

My Ref: RJC/SC/19/00015/MJR
Your Ref: elise.coalter@cardiff.gov.uk

Date : 6th January 2020

Elise Coalter
Project Officer
Housing Development
Cardiff Council
Room 412
County Hall
Atlantic Wharf
Cardiff
CF10 4UW

Dear Elise Coalter

CHANEL VIEW REDEVELOPMENT - REQUEST FOR A SCOPING OPINION

Summary Decision

Further to my letter to Aisha Ali dated 25th October 2019 confirming that the above mentioned proposal constituted EIA Development and would require the submission of an Environmental Statement in order to allow the Local Planning Authority to adequately understand the Environmental Implications of the proposal before determining any planning application; the proposals have been scoped in accordance with the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017, to the confirm appropriate content of such a statement.

This is now confirmed as follows:

'Scoped In'

The Environmental Statement should address both positive and negative impacts of the proposals on:

- Townscape and Visual Impacts (Long, Medium and Close views).
- Traffic and Transport
- Air Quality
- Ecology
- Landscape and Arboriculture including soils resource
- Contamination
- Drainage
- River Basin Management Plan / Water Framework Directive
- Flood Risk including flood storage capacity

- Heritage
- Design
- Utilities

with reference to the responses received to statutory and non statutory scoping consultations as included below..

‘Scoped Out’

Topics scoped out of the contents of an Environmental Statement on the basis of appropriate supplementary reports/documentation accompanying any planning application submission

Community Facilities [Referenced to extant Supplementary Planning Guidance]

Operational (Domestic) Waste Management [Referenced to extant Supplementary Planning Guidance]

Suggested Format of Environmental Statement

The Environmental Statement should address the impacts of the proposals on the following receptors:

- Human
- Land
- Water
- Air
- Flora
- Fauna

It is suggested that the Environmental Statement make use of matrix presentations/tabular formatting to include impacts, mitigating measures, levels of mitigated outcomes as high/medium/low impacts.

All mitigating measures/recommendations should be appended as separate, appended, documents to the Environmental Statement.

1 REPORT

The Development is a Schedule 2 proposal as defined by Section 10(b) (urban development projects) exceeding the threshold of 150 dwelling units and site development area in excess of 0.5 hectares, as advised by subsections (ii) and (iii) of column 2 of Table 1 in Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017 .

The Development is for in excess of 370 residential units, replacing 188 existing units. The development would be distributed throughout a number of high (16 / 11 storey), mid (7 storey) and low (4 storey) units as well as more traditional 2 storey flats/houses).

The proposals are considered likely to have a significant impact in respect of criteria:

1

- (a) The size and design of the development
- (b) Potential cumulative effect in respect of programme with the delivery of LDP allocation of Strategic Site B; Non Strategic Housing Site H1.2 and Bay Point proposal (all of which are within 1km) if coincidental in timing.
- (d) Production of wastes during demolition/construction activities)
- (e) Pollution and Nuisances to existing neighbouring occupiers

2(1)

- (a) existing Land use (POS)
- (c)(vii) absorption capacity of a densely populated area

3

- (a) Magnitude and spatial extent of impact (noise and nuisance during construction;
landscape, impact on services and access post construction in respect of density impacts.

A screening opinion was issued by the Council on 25th October 2019 confirming that the proposal was EIA Development and that a scoping opinion as to the necessary content of an Environmental Statement would follow.

This scoping opinion has been prepared by Cardiff Council on the basis of the information contained within the Channel View Masterplan feasibility report April 2018 prepared by Austin Smith Lord and submitted to the Local Planning Authority on 24th Oct 2019.

2. DESCRIPTION OF THE SITE AND THE PROPOSALS

Description of the site: The proposed development is on land occupied by units of older 2-4 storey housing stock, but including a 14 storey block of flats, which surround Channel View park and 'The Marl' public open space. The site is adjacent to the banks of the River Taff, and 'Penarth Flats' a shingle beach. The site is located to the SW of 'The Sand Wharf' apartment buildings (5-6 Storeys), and Channel View leisure centre and River Taff access pontoon. Existing

residential houses and flats of varying age, quality and design. The site is some 5.1 hectares in area

Description of the proposals:

The older housing stock on the land would be cleared.

The Planning application is expected to be hybrid, allowing for a first phase of development in full detail, and further phase(s) on an outline and reserved matters basis.

Indicatively Development comprises the construction of 370 new dwellings, 188 of which would replace those demolished.

The new development is indicated as providing a mix of two storey houses and flats along with a number of flatted blocks of between four and seven storeys adjacent to the river, The proposal also includes for a new pedestrian/cycle bridge linking the Areas of Grangetown and Butetown with landings on opposite banks of the Taff River.

3. CONSULTATION RESPONSES

3.1 Statutory consultation responses

Natural Resources Wales (NRW):

Topics to be Scoped in to the Environmental Statement (ES)

Ecology

The ES should include sufficient information to enable the local planning authority to determine the extent of any environmental impacts arising from the proposed scheme on legally protected species, including those which may also comprise notified features of designated sites affected by the proposals.

Evaluation of the impacts of the scheme should include: direct and indirect; secondary; cumulative; short, medium and long term; permanent and temporary; positive and negative, and construction, operation and decommissioning phase and long-term site security impacts on the nature conservation resource, landscape and public access.

Description of the Project

The proposed scheme should be described in detail in its entirety within the ES. This description should cover construction, operation and decommissioning phases as appropriate and include detailed, scaled maps and drawings as appropriate.

Illustrations within the Environmental Statement

Any maps, drawings and illustrations that are produced to describe the project should be designed in such a way that they can be overlaid with drawings and illustrations produced for other sections of the ES such as biodiversity.

Description of Biodiversity

The ES must include a description of all the existing natural resources and wildlife interests within and in the vicinity of the proposed development, together with a detailed assessment of the likely impacts and significance of those impacts.

Key Habitats

Any habitat surveys should accord with the NCC Phase 1 survey guidelines (NCC (1990) Handbook for Phase 1 habitat survey. NCC, Peterborough). We advise that Phase 1 surveys are undertaken and completed during the summer to ensure the best chance of identifying the habitats present.

Protected Species

We advise the site is subject to assessment to determine the likelihood of protected species being present, and that targeted species surveys are undertaken for all species scoped in. These should comply with current best practice guidelines and in the event that the surveys deviate or there are good reasons for deviation that full justification for this is included within the ES.

Should protected species be found during the surveys, information must be provided identifying the species specific impacts in the short, medium and long term together with any mitigation and compensation measures proposed to offset the impacts identified. We advise that the ES set out how the long term site security of any mitigation or compensation will be assured, including management and monitoring information and long term financial and management responsibility. Where the potential for significant impacts on protected species is identified, we advocate that a Conservation Plan is prepared for the relevant species and included as an Annex to the ES.

Where a European Protected Species is identified and the development proposal will contravene the legal protection they are afforded, a licence should be sought from NRW.

The ES must include consideration of the requirements for a licence and set out how the works will satisfy the three requirements as set out in the Conservation of Habitats and Species Regulations 2017. One of these requires that the development authorised will 'not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status (FCS) in their natural range'. These requirements are also translated into planning policy through Planning Policy Wales (PPW) December 2018, section 6.4.22 and 6.4.23 and Technical Advice Note (TAN) 5, Nature Conservation and Planning (September 2009). The local planning authority will take them into account when considering the ES where a European Protected Species is present.

We would suggest specifically due to the location of the development that appropriate survey for otter is undertaken, and that opportunities are sought to enhance the ecological value of the riparian corridor. For example, a suitable buffer zone between the built environment and the river corridor will have positive implications for protected species, local wildlife and water quality.

We further advise that care is taken when designing the lighting for the development and the proposed footbridge, as artificial lighting can disrupt the natural diurnal rhythms of a range of wildlife using and inhabiting the river and its corridor habitat. Consideration should be given to the design of buffer zones, which will help mitigate the impacts of lighting upon the river.

Local Biodiversity Interests

Your authority's ecologist should be consulted to ensure that regional and local biodiversity issues are adequately considered, particularly those habitats and species listed in the relevant Local Biodiversity Action Plan, that are considered important for the conservation of biological diversity in Wales.

We would expect the developer to contact other relevant people/organisations for biological information/records relevant to the site and its surrounds. These include the relevant Local Records Centre and any local ecological interest groups (E.g. bat groups, mammal groups).

Topics to be Scoped Out of the ES

Flood Risk

We note that flood risk has been scoped out of the ES and the submitted Masterplan states that a Flood Consequences Assessment (FCA) is to be submitted at the detailed design stage.

Our Flood Risk Map, which is updated on a quarterly basis, confirms the proposed development (classed as highly vulnerable development) to be partially within Zone C1 of the Development Advice Map (DAM) contained in TAN15 and partially within the 1% (1 in 100 year) / 0.5% (1 in 200 year) and the 0.1% (1 in 1000 year) annual probability fluvial / tidal flood outlines.

The site benefits from the presence of the Cardiff Bay Barrage. This operates in a flood risk capacity, providing protection to areas of Cardiff from tidal flood risk and should be taken into consideration within the production of an FCA.

We note from the Masterplan that two viewing platforms are proposed on the river bank and a dedicated pedestrian bridge is proposed across the mouth of the River Taff. We are concerned about the potential for these structures to reduce the flood storage volume of the Bay. Development will not be permitted which reduces the live storage volume of Cardiff Bay between the 4.5 and 8 metre contour levels; any predicted loss of live flood storage between these limits must be compensated for with an equivalent/or greater volume on a level for level basis. We therefore advise that based upon the information available at present, flood risk is not scoped out of the ES and we recommend that an FCA is submitted as part of the ES, where this matter can be properly considered.

Contamination of groundwaters

The site is located on a Secondary B aquifer and likely hydraulically connected to the adjacent River Taff and Cardiff Bay. Our records show that the site was formerly a landfill from the 1930 and 1940s taking a range of waste types. We also note the

submitted Masterplan states that some of the existing buildings on site have experienced subsidence. Based on these ground conditions and the environmental setting, we advise that the Contamination of Groundwaters is a topic that should be scoped into the ES and would request a Preliminary Risk Assessment is produced (as a minimum), and a site investigation and risk assessment is undertaken for controlled waters and if necessary, a remediation strategy to be produced.

Standard guidance exists detailing the requires of the preliminary risk assessment and site investigation etc. and can be found at the following references:

Guiding Principles for Land Contamination –

<https://www.gov.uk/government/collections/land-contamination-technical-guidance>

CLR11 – <https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks> and

<https://webarchive.nationalarchives.gov.uk/20140328160926/http://cdn.environment-agency.gov.uk/scho0804bibr-e-e.pdf>

Groundwater Protection – <https://www.gov.uk/government/publications/groundwater-protection-position-statements>

Water Framework Directive

The proposals must be screened for compliance with the objectives of the river basin management plan. The requirements of the Water Framework Directive (WFD) should be considered at an early stage in project planning and included in pre-application discussions to ensure avoidance, mitigation and/or improvement measures are built in to the project where appropriate and to provide the best environmental outcome. Depending on the compliance screening, WFD considerations may need to be screened into the ES. We would advise that if it is not screened in, a full justification for this is provided.

Other Matters

Permit Regulations

The Masterplan proposes two viewing platforms on the river bank and a dedicated pedestrian bridge across the mouth of the River Taff. Please note, these structures may need a Marine Licence. Furthermore, any areas of development which are not covered by a Marine Licence, may require a bespoke Flood Risk Activity Permit. Under the Environmental Permitting Regulations (2016), a Flood Risk Activity Permit may be required for works or structures located in, under, over or within 8 metres of the bank top of a main river. Further advice and guidance are available on our website at:

<http://www.naturalresources.wales/permits-and-permissions/flood-risk-activities/flood-risk-activity-permits-information/?lang=en>

Please note that our comments are without prejudice to any comments we may wish to make if and when consulted further in respect of this proposed development or on the submission of a more detailed scoping report or the full Environmental Statement, as there may be new information available which we will need to take into account in making a formal response.

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, including environmental interests of local importance.

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

I trust the above advice is clear and is helpful to you in producing a Scoping Opinion. However, please do not hesitate to contact us, if you require further information or clarification of any of the above.

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

Yn gywir / Yours faithfully

Alice Jewer

Cynghorydd - Cynllunio Datblygu / Advisor - Development Planning

Cyfoeth Naturiol Cymru / Natural Resources Wales

3.2 Traffic & Transportation:

The development has potential to improve existing access arrangements and influence a change in modal shift in line with the Council's sustainable transport agenda, and the ES should respond to such potential by evaluating environmental impacts based on an understanding of the existing infrastructure and usage, and that proposed by an agreed Transport Implementation Strategy.

The Transport Implementation strategy should be based on a Full Transport Assessment, with supporting analysis, and Transport Statement (Independently Audited)

The ES should identify, quantify and provide a technical analysis as well as narrative understanding of all highway/transport related environmental impacts, during demolition, construction, and future day to day use/operation of the proposed development.

The Applicants/Those commissioned to undertake the ES should be pointed toward Technical Advice Note 18; the Local Development Plan and the Council's adopted Supplementary Planning Guidance 'Managing Transport Impacts' in order to familiarise themselves with National and Local sustainable transport policies.

The ES must provide information to enable decision makers to understand how the proposed development is intended to function in transport terms and the likely environmental outputs. It should also provide a comprehensive and consistent review of all the potential transport impacts in a manner that can be easily understood by the Local Authority and should also include a non-technical summary.

The traffic impact of the new housing & additional housing will need to be managed. The access to / from the site is reasonably compromised as it stands. The site is essentially a cul-de-sac with existing problems, so it's critical to resolve these and not make matters worse.

There are however good opportunities with the inclusion of the bridge to make meaningful active travel connections to the Bay trail and Taff Trail, and make this an example of an active travel development.

In addition the demolition / construction works will also require significant consideration of traffic routes are such that this is likely to cause a large number of movements and the removal / delivery of significant quantities of material.

I would request additional/specific attention be paid to active travel and suitability of routes/access to/from the proposed bridge and public transport facilities. The inclusion of the bridge and the adoption of minimum car parking space provision / maximum parking standards limitations (SPG) which will open up opportunities to maximise the use of, as well as placing additional reliance on, active and non-car based transport options.

The ES should include both positive and negative impacts based on predicted changes in pollution levels (including air pollution); congestion levels (and locations); and modal interchange opportunities (Train, Bus , Cycle, Walking). The ES should also make account of the purpose of journeys undertaken and opportunities to improve recreational as well as commuter, and subsistence journeys.

3.3 The Sports Council for Wales

No comments received

3.4 Non-Statutory Consultee Responses

3.5 DwrCymru Welsh Water (DCWW):

No comments received

3.6 Wales and West Utilities

As there are live gas mains in the area, you would need to consult us ahead of any proposed works. Also, as there are proposed demolition works, the developer would need to liaise with WWU directly, to ensure that the necessary abandonments have been completed prior to these works.

Scott Johnson
Plant Protection
Wales & West Utilities Ltd

3.7 Tree and Landscape Officer

I think that the arboricultural and soil resource need to be considered as part of an Environmental Statement. The arboricultural resource could be impacted directly (tree removal) or indirectly (root damage and loss, increased wind loading, increased shading, requirements for pruning etc.). The soil resource could be impacted directly (loss, sealing) or indirectly (compaction, contamination, loss of organic matter, disturbance). The arboricultural resource should be assessed in accordance with our Trees and Development TGN whilst the soil resource should be assessed in accordance with the Soils and Development TGN. These assessments should inform design to ensure that both resources are used sustainably and are not significantly

harmed as a result of development. Wherever possible the development should look to enhance the contribution these resources make to the wider environment.

3.8 Pollution Control

Air Quality:

Due to the nature of the development, in terms of its size, purpose for residential use, as well as its location, via the submission of an appropriate air quality assessment (AQA) the applicant must give consideration to the potential impacts on ambient air quality and the magnitude/ risk of these potential air quality impacts on local/current and future residents. Consideration of air quality impacts should be examined through the development stage and when the development is complete, focusing on dust emissions during the construction phase of the development and potential exposure of current/ future residents to traffic derived Nitrogen Dioxide (NO₂) & Particulate Matter (PM₁₀ & PM_{2.5}) following completion of the development.

Given the busy nature of the surrounding area, as well as the given commitment for future development, it is concerning what potential effects traffic derived emissions nitrogen dioxide (NO₂) and particulate matter (PM₁₀ & PM_{2.5}) could have on the amenity of existing residents as well as future occupants of the proposed accommodation once completed.

Construction Phase

Due to the close proximity of residential dwellings to the proposed development it is considered best practise to adopt the principles stipulated in IAQM "Guidance on the assessment of dust from demolition and construction." The guidance provides a risk based approach based on the potential dust emission magnitude of the site (small, medium or large) and the sensitivity of the area to dust effects.

The importance of professional judgment is noted throughout the guidance. The guidance recommends that once the risk class of the site has identified, the appropriate level of mitigation measures are implemented to ensure that the construction activities have no significant impacts. In accordance with the guidance, Chapter 6, Step 1, Box 1 highlights certain screening criteria which needs to be considered and if a development qualifies for an assessment. The document states "An assessment will normally be required where there is: a 'human receptor' within: - 350 m of the boundary of the site; or- 50 m of the route(s) used by construction vehicles on the public highway, up to 500 m from the site entrance(s)." It is apparent that there are residential dwellings located in close proximity to the proposed site, therefore satisfying the 'human receptor' criteria stipulated in the cited guidance and the need for a detailed air quality appraisal in the form of a dust assessment to be produced.

Operational

Given the cumulative concerns resultant of committed development in the surrounding area, it is concerning what potential effects traffic derived emissions nitrogen dioxide (NO₂) and particulate matter could have on the amenity of current residents and future occupants of the proposed accommodation once completed. As a minimum the AQA

should use detailed dispersion modelling to examine projected air quality levels for traffic derived Nitrogen Dioxide (NO₂) and Particulate Matter (PM₁₀ & PM_{2.5}) at various receptors on the proposed development's site. The assessment shall consider the potential exposure of future residents for the proposed year of opening. Should the assessment indicate that future occupants will be made vulnerable to poor air quality then appropriate mitigation measures must be proposed and approved by the Local Planning Authority. The applicant will be expected to provide evidence that any implemented mitigation measures would alleviate any poor air quality levels expected. These mitigation measures shall be implemented to the satisfaction of the Local Planning Authority prior to beneficial occupation.

The applicant is also required to provide an understanding for the proposal's usage and what is the expected amount of vehicle trips generated as a result of the development in place. To note; the applicant must look to examine current AADT (Annual Average Daily Traffic) flows and projected AADT following the completion of the development. Referring to Table 6.2 of the EPUK and IAQM guidance "Land- Use Planning and Development Control Planning for Air Quality, January 2017" if calculated AADT flows increase from the baseline traffic levels by more than the set figures outlined in Table 6.2, the applicant is required include in the Air Quality Assessment (AQA) the potential air quality impacts associated with traffic derived emissions (nitrogen dioxide & particulate matter) for existing sensitive receptor locations.

As outlined in Local Air Quality Management (LAQM) Technical Guidance TG16, February 2018, examples of where the air quality objectives should apply are detailed in Box 1.1. Based on the detailed criteria, projected levels of traffic derived emissions (NO₂ & PM₁₀) must be quantified, considering both the short term and long term air quality objectives. The Air Quality Assessment should look to focus on the national annual mean (40µg/m³) & 1- hour mean objective for NO₂ (200µg/m³ not to be exceeded more than 18 times a year) and annual mean (40µg/m³) & 24- hour mean objective for PM₁₀ (50µg/m³ not to be exceeded more than 35 times a year) at the various levels of the building.

It would be of best practise for an Air Quality Scope of Works to be agreed between the LPA and applicant. Therefore please can the applicant look to submit for approval a proposed scope of work and methodology for the assessment of air quality.

[Craig Lewis BSc \(Hons\)](#)

Specialist Services Officer– Environment (Enterprise and Specialist Services)

Contamination:

Further to receipt of the above enquiry on 25th October 2019, I would like to provide comments in relation to potential contamination issues on behalf of SRS: Environment Team:-

As part of the planning process, the developer will need to consider the risk to human health and the environment from potential contamination and ground gases at/ in the vicinity of the site prior to commencement of the development as

part of the planning process. However, it is acknowledged that, these issues can be considered at a later stage of the process.

With regards to this and available records, part of the enquiry site has been identified as an historic landfill/raise. The remainder is occupied by existing residential and associated structures.

In addition former landfill/raise sites have been identified within 250m of the proposed development. Such sites are associated with the generation of landfill gases, within subsurface materials, which have the potential to migrate to other sites.

Consequently a robust contamination and ground gas assessment of the site, in line with current guidance, is required to identify any associated risks and to determine whether further assessment and/or remediation is required to ensure the site is made suitable for use.

Any areas of concern either not considered, or identified by those assessments submitted at the application stage can be dealt with by the inclusion of geo-environmental conditions as part of any consent. Based on available information, the relevant standard conditions included as part of the planning process are included below* for information:

Ecology:

in terms of scoping, all buildings on site which are to be demolished should be subject to a bat survey.

In the first instance a preliminary survey of bat roost potential should be undertaken. This can take place at any time of year. The outcome of a preliminary roost assessment will include one of the following:-

- an adverse impact upon bats is so unlikely that no further action in relation to bats is necessary, or
- the likelihood of an impact is low, such that precautionary mitigation measures can reduce this likelihood still further, or
- the likelihood of an impact upon bats is high, so further survey are needed in order to establish exactly what the impact would be, or
- the outcome is uncertain due to, for example, lack of access to certain areas of the building, so further survey are needed in order to establish exactly what the impact would be, or
- the impact is certain and can be defined precisely on the basis of the preliminary assessment, such that no further surveys are needed, but a licence issued by NRW would be required to allow works to proceed legally.

If a more detailed survey is required, this can only take place between May and September inclusive.

Therefore I advise that the prospective applicant undertakes a preliminary assessment at the earliest opportunity. However, if the application is submitted from May to August inclusive, it may be more advantageous for the applicant to omit the preliminary assessment and proceed directly to a full survey.

Any signs of bird nesting should be noted also.

Any bankside vegetation impacted upon by the proposals should be subject to an otter survey.

The 2018 EclA Guidelines published by CIEEM make it clear that an EclA should consider the impacts upon ecosystems, as well as habitats and species. Statements to this effect are found throughout the document, for example at sections 1.3, 1.9, 2.3, 4.1 and 4.8 etc. All EclA's submitted to Cardiff Council should demonstrate how the impacts upon ecosystems have been assessed, in accordance with the 2018 EclA Guidelines, whether they are submitted as a standalone document or as part of a wider ES. This will allow Cardiff Council to demonstrate compliance with the ecosystem approach as required by Section 6 of the Environment (Wales) Act.

The applicant should consider how green infrastructure will be treated as part of this development such that it can comply with Policy KP16 i.e.,

'Cardiff's distinctive natural heritage provides a network of green infrastructure which will be protected, enhanced and managed to ensure the integrity and connectivity of this multi-functional green resource is maintained. Protection and conservation of natural heritage network needs to be reconciled with the benefits of development. Proposed development should therefore demonstrate how green infrastructure has been considered and integrated into the proposals. If development results in overall loss of green infrastructure, appropriate compensation will be required.'

In addition to consideration of green infrastructure, our duties under section 6 of the Environment (Wales) Act require us to seek to maintain and enhance biodiversity. In his letter to Heads of Planning of 23/10/19, the Chief Planner emphasised this point with the following:-

'Planning Policy Wales (PPW) 10 sets out that "planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means that development should not cause any significant loss of habitats or populations of species, locally or nationally and must provide a net benefit for biodiversity" (para 6.4.5 refers).'

Any application should demonstrate how this will be the case.

Parks Officer
No comments received

Highways (Drainage) Officer ,
No comments received

Neighbourhood Renewal Officer

Comments only that Development proposals will need to accord with Supplementary Planning Guidance relating to Planning Obligations which may be required to be delivered under S106 of the Planning Act

Built Heritage Officer

I would recommend early dialogue with Cadw regarding any impacts upon the setting or physical condition of the Scheduled Monument (Wreck of the Louisa). The ES will certainly need to cover this.

I can't see any other potential heritage impacts.

SCOPING OPINION

The purpose of an Environmental Statement is to ensure that any decision made in respect of a development proposal is done so with full understanding of the likely environmental consequences of the development.

It is the Local Planning Authority's opinion that in respect of the development described in the Channel View Masterplan feasibility report April 2018 prepared by Austin Smith Lord, that the Environmental Statement should reference Environmental Impacts on the following receptors

- Human Receptors
- Water Receptors
- Land Receptors
- Air Receptors
- Flora Receptors
- Fauna Receptors

Fin respect of the impacts during the three principal phases of Demolition; Construction and Operation of the proposed development.

The Environmental Statement should address both positive and negative impacts of the proposals on:

- Townscape and Visual Impact
- Traffic and Transportation Impacts
- Air Quality Impacts
- Ecology and Biodiversity Impacts (with particular regard to protected species/designated sites)
- Landscape and Arboricultural Impacts including soils resource
- Contamination Impacts
- Drainage Impacts
- Flood Risk including flood storage capacity
- River Basin Management Plan / Water Framework Directive Impacts

- Heritage Impacts
- Utilities and Energy Impacts

addressed with reference to the responses received to statutory and non statutory scoping consultations as provided above.

Please note that this scoping opinion is provided without prejudice and does not preclude Cardiff Council from requesting additional information, in accordance with Regulation 22 of the EIA Regulations (Wales) 2017, should the need arise.

Yours faithfully

A handwritten signature in black ink, consisting of a stylized, cursive 'J' followed by a horizontal line that tapers to the right.

James Clemence
Head of Planning

APPENDICES

*

Standard Contamination Conditions as might be applied to any Planning Permission as may be Granted for Development

CONDITIONS

PC13. GROUND GAS PROTECTION

Prior to the commencement of any development works a scheme to investigate and monitor the site for the presence of gases being generated at the site or land adjoining thereto, including a plan of the area to be monitored, shall be submitted to the Local Planning Authority for its approval.*

Following completion of the approved monitoring scheme, the proposed details of appropriate gas protection measures to ensure the safe and inoffensive dispersal or management of gases and to prevent lateral migration of gases into or from land surrounding the application site shall be submitted to and approved in writing to the LPA. If no protection measures are required than no further actions will be required.

All required gas protection measures shall be installed and appropriately verified before occupation of any part of the development which has been permitted and the approved protection measures shall be retained and maintained until such time as the Local Planning Authority agrees in writing that the measures are no longer required.

** 'Gases' include landfill gases, vapours from contaminated land sites, and naturally occurring methane and carbon dioxide, but does not include radon gas. Gas Monitoring programmes should be designed in line with current best practice as detailed in CIRIA 665 and or BS8485 year 2007 Code of Practice for the Characterization and Remediation from Ground Gas in Affected Developments,.*

Reason: To ensure that the safety of future occupiers is not prejudiced.

PC14A. CONTAMINATED LAND MEASURES – ASSESSMENT

*Prior to the commencement of the development an assessment of the nature and extent of contamination shall be submitted to and approved in writing by the Local Planning Authority. This assessment must be carried out by or under the direction of a suitably qualified competent person * in accordance with BS10175 (2011) Code of Practice for the Investigation of Potentially Contaminated Sites and shall assess any contamination on the site, whether or not it originates on the site.*

The report of the findings shall include:

- (i) a desk top study to identify all previous uses at the site and potential contaminants associated with those uses and the impacts from those contaminants on land and controlled waters. The desk study shall establish a 'conceptual site model' (CSM) which identifies and assesses all identified potential source, pathway, and receptor linkages;*
- (ii) an intrusive investigation to assess the extent, scale and nature of contamination which may be present, if identified as required by the desk top study;*
- (iii) an assessment of the potential risks to:*
 - human health,*
 - groundwaters and surface waters*
 - adjoining land,*
 - property (existing or proposed) including buildings, crops, livestock, pets,*

- woodland and service lines and pipes,
- ecological systems,
- archaeological sites and ancient monuments; and
- any other receptors identified at (i)

(iv) an appraisal of remedial options, and justification for the preferred remedial option(s).

All work and submissions carried out for the purposes of this condition must be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR 11' (September 2004) and the WLGA / WG / NRW guidance document 'Land Contamination: A guide for Developers' (2017), unless the Local Planning Authority agrees to any variation.

* A 'suitably qualified competent person' would normally be expected to be a chartered member of an appropriate professional body (such as the Institution of Civil Engineers, Geological Society of London, Royal Institution of Chartered Surveyors, Institution of Environmental Management) and also have relevant experience of investigating contaminated sites.

Reason: To ensure that information provided for the assessment of the risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems is sufficient to enable a proper assessment.

PC14B. CONTAMINATED LAND MEASURES – REMEDIATION & VERIFICATION PLAN

Prior to the commencement of the development a detailed remediation scheme and verification plan to bring the site to a condition suitable for the intended use by removing any unacceptable risks to human health, controlled waters, buildings, other property and the natural and historical environment shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

All work and submissions carried out for the purposes of this condition must be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR 11' (September 2004) and the WLGA / WG / NRW guidance document 'Land Contamination: A guide for Developers' (2017),, unless the Local Planning Authority agrees to any variation.

Reason: To ensure that any unacceptable risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

PC14C. CONTAMINATED LAND MEASURES - REMEDIATION & VERIFICATION

The remediation scheme approved by condition x (PC14B above) must be fully undertaken in accordance with its terms prior to the occupation of any part of the development unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Within 6 months of the completion of the measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.

All work and submissions carried out for the purposes of this condition must be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR 11' (September 2004) and the WLGA / WG / NRW guidance

document ‘ Land Contamination: A guide for Developers’ (2017), unless the Local Planning Authority agrees to any variation.

Reason : To ensure that any unacceptable risks from land contamination to the future users of the land , neighbouring land, controlled waters, property and ecological systems are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

PC14D. CONTAMINATED LAND MEASURES – UNFORESEEN CONTAMINATION

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing within 2 days to the Local Planning Authority, all associated works must stop, and no further development shall take place unless otherwise agreed in writing until a scheme to deal with the contamination found has been approved. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme and verification plan must be prepared and submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be submitted to and approved in writing by the Local Planning Authority. The timescale for the above actions shall be agreed with the LPA within 2 weeks of the discovery of any unsuspected contamination.

Reason: To ensure that any unacceptable risks from land contamination to the future users of the land , neighbouring land, controlled waters, property and ecological systems are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy EN13 of the Cardiff Local Development Plan.

PC15A IMPORTED SOIL

Any topsoil [natural or manufactured],or subsoil, to be imported shall be assessed for chemical or other potential contaminants in accordance with a scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority in advance of its importation. Only material approved by the Local Planning Authority shall be imported. All measures specified in the approved scheme shall be undertaken in accordance with the relevant Code of Practice and Guidance Notes.

Subject to approval of the above, sampling of the material received at the development site to verify that the imported soil is free from contamination shall be undertaken in accordance with a scheme and timescale to be agreed in writing by the LPA.

Reason: To ensure that the safety of future occupiers is not prejudiced in accordance with policy EN13 of the Cardiff Local Development Plan.

PC15B IMPORTED AGGREGATES

Any aggregate (other than virgin quarry stone) or recycled aggregate material to be imported shall be assessed for chemical or other potential contaminants in accordance with a scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority in advance of its importation. Only material approved by the Local Planning Authority shall be imported. All measures specified in the approved scheme shall be undertaken in accordance with the relevant Code of Practice and Guidance Notes.

Subject to approval of the above, sampling of the material received at the development site to verify that the imported material is free from contamination shall be undertaken in accordance with a scheme and timescale to be agreed in writing by the LPA.

Reason: To ensure that the safety of future occupiers is not prejudiced in accordance with policy EN13 of the Cardiff Local Development Plan.

PC15C USE OF SITE WON MATERIALS

Any site won material including soils, aggregates, recycled materials shall be assessed for chemical or other potential contaminants in accordance with a sampling scheme which shall be submitted to and approved in writing by the Local Planning Authority in advance of the reuse of site won materials. Only material which meets site specific target values approved by the Local Planning Authority shall be reused.

Reason: To ensure that the safety of future occupiers is not prejudiced.

LOCAL AUTHORITY ADVICE

- Townscape and Visual Impacts - MIKE BIDDULPH
- Traffic and Transport MARTIN SMITH
- Air Quality CRAIG LEWIS
- Ecology MATHEW HARRIS
- Landscape and Arboriculture EDWARD BAKER
- Contamination DEBORAH MARGETSON
- Drainage IAN TITHERINGTON
- Heritage ROSS CANNON