in February 2021 and sets out the national development framework for Wales outlining the direction for development to 2040. The National Plan sets out the strategy for addressing key national priorities through the planning system, including sustaining and developing a vibrant economy, achieving decarbonisation and climate-resilience, developing strong ecosystems and improving the health and well-being of communities.

Within the National Plan, the Cardiff Airport and Bro Tathan Enterprise Zone is noted as offering opportunities for investment in the site and surrounding areas. The National Plan goes on to state that “...The Enterprise Zone offers a wide range of development sites and business accommodation, providing opportunities for the development of bespoke facilities or investment in existing accommodation.”

Vale of Glamorgan Local Development Plan

The Vale of Glamorgan Local Development Plan (LDP) 2011-2026 was adopted in 2017, setting out the vision, objectives and policies for the plan period up to 2026.

The Site forms part of the wider St Athan Cardiff Airport Enterprise Zone which is allocated for employment uses under **Policy SP2** Strategic Sites and **Policy MG9** Managing Growth – See Figure 2 overleaf. Paragraph 5.33 of the LDP states “the sites identified in Policy SP2 (Strategic Sites) are those that are considered to be major elements contributing to the implementation of the LDP Strategy as set out in the Plan i.e. the promotion of development and regeneration opportunities within the specific areas identified within the strategy.”

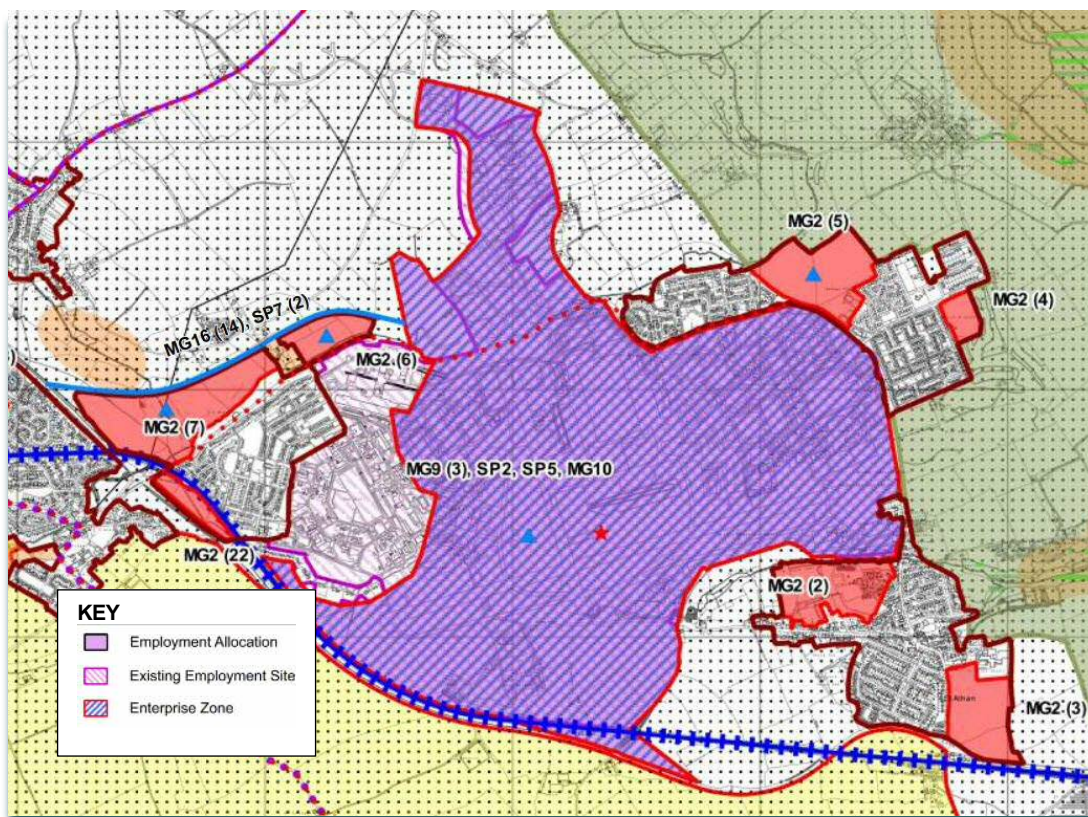


Figure 2: Extract from LDP Proposals Map



Policy MG10 sets out the policy criteria for the Cardiff Airport and St Athan Enterprise Zone allocation, stating that:

“Land is allocated adjacent to Cardiff Airport and Port Road, Rhoose (77 ha) and at the aerospace business park St Athan (305ha) for the development of 382 hectares of strategic employment land (class B1, B2 and B8) forming part of the St Athan – Cardiff Airport Enterprise Zone. The development of the enterprise zone will be guided by a masterplan to include the following elements...

- *A business park for aviation support services at Picketston (11.79 ha);*
- *An aerospace business park north and south of the runway at St Athan;*
- *Provision of sustainable transport infrastructure;...*”

Policy SP10 (Built and Natural Environment) outlines that development proposals must preserve and where appropriate enhance the rich and diverse built and natural environment and heritage of the Vale of Glamorgan including *inter alia*, important archaeological and geological features (Part 6 of Policy SP10).

Policy MD2 deals with the design of new development, setting out specific criteria for assessing design matters. Due to the nature of the proposed development, the criteria within Policy MD2 are not wholly relevant however the proposed development does not conflict with the provisions of Policy MD2 in that the external appearance of the proposed substation building would be appropriate to the surrounding airport infrastructure context.

Policy MD7 Environmental Protection requires development proposals to demonstrate that they will not result in an unacceptable impact on people, residential amenity, property and / or the natural environment. The provision of new and upgraded above and below ground utilities and associated infrastructure is not considered to present any issues in this regard.

Policy MD8 Historic Environment, requires development proposals to protect the qualities of the built and historic environment of the Vale of Glamorgan, which includes sites of archaeological interest. For such sites, the policy requires development proposals to preserve or enhance archaeological remains and where appropriate, their settings.

Planning Policy Wales

PPW notes at paragraph 5.3.18 that “Planning authorities should recognise the strategic and local importance of airports and their potential as centres of economic activity.” PPW goes on to note at Paragraph 5.4.4 that “Wherever possible, planning authorities should encourage and support developments which generate economic prosperity and regeneration. Sites identified for employment use in a development plan should be protected from inappropriate development.”

Planning Assessment

This section considers the key planning matters arising from the proposed development drawing on the planning policy context and other material considerations. The key planning considerations deemed relevant the determination of this proposal are as follows:

- Principle of Development
- Archaeology
- Ecology
- Arboriculture
- Contamination



Principle of Development

The Site falls within an Enterprise Zone where employment development is supported both at a local and national level within the Vale of Glamorgan LDP and National Plan. As explained above this utility project has been prepared to support the Welsh Government in the development of the next phase of Bro Tathan which involves creating a groundbreaking destination for business offering a range of development and occupational opportunities.

In order to achieve this future development a number of utility upgrades are required to improve efficiency of services thereby future proofing the site.

The proposal will therefore assist in supporting an essential function of the wider employment designation and will support the provisions of Policy MG10 of the LDP and also the aspirations within the National Plan for this Enterprise Zone. Overall, the proposed development accords with the provisions of the LDP and the National Plan.

Ecology

An Ecological Assessment has been undertaken by David Clements Ecology (DCE) to assess the likely impact of the proposed works on protected species and habitats. The main findings of the Ecological Assessment, along with proposed mitigation measures, are as follows:

- **Nesting Birds:** There is a risk of nesting birds being affected by the removal of any habitats with potential for nesting or by disturbance caused by works in the vicinity of nesting habitat and so any work in these areas should take place outside of the nesting bird season (i.e. not between March and August). In some instances, it may be possible to carry out a pre-works nesting bird check during the nesting season to determine whether there is any nesting activity in the area.
- **Great-crested newt (GCN):** These are known to be present at Bro Tathan South and the Rotary Zone. There is a risk of GCN being harmed and a temporary loss of terrestrial habitat while the works are taking place and so the works are likely to require a NRW GCN Licence to be in place with a detailed method statement. It is likely to be most appropriate to carry out the excavation works in sensitive areas between March/ April and May/ June, when GCN are usually in the breeding ponds. The work in these areas will be carried out under the supervision of a suitably qualified and licenced ecologist.

The risk of encountering GCN in other parts of the site is considered to be negligible, due to the lack of records and absence of suitable breeding habitat, as well as the exclusion fencing between the GCN ponds and the airfield and so work in these areas will take place under a reptile method statement which will also act as a non-licenced method statement for GCN.

- **Bats:** The mature trees close to the bat houses in Bro Tathan East are important for commuting and foraging bats and a small number have potential roosting features. As no trees will need to be removed from this area to facilitate the trench; it is unlikely that bats will be affected, providing the trench is at least 5m away from the bat houses, to minimise potential disturbance.
- **Dormouse:** these are known to occur in parts of Bro Tathan North, West and South. No dormouse habitat will be removed at Bro Tathan North, so the risk of disturbance is minimal. There will be some scrub clearance at Bro Tathan West, near MOD West Camp. Although this is low quality habitat for dormouse, there is a small risk of disturbance and so a non-licenced method statement for dormouse will be needed. The works proposed for other areas of the site have minimal risk of disturbing dormouse and will be covered by a precautionary approach to works.



- **Reptiles:** Small numbers of slow worm have been found in grassland areas across the site, including Bro Tathan North, in an area likely to be directly affected by the proposed works. Grass snake has been recorded at Bro Tathan South. The overall potential for reptiles to be affected by the works are considered to be low nevertheless it is recommended that groundworks and removal of any potential reptile refugia take place outside the reptile hibernation period (ie not between October/ November and March/ April).
- **Other species:** Other species of conservation concern are known to be present across the site including brown hare, barn owl and hedgehog. Of these, there is potential for hedgehog to be harmed during the construction phase, particularly during the hibernation period when this species is most vulnerable.

The Ecological Assessment advises that although the proposed works are unlikely to have a significant long-term impact on the ecological value of the site, it is good for biodiversity enhancement measures to be incorporated into the development. As most of the grassland areas that will be affected by the installation of the utilities trenches are relatively species- poor, a suitable native wildflower seed mix will be sown on the disturbed ground following the backfilling of the trenches in certain areas. The grasslands around the Bro Tathan West buildings are already relatively species rich and so wildflower seed will not be added to these areas. No wildflower seed will be added to the grasslands on or adjacent to the airfield, to avoid attracting wildlife that may increase the risk of bird-strike.

Based on the ecological survey work undertaken to date there is nothing to suggest that the proposed development will lead to a significant impact on any known protected species or ecological features. It is considered that with appropriate mitigation measures as described above the development proposals will be in accordance with LDP Policy SP10 (Built and Natural Environment).

Arboriculture

An arboricultural impact assessment (AIA) has been undertaken in support of the application. The AIA assesses the potential effects of development on trees and puts forward proposals for mitigation where appropriate.

The AIA advises that the proposals will necessitate the removal of some sections of low-quality tree groups and the removal of 5 three low-quality individual trees, three of which are low quality. The AIA confirms that the removal of these trees will not generate any significant adverse landscape or visual effects and if deemed necessary mitigation can be provided through replacement tree planting or natural regeneration via seed from neighbouring trees.

The AIA further advises that based upon the current alignment, construction is likely to cause disturbance to the RPA of several trees. Dependent upon the proposed working area required during construction, temporary ground protection and tree protection fencing shall be employed to protect the RPAs of all retained trees.

It is also anticipated that a short, possibly 1-2m long, section of low-quality hedge H729 will be removed. This will not adversely impact the value of the hedge and can be mitigated by either replanting or by natural regeneration from the seeds of neighbouring plants.

The AIA includes a method statement which describes the tree protection measures that shall be applied during construction. This AMS has been compiled with reference to BS 5837. It is considered that with appropriate tree protection measures in place there will be no adverse impact on trees.



Archaeology

The Bro Tathan site has been subject to substantial archaeological investigation over the years. The archaeological and historical background of the site was fully assessed in a desk-based assessment (DBA) undertaken by Tetra Tech (Tetra Tech, 2022), as well as several separate DBA's focusing on specific areas within Bro Tathan. In addition, there have been a number of archaeological evaluations within areas crossed by the proposed utilities route. These events include a site-wide geophysical survey undertaken by the MOD in 2008, as well as focused geophysical surveys in Bro Tathan North (2022), Bro Tathan East (2022), Beggars Pound (2020), and Eglwys Brewis (West) (2019). Additionally, archaeological evaluation in the form of trial trenching has taken place in Bro Tathan West (2019) and in Bro Tathan East (2023).

An archaeological method statement has been prepared to support this application which considers the known archaeological potential of the proposed routes for the installation of utilities and services, as well as previous archaeological evaluation to inform an appropriate mitigation strategy.

The method statement report notes that several parts of the route have been heavily disturbed and truncated by previous development and various areas previously investigated. However, it is acknowledged that there are small sections of the route that venture into untouched land as well as areas of high archaeological potential. As a result, these areas will be subject to a scheme of archaeological monitoring required to identify, characterise, and record potential remains of archaeological significance in advance of development. This will involve ensuring that all appropriate groundworks are carried out under the supervision of a suitably experienced archaeologist and archaeological features investigated in accordance with a written schemes of investigation for an archaeological watching brief and for archaeological trial trenching.

In view of the extensive archaeological evaluation already undertaken at the site, it is considered that a comprehensive and sufficient understanding of the site and its features already exists, from which it is reasonable to determine that with appropriate mitigation, as set above, no adverse archaeological impact is likely to arise from the proposed utility works. We therefore consider that Policies MD8 and SP10 are complied with.

Contamination

A Reactive Remediation Strategy (RRS) has been prepared in support of the application which provides a high-level summary of the environmental setting at Bro Tathan including a summary of the ground conditions and anticipated contaminants, methodologies for the identification of ground contamination, associated control measures, monitoring and sampling requirements and the requirement to seek regulatory approval for any subsequent remedial works. The RRS takes account of environmental reports and investigations previously undertaken on the site.

The aim of the report is to identify areas of potential constraints from a contamination perspective which could be encountered along the proposed trenching routes.

The RSS has found that in common with all brownfield sites, there is the potential for contamination to be present within the soils beneath the site, over and above that identified during phases of site investigation. Significant contamination has not been identified on site, however, a review of the historical development of the site indicates the potential for localised contamination to be present on the site which may be encountered during the proposed development. The RSS therefore sets out a Reactive Strategy the objective of which is to ensure that a methodology is in place to identify, manage and treat any previously unidentified areas of contamination which may be encountered during future site works. It is considered that with appropriate mitigation, as set out in the RSS, no adverse impact on ground conditions is likely to arise from the proposed utility works. We therefore consider that Policy MD7 is complied with.



Conclusion

The proposal accords with the Development Plan and the material considerations do not result in any adverse impact on the site nor its surroundings. We trust that the above and enclosed information is sufficient to allow a swift and favourable determination of the proposal.

We trust that the application is in order and that it can be processed accordingly. Please do not hesitate to contact us should you wish to discuss the above or require any additional information.

Yours faithfully,



Kate Gapper
Associate Director

CARNEYSWEENEY

Encl.

