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AGENDA

Committee	PLANNING COMMITTEE
Date and Time of Meeting	WEDNESDAY, 13 SEPTEMBER 2017, 2.30 PM
Venue	COMMITTEE ROOM 4 - COUNTY HALL
Membership	Councillor Keith Jones (Chair) Councillors Gordon, Ahmed, Asghar Ali, Congreve, Driscoll, Hudson, Jacobsen, Jones-Pritchard, Lay, Murphy and Keith Parry

8 Late Representations Schedule

Davina Fiore

Director Governance & Legal Services

Date: Thursday, 7 September 2017

Contact: Kate Rees, 029 2087 2427, k.rees@cardiff.gov.uk

This document is available in Welsh / Mae'r ddogfen hon ar gael yn Gymraeg

LATE REPRESENTATIONS SCHEDULE
PLANNING COMMITTEE – 13TH SEPTEMBER 2017

PAGE NO. 1	APPLICATION NO. 16/1867/MJR
ADDRESS:	4-6 BROADWAY, ADAMSDOWN, CARDIFF
FROM:	Head of Planning
SUMMARY:	<p>Condition 2 to read as follows:-</p> <p>2. The proposal fails to provide on-site open space or sufficient compensatory financial contribution in lieu of such provision, contrary to the provisions of Policies C5 (Provision for open space, outdoor recreation, children's play and sport), KP6 (New Infrastructure), and KP7 (Planning Obligations) of the Adopted Cardiff Local Development Plan (2006-2016) ; advice contained in the Councils' approved Planning Obligations SPG (Jan 2017).</p>
REMARKS:	The addition of policy C5 is noted and added to the refusal.

PAGE NO. 1	APPLICATION NO. 16/1867/MJR
ADDRESS:	4-6 BROADWAY, ADAMSDOWN, CARDIFF
FROM:	Agent
SUMMARY:	<p>The applicant feels that the Report fails to provide pertinent contextual background to the S106 discussions which had taken place, and would like the following to be noted and brought to the attention of the deliberating planning committee as a late representation;</p> <ol style="list-style-type: none"> 1. The District Valuation Service (DVS) had concluded that the proposed scheme is viable to sustain a S106 financial contribution of £158,424.00. The committee Report further states that this was not accepted by the applicant "who instead suggested that he would be prepared to pay a maximum of £18,000 to address the deficiencies of on-site provision of affordable housing and public open space provision". 2. The Report however fails to mention that the applicant had commissioned an independent review of the Report prepared by the DVS, by a local Practice of Chartered Valuers who had concluded in their Report "excluding section 106 costs, the development appraisal shows a pre-tax return of

	<p>£251,627 or 20.1%. Therefore in conclusion, if any S106 payments were factored in the level of return would be reduced to a level that would make the current scheme unviable and unattractive”.</p> <p>3. The main area of discontent between the Independent review commissioned by the applicant, to that of the DVS were the anticipated resale values of the residential flats; with the former indicating that the sale revenues are likely to be far larger than as suggested by the applicant. However, the independent review and Report had substantiated their presumed resale values using key market data of recent sales activity in the area, whilst no such evidence had been provided in the DVS Report despite clarification having been sought on this pertinent matter.</p> <p>4. Notwithstanding the advice received from the Independent review, the applicant in endeavours of showing intent of goodwill and compromise was prepared with reduce their profit margin lowering this to 18.5% and had offered this monetary value to the LPA for the sum of £18,000.00. The application deliberations have undergone an extensive period in excess of a year, and the applicant was keen on working with the LPA to push for immediate development of the site by virtue of its current dangerous and dilapidated nature which, should a site visit be suggested, would be apparent to the members.</p> <p>5. Furthermore, the applicant notes the decision of a recent application determined by the LPA- application 16/02867/MJR. The application site is some 700 yards away from the subject application site, and the applicant notes that the DVS had concluded that a S106 payment of £33,346 was deemed viable. Whilst it is acknowledged that the merits of each site are assessed individually, the applicant fails to appreciate the inconsistency as to the extent of difference between two similar projects for conversion to 12 flats of sites within 700 yards of one another. To one application the DVS conclude a contribution of £33,000 was deemed viable, whilst on the other the DVS are suggesting that a contribution of £160,000 is viable.</p> <p>6. On a final point, this much needed development would allow regeneration of a site, and contribute to introducing vibrancy along a street already deprived by</p>
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	<p>virtue of its stale activities and number of vacant and hoarded properties. The applicant would wish for the members to take a balanced view on the application, and acknowledge that the applicant is not shy in making any justifiable financial contributions being sought, but feels that the LPA have failed to appreciate the true market conditions of the area. The applicant argues that the DVS owe no duty of care to the applicant in their assessment and recommendation of suspected resale values, whilst independent Chartered Valuers would, and have offered the advice against any S106 contribution on the scheme.</p>
REMARKS:	<p>The comments are noted. In response officers would suggest points 1-5 are considered in the report but to re-iterate the process is that the applicant had submitted a viability report, which has been assessed by the District Valuer, the developer was able to respond to the District Valuer's draft findings. The District Valuer, having regard to comments received from the applicant on the draft report, still concluded that the development could meet request S106 contributions.</p> <p>For reference both parties agree on the cost of the development, where parties differ is the proposed monies to be received from either the sale/rental from the proposal.</p> <p>In terms of point 6, officers welcome investment within the Adamsdown area. However, where it is considered that development proposal can meet planning objectives then officers will take a robust approach to ensure compliance. Given the professional advice from the District Valuer, it was considered that the proposal has failed to meet policy objectives.</p>

PAGE NO. 46	APPLICATION NO. 17/00406/MNR
ADDRESS:	The Caerau, Bishopston Road, Caerau.
FROM:	Mark Drakeford AM (Cardiff West) and Kevin Brennan MP (Cardiff West).
SUMMARY:	<p>We are concerned about the impact that the proposed new shops would have on the existing businesses directly opposite the site, on Bishopston Road. We were pleased to hear that a site visit has taken place and that committee members will have had an opportunity to see and hear for themselves the detrimental impact that this application, if granted, would have on local amenities.</p>
REMARKS:	The concerns are noted. The issue of the impact on the

	existing businesses is addressed in the Committee report.
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PAGE NO. 71	APPLICATION NO. 17/1063/MJR
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ADDRESS:	HALLINANS HOUSE, 22 NEWPORT ROAD, ADAMSDOWN, CARDIFF
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FROM:	Agent
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SUMMARY:	<p>I write in advance of the consideration of the above proposals at the forthcoming planning committee.</p> <p>As agents for the application I write to welcome the recommendation by your planning officers to approve the proposals, subject to S106 agreement and, to provide you with some further information about the proposals.</p> <p>The proposals have been refined and revised in line with an extensive pre-application process involving Council Officers and 3rd parties, resulting in a scheme which Officers are able to give their full support to, as evidenced by the very positive committee report.</p> <p>The scheme has been designed by internationally acclaimed architects Denton Corker Marshall, taking on board the views of your officers throughout the process to deliver what we believe will be a landmark building for the city centre, which will have a positive impact upon its surroundings through a high standard of architecture.</p> <p>The officers report concurs with this view, stating that it will have a positive impact on important vistas, provide a striking building with a slender and elegant appearance, and create a positive impression for this part of the city.</p> <p>The report also concludes that the building will contribute towards a cluster of tall buildings which will be appropriate in its scale, add legibility to the city and have an acceptable impact on short, mid and long range views.</p> <p>The proposals will also deliver significant benefits as outlined in the attached summary of positive impacts. Importantly, the provision of purpose-built student accommodation will help to alleviate pressures on family housing in the Cathays and Plasnewydd areas. The pressures on these areas associated with Houses in Multiple Occupation (HMOs) are well known.</p>
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The accommodation could potentially free up around 90 family houses from HMO use (assuming an average HMO occupancy of 5 people), creating modern accommodation for students in an ideal location whereby impacts upon existing residential properties will not occur. The Officer's report sets out a comprehensive and positive analysis of the proposals, but there are some additional points I feel worth drawing to your attention as follows:.

1. The report concludes that the loss of the office use is acceptable and in accordance with LDP policy but it is also worth mentioning that there is circa 1.2 million ft.² of vacant office space within Cardiff. The loss of this relatively small, outdated office accommodation will not be harmful to the supply of office space in the city, particularly as the joint applicant will use the proceeds of the sale of the site to find improved accommodation within the City.
2. The application is accompanied by a traffic management plan for the periods at the start and end of term when students will be moving in/out of the facility. On street parking spaces and public car parks are available at Knox Road, Dumfries Place and the Capitol Centre which all within a reasonable of the building. Drop-offs/collections will be managed with timeslots allocated to occupants and managed by the accommodation provider. This system has been used in a number of recent schemes to ensure that the process is managed effectively.
3. Finally, the creation of a new area of public realm to the Newport Road frontage has been costed at circa £270,000. This will be provided by the developers *in addition to* the comprehensive package of public realm improvements to be delivered through the S106 agreement.

I hope that the information enclosed is helpful to your consideration of our proposals and that you are able to agree that the application represents a very high quality proposal that will be an asset to the city's skyline in the near future.

I fully appreciate your position on not been able prejudge the application before the committee, but if you have any points of clarification or queries please do not hesitate to contact me.

Summary of Application and Benefits

The proposals will deliver 464 new bed spaces for the student market within Cardiff. There is strong demand and need for more student accommodation within the City. Research to support the application indicates that, whilst there has been a recent increase in the supply and pipeline, there remains between 14,000 and 21,000 students that form the market for new accommodation. The location is incredibly sustainable and highly desirable, both because of its proximity to existing, established transport links and the City Centre, and also due to its position close to University buildings associated with all three of Cardiff's Universities. In addressing this need, the development will bring about a number of clear benefits including:

- Raising the profile and attractiveness of the City of Cardiff as a national and international destination for students.
- Providing high quality accommodation in a highly sustainable location, ideally suited to serve nearby University buildings.
- Indirectly resulting in improvements in citywide housing provision by relieving pressure on HMOs within traditional student areas. Over 90 HMOs could be released back to family housing as a result of this development.
- Help to alleviate problems associated with an overconcentration of HMOs which are recognised through the Council's recently adopted SPG.
- Reduce travel demand by locating high density student accommodation in easy walking distance to the University buildings. The proposals will bring about a number of other direct regeneration benefits, including:
- Redeveloping a building that it reaching the end of its useful life as office floorspace. The occupants and joint applicant will seek out new offices within the City Centre. The loss of this lower grade office stock has been shown to not lead to harm to the range and choice of office floorspace within the City and Bay area.
- The construction phase of the project will have a significant economic benefit through both direct and indirect employment, the multiplier effect and the supply chain. It will result in a positive economic benefit for the city, creating 180 full time equivalent jobs through the construction period alone.
- It will make a highly efficient use of a very well located site.
- It will deliver a commercial element at ground floor to the benefit of future residents of the building and the growing student population in the local area. The active frontages

	<p>provided will increase natural surveillance and greatly improve the security of the site and its surroundings. Fundamentally, and in addition to the above factors, the building proposed will be of landmark quality. The design fulfils all of the criteria set out within the Council's Tall Building SPG and planning policies. The building has been carefully and thoughtfully designed by a world class architecture practice and will become an iconic building on what is an important approach to the City Centre.</p>
REMARKS:	For Information

PAGE NO. 117	APPLICATION NO. 17/01751/MJR
FROM:	Head of Planning
SUMMARY:	<p>Following discussions with the applicant draft condition 27 is omitted and draft conditions 4, 5, 6, 9, 10, 11 12, and 28 are amended as follows:</p> <p>Condition 4. Unless otherwise agreed in writing with the LPA a minimum of 372 sqm of use class A1/A3 (retail/café) floorspace will be provided at ground floor level fronting the new square. Reason: To ensure an active frontage to the new square.</p> <p>Condition 5. <i>Material samples:</i> Prior to the commencement of the external envelope samples of the external finishing materials shall be submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details. Reason: To ensure a satisfactory finished appearance to the building.</p> <p>Condition 6. <i>Architectural detailing:</i> Prior to the commencement of the external envelope a scheme showing the architectural detailing of the principal elevations shall be submitted to and approved in writing by the LPA and the development shall not be brought into beneficial use until the approved scheme is implemented. Reason: To ensure a satisfactory finished appearance to the building.</p> <p>Condition 9. <i>Cycle parking:</i> Prior to beneficial occupation details showing the provision of cycle parking spaces shall be submitted to and approved in writing by the LPA. The approved scheme shall be implemented in accordance with the approved details. Reason: To ensure adequate provision is made for the secure parking of bicycles.</p>

Condition 10. Prior to beneficial occupation a scheme of environmental improvements to the adjacent footway/ carriageway of Park Street and the adjacent footway of Havelock Street shall be submitted to and approved in writing by the LPA. The improvement works shall include details of surfacing, kerbs, edging, drainage, lighting, lining, signing, street furniture, soft and hard landscaping, and traffic Orders as may be required as a consequence of the development. Reason: To facilitate safe and efficient access to and egress from the development and improve/ reinstate the adjacent public highway in the interests of highway and pedestrian safety.

Condition 11. *Public realm:* - Notwithstanding the submitted plans an amended public realm scheme for the new square shall be submitted to and approved in writing by the LPA within 6 months following the commencement of development. The scheme shall include details of surfacing, kerbs, edging, drainage, lighting, lining, signing, telematics/ signals/ CCTV and communications, street furniture, cycle stands, soft and hard landscaping, public art, and indicative phase 2 public realm proposals. The phase 2 proposals shall include for the provision of an A3 pavilion unless otherwise agreed in writing with the LPA, and shall provide sufficient detail and clarity to enable the phase 1 scheme to be properly assessed. The agreed phase 1 scheme to be implemented in accordance with the approved details prior to beneficial occupation. Reason: In the interests of visual amenity and highway and pedestrian safety.

Condition 12. *Inclusive access:* In support of the amended public realm scheme a detailed access strategy setting out the measures proposed to ensure inclusive access to the new square for all groups shall be submitted to and approved in writing by the LPA within 6 months following the commencement of development. The measures shall include signage and wayfinding, the use of guidance path and other interpretive tactile paving within the public realm proposals where appropriate, and the design and siting of on-street furniture, including lighting. The measures shall be implemented in accordance with the approved details prior to beneficial use of the building. Reason: To ensure inclusive access in accordance with LDP Policy KP5.

Condition 27. *Piling works:* Omitted.

Condition 28. *Independent energy assessment:* Unless

	<p>otherwise agreed in writing with the LPA an independent energy assessment of the financial viability and technical feasibility of incorporating renewable energy and low carbon technologies shall be submitted to and approved in writing by the LPA within 3 months of the commencement of development, and the development shall not be brought into beneficial use until the approved scheme is implemented. Reason: To ensure that the potential for renewable energy and low carbon technologies is maximised in accordance with policy EN12 of the Cardiff Local Development Plan.</p> <p>NB Please note condition 28 to be renumbered condition 27.</p>
<p>REMARKS:</p>	<p>Condition 4 amended to include ‘unless otherwise agreed in writing...’ to allow a degree of flexibility over the extent of A1/A3 provision at ground floor.</p> <p>Condition 9 amended to correct typo.</p> <p>Conditions 5, 6, 10,11,12, and 28: Timing for submission of samples/ details/ schemes/ assessment amended because substructure works already in progress as part of PP 17/01286/MJR for enabling works (including piling), granted under delegated powers on 1st August 2017.</p> <p>Condition 27 (piling works) omitted - piling works under way.</p>