

Application No. / Rhif Cais: **SC/21/00001/MJR**

Date / Dyddiad: 16th April 2021

JBA Consulting
Kings Chambers
8 High Street
Newport
Gwent
NP20 1FQ

Dear Sir/Madam

Town and Country Planning Acts 1990 (As Amended)

Proposal: REQUEST FOR A FORMAL EIA SCREENING AND SCOPING
OPINION FOR THE PROPOSED CARDIFF COASTAL DEFENCE
SCHEME
Location: CARDIFF COASTAL DEFENCE SCHEME

In accordance with the powers delegated to me by the County Council under the above Act, my decision is as follows:

1. INTRODUCTION

I refer to your screening and scoping request received on 23rd February 2021, and accompanying Environmental Impact Assessment Screening and Scoping Report (hereafter referred to as the SSR) and plans, requesting a screening and scoping opinion for the development proposed along the Severn Estuary.

This response accompanied by the following Appendices:

- Appendix 1: NRW Response
- Appendix 2: NRW Screening and Scoping Opinion
- Appendix 3: Ecology Officer Response
- Appendix 4: PROW Officer Response
- Appendix 5: DCWW Response
- Appendix 6: Cadw Response



2. **BACKGROUND**

This Screening and Scoping Opinion relates to proposals being developed by Cardiff Council to improve and extend coastal and fluvial defences in an area of Cardiff to the east of Cardiff Docks, adjacent to the Severn Estuary and Rhymney River. The site location is indicated in figure 1 below.



Figure 1: Site Location

3. **SITE HISTORY**

No relevant planning history.

4. **SCREENING OPINION**

Having considered the proposals as detailed in the submitted Environmental Impact Assessment Screening and Scoping Report and plans, the proposed development does not fall within Schedule 1 of the Regulations.

With regard to Schedule 2, the proposed development is categorised as flood relief works under the Infrastructure Project description of development (Schedule 2, section 10 (H) of the EIA Regs). The identified threshold for flood relief works is 1ha. The proposed development site exceeds this threshold and is located within a 'sensitive area' as defined in the EIA Regs and, therefore, screening is required.

In formulating this screening opinion, Cardiff Council has given consideration to the characteristics of the development, its location and potential impact as set out in Schedule 3 of the EIA Regs together with advice set out in Welsh Officer Circular 11/99 –Environmental Impact Assessment. Having regard to these criteria, **the Local**

to the project. Given the proposals will directly affect the Severn Lower waterbody, this is relevant.

Nature of potential Impact

The works will involve extensive works within the banks of Severn Estuary, west and east of its confluence with the Rhymey River. The nature of the impact will directly impact the sensitive areas identified above. The works will also effect water which is already failing to meet European environmental quality standards. Given the nature of the works and their location, the effect of the impact is likely to be significant, possibly complex and irreversible.

Screening Opinion: Conclusion

Cardiff Council has given consideration to the characteristics of the development, its location and potential impact as set out in Schedule 3 of the EIA Regs together with advice set out in Welsh Officer Circular 11/99 –Environmental Impact Assessment. Having regard to these criteria, **the Local Planning Authority considers that the proposal requires an Environmental Impact Assessment (EIA)** due to the likely significant impacts of the development on sensitive area and water quality.

5. SCOPING OPINION

This Opinion sets out what information Cardiff Council considers should be included in the Environmental Statement (hereafter referred to as ES) for the Proposed Development. This Opinion has taken account of the following in accordance with Part 4, article 14 (6) of the EIA Regs:

- a) any information provided by the applicant about the proposed development;
- b) the specific characteristics of the particular development;
- c) the specific characteristics of development of the type concerned; and
- d) the environmental features likely to be significantly affected by the development.

The document submitted contains sufficient information for Cardiff Council to provide a formal Screening and Scoping Opinion under Regulations 14(2) of the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017 (hereafter referred to as EIA Regs).

The content of the Environmental Statement (hereafter referred to as ES) which accompanies an EIA development must include, as a minimum, the information set out in the EIA regs which is detailed in Part 5, Regulation 17 and Schedule 4. Part 5, Regulation 17 (c) requires an ES to be based on the most recent scoping opinion.

It is understood that this Scoping Opinion has been submitted in parallel to a Scoping Opinion submitted to NRW under the Marine Works Environmental Impact Assessment) Regulations 2007 (as amended). Part 5, Regulation 17 (e) requires an ES to take into account other relevant environmental assessment required under European legislation to avoid duplication. As such, the applicant should consider this

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response in conjunction with NRW Screening and Scoping Opinion issued on the 14th April 2021, contained in Appendix 2 for reference.

Please note our scoping opinion is based on the information available to us at this time. The information provided is not a definitive list of the ES / EIA requirements and further information may be required following an application for this project, to ensure a full assessment is carried out.

6. **INTERNAL CONSULTEE RESPONSES**

The Scoping Opinion is informed by responses received from the internal and external consultees. The responses from internal and external consultees are summarised in Section 6 and Section 7 and, where necessary, the full response is appended to this Scoping Opinion.

Ecology Officer

The ecology officer has raised the following concerns and their response is included in Appendix 3.

SINCs

Some locally designated sites, particularly SINCs, will likely be affected and in accordance with section 5.5.3 of TAN5, *'the conservation and enhancement of locally designated sites is an important contribution to the implementation of Biodiversity Action Plans and to the management of features of the landscape of major importance for wild flora and fauna. Developers should avoid harm to those interests where possible. Where harm is unavoidable it should be minimised by mitigation measures and offset as far as possible by compensation measures designed to ensure there is no reduction in the overall nature conservation value of the area or feature.'* The ES should include local designated sites and demonstrate how harm can be avoided or where mitigation is necessary to ensure no overall reduction.

Reptiles

The ecology officer broadly agrees with the proposed scope, however, Common Lizards should be accounted for also.

Nesting birds

Nesting bird surveys should include surveys for ground nesting species such as Lapwing, as these and other ground nesting species have been detected nesting on the Lamby Way landfill site in the area. Section 8.2.6 of the SSR refers to Lapwing nesting on saltmarsh, but they also nest on the landfill as well, and so may be impacted and needs to be considered in the ES.

Dormice

Section 8.2.6 lists species for consideration in an EIA, but does not make reference to Dormice. This species has been detected on the Gwent Levels relatively recently, but the records may not show up in a Local Records Centre search. I am aware of records



of this species in connected habitat 1.41 Km to the northeast of the easternmost extent of the red line boundary for this project. Similarly, the Howardian LNR Dormice are 800m to the northwest of this site, albeit on the other side of the River Rhymney. A formal Dormouse survey may not be needed but the EIA should acknowledge these records and consider the likelihood of impacts upon this species as part of the assessment.

Habitat Regulations Assessment

Impacts upon the habitats, species and processes for which the Severn Estuary SAC, SPA and Ramsar site have been designated will need to be considered in a Habitats Regulations Assessment (HRA).

The HRA process is separate to but parallel with the EIA, and which Cardiff Council are charged with undertaking. The EIA and HRA processes should co-ordinate to enable the ES to be used as an evidence-base for the HRA.

It is very likely that the HRA process will proceed to the second stage, at which an Appropriate Assessment (AA) is needed. It is likely that the AA will conclude that the proposed project will have an adverse effect upon the integrity of one or more of the Severn Estuary international designations and, therefore, compensation will be required. This is acknowledged at section 8.3.2 of the SSR. This being the case, whichever site(s) is/are identified for compensatory habitat creation will fall within the zone of influence of this project, and therefore should be considered in the EIA process. For example, it/they will already support some sort of habitat and species interest, which would need to be surveyed such that the impact of the compensation provision upon these existing interests can be assessed in the EIA. The *Habitat Compensation* should be provided as part of the EIS to ensure the compensatory measures are appropriate.

Environment (Wales) Act 2016

Under Section 6 of the Environment (Wales) Act 2016 Cardiff Council has a duty to seek to maintain and enhance biodiversity in the exercise of our functions, and in so doing promote the resilience of ecosystems, so far as is consistent with the proper exercise of those functions. In complying with this duty we will have to take account of the resilience of ecosystems, in particular the following aspects:-

- a) diversity between and within ecosystems;
- b) the connections between and within ecosystems;
- c) the scale of ecosystems;
- d) the condition of ecosystems;
- e) the adaptability of ecosystems.

This duty extends to our consideration of any planning applications that we have to power to determine. Furthermore, the 2018 Ecological Impact Assessment (EclA) Guidelines issued by CIEEM make it clear that an EclA, or the Ecology section of an



ES, 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. The Ecology sections of the ES submitted to Cardiff Council should demonstrate how the impacts upon ecosystems have been assessed, in accordance with the 2018 EclA Guidelines. This will allow Cardiff Council to demonstrate compliance with the ecosystem approach as required by the Environment (Wales) Act as above.

Relevant Planning Policy

Section 4 of the Screening/Scoping Report sets out the planning context for this proposal and Section 4.5 lists the relevant 'Technical Advice Notes'. Reference should be made to TAN 5, which relates to nature conservation and biodiversity. Similarly, under section 4.6 which relates to the Cardiff LDP, reference is made to river corridor policies, but the Green Infrastructure Supplementary Planning Guidance (SPG) should also be mentioned as the implications of the proposed scheme upon green infrastructure, in the context of GI policy KP16.

Trees and Landscape Officer

The Tree officer advised that the proposals lacked a tree assessment so it cannot be determined at this stage whether the impact on trees would be significant or not.

The proposals also does not include any consideration of soils. Substantial disturbance to/excavation of soil has the potential to impact significantly on its functionality, for example, its capacity to support vegetation, lock up Carbon etc. It would be expected that this be factored in. Mitigation measures could include the undertaking of a Soil Resource Survey and Plan, which would come in at a later date as per the tree assessment.

SRS – Environment Team

Shared Regulatory Services (SRS) Environment Team advised that the applicant has undertaken a Phase 1 Geo-Environmental Desk Study in relation to ground contamination. They have identified historical landfill sites, land historically occupied by potentially contaminative activities and ongoing commercial/industrial activities on or in close proximity to the proposed development. The applicant has recently completed an intrusive ground investigation to characterise ground conditions along the line of the proposed defences. They have confirmed that the Environmental Statement will include the findings of these investigations, as part of the 'Construction Related Effects' assessment to evaluate their environmental impact. This will include identification of any mitigation measures or requirements that may need to be adopted during future site works as highlighted above, together with the assessment of residual effects on any identified receptors.

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.



Harbour Authority

The Harbour Authority has advised that due to the distance of the proposals from Cardiff Bay, the impact on the Harbour Authority is likely to be very limited.

The Harbour Authority notes, however, that as discussed in Section 7, an assessment will be made of impacts of changes in sediment dynamics. Cardiff Harbour Authority would need reassurance that the flood defence scheme would not increase sediment deposition in the vicinity of the Barrage which could impact on their maintenance dredging operations.

Public Right of Way Officer

The Public Right of Way Officer (PROW) acknowledges that the proposals provide for an improved route for the Wales Coast Path.

The PROW officer has provided plans for the realignment of the coast path through Lamby Way landfill site since the Council's preference is to use a route through the site rather than along the boundary (included in Appendix 4). The proposed route should in Appendix 4 provides good coastal views and also prevents the public accessing the foreshore. It appears the works around the boundary of Lamby Way provide a footpath but I would assume this would be necessary for ongoing maintenance rather than for the public's use. This needs to be confirmed.

The PROW officer has advised that the routing of the Wales Coast Path around the traveller's site is challenging. The Wales Coast Path is currently temporarily diverted inland due to the numerous safety concerns surrounding due to flytipping and illegal access. The Public Right of Way however is still technically open for the public to use if they wish. The proposals for this section will provide an improved route which we welcome. The potential views from the coast path into the traveller's site needs to be considered. Natural screening along their boundary should be considered to avoid overlooking but any works along this section of the route should involve consultation with the traveller community who live at the site affected. Also, illegal access onto the new footpath would need to be prevented. The PROW officer queries whether the traveller site will be retained in the same way or become a transient site.

The WCP around the Biomass Plant is to be improved as part of that development as the surface of the path is pretty rough. Also there are issues of illegal access and flytipping around this site, so improved security such as security with gates/boulders to prevent illegal access should be provided.

There is invasive weeds along the route, especially Japanese Knotweed and there is a need for treatment at various locations along the route prior to works being undertaken and monitoring in the longer term approach.

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For the proposed works to be undertaken, a Temporary Traffic Regulation Order will be required for the Public Footpath, Reference: Splott No.1. The TTRO is for a maximum of 6 months. An extension may be applied for if longer is required and this is granted by Welsh Government. Welsh Government usually grant an additional 6 months at a time however there is no guarantee that this will be granted and requesting a longer term closure would need to be discussed.

Traffic and Transportation Section

The transportation manager has advised that the proposed development is not anticipated to generate significant vehicle movements once operational – movements will be limited to periodic inspections of the flood defence assets and vegetation management, but are not likely to equate to more single figure values each week.

The construction period would, however, likely to generate significant vehicle movements all concentrating upon Lamby Way/Rover Way. The scoping note indicates that no vehicular counts have been obtained for Rover Way although it notes the roads are “very busy”, but advises that the quantum of vehicular movement is unknown at present. The SSR assumes that 10% of additional traffic associated with the proposed development construction phases would be insignificant. This is disputed and given that Rover Way may be operating at near capacity any increase could, in fact, be very significant and needs to be comprehensively assessed.

The applicant would need to demonstrate the construction process and removal / delivery of material to / from the site. The construction process will need to be managed and such heavy vehicle movements should avoid the peak hours of traffic.

Conservation Officer

No comments to make.

Minerals and Waste Officer

No comments received.

Shared Regulatory Service (SRS) - Noise Officer

No comments received.

SRS Air Officer

No comments received.

Flood and Coastal Risk Section

No comments received.

Land Use Policy

No comments received.



7. EXTERNAL CONSULTEE RESPONSES

Natural Resources Wales

NRW have raised extensive comments in relation to the scope in respect of the following key issues. NRW's full response is contained in Appendix 1 and 2.

Glamorgan Gwent Archaeological Trust

Glamorgan Gwent Archaeological Trust (GGAT) concurs with the assessment carried out in SSR and note that any impacts of the proposed sea defence works could be mitigated by a range of archaeological interventions. GGAT advise that they would recommend the attachment of archaeological conditions for mitigation measures, such as watching brief or small scale investigation/recording in advance of construction.

Cadw

Cadw has advised that the SSR indicates that the proposed development will not have any direct impact on any designated historic assets and any indirect impacts will not be significant. Cadw concur with the results of the assessment and, therefore, an EIA is not required on Historic Environment grounds.

Chapter 10 of the EIA screening and scoping report outlines what elements of the historic environment will be scoped into the EIA and how any impact will be assessed. In general the proposed assessment will consider the impact on the undesignated archaeological sites as it is not considered that the proposed development will have any direct or indirect impact on any designated historic assets, apart from the registered Gwent Levels landscape of outstanding historic interest. Cadw concur with this scoping and, therefore, the impact of the proposed development on scheduled monuments, listed buildings and registered historic parks and gardens can be scoped out of the EIA.

Cadw consider that the impact of the proposed development on the registered Gwent Levels landscape of outstanding historic interest will need to be considered in the EIA. The SSR suggest that this will be carried out using the methodology outlined in the 2007 "Guide to Good Practice on Using the Register of Landscapes of Historic Interest in the Planning and Development Process": Cadw recommend, however, that given the small area of the registered historic landscape that will be directly affected by the proposed development, that the historic landscape should be assessed using the methodology outlined in the Welsh Government document "The Setting of Historic Assets in Wales".

Dwr Cymru Welsh Water

Dwr Cymru Welsh Water (DCWW) do not make any comments directly in relation to the SSR but advise the following:

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Also, the Ecology Officer has noted that Technical Advice Note 5 of national planning policy and Policy KP16 of the Cardiff Council Local Development Plan has not been included in from Chapter 4. These policies need to be addressed.

CHAPTER 5: PROPOSED EIA METHODOLOGY

Schedule 4 (6) of the EIA Regs requires '**a description of the forecasting methods or evidence used to identify and assess the effects on the environment, including details of difficulties (for example technical deficiencies or lack of knowledge) encountered compiling the required information and the main uncertainties involved.**' (Emphasis added). The Screening and Scoping Report is not clear in how limitations are to be identified and included within the ES, it is advisable to clarify this within the EIA Method of Assessment Chapter.

Also, not all the relevant topics included in the SSR identify limitations (it appears to be addressed in relation to Biodiversity and Nature Conservation, Landscape and Visual Impact and Traffic and Transport). If the assessment methods for the other topic areas did not encounter limitations, this should be explicit in the ES.

CHAPTER 6: CLIMATE CHANGE

Section 6.2.1 Baseline Conditions does not identify trees within baseline conditions. Trees appear to be located within the site, as discussed above, and need to be included in Chapter 6, if necessary. This needs to be considered in terms of future baseline conditions also. The impact on trees may also affect soil and its capacity to hold carbon and this may also need to be addressed in this chapter.

Aside from the above, the scope of chapter 6 is agreed.

CHAPTER 7: COASTAL PROCESSES AND GEOMORPHOLGY

NRW have provided comments throughout their response in relation to this Scoping Opinion and with their Scoping Opinion under the Marine Works Regulations. Both of these responses need to be considered in full relation to the Chapter 7. To avoid repetition, the requirements are not repeated here and the full response from NRW should be read in conjunction with this Scoping Opinion. NRW's responses are contained in Appendix 1 and 2.

The Harbour Authority have requested that the assessment made in relation to the change in sediment dynamics considers the impacts on sediment disposition which could affect Cardiff Barrage, including any impacts on their maintenance dredging operations.

CHAPTER 8: BIODIVERSITY AND NATURE CONSERVATION

Generally, the suggested approach to Biodiversity and Nature Conservation in the SSR is acceptable and this has been confirmed by NRW and the council Ecologist.



NRW have, however, provided extensive comments on this chapter throughout their response in relation to this Scoping Opinion and with their Scoping Opinion under the Marine Works Regulations. Both of these responses need to be considered in full relation to the Chapter 7. To avoid repetition, the requirements are not repeated here and the full response from NRW should be read in conjunction with this Scoping Opinion. NRW's responses are contained in Appendix 1 and 2.

The council Ecology Officer has raised a number of matters which need to be addressed in the EIA. The ecologist full comments are contained in Appendix 3 and are summarised in Section 6 earlier in this report. To avoid repetition, the ecology officer's comments will not be repeated here but need to be considered when preparing the ES.

The Tree Officer has commented and advised that due to the lack of information relating to trees it is not clear if the impact in relation to trees would be significant. Trees and the associated impact needs to be addressed in the ES.

To conclude on Chapter 8, the EIA should scope should address the comments raised by NRW and the Ecology Officer and these comments are extensive. Full responses of NRW and the Ecology Officer are contained in Appendix 1, 2 and 3.

CHAPTER 9: LANDSCAPE AND VISUAL

No comments were received from consultees in relation to Landscape and Visual. The ES should include an assessment of the impacts as set out in the scoping report.

CHAPTER 10: HISTORIC ENVIRONMENT

Cadw have responded and agreed that the impact on Ancient Schedule Monuments and listed building does not need to be scoped into the EIA.

Cadw do, however, consider the impact of the proposed development on the registered Gwent Levels landscape of outstanding historic interest will need to be considered in the EIA. The SSR suggests that the assessment of the relevant landscape will be carried out using the methodology outlined in the 2007 "Guide to Good Practice on Using the Register of Landscapes of Historic Interest in the Planning and Development Process": Given the small area of the registered historic landscape that will be directly affected by the proposed development, Cadw recommend that the relevant landscape should be assessed using the methodology outlined in the Welsh Government document "The Setting of Historic Assets in Wales". Cadw's Full response contained in Appendix 6.

Glamorgan Gwent Archaeological Trust has responded and agree with the proposed scope.

The Conservation Officer raised no concerns with the scope proposed.

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Subject to addressing Cadw's comments being address, the scope of chapter 10 is agreed.

CHAPTER 11: POPULATION AND HUMAN HEALTH

No comments were received from consultees in relation to population and human health. It is agreed this topic can be scoped out of the EIA.

CHAPTER 12: TRAFFIC AND TRANSPORT

In relation to Chapter 12, the Highway and Transportation Officer has agreed that the proposed development is not anticipated to generate significant vehicle movements once operational.

They considered that the construction period is, however, likely to generate significant vehicle movements concentrate along Lamby Way/Rover Way. The SSR indicates that no vehicular counts have been obtained for Rover Way although it notes the roads are "very busy" although the quantum of vehicular movement is unknown at present. The assumption in the SSR is that 10% of additional traffic is insignificant. The Transportation Officer is concerned that Rover Way may be operating at near capacity so an increase could result in a significant effect. The impact on Lamby Way/Rover Way must be fully assessed as part of the EIA.

Mitigation measures may be required to address the above issue, for example, construction process will need to be managed and such heavy vehicle movements should avoid the peak hours of traffic. The mitigation measures must be determined once the extent of the impact is appropriately quantified and evidences in the ES.

The above must be considered in preparation of the ES.

CHAPTER 13: CONSTRUCTION-RELATED EFFECTS

NRW has noted that Chapter 13 confirms that there will be impacts on receptors from land contamination and so this will be scoped into the ES for both the construction and operation phases, which NRW agree with. The report refers to a Phase 1 Geo-Environmental Desk Study and a Geotechnical Ground Investigation. NRW recommend these reports are included with the ES.

The Land Contamination officer did not raised any concerns with the scope proposed.

Subject to NRW concerns being addressed, the scope of this chapter is agreed.

CHAPTER 14: OTHER ENVIRONMENTAL EFFECTS

It is agreed that flood risk, land use, material assets and risk of major accident can be scoped out of the EIA.

NRW have provided extensive comments on this chapter and they are contained in their response in Appendix 1 and 2.



CHAPTER 15: CUMULATIVE EFFECTS

The identified committed developments are deemed acceptable and represent the most closely related developments which could result in a cumulative impact, from a planning perspective. The NRW's response in relation to this chapter contained in the Scoping Opinion in relation to the Marine Works Regulations (contained in Appendix 2) should be considered. The ES should include an assessment of the impacts as set out in the scoping report.

CHAPTER 16: CONCLUSIONS

The comments made in relation to individual chapters in this Scoping Opinions should be considered and the contents of Table 16-1 amended appropriately.

The approach to chapter structure and overall context detailed in Chapter 16 is agreed.

9. OTHER EIA RELATED MATTERS

ES Technical Appendices

The ES must be supported by relevant technical appendices.

Non-Technical Summary

Part 5, Regulation 17 (3) (e) and Schedule 4 of the EIA Regs requires the ES to be supported by a Non-Technical Summary is required to provide an overview of the contents of ES.

10. SCOPING OPINION: CONCLUSIONS

The above constitutes the LPA's scoping opinion but does not preclude the fact that additional information may be requested or added to the Environmental Statement in connection with the planning application as outlined in paragraph 13(9) of the regulations.

11. OTHER NON-EIA RELATED MATTERS

Outside of the EIA scope, other matters raised during this Scoping Opinion need to be addressed either through the planning application, or separately (as indicated below). These matters can be summarised as follows:

- The application must be supported by a Flood Consequences Assessment (required in planning application);
- The comments made by the PROW officer in relation to the Wales coastal Path must be considered. It must be demonstrated through the planning application how the PROW officers concerns have been addressed (required in planning application); and
- Access to NRW's assets (ramp on to beach and foreshore, Caldicot and Wentlooge Levels Internal Drainage District (IDD), with Blanchmoor Reen need to be maintained (outside of the remit of planning).



The above list is not an exhaustive list of requirements for the planning application. If further advice is required in relation to the planning application, a pre-application enquiry should be submitted to the Local Planning Authority.

Yours faithfully



James Clemence
Head of Planning

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APPENDIX 1 : NRW RESPONSE

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31/03/2021

Annwyl Syr/Madam / Dear Sir/Madam,

**BWRIAD / PROPOSAL: REQUEST FOR A FORMAL EIA SCREENING AND SCOPING
OPINION FOR THE PROPOSED CARDIFF COASTAL DEFENCE SCHEME.**

LLEOLIAD / LOCATION: CARDIFF COASTAL DEFENCE SCHEME.

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales about the above, which we received on 25 February 2021.

Based on the information submitted we provide the following advice in relation to the marine environment, protected sites, the terrestrial water environment, protected species, land contamination, flood risk, Wales Coast Path and waste.

We note you are seeking our comments on a screening and scoping opinion under the Town and Country (Environmental Impact Assessment) (England and Wales) Regulations 2017. We do not provide comments on screening opinions, other than those referred to us by Welsh Government. The decision as to whether an Environmental Impact Assessment (EIA) is required is a matter for your Authority to determine.

We have reviewed the Environmental Impact Assessment Screening and Scoping Report prepared by JBA Consulting, dated 18 February 2021. We generally agree with topics that the report has scoped into the EIA. Where appropriate, we have provided further detailed advice on the report as well as those topics under our own headings.

1. The Marine Environment

1.1 Coastal Physical Processes

The key issues are:

1. At present there is a 5km study area. We consider the scale appears arbitrary; any marine zone of influence should be based on a wider hydrodynamic assessment;

2. Direct and indirect habitat loss needs further consideration; type of habitat and area – temporary or permanent and within or out with protected sites and potential compensation;
3. A project level coastal squeeze assessment needs undertaking for areas within the Severn Estuary Special Area of Conservation (SAC);
4. Currently there is no detail on the assessment methodology to understand potential changes to physical process.

Section 2.2.2 Water environment and Section 7.1 Introduction

We advise the Applicant to consider whether there are any Heavily Modified Water Body (HMWB) mitigation measures as part of the Severn Lower transitional surface water waterbody that could be implemented in this scheme.

Section 2.2.3 Biodiversity

We advise the Estuary 'form and function' is also a feature of the Severn Estuary SAC that will need detailed consideration.

Section 2.3 Environmental constraints

We strongly recommend an arbitrary study area of 5km is not placed as the limit to the marine zone of influence before a wider hydrodynamic assessment has been made.

Section 3.2 Project objectives

We note the project aims to 'Protect existing features of nature conservation value and seek opportunities to improve biodiversity through the enhancements of existing habitats.' However, there will be a direct loss of habitat within the Severn Estuary SAC due to the proposed scheme. We expect that as minimal a footprint as possible is considered and that the objective to 'Achieve wider benefits alongside coastal erosion and flood risk management, including enhanced recreational and walking areas, and increased potential for regeneration and development, aligned with the Welsh Government's seven Well-Being Goals and with Welsh Government and Cardiff Council's vision for development and economic growth of the area' will not be at the expense of the Severn Estuary SAC.

Section 3.4 The proposed development

Section 1: Severn Estuary coastline east and west of the confluence with the Rhymney River.

The proposal along section 1 is large and will need a detailed coastal process assessment. We would like to challenge that the smallest footprint in terms of direct footprint loss has and will be achieved, as this will be a loss of habitat of the Severn Estuary SAC.

We also recommend sediment management is considered, as a large amount of sediment will need to be disturbed during the works and careful thought about where the excavated sediment will be placed is needed. We would not recommend any mobile sediment is locked out of the active marine zone. Storage and placement of rock on the foreshore will also need assessment and consideration.

Section 2: West bank of the Rhymney River from its confluence with the Severn Estuary northwards to the southern approach to the Rover Way/A4232/Lamby Way roundabout.

We consider the direct or indirect SAC losses that will occur due to this section are unclear. We advise discussion is undertaken if any sediment is planned to be won from site for construction.

Section 3: West bank of the Rhymney River, from the southern approach to the Rover Way/A4232/Lamby Way roundabout, northwards to the Lamby Way road bridge, and the east bank of the river from the Lamby Way road bridge southwards to the large meander opposite the Rhymney River boat club.

We welcome the desire to be sensitive to the environment through biological enhancements. However, we have concerns regarding the scale of rock armour and defence that is proposed:

1. The lateral extent seems large and we challenge whether as minimal a footprint as possible has been considered. For example, would it be feasible to take the defence back to the asset line and leave the estuary to function as normally as possible within those hard limits;
2. A large amount of sediment will need to be disturbed. An assessment will be needed on plume effects and a management plan on subsequent placement;
3. The sediment that will be placed (dug out and put back on a concrete base) on the upper slope will be disconnected from the basal mudflat and replaced over a short amount of time compared to years of gradual build up. Therefore, we are concerned on the stability and functionality of the biodiversity enhancement;
4. The sediment on the upper slope will also only be inundated with the highest tidal states. Therefore, there is little chance for more sediment to settle out under those conditions;
5. The saltmarsh will be permanently disconnected with the mudflat;
6. We are concerned that with the extensive works to the channel, the form and function may be altered permanently.

Section 3.5 Initial environmental assessment

We agree further discussion is required on the following point, including the form and function of the estuary feature: 'Potential that the project would result in the direct loss of, or damage or disturbance to, intertidal habitat – particularly mudflat habitat – and the separation of saltmarsh from intertidal areas. These areas may require mitigation or compensation.'

Section 3.5.1. Compensatory habitat requirements

We welcome further discussion around the project level impacts.

Section 3.6 Construction of the proposed development

We welcome further information on the construction methodology, including the production of a Construction Environmental Management Plan (CEMP).

We consider a construction programme of 18 months is very ambitious and recommend the realistic worst-case scenario be considered in the ES. Section 5.3.3. states the construction dates are currently assumed to be two years. Clarity should be provided around the construction programme timescales in the planning application.

Section 5.3.3 Defining the temporal and spatial scope of EIA

We recommend the marine spatial scope of the environmental assessment is based on the zone of influence which the project could reach. This will need further assessment.

Section 7.2.3 Coastal hydrology and water quality

We agree with the following potential impacts outlined in the report and recommend further discussion with us:

- Sensitive habitats (saltmarsh, mudflats and rocky shores) may be impacted during construction and then operation via coastal squeeze. Compensatory habitat is likely to be necessary;
- Biodiversity enhancements should be incorporated into the defence designs; and,
- Assessment is required to determine the potential for chemical release into the watercourse from contaminated land.

Section 7.4.2 Coastal hydromorphology

Given the scale of the works and location in terms of multiple protected sites, we recommend an operational model and assessment of the scheme is undertaken to understand likely impacts on the estuary form and function. No assessment is currently presented to enable confidence this could be scoped out. Therefore, we disagree with the following statement: 'However, existing coastal processes and patterns of sediment deposition are considered unlikely to change significantly as a result of the proposed scheme, as the current coastal alignment will not change. Detailed sediment modelling is therefore unlikely to be required in these areas.'

Table 7-4: Criteria for defining the magnitude of impacts on coastal processes assessed

There is no detail on quantification associated here. Therefore, we consider it is hard to understand the metrics being applied to the assessment. We recommend this detail is provided.

1.2 Ornithology

Table 16-1: Summary of environmental issues screened in/out of EIA

We agree impacts on wintering and migratory bird species arising from loss of habitat and non-physical (air/noise/vibration/lighting) disturbance to wintering and migratory bird species should be scoped into the ES at the construction and operational phases.

We also agree that during construction, physical disturbance to other habitats and species within and adjacent to the site should be scoped into the ES and should include wintering and migratory bird species using potentially functionally linked habitats.

8.3.2 Operational phase

We agree the operational phase could have an 'increased risk of disturbance to wintering and migratory bird species through increased use of the Wales Coast Path following the completion of the flood defence scheme'. In addition, we advise any changes in the location of the Wales Coast Path, particularly in relation to any re-routing of the path that will lead

users to break the skyline (i.e. embankment top), should be considered within the ES for operational phase disturbance to wintering and migratory bird species.

1.3 Marine and Diadromous Fish

8.3.1 Construction phase

We agree the effect of underwater noise and vibration on fish is assessed as part of the ES and HRA.

If any piling is to occur within the water for the installation of the new row of sheet piling in Section 2, we advise that the effect of underwater noise and vibration on fish from this piling is assessed. However, we acknowledge at present, the piling in Section 2 will occur towards the landward side of the existing embankment.

We advise the effect of underwater noise and vibration associated with the piling activities at Section 3 is assessed on fish species which form features (or sub-features) of the Severn Estuary SAC and Ramsar site or are present in the Rhymney Estuary, if piling is to occur within the water.

We advise the effect of noise and vibration may not just be limited to disturbance, depending upon the size of the piles to be installed, the method of installation, and mitigation measures to be applied. The piling could cause injury or mortality of individuals.

As mitigation, we suggest piling could only occur at tidal states such that there is sufficient distance between the piling and the channel to ensure noise and vibration effects to fish are limited. This is an approach proposed for other coastal defence projects in Wales recently. If this suggested mitigation cannot be achieved, we advise the following further information is provided as part of the ES to understand the risk to fish from the piling activity:

- The number of piles that will need to be installed;
- The working hours proposed for the piling;
- The number of piles installed per day;
- The amount of non-piling time between each pile installation;
- The time of year that piling is scheduled to occur;
- The duration of the full piling programme;
- The number of days piling will occur over the installation period; and,
- The amount of non-piling time during the installation period.

1.4 Marine Mammals

Provided that construction works likely to emit noise do not take place below Mean High Water Spring (MHWS), we consider there is unlikely to be any underwater noise impact on marine mammals. However, if any piling is proposed within the water for the installation of the new row of sheet piling in Section 2, we advise that the effect of underwater noise on marine mammals from this piling is assessed as part of the ES.

The report correctly identifies the potential for harbour porpoise and grey seal to be found in the Severn Estuary, however we do not anticipate any impacts from the project to significantly affect these species.

1.5 Benthic Ecology

The key issues are:

- Overall, we agree with the potential impacts that have been scoped in and will be assessed in the ES, however there are a couple of further potential impacts that will need to be scoped in;
- The development falls within the mudflat and sandflats not covered by seawater at low tide and estuaries features of the Severn Estuary SAC. Potential impacts to these features will need to be assessed accordingly in the ES and HRA;
- Potential impacts to the *Sabellaria alveolata* reef identified 2km from the scheme (An Annex I feature “Reefs” of the Severn Estuary SAC and a Section 7 habitat under the Environment Wales Act 2016) will need to be assessed in the ES and HRA.

8.3.1 Construction Phase

We agree with the following potential impacts that will be scoped in and assessed in the ES:

- Damage, disturbance, or loss of coastal and aquatic habitats, including intertidal mudflat, saltmarsh, rocky shore, and river habitats – and associated invertebrate species;
- There is the potential for the scheme to negatively impact upon the features and conservation objectives of the Severn European Marine Site and SSSI.

We advise the following impacts should also be scoped in and assessed for both the construction and operational phases:

- Introduction and spread of invasive non-native species (INNS) - There is the potential for INNS to be introduced and/or spread during construction and operation activities via vehicle movements, preferential settlement of INNS on new infrastructure etc. We note INNS have been scoped in for both Construction and Operation in Table 16-1 Summary of environmental issues screened in/out of EIA, but this is not reflected in the text under Biodiversity sections 8.3.1 and 8.3.2;
- Impacts on coastal processes - Changes to sediment entrainment, suspension or turbidity, changes to patterns of sediment deposition and the potential impacts that these may have on benthic habitats (most notably SAC features of the Severn Estuary SAC and Section 7 habitats) will need to be assessed.

We note a *Sabellaria alveolata* reef point has been identified approximately 2km from the proposed scheme. The habitat is an Annex I “Reefs” feature of the Severn Estuary SAC and also a Section 7 habitat under the Environment Wales Act 2016. Whilst there is no pathway for direct habitat loss to the reef given the distance from the proposal, there is the potential for changes in the sediment regime and impacts associated with sediment erosion, transport and deposition during the construction and operation of the scheme to have an indirect impact on this habitat. This will need to be assessed accordingly and included in the ES and HRA.

8.3.2 Operational phase

We agree with the following potential impacts that will be scoped in, assessed and included in the ES:

- Degradation/loss of priority intertidal habitats as a result of future erosion of habitats adjacent to and overlying the proposed new defences, particularly along the Rhymney River;
- There is the potential for the scheme to negatively impact upon the features and conservation objectives of the Severn European Marine Site and SSSI;
- Degradation/loss of Annex I saltmarsh and mudflat habitats;
- Disturbance/degradation of aquatic habitat for invertebrate assemblages;
- Damage to, and loss of, coastal habitats in the future as a result of coastal squeeze due to sea level rise, which could affect foraging and roosting behaviour of wintering/migratory bird species.

As noted by the Applicant, the scheme has the potential to result in the permanent loss of intertidal habitat both directly under the footprint of the proposed new defences and as a result of changes in coastal/fluviat erosion and coastal squeeze. Sections of the footprint of the proposed new defence wall fall within the mudflat and sandflats not covered by seawater at low tide and estuaries features of the Severn Estuary SAC. The amount of habitat loss of these features due to the construction and operation of the scheme will need to be calculated, assessed and included in the ES and HRA.

8.3.3 Mitigation measures

We welcome the measure to minimise permanent habitat loss, but advise further information is required in the ES on how permanent habitat loss will be minimised.

We welcome that the detailed design process will seek to incorporate ecological mitigation measures to benefit intertidal habitats and species. We would be happy to engage with the Applicant in discussions on potential for environmental enhancements measures that could be incorporated into the scheme.

We note biosecurity measures should be implemented to ensure INNS are not spread by works vehicles and site personnel. We advise that a full Biosecurity Risk Assessment and INNS Management Plan is completed in relation to all marine operation activities associated to the proposal. The risk assessment and management plan should include consideration of all activities, vehicles and equipment used as well as how the risk will be minimised through appropriate mitigation and adherence to best practice guidance and management measures. The risk assessment should include a review of all the available data in relation to the presence of marine INNS where applicable to the current proposal, and the potential risks associated to each species identified.

1.6 Marine Water Quality

We agree with the scoping decision with regards to the marine water quality receptor and Water Framework Directive (WFD) biological and hydromorphological elements.

Table 2.2 Environmental features identified within 5km (where relevant)

We agree with the inclusion of habitat WFD elements in this table.

We advise the WFD biological elements also be included in this section as there are impact pathways to them: fish, benthic invertebrates, macroalgae, phytoplankton and angiosperms.

3.6 Construction of the proposed development

We welcome the production of a CEMP and advise the contractor to refer to [NetRegs](#) GGP5 and [CIRIA](#) guidelines.

7.1 Introduction

A preliminary WFD assessment is referenced. We recommend this is included with the ES.

7.2.3 Coastal hydrology and water quality

A WFD screening and scoping assessment undertaken in March 2017 is referenced. We recommend this is included with the ES.

We agree Barry Island bathing water can be scoped out of the ES as at 15km away, this project is unlikely to have an effect.

We agree further assessment is required in the ES to determine the potential for chemical release into the watercourse from contaminated land.

7.3.1 Fluvial hydromorphology

We encourage the use of 'softer engineering techniques' that 'would provide a more natural approach than hard engineering' and be 'more sympathetic to natural habitats and ecology', as well as the effective management of 'fine sediment released into the fluvial system.'

7.3.3 Coastal hydrology and water quality

We agree the listed potential water quality impacts should be scoped into the ES.

Section 7.3.1 states 'the excavation of the banks and riparian zone to install the engineering solutions...could release quantities of fine sediment to the fluvial system...This could impact sensitive receptors nearby...' Whereas Section 7.3.3 states 'the works will not pose a barrier to fish movement and migration.' We require evidence to be included in the ES to support the latter statement and to demonstrate that the potential effects of released fine sediments on WFD biological elements (migratory fish) has been examined.

7.3.4 Biological elements of the WFD

We agree the WFD habitat elements mentioned here but advise that the biological elements also be included as there is potential for the proposed development to cause temporary and permanent impacts on those as well as on habitats.

We welcome and encourage the consideration of potentially providing ecological enhancement to the rock armour to increase the suitability of the development to recolonisation by biological elements and habitats such as reefs.

7.3.5 Chemical water quality elements of the WFD

We agree further consideration of potential effects on chemical status associated with the construction of new hard defences is required in the ES.

7.4.3 Coastal hydrology and water quality

We agree a detailed WFD assessment should be undertaken and that hydromorphological, biological and chemical water quality elements should be scoped into the ES.

Table 16-1: Summary of environmental issues screened in/out of EIA

We agree impacts on chemical WFD elements/water quality can be scoped out in the operation phase of the project as the Severn Lower waterbody is a heavily modified waterbody because of the flood defences present.

Severn Estuary SAC site feature Estuaries, Mudflats & Sandflats not covered by seawater at low tide, Sea lamprey, River lamprey and Twaite shad are unfavourable due water quality issues [Severn estuary SAC report 2018](#). We welcome the scoping in of the marine water quality receptor in Table 16-1.

2. Protected Sites

Those features of the Severn Estuary Site of Special Scientific Interest (SSSI) which are not covered under the Severn Estuary SAC, SPA and Ramsar designations will also need full consideration in the ES. For example, consideration of any potential for damage/loss of notable plant species, such as the nationally scarce Bulbous Foxtail *Alopecurus bulbosus* and Slender Hare's-ear *Bupleurum tenuissimum*.

3.4 Proposed development

Section 4: West bank of the Rhymney River from the Lamby Way road bridge, northwards to Page Drive.

On the Eastern bank of the Rhymney River there is a considerable area of salt marsh habitat. In the ES we would like to see geomorphological modelling to assess potential impact on this habitat as notable invertebrate species have been recorded here and at the adjacent Hendre lake, suggesting that this saltmarsh habitat may form an important corridor for invertebrate species.

7.2.1 Fluvial geomorphology

A Geomorphology Study is referenced. We recommend this is included with the ES to assess the potential impacts on the Rhymney River Section SSSI.

8.2.2 Extended Phase 1 Habitat Survey

A National Vegetation Classification (NVC) survey was carried out but 'The vegetation stands could be relatively easily assigned to describe vegetation, so no quadrats were necessary'. We advise this does not constitute a full NVC survey. Quadrats should be used to record the finer scale variations within the saltmarsh that will be lost during the construction phase, along with surveys of the notable plant populations. We expect to see this within the ES, with maps of the NVC surveys and any target notes.

8.2.6 Species

This section identifies the saltmarsh within the project area is important habitat for invertebrates and has been identified as an important corridor for the Shrill Carder (*Bombus sylvarum*) and the Large Carder Bee (*Bombus muscorum*).

Nationally important invertebrate assemblages are a feature of both the Gwent levels - Rhymney and Peterstone SSSI and the Severn Estuary SSSI. Loss of saltmarsh habitat may reduce the connectivity of the two SSSIs and lead to a reduction in species numbers and population sizes. We advise invertebrate surveys are needed to be included with the ES to properly assess the potential impacts.

We advise that notable plant species are present within the saltmarsh community and are a feature of the Severn Estuary SSSI, therefore surveys are needed to be included with the ES to identify where these notable species are present within the development area and where they may be lost.

BTO WeBS data is referenced. We recommend this is included with the ES to allow accurate assessment of the likely impacts to wintering and migratory bird species. We expect the data to be displayed on a map or maps so the proximity of foraging/roosting areas can be assessed.

8.3.1 Construction Phase

We consider there may be impacts on the conservation objectives of the Gwent levels - Rhymney and Peterstone SSSI. This should be scoped into the ES.

We agree that there is potential for impact on the Rhymney River Section SSSI and advise that the site would be vulnerable to changes in water flow downstream being impeded, or (possibly to a lesser extent) tidal flow being reduced, due to the possibility of sediment deposition and erosional changes. This would be during the construction phase and long term.

As a point of clarity, the River Rhymney SSSI should be referred to as the Rhymney River Section SSSI.

We agree the killing/injury or noise or visual disturbance to wintering and migratory bird species should be scoped into the ES. We suggest the ES assess this impact with regard to the percentage of the populations of important wintering/migrant species which will be impacted, as well as the proximity to the Redshank roost on the Eastern banks of the Rhymney River. It has not been mentioned in the report, but there is an important Dunlin roost to the east of the development site which may also be impacted by visual and noise disturbance and should be assessed as part of this.

As previously mentioned, we consider the worst case scenario be used when predicting the duration of the works, and this should be used to assess the impacts on bird species.

We advise that in order to mitigate impacts on the roost, that works in these areas are not conducted during the winter months when the roosts are in use. If this is unavoidable, the

works should be staged or staggered so the Redshank are able to retreat to one of the roost sites.

The report recognises the potential for damage to coastal and aquatic habitats along the coastal sections of the Severn Estuary through the placement of rock armour. There is the potential for a larger footprint to be impacted during the construction through vehicle movements and material storage. We welcome further information on the construction methodology, including a CEMP, and advise that routes for vehicle movement should be planned to avoid the most sensitive areas of the site.

8.3.2 Operational phase

Where intertidal habitats may be lost, the presence of intertidal invertebrates should be considered and the potential loss of these invertebrates should be discussed.

We agree that potential impacts on the foraging and roosting behaviour of winter birds due to the loss of coastal habitats should be scoped in, and advise the ES make reference to the research published on the impacts of the loss of the Cardiff Bay mud flats.

3. The Terrestrial Water Environment

3.1 Water Quality

The report does not mention whether works will take place within the watercourse. This application should be clear on this point. If works are to take place within the watercourse, the impact this might have on bank composition, movement of sediment and associated risks to water quality should be further investigated and included within the ES.

We recommend the ES includes further assessment of the consequences of movement of contaminated sediment during construction and its impacts on water quality. Mitigation measures should be included in the CEMP.

We also recommend the ES includes further assessment of the any changes in sedimentation which may occur from the implementation of softer engineering methods.

We advise the CEMP and Construction Method Statement should take the above into consideration where necessary.

3.2 Fisheries

We are satisfied the necessary recognition has been given to the requirement for appropriate working practices to ensure migratory fish species are not impacted during the construction phase. We therefore agree with the proposed scope and content of the ES. We advise the full suite of measures are set out in detail and also be included in the CEMP and Construction Method Statement.

4. Protected Species

We agree that the ES scopes in legally protected species, including those which may also comprise notified features of designated sites affected by the proposals. The ES should

include detailed assessment of the likely impacts and the significance of any predicted effects.

4.1 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.

4.2 Assessment and Methodology

We advise the site is subject to assessment to determine the likelihood of protected species being present in the area and likely to be affected by the proposals. Targeted species surveys should be undertaken for all species scoped in and:

- i. be undertaken by qualified, experienced and where necessary, licensed ecologist; and
- ii. comply with current best practice guidelines. In the event that the surveys deviate from published guidance, or there are good reasons for deviation, full justification for this should be included within the ES.

We note Table 16-1 of the report provides a summary of environmental issues screened in/out of EIA. We advise that otters, great crested newts and water voles are all scoped in.

We note that no built structures will be affected by the proposals. If trees may be felled or pruned to accommodate the development, then we advise that their potential to support roosting bats is also considered.

If any stands of scrub or trees are to be removed, then we advise that dormice are considered.

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. The impact assessment should consider each of the development options under consideration.

Where proposals implicate protected species which are also notified features of designated sites, we advise that the ES considers the impacts on those species from both perspectives.

We advise that the ES sets 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 (as amended). 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) February 2021, 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 EIA where a European Protected Species is present.

4.3 Local Biodiversity Interests

We recommend the applicant seeks the advice of the local authority Ecologist in relation to the scope of the work to ensure that regional and local biodiversity issues are adequately considered, particularly those habitats and species listed in the relevant Local Biodiversity Action Plan and are that are considered important for the conservation of biological diversity in Wales.

We further recommend the applicant contacts other relevant local interest groups (for example, the Local Records Centre, bat groups, ornithological groups, mammal groups etc.) to inform the assessment of impacts of the proposals.

4.4 Securing Biodiversity Enhancement

We also advise that, in accordance with the Environment (Wales) Act 2016 and Planning Policy Wales, the application demonstrates how it can deliver biodiversity enhancements and thus contribute to promoting ecological resilience. This is reaffirmed in the Welsh Government letter of 23/10/19 to all Chief Planning Officers.

5. Land Contamination

Section 13.7.2 and Table 16-1 of the report confirm impacts on receptors from land contamination will be scoped into the ES for both the construction and operation phases. We are satisfied with the scope of this. The report refers to a Phase 1 Geo-Environmental Desk Study and a Geotechnical Ground Investigation. We recommend these are included with the ES.

Non-EIA Matters Relevant to the Planning Application

The following are other matters we advise the Applicant that should be considered as part of any planning application:

6. Flood Risk

Our Flood Risk Map confirms the site to be partially within Zone C1 and C2 of the Development Advice Map (DAM) contained in TAN15.

Section 14.2 of the report confirms a Flood Consequences Assessment (FCA) will be prepared and submitted as part of the planning application for the proposed scheme. We advise the criteria for the FCA, which should normally be undertaken by a suitably qualified person carrying an appropriate professional indemnity, are given in Section 7 and Appendix

1 of TAN15. The FCA should be proportionate to the development proposed. To help prepare an FCA, we have developed [guidance](#), which contains technical advice and recommendations.

6.1 Asset Management

Our existing coastal flood defences tie into the high ground and foreshore at the rear of Lamby Way. At National Grid Reference SS 22708 77769, there is an existing informal ramp onto the beach and foreshore. This ramp is used for access to carry out emergency repairs to our coastal defences and for access during environmental incidents. It appears that as a result of the proposed development (location 11), access to this ramp will be lost. As such, future maintenance problems may arise. We advise it would be beneficial for all parties if this access was maintained or there was a designated access ramp near this location. Enclosed is a plan showing our assets at this location.

6.2 Internal Drainage District

Section 14.4 of the report identifies a temporary diversion of the Wales Coast Path from its current alignment west of the Rhymney River will likely be necessary. The report goes on to state 'Impacts on other material assets in the scheme area are not likely to be significant. Any such impacts can be effectively managed through application of appropriate good construction practices, to be implemented via a Construction Environmental Management Plan (CEMP) and construction Method Statements.'

We advise the eastern part of the proposed development is within the Caldicot and Wentlooge Levels Internal Drainage District (IDD), with Blanchmoor Reen to the north and Barcroft Reen further east. We advise the applicant we require continued access to undertake our annual works maintenance. Our IDD Team request to be kept up to date with the proposal to identify whether any adjustments are required in our annual works programme to assist in the planned works. If requested, our IDD Team can also assist in an advisory capacity with regards to water level management within the locality of the IDD boundary. You can contact IDD Engineer David Penny for further advice: David.Penny@cyfoethnaturiolcymru.gov.uk.

Furthermore, we advise the applicant that no watercourse/drainage alterations or run-off is to enter the IDD system without a Land Drainage Consent from us. Further advice and guidance is available on our [website](#).

7. Wales Coast Path

With regard to the interests of users of the Wales Coast Path (WCP) we advise it is important to maintain the current route (and proposed route over Lamby Way landfill site) of the Public Right of Way (PROW) over which the WCP route runs along, in regard to any of the intervening works. It is also important to ensure future path users have a good experience with views that are currently enjoyed.

We understand the PROW/WCP route on the west side of the Rhymney River will be temporarily diverted inland (using a Temporary Traffic Regulation Order) in order to accommodate the construction of the flood defence works, as advised by Jenn Griffiths (PROW Office) to Lowri Hughson-Smith (Planning) in Cardiff Council.

The PROW/WCP route continues past the DCWW site. We understand DCWW intend to install their own flood defence scheme at this location. We consider it is in the interests of path users to ensure there is continuity of the route, so would expect the proposed works to interlink with the DCWW works on the ground. Similarly, the proposed Biomass site should be considered in connection with any flood defence works as they also include provision for the WCP route within the site boundaries.

Furthermore, it is important to note that there are extremely prolific and persistent areas of Japanese Knotweed (INNS) in this area. For information, a WCP grant has previously supported weed treatment along these sections on and adjacent to the WCP route. Also, fly-tipping is prolific in this area, often around or near the Travellers site, on the saltmarsh and foreshore. We advise the contractor/s must have specific regard to these matters as they will be encountered on site when work is undertaken.

8. Other Matters

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.

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.

9. Advice for the Applicant/Developer

9.1 Flood Risk Activity Permit

A Flood Risk Activity Permit may be needed for the proposed works landward of the mean high water tide (for example, locations 42 and 52). Further information can be found on our [website](#). You can contact Development and Flood Risk Advisor Carl Llewellyn for further advice: Carl.Llewellyn@cyfoethnaturiolcymru.gov.uk.

9.2 Waste Produced During Construction

Any waste removed from site will be subject to waste management controls. Waste must be dealt with appropriately and be in line with all relevant waste legislation including Duty of Care Regulations and Hazardous Waste Regulations. Should waste be removed from site it must be taken to an appropriate facility authorised to accept this waste. As part of your waste duty of care you must classify the waste produced:

- before it is collected, disposed of or recovered
- to identify the controls that apply to the movement of the waste
- to complete waste documents and records
- to identify suitably authorised waste management options
- to prevent harm to people and the environment.

Further information on Duty of Care Regulations can be found on our [website](#).

Further information on how to classify waste is available on our [website](#).

Further information on how to register as a waste carrier is on our [website](#).

Further information on how to register as a hazardous waste producer is on our [website](#).

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

Yn gywir / Yours faithfully

Sarah Lund

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

APPENDIX 2 : NRW SCREENING AND SCOPING OPINION

Sent via email

14 April 2021

Dear Anne-Marie Moon,

**SCREENING AND SCOPING OPINION UNDER THE MARINE WORKS
(ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2007 (as amended)**

CARDIFF COASTAL DEFENCE

I am writing further to your request for a screening and scoping opinion, dated 19 February 2021, made in accordance with The Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended) ("The Regulations").

The purpose of the Environmental Impact Assessment (EIA) screening procedure is to determine whether the proposed works require an Environmental Impact Assessment and submission of an Environmental Statement (ES). The purpose of the scoping procedure is to determine what information should be provided in the ES.

In reaching our Screening Opinion we have considered the proposed works against Schedule A1 and A2 of the above regulations. In reaching our scoping opinion we have had regard to the information provided in the "Cardiff Coastal Defences Environmental Impact Assessment Screening and Scoping Report", dated February 2021, and considered the requirements of Schedule 3 of the Marine Works Regulations. We have also consulted with the bodies that we consider have an interest in the project by reason of their environmental responsibilities, or local or regional competences, as required by the above regulations, and had regard to their comments.

Screening Opinion It is our opinion that the works fall within the categories of project listed within Schedule A2, paragraph 69 of the above regulations ("*Coastal work to combat erosion and maritime works capable of altering the coast through the construction of, for example, dykes, moles, jetties and other sea defence works, excluding the maintenance and reconstruction of such works*"), and therefore must be considered in terms of its size, nature and location having regard to the relevant criteria listed in Schedule 1 of the above regulations.

We have carefully considered the views of the consultation bodies alongside the criteria as set out in Schedule 1 of the regulations, and have determined, based on the information provided; that the project has the potential to have a significant effect on the environment and therefore a statutory Environmental Impact Assessment is required.

We have come to this conclusion on the basis of the likely significant impacts of the project, specifically with regard to the large scale of the development which consist of approximately 6.0km of coastal and fluvial defence improvements which are proposed to require a construction site area of approximately 40ha. In addition, the site sits within European designated sites; namely the Severn Estuary SPA and SAC; also the Severn Estuary Ramsar; and Severn Estuary and Rhymney River Section SSSI sites. Due to the location and scale of the works, there is a potential that the project may lead to significant impacts, including on wetland bird species, as well as having the potential to alter the extent of inter-tidal habitats through potential changes in coastal processes.

Scoping Opinion

This letter sets out the additional information that we consider necessary to be included and/or assessed in the ES for this Project.

Please note our scoping opinion is based on the information available to us at this time. The information provided is not a definitive list of the ES / EIA requirements and further information may be required following an application for this project, to ensure a full assessment is carried out.

This Screening and Scoping Opinion will be provided to all those bodies that were consulted and will be publicised on our website and on our Public Register.

The Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended)

Scoping Opinion (SC2103)

Summary of the proposal

The proposal by Cardiff Council is to improve and extend coastal and fluvial defences in an area of Cardiff to the east of Cardiff Docks, adjacent to the Severn Estuary and Rhymney River. Tidal and fluvial erosion of the existing defences have led to extensive sections of the defences being completely lost or are in very poor condition. The proposed development aims to increase flood protection for both residents as well as critical infrastructure in the area.

The works consist of approximately 6.0km of coastal defence, different proposal are set out for different areas of work including the construction of rock revetment, raising existing embankments, constructing new earth embankments, sheet piling, both hard engineered and soft engineered scour protection structures and the installation of flood gates. Detailed description of the design proposals for each section have been set out in section 3.4 of the Scoping Report.

Location

The proposal is in an area of Cardiff to the east of Cardiff Docks, adjacent to the Severn Estuary and Rhymney River, as shown in Figure 1-1 of the Scoping Report. The works consist of approximately 6.0km of coastal and fluvial defence improvements which are proposed to require a construction site area of approximately 40ha.

Consultation Responses Received

In considering the scoping report, the NRW PS consulted with various consultation bodies. The consultation bodies that responded are listed below:

- Natural Resources Wales Technical Experts (NRW TE)
- Maritime and Coastguard Agency (MCA)
- Ministry of Defence (MoD)
- Royal Yachting Association (RYA)
- Trinity House Lighthouse Service (THLS)
- The Crown Estate
- Cadw
- NERL safeguarding
- Natural England

0. General comments

- 0.1. Marine and coastal guidance produced by NRW that may provide useful information to help with your project is available here:
<https://naturalresources.wales/guidance-and-advice/business-sectors/marine/?lang=en>
- 0.2. In accordance with Regulation 13(3), the ES submitted should demonstrate consideration of the points raised in this scoping opinion. It is recommended that a table is provided in the ES summarising the scoping opinion comments and how they are addressed in the ES.
- 0.3. The EIA must be undertaken by a competent person and the ES must include a competent expert statement.
- 0.4. Where possible, other environmental assessments should be coordinated with the EIA process. However, it is important to note that the Habitats Regulations Assessment (HRA) and Water Framework Directive assessment (WFD), and any other assessment, are separate processes to the EIA.
- 0.5. Throughout the ES, robust evidence should be presented so that the potential environmental impacts can be properly understood and evaluated; and appropriate measures identified to avoid, reduce or where necessary compensate for those impacts.
- 0.6. The ES must include:
- A Non-Technical Summary (NTS);
 - A chart or map identifying where the activity will be carried out;
 - A description of the likely significant effects of the project, whether direct, indirect, secondary, cumulative, transboundary, short-term, medium-term, long-term, permanent, temporary, positive and negative;
 - A description of the methods used to make the assessment of the significant effects and difficulties encountered in compiling the information and uncertainties involved;
 - A description of measures to avoid, prevent, reduce or offset identified significant adverse effects and proposed monitoring arrangements; &
 - A description of the expected significant adverse effects of the project on the environment resulting from the vulnerability of the project to risks of major accidents or disasters.
- 0.7. The ES must consider any potential transboundary impacts where appropriate.
- 0.8. Early engagement with relevant stakeholders is encouraged. You are able to obtain further advice from NRW TE through the NRW Discretionary Advice Service, please see here: <https://naturalresources.wales/guidance-and-advice/business-sectors/planning-and-development/advice-for-developers/our-service-to-developers/>

- 0.9. The UK left the EU on 31 January 2020 – all legal obligations relating to compliance with environmental licences/permits and legislation will continue to apply. NRW on behalf of Welsh Ministers will continue to issue licenses in line with our current practice.
- 0.10. You must ensure that reference is made to and consideration of compliance with the UK Marine Policy Statement and the now published Welsh National Marine Plan and its associated policies within the submitted ES, alongside any further regional planning documentation. The published Welsh National Marine Plan can be found here: <https://gov.wales/welsh-national-marine-plan-document>. Implementation guidance for the Welsh National Marine Plan can also be found here: <https://gov.wales/welsh-national-marine-plan-implementation-guidance>.
- 0.11. No detailed response was received from Cardiff County Council as they confirmed they would be providing a formal Scoping Opinion themselves under the Town and Country Planning (EIA)(Wales) Regulations 2017 (as amended) for the proposal. As a single ES is proposed, you should ensure that the ES demonstrates how it has considered all Scoping Opinions received.
- 0.12. We generally agree with the topics that the report has scoped into the EIA. We have provided specific comment below. Where no comment has been provided the assessment should be carried out as detailed within the scoping report.

1. Site Characteristics

- 1.1. In line with the Water Framework Directive we recommend that consideration is given to whether any Heavily Modified Water Body (HWMB) mitigation measures as part of the Severn Lower Transitional surface water waterbody could be implemented into the scheme.
- 1.2. We advise you that, as part of the of the conditions to be maintained for the Estuary feature of the Severn Estuary SAC, the physical form (tidal prism/cross sectional area) and flow (tidal regime) will need detailed consideration.
- 1.3. Section 2.3 of the Scoping report detailed that a study zone up to 5km was used for the purpose of the Screening and Scoping report; however, a justification for the use of a 5km zone was not provided. The marine zone of influence should be informed by a wider hydrodynamic assessment.

2. Proposed Development

- 2.1. The project has the potential to result in the direct loss of habitat of the Severn Estuary SAC. If loss cannot be avoided we would expect that the footprint for the activity to be minimised as much as possible.

2.2. Section 3.4 of the scoping report provided a detailed description of the design proposal for each section of the works.

2.2.1. Section 1: *Severn Estuary coastline east and west of the confluence with the Rhymney River*

- A detailed coastal processes assessment will be required along section 1.
- The design should look to ensure that the smallest footprint in terms of direct loss will be achieved as NRW TE have advised that this will be loss of habitat of the Severn Estuary SAC.
- Sediment management must be considered as a large amount of sediment will need to be disturbed during the works, careful consideration should be given to where any excavated sediment will be placed. NRW TE would not recommend any mobile sediment is locked out of the active marine zone.
- Storage and placement of rock on the foreshore must be considered and assessed.

2.2.2. Section 2: *West bank of the Rhymney River from its confluence with the Severn Estuary northwards to the southern approach to the Rover Way/A4232/Lamby Way roundabout.*

- NRW TE advise that the direct or indirect SAC losses that will occur due to works within this section are unclear. We would advise that engage with NRW TE to consider any potential habitat loss. In addition we would encourage engagement with NRW TE if sediment is planned to be won from the site for use in construction.

2.2.3. Section 3: *West bank of the Rhymney River from the southern approach to the Rover Way/A4232/Lamby Way roundabout, northwards to the Lamby Way road bridge, and the east bank of the river from the Lamby Way road bridge southwards to the large meander opposite the Rhymney River boat club.*

- We welcome the intention to incorporate biological enhancement into the design. However a number of concerns have been raised by NRW TE regarding the scale of the rock armour and defence that is proposed.

Consideration must be given to the point raised below;

- NRW TE raised concern that the lateral extent seems large. Justification should be provided regarding the extent of works and whether as minimal a footprint as possible has been considered. NRW TE have queried whether it would be feasible to take the defence back to the asset line and leave the estuary to function as normally as possible within those hard limits;
- A large amount of sediment will need to be disturbed as part of the proposal. An assessment must be carried out on plume effects and a management plan on subsequent placement;
- NRW TE note that the sediment that will be placed (dug out and put back on a concrete base) on the upper slope will be disconnected from the

basal mudflat and replaced over a short amount of time compared to years of gradual build up. Therefore, NRW TE are concerned on the stability and functionality of the biodiversity enhancement;

- NRW TE advised that the sediment on the upper slope will also only be inundated with the highest tidal states. Therefore, there is little chance for more sediment to settle out under those conditions;
- NRW TE have concerns that the design may lead to the saltmarsh being permanently disconnected with the mudflat; &
- NRW TE are concerned that with the extensive works to the channel, the form and function may be altered permanently.

2.2.4. Section 4: *West bank of the Rhymney River from the Lamby Wat road bridge, northwards to Page drive*

- On the Eastern Bank on the Rhymney River NRW TE have advised that there is considerable area of salt marsh habitat. The ES must consider the potential impact of works on this habitat. NRW TE have recommended that geomorphological modelling is carried out to assess potential impacts on this habitat as notable invertebrate species have been recorded within it and at the adjacent Hendre lake, suggesting that the saltmarsh habitat may form an important corridor for invertebrate species.

2.3. The scoping report in section 3.5 identified that the project may result in direct loss of, or damage or disturbance to intertidal habitats, particularly mudflat habitat, and the separation of saltmarsh from intertidal areas. It is noted in the scoping report that these areas may require mitigation or compensation, we would encourage you to engage with NRW TE as you consider appropriate mitigation or potential compensation requirements.

2.4. Section 3.5.1 of the scoping report highlights the potential for significant impact on the Severn Estuary SAC due to the implementation of a Hold the Line (HTL) policy and future impacts of coastal squeeze as sea level rise. As proposed in section 3.5.1 a detailed coastal squeeze assessment must be carried out. We would encourage you to engage with NRW TE as you carry out this assessment.

2.5. We welcome the intent to produce a Construction Environmental Management Plan (CEMP) and would encourage you to engage with NRW TE as you develop this document. We would refer you NetRegs GGP5 and CIRIA guidelines. In addition NRW TE advise that routes for vehicle movement should be planned to avoid the most sensitive areas of the sites.

2.6. A realistic worst-case scenario for the construction programme should be considered within the ES.

3. **Climate Change**

3.1. No comments were received from consultees in relation to climate change. The ES should include an assessment of the impacts as set out in the scoping report.

4. Coastal processes and geomorphology

- 4.1. We agree with the potential impacts identified within section 7.2.3 specifically;
- Sensitive habitats (saltmarsh, mudflats and rocky shores) may be impacted during construction and then operation via coastal squeeze. Compensatory habitat is likely to be necessary;
 - Biodiversity enhancements should be incorporated into the defence designs; &
 - Assessment is required to determine the potential for chemical release into the watercourse from contaminated land.

These must be considered within the ES.

- 4.2. We agree that potential impacts on coastal processes as a result of construction and operation of the coastal defence proposal are scoped in for further detailed impact assessment. NRW TE advise that given the scale of the works and location in terms of protected sites that an operational model and assessment of the scheme is undertaken to understand likely impacts on the estuary form and function. As no assessment has been carried out we are not able to agree at this stage with the statement in section 7.4.2 of the scoping report that *“existing coastal processes and patterns of sediment deposition are considered unlikely to change significantly as a result of the proposed scheme, as the current coastal alignment will not change. Detailed sediment modelling is therefore unlikely to be required in these areas.”* We would advise further engagement with NRW TE once an initial assessment has been carried out.

- 4.3. We agree that impact on bathing Water Quality can be scoped out due to the nearest bathing water quality area at Barry Island being located approximately 15km from the proposal.

- 4.4. We agree further assessment is required in the ES to determine the potential for chemical release into the watercourse from contaminated land.

- 4.5. NRW TE would encourage the use of softer engineering techniques that would provide a more natural approach than hard engineering and be more sympathetic to natural habitats and ecology as well as the effective management of fine sediment released into the fluvial system. Where soft engineering techniques are proposed the ES must consider any changes in sedimentation which may occur from the implementation of these methods.

- 4.6. We agree with the potential water quality impacts listed within section 7.3.3. these must be assessed and included in the ES.

- 4.7. The ES must show consideration of the potential effects of released fine sediments on WFD biological elements (migratory fish).

- 4.8. We agree with the WFD habitat elements included within section 7.3.4 of the scoping report, however potential impact on additional WFD biological element

(fish, benthic invertebrates, macroalgae, phytoplankton and angiosperms) must also be considered both in terms of temporary and permanent impacts.

4.9. We agree that further consideration of potential effects on chemical status associated with the construction of new hard defences is required in the ES as proposed within section 7.3.5 of the scoping report.

4.10. We agree impacts on chemical WFD elements/water quality can be scoped out in the operation phase of the project as the Severn Lower waterbody is a heavily modified waterbody because of the flood defence present.

4.11. NRW TE have highlighted that Severn Estuary SAC site feature Estuaries, Mudflats & Sandflats not covered by seawater at low tide, Sea lamprey, River lamprey and Twaite shad are unfavourable due to water quality issues [Severn estuary SAC report 2018](#). As detailed in the scoping report marine water quality must be assessed and included within the ES.

5. Biodiversity and nature conservation

5.1. Designated sites

5.1.1. As set out in the scoping report, the ES must assess the potential for the proposal to effect designated sites as well as Habitat and Species of Principal Importance set out under section 7 of the Environment (Wales) Act 2016. The ES must include details of;

- Any historical data for the sites affected by the proposal (e.g. from previous surveys);
- Additional surveys carried out as part of this proposal;
- The habitats and species present;
- The status of these habitats and species;
- The direct and indirect effects of the development upon those habitats and species; &
- Full details of any mitigation or compensation that might be required.

5.2. In general we agree with ecological impacts which have been scoped in for further consideration set out section 8.3 of the report. However, we provide additional comment below.

5.3. Ornithology

5.3.1. We agree that impacts on wintering and migratory bird species arising from loss of habitat and non-physical (air/noise/vibration/lighting) disturbance to wintering and migratory bird species must be scoped into the ES at both the construction and operational phases.

5.3.2. We also agree that during construction, physical disturbance to other habitats and species within and adjacent to the site must be scoped into the ES and must include wintering and migratory bird species using potentially functionally linked habitats.

- 5.3.3. We agree as noted in the scoping report, that the operational phase could have an increased risk of disturbance to wintering and migratory bird species through increased use of the Wales Coast Path following the completion of the flood defence scheme. In addition, NRW TE advise any changes in the location of the Wales Coastal Path, particularly in relation to any re-routing of the path that will lead users to break the skyline (i.e. embankment top). The ES must include an assessment of operational phase disturbance to wintering and migratory bird species, this assessment must consider disturbance through use of the Wales Coast Path.
- 5.3.4. BTO WebBS data is referenced within the scoping report. NRW TE have recommended that data is displayed on a map or maps so the proximity of foraging/roosting areas can be assessed.
- 5.3.5. NRW TE advise impact is considered with regard to the percentage of the populations of important wintering/migrant species which will be impacted, as well as the proximity to the Redshank (*Tringa tetanus*) roost on the Eastern banks of the Rhymney River. NRW TE highlight that there is an important Dunlin (*Calidris alpina alpina*) roost to the east of the development site which may also be impacted by visual and noise disturbance and should be assessed.
- 5.3.6. NRW TE advise that in order to mitigate impacts on the roost that works in these areas should not be conducted during the winter months when the roosts are in use. If this is unavoidable the works should be staged or staggered so the Redshank are able to retreat to one of the roost sites.
- 5.3.7. NRW TE advise that research published on the impacts of the loss of the Cardiff Bay mudflats may support the assessment.
- 5.4. Marine and Diadromous Fish
- 5.4.1. We agree the effect of underwater noise and vibration on fish is assessed as part of the ES.
- 5.4.2. Piling is proposed at section 2 and 3. If any piling is to occur within the water then the impact associated with underwater noise and vibration must be considered on fish species which form features (or sub-features) of the Severn Estuary SAC and Ramsar site or are present in the Rhymney Estuary.
- 5.4.3. NRW TE have advised the effect of noise and vibration may not just be limited to disturbance, depending upon the size of the piles to be installed, the method of installation, and mitigation measures to be applied. The piling could cause injury or mortality of individuals.
- 5.4.4. NRW TE have advised as mitigation, that piling could only occur at tidal states such that there is sufficient distance between the piling and the channel to ensure noise and vibration effects to fish are limited. If the suggested

mitigation cannot be achieved we advise the following further information is provided as part of the ES to understand the risk to fish from the piling activity;

- The number of piles that will need to be installed;
- The working hours proposed for the piling;
- The number of piles installed per day;
- The amount of non-piling time between each pile installation;
- The time of year that piling is scheduled to occur;
- The duration of the full piling programme;
- The number of days piling will occur over the installation period; &
- The amount of non-piling time during the installation period.

5.4.5. NRW TE advise that appropriate working practices and mitigation measures to ensure fish species are not impacted during construction should be included in the CEMP and Method Statement.

5.5. Marine Mammals

5.5.1. Provided that construction works likely to emit noise do not take place below Mean High Water Spring (MHWS), NRW TE consider there is unlikely to be underwater noise impact on marine mammals. However if piling is proposed within the water the effect of underwater noise on marine mammals from piling must be assessed as part of the ES.

5.5.2. NRW TE has confirmed that you have correctly identified the potential for harbour porpoise and grey seal to be found in the Severn Estuary, however, they do not anticipate any impacts from the project to significantly effect these species.

5.6. Benthic Ecology

5.6.1. We agree with that the following potential impacts detailed in section 8.3.1 must be scoped in and assessed within the ES:

- Damage, disturbance, or loss of coastal and aquatic habitats, including intertidal mudflat, saltmarsh, rocky shore, and river habitats – and associated invertebrate species; &
- There is the potential for the scheme to negatively impact upon the features and conservation objectives of the Severn European Marine Site and SSSI.

5.6.2. The following impacts must also be scoped in and assessed for both the construction and operational phases:

- Introduction and spread of invasive non-native species (INNS) - There is the potential for INNS to be introduced and/or spread during construction and operation activities via vehicle movements, preferential settlement of INNS on new infrastructure etc. NRW TE note INNS have been scoped in for both Construction and Operation in Table 16-1 Summary of environmental issues

screened in/out of EIA, but this is not reflected in the text under Biodiversity sections 8.3.1 and 8.3.2; &

- Impacts on coastal processes - Changes to sediment entrainment, suspension or turbidity, changes to patterns of sediment deposition and the potential impacts that these may have on benthic habitats (most notably SAC features of the Severn Estuary SAC and Section 7 habitats) will need to be assessed.

5.6.3. *Sabellaria alveolata* reef has been identified approximately 2km from the proposed scheme. The habitat is an Annex I “Reefs” feature of the Severn Estuary SAC and also a Section 7 habitat under the Environment Wales Act 2016. NRW TE have advised that whilst there is no pathway for direct habitat loss to the reef given the distance from the proposal, there is the potential for changes in the sediment regime and impacts associated with sediment erosion, transport and deposition during the construction and operation of the scheme to have an indirect impact on this habitat. We consider, therefore, that the potential impact on *Sabellaria alveolata* reef must be assessed and included within the ES.

5.6.4. We agree with that the following potential impacts detailed in section 8.3.2 must be scoped in and assessed within the ES:

- Degradation/loss of priority intertidal habitats as a result of future erosion of habitats adjacent to and overlying the proposed new defences, particularly along the Rhymney River;
- There is the potential for the scheme to negatively impact upon the features and conservation objectives of the Severn European Marine Site and SSSI;
- Degradation/loss of Annex I saltmarsh and mudflat habitats;
- Disturbance/degradation of aquatic habitat for invertebrate assemblages; &
- Damage to, and loss of, coastal habitats in the future as a result of coastal squeeze due to sea level rise, which could affect foraging and roosting behaviour of wintering/migratory bird species.

5.6.5. As detailed in the scoping report, the scheme has the potential to result in the permanent loss of intertidal habitat both directly under the footprint of the proposed new defences and as a result of changes in coastal/fluviat erosion and coastal squeeze. Sections of the footprint of the proposed new defence wall fall within the mudflat and sandflats not covered by seawater at low tide and estuaries features of the Severn Estuary SAC. The amount of habitat loss of these features due to the construction and operation of the scheme must be calculated, assessed and included in the ES.

5.6.6. We welcome that measures will be taken to minimise permanent habitat loss. Further detail will be required within the ES in order to demonstrate how permanent habitat loss will be minimised.

5.6.7. NRW TE welcome that the detailed design process will seek to incorporate ecological mitigation measures to benefit intertidal habitats and species. We would advise that you engage with NRW TE to discuss potential opportunities for environment enhancement measures to be incorporated into the scheme.

5.6.8. Biosecurity measures must be implemented to ensure INNS are not spread by works vehicles and site personnel. NRW TE advise that a full Biosecurity Risk Assessment and INNS Management Plan is completed in relation to all marine operation activities associated to the proposal. The risk assessment and management plan should include consideration of all activities, vehicles and equipment used as well as how the risk will be minimised through appropriate mitigation and adherence to best practice guidance and management measures. The risk assessment should include a review of all the available data in relation to the presence of marine INNS where applicable to the current proposal, and the potential risks associated to each species identified.

5.7. SSSI

5.7.1. Section 8.2.6 of the scoping report identifies that saltmarsh within the project area is an important habitat for invertebrates and has been identified as an important corridor for the Shril Carder (*Bombus sylvarum*) and the Large Carder Bee (*Bombus muscorum*). Additionally NRW TE highlight that Nationally important invertebrate assemblages are a feature of both the Gwent levels -Rhymney and Peterstone SSSI and the Severn Estuary SSSI. Loss of saltmarsh habitat may reduce the connectivity of the two SSSIs and lead to a reduction in species numbers and population sizes. NRW TE advise invertebrate surveys are needed to be included properly assess the potential impacts. We consider the potential impacts of the work on invertebrate and on the Gwent levels – Rhymney and Peterstone SSSI must be assessed and included within the ES.

5.7.2. NRW TE have advised that notable plant species are present within the saltmarsh community and are a feature of the Severn Estuary SSSI, therefore surveys recommend that surveys are carried out to identify where these notable species are present within the development area and where they may be lost.

5.7.3. Section 8.2.2 of the scoping report notes that a National Vegetation Classification (NVC) survey was carried but no quadrats were used. However NRW TE have advise that Quadrats should be used to record the finer scale variations within the saltmarsh that will be lost during the construction phase, along with surveys of the notable plant populations, with results presented with maps of the NVC surveys and any target notes.

5.7.4. We agree that there is potential for impact on the Rhymney River Section SSSI and impacts should be scoped into the ES. NRW TE have advised that

the site would be vulnerable to changes in water flow downstream being impeded, or tidal flow being reduced due to the possibility of sediment deposition and erosion.

5.8. Protected Species

- 5.8.1. We agree that the ES scopes in legally protected habitat and species as listed in section 2.2.3 of the scoping report. The ES must include an assessment of the likely impacts and the significance of any predicted effects.
- 5.8.2. Potential impact of works on otters, great crested newts and water voles must be assessed and include within the ES.
- 5.8.3. We note that no built structures will be affected by the proposals. If trees may be felled or pruned to accommodate the development, then their potential to support roosting bats should be considered. If any stands of scrub or trees are to be removed, then the impact of such works on dormice should be considered.
- 5.8.4. NRW TE have advised that any habitat surveys should accord with the NCC Phase 1 survey guidelines (NCC (1990) Handbook for Phase 1 habitat survey. NCC, Peterborough). NRW TE advise that Phase 1 surveys are undertaken and completed during the summer to ensure the best chance of identifying the habitats present.
- 5.8.5. An assessment of the site must take place to determine the likelihood of protected species being present in the area and likely to be affected by the proposals. Targeted species surveys should be undertaken for all species scoped in, these surveys should be undertaken by a qualified, experienced and where necessary, licensed ecologist; and comply with current best practice guidelines. In the event that the surveys deviate from published guidance, or there are good reasons for deviation, full justification for this should be included within the ES.
- 5.8.6. 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. The impact assessment should consider each of the development options under consideration.
- 5.8.7. Where proposals impact protected species, which are also notified features of designated sites, we advise that the ES considers the impacts on those species from both perspectives.
- 5.8.8. The ES should set out how the long term site security of any mitigation or compensation requirements 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,

NRW TE advocate that a Conservation Plan is prepared for the relevant species and included as an Annex to the ES.

5.8.9. We advise you that 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 further details are available on the [species licensing webpage](#). Where this is the case, the ES should 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 (as amended). 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) February 2021, section 6.4.22 and 6.4.23 and Technical Advice Note (TAN) 5, Nature Conservation and Planning (September 2009).

5.8.10. We recommend that you engage with NRW TE and the local authority Ecologist in relation to the scope of the work to ensure that regional and local biodiversity issues are adequately considered, particularly those habitats and species listed in the relevant Local Biodiversity Action Plan and are considered important for the conservation of biological diversity in Wales. NRW TE suggest engagement with relevant local interest groups which may assist informing the assessment of impacts of the proposal.

5.8.11. We encourage the applicant to consider how it can deliver biodiversity enhancements and contribute to deliver ecological resilience.

6. Landscape and visual

6.1. No comments were received from consultees in relation to landscape and visual impacts. However, the ES should include an assessment of the impacts as set out in the Scoping Report.

7. Historic Environment

7.1. Following consultation with Cadw we can confirm that the below designated historic assets are located inside 3km of the proposed development:

7.1.1. Three Scheduled Monuments: GM216 Caer Castell Camp, GM296 Pen y lan Roman Site and GM474 Relict Seawall on Rumney Great Wharf.

7.1.2. Four Registered parks and Gardens PGW (Gm) 19(CDF) Cathays Cemetery (grade II*), PGW (Gm) 24(CDF) Roath Park (grade I), PGW (Gm) 26(CDF) Cathays Park (grade II) and PGW (Gm) 29(CDF) Waterloo Gardens and Roath Mill Gardens (grade II).

7.1.3. A Registered Historic Landscape - HLW (GT) 2 Gwent Levels.

7.1.4. 224 Listed Buildings.

7.2. Chapter 10 of the scoping report outlines which elements of the historic environment will be scoped into the EIA. We agree that the impact of the proposed development on scheduled monuments, listed building and registered historic

parks and gardens can be scoped out of the EIA apart from impact on the registered Gwent Levels landscape of outstanding historic interest which must be assessed. An assessment must also be carried out to consider the potential impact on the undesignated archaeological sites as proposed within the scoping report.

7.3. The impact of the proposed development on the registered Gwent Levels landscape of outstanding historic interest must be considered in the EIA. The screening and scoping report suggest that this will be carried out using the methodology outlined in the 2007 “Guide to Good Practice on Using the Register of Landscapes of Historic Interest in the Planning and Development Process”: However, Cadw have advised given the small area of the registered historic landscape that will be directly affected by the proposed development, it is recommended that instead of using this methodology the impact of the proposed development on the historic landscape should be assessed using the methodology outlined in the Welsh Government document “The Setting of Historic Assets in Wales”.

8. Population and human health

8.1. No comments were received from consultees in relation to population and human health. However, the ES should include an assessment of the impacts as set out in the scoping report.

9. Traffic and Transport

9.1. No comments were received from consultees in relation to traffic and transport. However, the ES should include an assessment of the impacts as set out in the scoping report.

10. Construction-related effects

10.1. We agree that impacts on receptors from land contamination must be scoped into the ES for both the construction and operation phases, we are satisfied with the scope of assessment proposed. The report refers to a Phase 1 Geo-Environmental Desk Study and Geotechnical Ground Investigation, we recommend these reports are included in support of the ES.

11. Other environmental effects

11.1. Flood Risk

11.1.1. NRW TE have confirmed the site to be partially within Zone C1 and C2 of the Development Advice Map (DAM) contained in TAN 15.

11.1.2. We agree that a Flood Consequence Assessment (FCA) should be prepared. As detailed within section 14.2 of the scoping report as it is not anticipated that the proposed scheme will increase flood risk we agree flood risk can be scoped out of the EIA.

11.1.3. NRW TE advise the criteria for the FCA, which should normally be undertaken by a suitably qualified person carrying an appropriate professional

indemnity, are given in Section 7 and Appendix 1 of TAN15. The FCA should be proportionate to the development proposed. To help prepare an FCA, NRW TE have developed [guidance](#), which contains technical advice and recommendations.

12. Cumulative effects

12.1. The ES must include an assessment of cumulative and in-combination effects.

12.2. The following data sources may provide useful information on other projects for the assessment of cumulative effects:

- The Nationally Significant Infrastructure Projects register:
<https://infrastructure.planninginspectorate.gov.uk/projects/register-of-applications/>
- The Developments of National Significance Register:
<http://gov.wales/docs/desh/publications/180312-dns-register-en.pdf>
- Planning Policy e.g. Local Development Plans, Transport Plans (National and Local) and National Policy Statements.
- An up to date list of marine licensable developments can be found at the following link:
<http://lle.gov.wales/catalogue/item/MarineLicences>

Yours sincerely



Peter Morrison
Marine Licensing Team
Natural Resources Wales

Cc: All Consultation Bodies

Approved by:



Wendy Dodds
Marine Licensing Team Leader
Natural Resources Wales
Cc: Consultation Bodies.

Advice Note

The following advice was also provided by consultees.

Asset Management

NRW existing coastal flood defences tie into the high ground and foreshore at the rear of Lamby Way. At National Grid Reference SS 22708 77769, there is an existing informal ramp onto the beach and foreshore. This ramp is used for access to carry out emergency repairs to NRW coastal defences and for access during environmental incidents. It appears that as a result of the proposed development (location 11), access to this ramp will be lost. As such, future maintenance problems may arise. NRW advise it would be beneficial for all parties if this access was maintained or there was a designated access ramp near this location.

Internal Drainage

NRW TE advise the eastern part of the proposed development is within the Caldicot and Wentlooge Levels Internal Drainage District (IDD), with Blanchmoor Reen to the north and Barcroft Reen further east. We advise the applicant we require continued access to undertake our annual works maintenance. The IDD Team request to be kept up to date with the proposal to identify whether any adjustments are required in our annual works programme to assist in the planned works. If requested, the IDD Team can also assist in an advisory capacity with regards to water level management within the locality of the IDD boundary. You can contact IDD Engineer David Penny for further advice:

David.Penny@cyfoethnaturiolcymru.gov.uk.

Furthermore, we advise that no watercourse/drainage alterations or run-off is to enter the IDD system without a Land Drainage Consent from us. Further advice and guidance is available on our [website](#).

Wales Coast Path

With regard to the interests of users of the Wales Coast Path (WCP), NRW TE advise it is important to maintain the current route (and proposed route over Lamby Way landfill site) of the Public Right of Way (PROW) over which the WCP route runs along, in regard to any of the intervening works. It is also important to ensure future path users have a good experience with views that are currently enjoyed.

NRW TE understand the PROW/WCP route on the west side of the Rhymney River will be temporarily diverted inland (using a Temporary Traffic Regulation Order) in order to accommodate the construction of the flood defence works, as advised by Jenn Griffiths (PROW Office) to Lowri Hughson-Smith (Planning) in Cardiff Council.

The PROW/WCP route continues past the DCWW site. NRW TE understand DCWW intend to install their own flood defence scheme at this location. NRW TE consider it is in the interests of path users to ensure there is continuity of the route, so would expect the proposed works to interlink with the DCWW works on the ground. Similarly, the proposed

Biomass site should be considered in connection with any flood defence works as they also include provision for the WCP route within the site boundaries.

Furthermore, it is important to note that there are extremely prolific and persistent areas of Japanese Knotweed (INNS) in this area. For information NRW TE have advised that a WCP grant has previously supported weed treatment along these sections on and adjacent to the WCP route. Also, fly-tipping is prolific in this area, often around or near the Travellers site, on the saltmarsh and foreshore. NRW TE advise the contractor/s must have specific regard to these matters as they will be encountered on site when work is undertaken.

Flood Risk Activity Permit

A Flood Risk Activity Permit may be needed for the proposed works landward of the mean high-water tide (for example, locations 42 and 52). Further information can be found on our website. You can contact Development and Flood Risk Advisor Carl Llewellyn for further advice: Carl.Llewellyn@cyfoethnaturiolcymru.gov.uk.

Waste Produced During Construction

Any waste removed from site will be subject to waste management controls. Waste must be dealt with appropriately and be in line with all relevant waste legislation including Duty of Care Regulations and Hazardous Waste Regulations. Should waste be removed from site it must be taken to an appropriate facility authorised to accept this waste. As part of your waste duty of care you must classify the waste produced:

- before it is collected, disposed of or recovered;
- to identify the controls that apply to the movement of the waste;
- to complete waste documents and records;
- to identify suitably authorised waste management options; &
- to prevent harm to people and the environment.

Further information on Duty of Care Regulations can be found on our [website](#).

Further information on how to classify waste is available on our [website](#).

Further information on how to register as a waste carrier is on our [website](#).

Further information on how to register as a hazardous waste producer is on our [website](#).

Navigation

MCA note that the proposed works location appear to fall outside of the Statutory Harbour Authority area of ABP Cardiff, who have responsibility for maintaining the safety of navigation within their jurisdiction. We strongly recommend that the developer seeks to confirm this with the Harbour Master, and that the Harbour Authority is included as a stakeholder and is actively consulted during the developments progression, as the works may be of interest.

MCA note that the River Rhymney is actively navigated and the presence of the River Rhymney Motor Boat Sail and Angling Club. MCA strongly recommend that the Club and any other regular marine users of the waterway are actively consulted as the plans for the development progress, so that any restrictions to their ability to navigate the river is kept to

a minimum, and that construction and development activities are carried out in a safe manner.

APPENDIX 3 : ECOLOGY OFFICER RESPONSE

From: Harris, Matthew
Sent: 08 April 2021 13:08
To: Hughson-Smith, Lowri
Subject: RE: SC/21/00001/MJR, CARDIFF COASTAL DEFENCE SCHEME

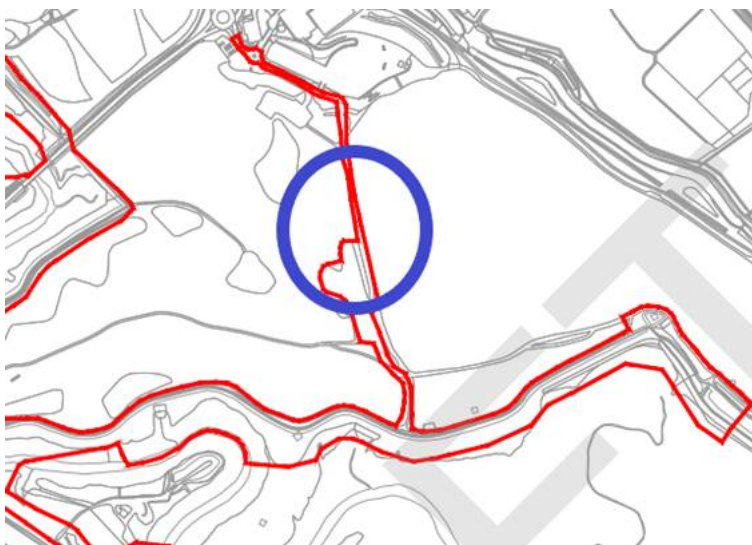
Lowri,

Here are my comments on this screening / scoping request which are based upon the Environmental Impact Assessment Screening and Scoping Report produced by JBA Consulting dated February 2020.

The document seems to be based upon the assumption that an EIA will be needed for these proposals, so I see no value in my setting out in detail why I believe that an EIA is needed on this occasion. However I do have some comments upon the scope of an EIA.

In general, I agree with the proposed EIA scope as set out in the document referred to above. Some locally designated sites, particularly SINCs, will likely be affected and in accordance with section 5.5.3 of TAN5, *'the conservation and enhancement of locally designated sites is an important contribution to the implementation of Biodiversity Action Plans and to the management of features of the landscape of major importance for wild flora and fauna. Developers should avoid harm to those interests where possible. Where harm is unavoidable it should be minimised by mitigation measures and offset as far as possible by compensation measures designed to ensure there is no reduction in the overall nature conservation value of the area or feature.'* Any ES should set out how this can be achieved.

In terms of assessment of impacts upon specific species groups I broadly agree with the proposed scope, though in terms of reptiles I would say that Common Lizards may occur on parts of the site, not just Grass Snakes and Slow-worms as referred to in section 8.3.1 at the foot of page 70. Also, nesting bird surveys should include surveys for ground nesting species such as Lapwing, as these and other ground nesting species have been detected nesting on the Lamby Way landfill site in the area I have indicated with a blue circle below, and I note that an access road is planned in this area. Section 8.2.6 refers to Lapwing nesting on saltmarsh, but they also nest on the landfill as well, and so may be impacted.



Section 8.2.6 lists species for consideration in an EIA, but does not make reference to Dormice. This species has been detected on the Gwent Levels relatively recently, but the records may not show up in a Local Records Centre search. I am aware of records of this species in connected habitat 1.41 Km to the northeast of the easternmost extent of the red line boundary for this project. Similarly, the Howardian LNR Dormice are 800m to the northwest of this site, albeit on the other side of the River Rhymney. I do not necessarily advise that a formal Dormouse survey needs to be undertaken, but the ES should at least acknowledge these records and consider the likelihood of impacts upon this species.

The most significant predicted ecological impacts which should be scoped-in relate to the Severn Estuary SAC, SPA and Ramsar site, as well as four SSSIs. In all of these cases we are guided by advice provided by NRW, and in this context I note and support their comments as set out in their letter of 31/03/21.

Impacts upon the habitats, species and processes for which the Severn Estuary SAC, SPA and Ramsar site have been designated will need to be considered in a Habitats Regulations Assessment (HRA). References to the need for a HRA are found throughout the Screening/Scoping Document, for example at sections 3.5.1, 5.2.1 and 8.1, etc. This is a process which is separate to but parallel with the EIA, and which we as the consent-granting authority are charged with undertaking. There needs to be coordination between the EIA and HRA processes, and generally the ES is used as an evidence-base for the HRA. However, in this instance a HRA would be beyond my capacity, so I am certain that the applicant's team will produce a 'shadow' or 'draft' HRA, which if acceptable to us will be adopted as our own.

It is very likely that the HRA process will proceed to the second stage, at which an Appropriate Assessment (AA) is needed. If, as seems likely, the AA concludes that the proposed project will have an adverse effect upon the integrity of one or more of the Severn Estuary international designations, then compensation will be required. This is acknowledged at section 8.3.2 of the Screening/Scoping Document which states *'Discussions with Welsh Government and NRW are ongoing with regards to the assessment methodology and requirements for compensatory habitat, and therefore, this assessment may be subject to change. A further, more detailed assessment will be undertaken as part of the detailed design process and will be documented in a HRA. It is anticipated that compensatory habitat requirements will be refined and agreed through further discussion with Welsh Government and NRW. Delivery of compensatory habitat requirements will be through the Welsh Government National Habitat Creation Programme (NHCP) managed by NRW.'*

This being the case, whichever site(s) is/are identified for compensatory habitat creation will fall within the zone of influence of this project, and therefore should be considered in the EIA process. For example, it/they will already support some sort of habitat and species interest, which would need to be surveyed such that the impact of the compensation provision upon these existing interests can be assessed in the EIA. In this respect I note the reference to *'JBA Consulting, 2017. Cardiff Coastal Defences, Habitat Compensation Assessment, Final Report, June 2017'*, however this document does not appear to be listed on the Acolaid files for this screening/scoping opinion request. We should ask that it be provided, so that we can be sure the EIA includes any compensatory area(s).

On a separate issue, under Section 6 of the Environment (Wales) Act 2016 Cardiff Council has a duty to seek to maintain and enhance biodiversity in the exercise of our functions, and in so doing promote the resilience of ecosystems, so far as is consistent with the proper exercise of those functions. In complying with this duty we will have to take account of the resilience of ecosystems, in particular the following aspects:-

- (a) diversity between and within ecosystems;
- (b) the connections between and within ecosystems;
- (c) the scale of ecosystems;
- (d) the condition of ecosystems;
- (e) the adaptability of ecosystems.

This duty extends to our consideration of any planning applications that we have to power to determine. Furthermore, the 2018 Ecological Impact Assessment (EcIA) Guidelines issued by CIEEM make it clear that an EcIA, **or the Ecology section of an ES**, 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. Therefore, all EcIA's or Ecology sections in an ES submitted to Cardiff Council should demonstrate how the impacts upon ecosystems have been assessed, in accordance with the 2018 EcIA Guidelines. This will allow Cardiff Council to demonstrate compliance with the ecosystem approach as required by the Environment (Wales) Act as above.

Section 4 of the Screening/Scoping Report sets out the planning context for this proposal. I advise that Section 4.5 'Technical Advice Notes' should also make reference to TAN 5, which relates to nature conservation and biodiversity. Similarly, under section 4.6 which relates to the Cardiff LDP, reference is made to river corridor policies, but the Green Infrastructure Supplementary Planning Guidance (SPG) should also be mentioned as the implications of the proposed scheme upon green infrastructure, in the context of GI policy KP16.

I welcome that the Screening/Scoping Report acknowledges that ecological enhancement will be required as part of this project. Details should be set out in the ES along with avoidance, mitigation and compensation measures.

Matt

APPENDIX 4 : PROW OFFICER RESPONSE AND ATTACHMENT

From: Public Rights of Way
Sent: 18 March 2021 09:17
To: Hughson-Smith, Lowri
Cc: Public Rights of Way
Subject: SC/21/00001/MJR, CARDIFF COASTAL DEFENCE SCHEME

Hello Lowri,

Please find comments regarding the Public Right of Way and Wales Coast Path which will be affected by the Coastal Defence Scheme.

Overall, the proposals provide for an improved route for the Wales Coast Path. I have attached proposals for the realignment of the coast path through Lamby Way landfill site as we wish to use a route through the site rather than along the boundary. Our proposed route provides good coastal views and also prevents the public accessing the foreshore. It appears the works around the boundary of Lamby Way provide a footpath but I would assume this would be necessary for ongoing maintenance rather than for the public's use (Planning Document Reference: LOCATION_11_GENERAL_ARRANGEMENT).

The other location which is very challenging is around the traveller's site. The Wales Coast Path is currently temporarily diverted inland due to the numerous safety concerns surrounding due to flytipping and illegal access. The Public Right of Way however is still technically open for the public to use if they wish. The proposals for this section will provide an improved route which we welcome. Will there be issues of views from the coast path into the traveller's site? It was an issue which had been raised during the creation of the Wales Coast Path many years ago. Is there an opportunity to create natural screening along their boundary so that they do not feel they are being overlooked, but they would obviously want to be consulted on this. We need to prevent illegal access onto the new footpath and my concern is that we will end up with the same issues in the future after this scheme is completed unless there is substantial limitations to access this new footpath. Will the traveller's site be retained in the same way or become a transient site for those passing through with a limit of how long they can stay on the site?

The WCP around the Biomass Plant is meant to be improved as part of that development as the surface of the path is pretty rough. Also there are issues of illegal access and flytipping around this site so we have asked for improved security with gates/boulders to prevent illegal access. I would hope these two developments will tie in together so that one does not create unwanted access.

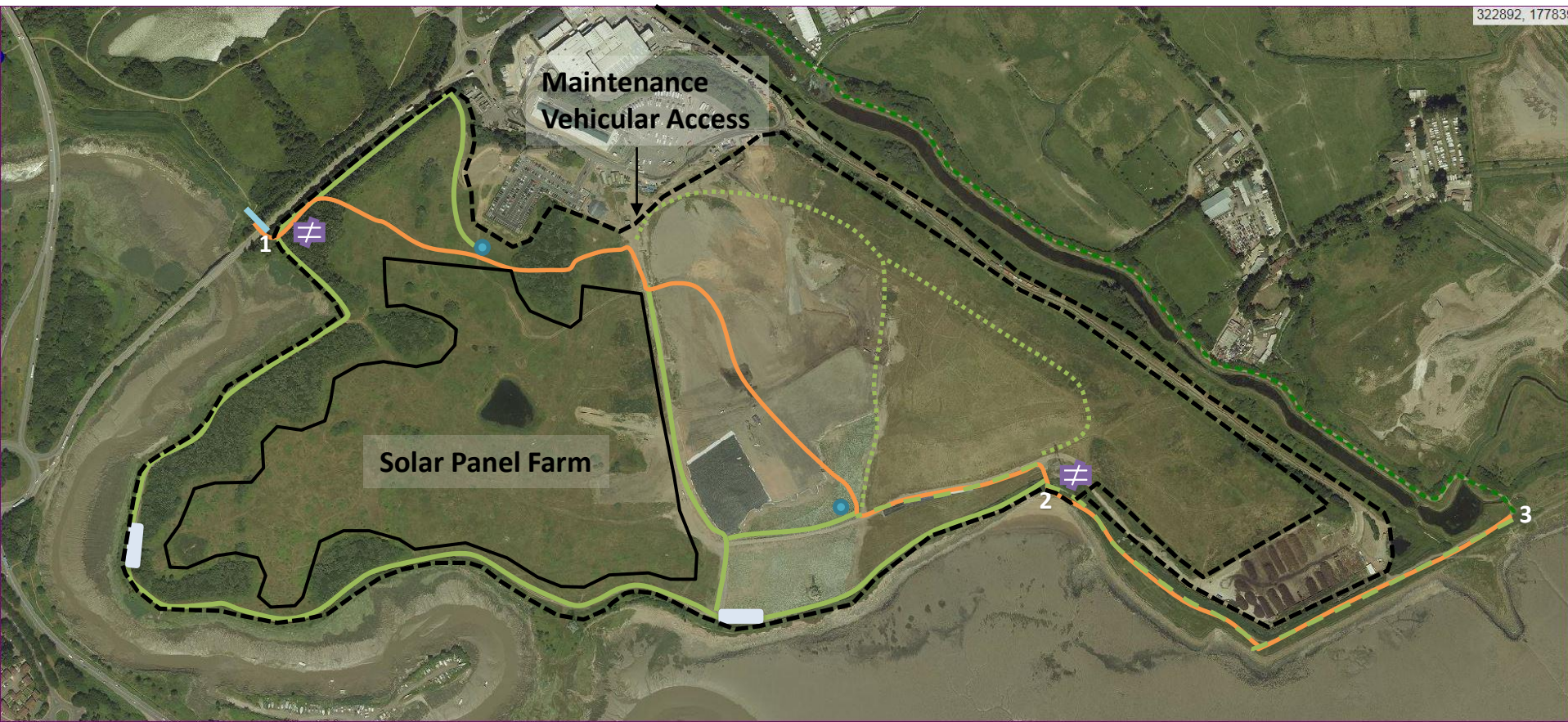
There is also the concern of invasive weeds along the route, especially Japanese Knotweed. I may have missed this in the report but I just wanted to highlight the need for treatment at various locations along the route prior to works being undertaken and monitoring in the longer term approach.

For the coastal defence works to be undertaken, a Temporary Traffic Regulation Order will be required for the Public Footpath, Reference: Splott No.1. The TTRO is for a maximum of 6 months. An extension may be applied for if longer is required and this is granted by Welsh Government. They normally will grant an additional 6 months at a time however there is no guarantee that this will be granted and requesting a longer term closure would need to be discussed.

Please contact me if there are any questions on the information provided above.

Kind regards,
Jenn

Jennifer Griffiths
Swyddog Arweiniol (Hawliau Tramwy Cyhoeddus)
Lead Officer (PROW)



Map Key Access Trails & Features

Wales Coast Path



Maintenance tracks available to walkers



Future Routes (not confirmed alignment)



Pedestrian Crossing



Boundary Site Fence



Bird Hydes



Interpretation Boards



Access Gates



APPENDIX 5 : DCWW RESPONSE

Mr James Clemence
Head Of Planning
Cardiff
CF11 1AA

Date: 11/03/2021
Our Ref: PLA0055183
Your Ref: SC/21/00001/MJ

Dear Sir

Grid Ref: ST232779 323619 178084
Site: Coastal Defence Scheme, Cardiff
Development: Request For A Formal EIA Screening And Scoping Opinion For The Proposed Cardiff Coastal Defence Scheme

We acknowledge this consultation relates to an EIA Screening and Scoping opinion for the proposed Cardiff Flood Defence Scheme.

Having reviewed the submitted plans, we advise that areas of the proposed flood defence scheme is to be located on top of or close to a number of public clean water and sewerage assets.

In accordance with the Water Industry Act 1991, Dwr Cymru Welsh Water requires access to its apparatus at all times in order to carry out maintenance and repairs.

We request the applicant contact our Plan & Protect Team on 0800 917 2652 to discuss this matter, in order so that we can fully assess the potential impact of the proposed development on our assets.

Our response is based on the information provided by your application. Should the proposal alter during the course of the application process we kindly request that we are re-consulted and reserve the right to make new representation.

If you have any queries please contact the undersigned on 0800 917 2652 or via email at developer.services@dwrcymru.com. Please quote our reference number in all communications and correspondence.

Yours faithfully,

Nicholas Davies
Development Control Officer
Developer Services

APPENDIX 6 : CADW RESPONSE



Llywodraeth Cymru
Welsh Government

Plas Carew, Unit 5/7 Cefn Coed
Parc Nantgarw, Cardiff CF15 7QQ
0300 025 6000
email cadw@gov.wales/cadw@llyw.cymru
www.cadw.gov.wales

Cardiff City Council

By email

Eich cyfeirnod
Your reference

SC/21/00001/MJR

Ein cyfeirnod
Our reference

DH

Dyddiad
Date

15 March 2021

Llinell uniongyrchol
Direct line

0300 0256004

Ebost
Email:

Cadwplanning@gov.wales

Dear Sir/Madam

PROPOSED DEVELOPMENT: Cardiff Coastal Defence Scheme

Thank you for your letter of 25 February 2021 asking for Cadw's view on the likely impact of the proposed development described above on the environment and whether or not Environmental Impact Assessment (EIA) is required.

Cadw, as the Welsh Government's historic environment service, has assessed the characteristics of this proposed development and its location within the historic environment. In particular, the likely impact on designated or registered historic assets of national importance. In assessing if the likely impact of the development is significant Cadw has considered the extent to which the proposals affect those nationally important historic assets that form the historic environment, including scheduled ancient monuments, listed buildings, registered historic parks, gardens and landscapes.

These views are provided without prejudice to the Welsh Government's consideration of the matter, should it come before it formally for determination.

Advice

Cadw does not consider that the effect, on the historic environment as a whole, will be significant enough to warrant an EIA.

Assessment

Our records show that the following historic assets are potentially affected by the proposal.

Listed Buildings:

233 Listed Buildings – see Annex A

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

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

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



BUDDSODDWR MEWN POBL
INVESTOR IN PEOPLE



Scheduled Ancient Monuments:

GM216 Caer Castell Camp
GM296 Pen y lan Roman Site
GM474 Relict Seawall on Rumney Great Wharf

Registered Historic Parks and Gardens:

PGW (Gm) 19(CDF) Cathays Cemetery (grade II*)
PGW (Gm) 24(CDF) Roath Park (grade I)
PGW (Gm) 26(CDF) Cathays Park (grade II)
PGW (Gm) 29(CDF) Waterloo Gardens and Roath Mill Gardens (grade II)

Registered Historic Landscapes:

HLW (GT) 2 Gwent Levels

This consultation is in response to a request for a screening opinion as to the need or not for an application for the Cardiff Coastal Defence Scheme to be accompanied by and Environmental Impact Assessment (EIA). Advice is also given in case an EIA is required as to the contents that document.

The above designated historic assets are located inside 3km of the proposed development.

An EIA screening and scoping report for the development has been produced by JBA consulting. This work has established that the proposed development will not have any direct impact on any designated historic assets and any indirect impacts will not be significant. We concur with the results of the assessment and therefore an EIA is not required on Historic Environment grounds.

Chapter 10 of the EIA screening and scoping report outlines what elements of the historic environment will be scoped into the EIA and how any impact will be assessed. In general the proposed assessment will consider the impact on the undesignated archaeological sites as it is not considered that the proposed development will have any direct or indirect impact on any designated historic assets, apart from the registered Gwent Levels landscape of outstanding historic interest. We concur with this scoping and therefore the impact of the proposed development on scheduled monuments, listed buildings and registered historic parks and gardens can be scoped out of the EIA.

The impact of the proposed development on the registered Gwent Levels landscape of outstanding historic interest will need to be considered in the EIA. The screening and scoping report suggest that this will be carried out using the methodology outlined in the 2007 "Guide to Good Practice on Using the Register of Landscapes of Historic Interest in the Planning and Development Process": However, given the small area of the registered historic landscape that will be directly affected by the proposed development, it is recommended that instead of using this methodology the impact of the proposed development on the historic landscape should be assessed using the methodology outlined in the Welsh Government document "The Setting of Historic Assets in Wales".

Yours sincerely

Denise Harris
Diogelu a Pholisi/ Protection and Policy

Listed Buildings/ Conservation Areas:

13645	Former Albany Road Methodist Church	II
13646	Llanrumney Hall PH	II*
13665	Statue of Godfrey, First Viscount Tredegar	II
13668	Ebeneser Chapel (URC)	II
13669	Former School Room to Rear of Ebeneser Chapel Boundary Walls & Piers to Churchyard of Ebeneser	II
13670	URC	II
13671	St David's Roman Catholic Cathedral	II
13672	Church of St Augustine	II*
13676	Former Welsh Presbyterian Chapel	II
13682	Gateway and forecourt walls to Cathays Cemetery	II
13683	Mortuary Chapels at Cathays Cemetery	II
13691	Statue of David Lloyd George	II
13692	Statue of John Cory	II
13693	Statue of Lord Ninian Edward Crichton Stuart	II
13694	National Museum of Wales	I
13720	Masonic Temple	II
13749	The Maltings	II
13753	St Andrews United Reformed Church	II*
13755	Clergy House of the Church of St German of Auxerre	II
13757	University of Wales, Cardiff, including Forecourt Walls	II*
13758	Queen's Building, Cardiff University	II
13759	Roath Court	II
13760	Church of St James the Great	II
13761	Rumney Pottery	II
13771	Park Hotel	II
13772	Park House	I
13773	Brannigan's including forecourt walls and railings	II
13774	New Theatre	II
13777	Nos 89,91,93,95,97,99,101,103,105 & 107	II
13779	Midland Bank	II
13787	Eglwys Dewi Sant (Formerly Church of St. Andrew)	II
13799	Statue of Second Marquess of Bute	II
13805	Church of St Peter	II*
13806	Church of St German of Auxerre	I
13808	Church of St Saviour	II
13819	Church of St Margaret	I
13822	Ty-du and adjoining byre and stable	II
13823	Longcross Farm	II
13829	Nos 11-24 (Consecutive)	II
13830	Nos.25-33 (consecutive)	II
13831	City United Reformed Church	II*
13833	Bethania Evangelical Church	II
13905	Pill du Farm	II
13952	Dead End Saloon	II
13953	,6,Bute Crescent,,,SOUTH GLAMORGAN,	II
13954	Eli Jenkins	II
13955	,8,Bute Crescent,,,SOUTH GLAMORGAN,	II
13956	Ocean Building	II
13957	Bonded Warehouse	II
13960	,1,Bute Place,,,SOUTH GLAMORGAN,	II
13961	,3,Bute Place,,,SOUTH GLAMORGAN,	II

13962	Railway Overbridge	II
13963	Cardiff Bay Station	II*
13964	Pascoe House	II
13965	Meandros House	II
13966	,54b,Bute Street,,,SOUTH GLAMORGAN,	II
13967	,54c,Bute Street,,,SOUTH GLAMORGAN,	II
13968	4 Dock Chambers (Emlyn House)	II
13969	5 Dock Chambers (Emlyn House)	II
13970	Seaway House	II
13971	Former H.M.Immigration Office	II
13972	Cory's Building	II
13973	Midland Bank	II
13974	National Westminster Bank	II*
13975	Baltimore Hotel	II
13976	,122,Bute Street,,,SOUTH GLAMORGAN,	II
13977	,123,Bute Street,,,SOUTH GLAMORGAN,	II
13978	,124,Bute Street,,,SOUTH GLAMORGAN,	II
13979	Royal Bank of Scotland	II
13980	,126,Bute Street,,,SOUTH GLAMORGAN,	II
13981	Parish Church of St Mary the Virgin and St Stephen the Martyr, including forecourt wall and railings	II
13982	Marquess of Bute's Warehouse Warehouse Adjacent to Marquess of Bute's	II
13983	Warehouse Warehouse on corner of Lloyd George Avenue and	II
13984	Herbert Street	II
13985	Cast Iron Posts and Railings to E of Dock Lane	II
13986	Greek Orthodox Church of St Nicholas	II
13987	Railway Bridge over Dock Feeder	II
13988	Bridge over Dock Feeder Canal	II
13989	Bridge over Dock Feeder Canal	II
13990	Lloyd's Bank	II
13991	Phoenix Buildings	II
13992	Coptic House	II
13993	,6,Mount Stuart Square,,,SOUTH GLAMORGAN,	II
13994	,7,Mount Stuart Square,,,SOUTH GLAMORGAN,	II
13995	,8,Mount Stuart Square,,,SOUTH GLAMORGAN,	II
13996	,9,Mount Stuart Square,,,SOUTH GLAMORGAN,	II
13997	Kilsby and Williams	II
13998	Crichton House Telephone Call Box adjoining E Side Of The Former	II
13999	Coal Exchange	II
14000	Pillar Box Outside former Coal Exchange	II
14001	Baltic House	II
14002	,20,Mount Stuart Square,,,SOUTH GLAMORGAN,	II
14003	Marine House	II
14004	Mount Stuart House	II
14006	Aberdare House	II
14007	Empire House	II*
14008	,58,Mount Stuart Square,,,SOUTH GLAMORGAN,	II
14009	,59,Mount Stuart Square,,,SOUTH GLAMORGAN,	II
14010	St Line House	II
14011	Cambrian Buildings	II
14012	Cymric Buildings	II
14013	Pillar Box Outside Cambrian Buildings.	II
14014	The Point (Formerly St Stephen's Church)	II
14015	Cardiff Exchange Building	II*

14016	Spillers and Bakers	II
14017	Scott's Brasserie (Former Pilotage Office). Railings & Gates behind Scott's Brasserie (Former	II
14018	Pilotage Office)	II
14019	The Big Windsor	II
14020	The Jug & Platter (Formerly The Bute Dock)	II
14021	,33 West Bute Street,,SOUTH GLAMORGAN	II
14022	34 & 35	II
14023	36 & 37	II
14024	Pillar Box Outside Royal Bank of Scotland	II
14047	Mount Stuart Graving Dock No.2	II
14048	Mount Stuart Graving Dock No.1 Sea Wall to East of former Mount Stuart Shiprepair	II
14049	Yard	II
14050	Signal Platform in Bay	II
14051	Signal Platform in Bay Bute West Dock Basin, including Sea Walls and Catch	II
14052	Pit One of a Pair of Navigation Lamps to E of Bute West	II
14053	Dock Basin One of a Pair of Navigation Lamps to E of Bute West	II
14054	Dock Basin	II
14055	Pier Head Building	I
14056	Sea Wall and Lock of Bute East Dock Basin	II
14057	Former Warehouse (The "D" Shed) Sloping Stone Sea Wall between Entrance to Bute	II
14058	East Dock and Roath Basin, including 5 Dolphins	II
14059	Former H.M.Customs and Excise Office Locky's Cottage (former Workmen's Hut at Sea Lock	II
14060	to Roath Basin	II
14061	Workmen's Hut at Sea Lock to Roath Basin Dock Walls of Roath Basin, including Sea Walls and	II
14062	Sea Lock, Walls of Locks, and Dry Docks	II
14071	Church of St Andrew and Teilo	II
14087	Quarry Hill House	II
14098	Trinity Methodist Church	II
14100	St German's Court	II
14101	3&4 Park Palce	II
14102	,5&6,Park Place,,SOUTH GLAMORGAN,	II
14103	,7&8,Park Place,,SOUTH GLAMORGAN,	II
14104	,9&10,Park Place,,SOUTH GLAMORGAN,	II
14105	,11,Park Place,,SOUTH GLAMORGAN,	II
14106	Mackintosh Sports Club	II
14117	White Lodge	II
14118	White Lodge Cottage Former stable, garage & garden wall with gates at	II
14119	White Lodge Telephone call box at junction of Ninian Road and	II
14123	Alder Road Telephone call box adjoining boundary wall of Roath	II
14125	Court	II
14128	Church of St Anne St.Saviours Vicarage (Including Cottage attached to	II
14129	SE) Splott Road. Footbridge over Roath Brook in Roath Park Pleasure	II
14764	Gardens	II
14765	Footbridge over the Roath Brook near the Lake Dam	II

14766	Footbridge over the Roath Brook near the Conservatory	II
14767	Footbridge over the Roath Brook between the Lake and the Conservatory	II
18290	Moorlands Hotel	II
18291	Church of St Alban's On the Moors	II
18639	Cardiff Royal Infirmary (including forecourt wall and gatepiers)	II
18640	,9 Moira Terrace,,,	II
18641	Clifton Church	II
18642	Roath Branch Library	II
18643	Mile Stone at Library	II
18644	Elms Centre	II
18645	,64 Newport Road,,,	II
18646	,10 Moira Terrace,,,	II
18647	,11 Moira Terrace,,,	II
18648	,12 Moira Terrace,,,	II
18649	,13/14 Moira Terrace,,,	II
18650	,15/16 Moira Terrace,,,	II
18651	,17 Moira Terrace,,,	II
18652	,18 Moira Terrace,,,	II
18653	,19 Moira Terrace,,,	II
18654	,20 Moira Terrace,,,	II
18655	,21 Moira Terrace,,,	II
18656	,22 Moira Terrace,,,	II
18808	Shah Jalal Islamic Cultural Centre (Formerly Methodist Chapel) including forecourt wall and gates	II
20282	White Hart Public House	II
20504	Plasnewydd Presbyterian Church and attached Hall	II
21573	Tredegarville Baptist Church	II
21576	Roath Park United Reform Church	II
21577	Unitarian Church	II
21641	Hut in Gorsedd Gardens	II
21669	Pair of Obelisk Lamp Stands to SE of City Hall	II
21670	Public Conveniences	II
21703	,44,Charles Street,,,	II
21709	Andrews Buildings	II
21710	,31/32,Park Place,,,	II
21711	,33/34,Park Place,,,	II
21714	Griffiths	II
21715	Caffe Latte	II
21716	,50,Charles Street,,,	II
21717	52-62 Charles Street	II
23156	Cathays Methodist Church including Sunday School attached to rear.	II
23959	War Memorial	II
25799	Water Tower at Penylan Reservoir	II
25824	Cemetery House, including stable in yard	II
25863	Roath Park Primary School	II
25864	Infants Block at Roath Park Primary School	II
25942	Scott Memorial	II
25944	Lake Dam including Spillways	II
26654	Public Analyst's Laboratory, Queen's Building, Cardiff University	II
26655	The Old Convent	II
26656	,28,The Parade,Tredegarville,Cardiff,,CF24 3AB	II

26657	Coleg Glan Hafren	II
	St Peters Presbytery, including attached forecourt	
26658	railings	II
26659	Pillar Box in West Grove	II
26660	Pillar Box outside 81 Ninian Road	II
26661	The Mansion House	II
	Bridge over Roath brook in Roath Park Recreation	
26662	Ground	II
26663	Megalithic folly at James Howell House	II
26664	,78,Ninian Road,Roath Park,Cardiff,,CF23 5EN	II
26665	,79,Ninian Road,Roath Park,Cardiff,,CF23 5EN	II
26666	,80,Ninian Road,Roath Park,Cardiff,,CF23 5EN	II
26667	,81,Ninian Road,Roath Park,Cardiff,,CF23 5EN	II
26668	,81A,Ninian Road,Roath Park,Cardiff,,CF23 5EN	II
26669	,1 Woodland Place,Roath,Cardiff,	II
26670	,2 Woodland Place,Roath,Cardiff,	II
26671	,3 Woodland Place,Roath,Cardiff,	II
26672	,4 Woodland Place,Roath,Cardiff,	II
26673	,5 Woodland Place,Roath,Cardiff,	II
26674	,6 Woodland Place,Roath,Cardiff,	II
26675	,7 Woodland Place,Roath,Cardiff,	II
26676	,8 Woodland Place,Roath,Cardiff,	II
26677	,9 Woodland Place,Roath,Cardiff,	II
26678	,10 Woodland Place,Roath,Cardiff,	II
87223	War Memorial Cross at St Saviour's Church	II
87483	Royal Oak Public House	II
87772	Milepost outside No. 243 Albany Road	II