



**Cyfoeth
Naturiol
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Natural
Resources
Wales**

Ein cyf/Our ref: **CAS-17227-P0L3**
Eich cyf/Your ref: **2016/00305/RG3**

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28 April 2016

Annwyl Syr/Madam / Dear Sir/Madam,

PROPOSAL IS FOR ON LINE IMPROVEMENTS TO THE EXISTING A4226 BETWEEN WAYCOCK CROSS ROUNDABOUT IN BARRY AND THE LAY-BY TO THE NORTH OF THE WELSH HAWKING CENTRE AND AN OFF LINE NEW ROAD PROVISION TO THE EAST OF THE EXISTING A4226 WHICH WILL RECONNECT WITH THE EXISTING A4226 JUST TO THE SOUTH OF BLACKLAND FARM AT LAND ADJACENT A4226, FIVE MILE LANE, BARRY

Thank you for consulting us on the above application, which we received on the 29 March 2016.

We have significant concerns with the proposed development as submitted. We recommend that planning permission should only be given if the following requirements can be met by the applicant. If these requirements are not met then we would object to this application.

Summary of requirements

1. Air Quality: The air quality assessment is revised using appropriate Nitrogen critical load figures;
2. Designated Sites: The proposed mitigation in relation to off-roading and loss of habitat is amended as advised;

3. Designated Sites: A condition is secured to any permission granted to ensure a detailed scheme for new and translocated planting is implemented;
4. Designated Sites: A condition is secured to any permission granted to ensure a suitable annotated drawing clearly showing extent, including widths, and distribution of all retained and newly created hedgerows and other habitats;
5. Designated Sites: A condition is secured to any permission granted to ensure a detailed long-term habitat management plan is implemented;
6. European Protected Species: A condition is secured to any permission granted to ensure a dormouse mitigation scheme is implemented;
7. European Protected Species: A condition is secured to any permission granted to ensure a bat mitigation scheme is implemented.

Further advice and guidance on the above requirements are set out below for your Authority and the applicant,

Air Quality

The designated feature of the Barry Woodland SSSI is semi-natural woodland. The other habitats that have been identified in Table 6.8 are not designated features of the SSSI but are found within the site boundary. Table 6.8 and section 6.5.23 of the Environmental Statement (ES) incorrectly states that the appropriate nitrogen critical load for this feature is 5 – 10kgN/ha/yr. The appropriate nitrogen critical load for this feature is 10 – 20kgN/ha/yr.

Therefore, as a lower nitrogen critical load has been applied, we advise the assessment is revised. The results should be assessed against a nitrogen critical load of 10kgN/ha/yr.

Subsequent to the preparation of the ES, we notified the Fferm Walters/Walters Farm SSSI (on 5th November 2015). Therefore the revision should also take into account this designated site's species rich neutral grassland. A nutrient nitrogen critical load of 20 – 30kgN/ha/yr should be applied to the Fferm Walters/Walters Farm SSSI.

Designated Sites - Barry Woodlands SSSI / Fferm Walters/Walters Farm SSSI

We welcome the mitigation that has been proposed in relation to preventing off-roading and to mitigate for the loss of habitat. However we require the following amendments to the whole scheme to prevent species colonising the new area:

- The omission of *Quercus petraea*.
- That the composition of the following species is amended to:
 - *Quercus robur* – 5%
 - *Ulmus glabra* – 10%
 - *Acer campestre* – 10%

- *Corylus avellana* – 20%+ (as this is likely to be an important replacement for ash, especially as there may be restrictions on the moving and planting of ash)

In addition to the above amendments to the scheme, we advise the following requirements are secured as conditions to overcome our significant concerns on the impacts to Barry Woodland SSSI:

- (Requirement 3) Agree in writing before the start of works, a detailed scheme for new and translocated planting, to include extent and location of new planting, species to be planted, size and density of new planting, monitoring and aftercare, including replacement of dead specimens and schedule of works. Scheme to be implemented as agreed.
- (Requirement 4) Prepare a suitable annotated drawing, to be agreed in writing with the LPA (in consultation with NRW), clearly showing extent, including widths, and distribution of all retained and newly created hedgerows and other habitats. Scheme to be implemented as agreed.
- (Requirement 5) Prepare a detailed long-term habitat management plan, to be agreed in writing with the LPA (in consultation with NRW) prior to the start of works, ensuring the favourable management of all existing retained and new habitats consistent with the needs of the protected species associated with the development. The plan should include but not exclusively the nature and extent of management operations; appropriate scheduling and timing of activities; proposals for on-going review of management and remedial action to be undertaken where problems are identified by the monitoring scheme. Scheme to be implemented as agreed.

Further advice for LPA

We would wish to be consulted on the three year post-construction monitoring survey of ground flora before any replanting has taken place.

Further advice for applicant

Given the nature of the site it is essential that any material used for planting is of as local origin as possible. We recommend that, where possible, any viable samplings/bushes are retained from areas to be lost from the SSSI, to be planted in the mitigation area. Subject to landowner permission, we would also be open to discussing the transplantation of suitable samplings and young bushes from within the SSSI.

Notwithstanding the above significant concerns, we have the following comments to make on environmental interests that have been adequately mitigated within the proposal.

Landscape

The proposal lies outside the Llancarfan Landscape of Outstanding Historic Interest and would not have a significant effect on the Registered historic landscape area. The proposal affects HLCA010 Bonvilston Amalgamated Fieldscape, a Historic Landscape Character

Area that extends from the Llancarfan Registered area to within the scheme study area, 200m to the north of the scheme.

The ES Chapter 7 Cultural Heritage section identifies a likely moderate/large adverse and significant effect on HLCA 010. The scheme would be visible from the eastern boundary of this historic landscape character area as it traverses a number of field systems within the view from this location. The road will create new land divisions and patterns of movement that will diminish the understanding of relationships between the Parish boundary (5 Mile Lane) and the historic landscape.

No specific mitigation is offered to reduce the effects on the historic landscape, but we concur with the assessment and recommendations of the ES. The design of the scheme should mitigate against these impacts.

Flood Risk

We have reviewed the information provided with the FCA (Appendix 15.1) and Chapter 15 of the Environmental Impact Statement. The majority of the proposed development is not located within a flood zone. A small section of the proposed road is within the flood plain of the River Weycock which will flood to a depth of 9mm during the 0.1% (1 in 1000 year) event. It is therefore compliant with A1.14 and within tolerable limits of A1.15 of TAN 15. The FCA has also demonstrated that there is no increased risk elsewhere.

Groundwater

We are satisfied with the proposed mitigation measures as outlined in chapters 10.6 and 15.6, and note the proposal for a Construction Environmental Management Plan.

We note that chapter 10.3.16 states that private water supply records have not been obtained prior to publication of the ES. Private water supply information should be obtained prior to construction in order to assess any risks posed to them by the development.

Other Regulatory Requirements In addition to Planning Approval

The applicant should also be advised that, in addition to planning permission, it is their responsibility to ensure that they acquire all other consent, licence or permit under other legislation. Relevant procedures can take several months to complete, and early contact with us is therefore advised. In particular, the proposal will require a Flood Risk Activity Permit.

If the applicant requires guidance in on matters within our remit then this can be found on our website at www.naturalresourceswales.gov.uk / www.cyfoethnaturiolcymru.gov.uk. Here, we provide guidance on environmental planning and regulatory issues, which includes topics on pollution prevention, waste management and biodiversity.

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

Yn gywir / Yours faithfully

Lindy Barratt

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