



Assessment of Environmental Statement

by [REDACTED] BA (Hons) MSc MRTPI

an Inspector appointed by the Welsh Ministers

Report date: 19.08.2024

Reference: CAS-03320-P2Z8D5

Site address: Leckwith Quay, Leckwith Road, Leckwith, CF11 8AU.

- The Environmental Statement which is the subject of this assessment has been submitted in relation to the above case in accordance with The Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017 as amended.
 - The application is made by Mr [REDACTED].
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Introduction

1. An Environmental Statement (ES) has been prepared to support a planning application.

Proposed Development

2. The planning application form describes the proposed development as a hybrid planning application for residential development for up to 250 dwellings (submitted in outline), associated highway and bridge improvement/realignment works (submitted in full). Development involves the demolition of all buildings on site and the existing B4267 Leckwith Road Bridge. The submitted Masterplan indicates 228 units (1844/S.102H).

Completeness of Environmental Statements

3. The aim of an ES is to provide a systematic and objective account of the significance of environmental effects likely to arise from the proposed development, including sufficient information to verify the conclusions and identify the source of the information provided. Regulation 17 and Schedule 4 of the 2017 Regulations specify the information to be included in an ES. My assessment of completeness is based on these requirements.

The Environmental Statement (ES)

4. The original ES was dated October 2020 (ES1). ES1 consists of a main written statement which describes the proposed development and includes the results of the individual technical assessments undertaken, subdivided by topic. It was accompanied by a non-technical summary and included a large number of appendices which provide the detailed technical assessments and supporting data for conclusions drawn in the main written statement. ES1 was amended in response to consultation replies and to provide some updated technical and survey data. The addendum to the ES is dated December 2022 (ES2). It comprises a written statement (Vol.1), technical appendices (Vol.2) and an updated non-technical summary.
5. Both ES1 and ES2 broadly comprise the following chapters:

- Chapter 1: Introduction
 - Chapter 2: Site Description & Development Proposal (ES2 includes Figures 2.6 – 2.8 - Amended Parameter Plans and Figure 2.9 – Amended Concept Masterplan)
 - Chapter 3: Planning Policy
 - Chapter 4: Highways and Transportation (ES2 includes Appendix 4.4 – Formal Response to Highways Consultation Comments (May 2021))
 - Chapter 5: Ecology and Nature Conservation (ES2 includes Appendix 5.4 – Updated Ecological Assessment (v 6.1) and Appendix 5.5 – Badger Report)
 - Chapter 6: Landscape and Visual Character (ES2 includes Figure 6.9 – Viewpoint 7 Location and Figure 6.10 – Viewpoint 7 Photographs)
 - Chapter 7: Flooding and Hydrology (ES2 includes Appendix 7.5 – Hydraulic Modelling Report; Appendix 7.6 – Updated Drainage Strategy; Appendix 7.7 – Flood Consequences Assessment; Appendix 7.8 – Drainage Strategy Plan; Appendix 7.9 – NRW Comments)
 - Chapter 8: Ground Conditions (ES1 text remains unaltered, no addendum in ES2)
 - Chapter 9: Archaeology and Built Heritage (ES1 text remains unaltered, no addendum in ES2)
 - Chapter 10: Noise and Vibration (ES2 includes Appendix 10.1 – Environmental Noise Assessment Report (March 2022))
 - Chapter 11: Air Quality (ES1 text remains unaltered, no addendum in ES2)
6. Table 1.1 of ES2 provides a summary, by chapter, of the changes made to ES1. Where the text remains unaltered between versions, ES2 refers back to text in ES1, and its associated figures and appendices. ES1 and ES2 and their associated appendices have therefore been read together as a single ES for the purposes of The Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017.

Description of the Development

7. The location of the site, straddling the River Ely between the administrative boundaries of the Vale of Glamorgan and Cardiff Councils, is described in Chapter 2 of ES1 with a detailed location plan provided at Figure 2.1. Figures 6.1 and 6.2 of Chapter 6, amongst others, which form part of the Landscape and Visual Impact Assessment (LVIA), comprise a map and aerial image which show the site in a wider context.
8. A description of existing commercial and residential land uses, and various local landscape and ecological designations, heritage assets and land-use constraints are contained within Chapter 2 of ES1. The nature of the proposed uses, including intended demolition works, and how development would be distributed across the site, is also provided.
9. The Introductory paragraph of ES2 sets out the main revisions made to the scheme to address amongst other things, drainage, acoustic, ecological and landscaping matters. Figures 2.6 – 2.9 of ES2 provide updated Parameter Plans and a Concept Masterplan of the intended development.
10. The intended development would involve the demolition of all buildings on the site and of the existing B4267 Leckwith Road Bridge. The B4267 would be realigned near the

western bank of the River Ely to join a new bridge crossing into Cardiff to the north of the existing road bridge. The new bridge would accommodate vehicular, cycle and pedestrian traffic. The Old Leckwith Bridge, a Grade II* listed building and scheduled ancient monument, would be retained and would also provide pedestrian and cycle access to the site and wider networks. Details of the layout of the site and designs for the intended residential units would be subject to reserved matters approval. However, the residential units would be comprised of a mix of houses and apartments, between two and six storeys and up to a maximum of about 33m AOD in height, and distributed across two distinct areas of the site, either side of the B4267, with associated public open space, landscaping and parking areas. A signalised four arm road junction would provide access. Intended highway works would be timed to allow traffic to continue to use the B4267 during the construction phase.

11. The ES identifies the demand for materials for construction, the associated traffic movements, and recognises potential effects such as through pollution, dust or increased sediment in the river environment.
12. Residual effects, both positive and negative, are included in the ES and mitigation or compensatory measures identified where considered necessary. An additional requirement for pre-construction surveys in relation to ground conditions is identified as part of the site is described as made-up ground which supports commercial and industrial uses, with potential contamination having been considered in the ES on a desk-assessment basis.
13. The description of the development is satisfactory.

Description of the reasonable alternatives

14. The site is described as an under-utilised brownfield site. The site would accommodate residential development which it is stated would fund replacement of the existing B4267 road bridge, described as being in a critical state of disrepair. The distribution of proposed uses has broadly remained consistent throughout the design phases, led by the size and shape of the site and its constraints. However, the scheme parameters have evolved in response to consultation. The route and new bridge configuration presented in the application are described as the most beneficial and efficient option available. No other land is owned by the applicant and, given the intended roadworks and bridge crossing location, no viable alternative site is considered to be available.
15. The consideration of alternatives is therefore satisfactory.

Baseline scenario

16. The ES describes the baseline conditions in terms of the form and character of the existing site, its location and its existing usage. ES1 Chapter 4 and Appendix 4.1 describe the local highway network, current safety and traffic conditions, and contain a review of accessibility to non-car modes of travel. The survey results set out in the ecological assessments (including additional protected species surveys contained in Appendix 5.4 and 5.5) describe the baseline conditions for habitats and species at the site. A combination of desk-based and field study, including additional viewpoints, was used to establish the landscape and visual baseline, identifying its constituent elements, character, condition, and perceived value, and the visual baseline including an understanding of the area in which development might be visible, the people who may experience the view (visual receptors), the nature of the view as well as the duration and type of the effect (ES1 and ES2 Chapter 6). A desk-based assessment was used to establish the archaeological baseline for the site (Chapter 9).

17. The hydrology and flood baseline are described in Chapter 7, supported by additional assessments in the relevant appendices to ES2. A Water Framework Directive Scoping Report has also been produced, identifying this part of the River Ely as a Lake waterbody under the Water Framework Directive (WFD), and which also contains baseline information for the waterbody. In terms of ground conditions, part of the site is described as made-up ground and the site currently supports commercial and industrial uses, with potential contamination having been acknowledged on a desk-assessment basis (Chapter 8).
18. Noise sensitive receptors (residential properties) and other local land uses are described, as well as sources of noise. The baseline is supported by a noise assessment. A desk study was undertaken to understand the baseline conditions for air quality utilising local and national data sources (Chapters 10 and 11).
19. The ES sets out the extent of the study area in each case and provides a brief assessment of the likely evolution of the baseline scenario without implementation of the intended development.
20. The description of the relevant aspects of the current and potential future state of the environment (baseline scenario) is therefore satisfactory.

Description of the aspects of the environment likely to be significantly affected

21. The submitted details include a copy of a scoping opinion provided by the Vale of Glamorgan Council (VOG) but although a scoping opinion given by Cardiff Council (CC) is mentioned in ES1 as forming part of Appendix 1.1, it is not included in that Appendix. Nevertheless, a copy of CC's scoping opinion is provided within Appendix B to the Transport Assessment (TA).
22. The ES includes a description of the factors likely to be significantly affected by the proposed development, as listed at paragraph 5 above, and as also included within the scoping opinions given by VOG and CC. The individual aspect Chapters include reference to the effects on human health, major accidents and disasters, cumulative effects and climate change as appropriate, which do not require full, stand-alone chapters.
23. The ES sufficiently identifies the aspects of the environment that are likely to be significantly affected by the proposed development.

Description of the likely significant effects of the development on the environment

Highways and Transportation

24. Chapter 4 of the ES provides an assessment of the likely transport effects arising from construction and operation of the proposal and is supported by a Transport Assessment (TA). Baseline conditions have been outlined, supported by traffic survey results, and construction impacts identified. Mitigation for these temporary impacts would be included principally within a Construction Management Plan which would control matters such as construction traffic routes. Operational phase impacts include additional pedestrian and cycle routes and an increase in vehicular traffic on the local road network. Mitigation for vehicular traffic impacts in the longer term are set out in an Outline Travel Plan (TP).

Ecology

25. Chapter 5 of the ES confirms that the site does not contain any statutorily designated sites. Approximately 2km downstream from the site the River Ely enters Cardiff Bay, which forms part of the Severn Estuary which is a 'Special Area of Conservation' (SAC), a

Ramsar Site and a SSSI. The site is within 1km of the Cwm Cydfin Site of Special Scientific Interest (SSSI) to the south-east. The site contains two non-statutory designated Sites of Importance for Nature Conservation (SINC), the River Ely and Factory Wood sites. Leckwith Wood and Factory Wood, which lie immediately adjacent to or fall within the site, are recorded as 'Ancient Semi-Natural Woodlands' (ASNW). Cwm Cydfin SSSI is set within the larger Leckwith Woods complex. Other SINCs locally are noted but discounted from the ecological studies due to distance and lack of pathways for effects. Various protected species are identified as being present on or near the site.

26. Mitigation for tree and pond loss would take the form of new wooded areas to an equivalent extent as the area to be lost and two sustainable drainage basins of at least the equivalent area. Compensatory planting and managed habitat creation would also be provided as mitigation for loss of nesting and roosting areas, and loss of foraging and commuting habitats, for various species. Monitoring and enhancement of features are also described.

Landscape and Visual Character

27. Chapter 6 of the ES identifies that much of the site is located within the Cwrt-yr-Ala Basin Special Landscape Area (SLA). Landscape and viewpoint receptors are identified for assessment and the significance of effects which would arise from the development, with and without intended landscaping and natural woodland regeneration, are described.

Flooding and Hydrology

28. Chapter 7 identifies that the area has a history of flooding and that the site lies within Flood Zone C1 as identified within Development Advice Maps which support Technical Advice Note 15 (Development and Flood Risk (TAN 15) and is served by significant infrastructure including flood defences. The site is identified as being at risk of flooding from the Pontsticill (Taf Fechan) Reservoir. Flood and pollution risks are identified, principally during the construction phase, including localised risks, and risks to the downstream SSSI and groundwater under the site. Mitigation proposals are identified including raised ground levels, implementation of a Construction Environmental Management Plan (CEMP) and a Water Framework Directive compliance assessment (WFD).

Ground Conditions

29. Chapter 8 confirms that water abstractions locally are upstream of the site and have therefore been discounted from any assessment. A Preliminary Risk Assessment is included, with the underlying geology predicted, but no intrusive surveys have been undertaken. Risks to human health and controlled waters are described for both construction and operational phases, recognising the historical and current industrial land uses on and surrounding the site and the presence of made-up ground and landfill material and naturally occurring radon. Mitigation proposals are described, including necessary additional pre-construction surveys.

Archaeology and Built Heritage

30. Chapter 9 identifies 13 ancient monuments and 11 registered parks and gardens falling within 3km of the site. It also identifies 42 sites of archaeological interest within 750m of the site, with 10 within the site itself identified as the Scheduled Monument and Grade II* Listed Building Leckwith Bridge (GM014/ 0134S/ LB13748/ LB26487/ 24126), Leckwith New Bridge and Viaduct (307689), Limekiln (04120s), Structures (04122s, 04125s), LQ001 (Leckwith Bridge Public House), LQ002 (Old Weir), LQ003 (Cottage), LQ004

(Milestone) and LQ005 (Drain cover). The significance of the effects of the development on these assets is described. Effects on three of these assets in particular, (Leckwith New Bridge and Viaduct (307689), LQ001 (Leckwith Bridge Public House), and LQ005 (Drain cover)), which would be demolished, are described and mitigation proposals are presented.

Noise and Vibration

31. Chapter 10 identifies the baseline noise environment and recognises construction phase and operational effects. Vibration effects are described as negligible given separation distances from sensitive receptors. The iterative design process is presented, which would include further refinement following thermal modelling which would be required to determine final design, orientation of buildings and detailed mitigation measures.

Air Quality

32. Chapter 11 sets out the likely effects of the development on air quality, in relation to both human health and sensitive sites, including during the demolition and construction phases, and the operational phase through increased traffic emissions. Mitigation measures are listed including those which could be incorporated within a CEMP, and which are considered would arise from implementation of the TP.
33. The risks to human health, cultural heritage or the environment from construction-phase and operational phases are described, as well as cumulative effects with other developments, within the individual chapters as appropriate. Effects are expressed in terms of their duration, whether direct or indirect and whether positive or negative.
34. In relation to the above topic areas, I am satisfied that the potential significant effects of the development on the environment have been systematically assessed and are sufficiently described.

Prevention and/or mitigation measures

35. The ES describes the mitigation measures that have either been embedded in the design of the development, or where measures are proposed to respond to other significant environmental effects which are identified (for example, through a CEMP, Reasonable Avoidance Measures, Dust Management Plan, and Materials Management Plan). The prevention and/or mitigation measures are satisfactorily described in the ES, together with the extent to which they are anticipated to avoid, prevent, reduce or offset significant adverse effects, during both the construction and operational phases, and include monitoring arrangements, such as in relation to protected species, where appropriate.

Indication of any difficulties in compiling the required information

36. The limitations on compiling required information are clearly set out where relevant, including in Chapters 4, 5, 6, 8 and 11, with an explanation given of where professional judgement, assumptions or conservative estimates are used to support the conclusions reached or where further surveys are required to refine mitigation (for example, Chapter 8 in relation to ground conditions and Chapter 10 in relation to noise).
37. The various methodologies are adequately described in the ES, including definitions of the meaning of the terms used, and the approach adopted, to determine the significance of environmental effects.

Provision of a Non-Technical Summary

38. A non-technical summary accompanied ES1. However, although both ES1 and ES2 are read together, Chapter 1 of ES2 explains that the entire text of the non-technical summary has been updated and amended. The non-technical summary is dated December 2022. This revised non-technical summary and the information contained therein is thus sufficient to reflect the content of the ES as produced.

Reference List

39. The sources used for the descriptions and assessments, including relevant previous studies, are properly referenced in the ES and appendices where appropriate.

Overall Conclusions

40. I conclude that the Environmental Statements submitted by Mr Phil Worthing dated October 2020 and December 2022 contain the level of information identified in Regulation 17 and Schedule 4 of the 2017 EIA Regulations and is complete for the purposes of those Regulations.



Inspector