



County Hall  
Cardiff  
CF10 4UW  
Tel: (029) 2087 2000  
  
Neuadd y Sir  
Caerdydd  
CF10 4UW  
Ffôn: (029) 2087 2000

## AGENDA

**Committee** PLANNING COMMITTEE

**Date and Time of Meeting** WEDNESDAY, 24 FEBRUARY 2016, 4.30 PM

**Venue** COMMITTEE ROOM 4 - COUNTY HALL

**Membership** Councillor Michael (Chair)  
Councillors Lomax (Deputy Chair), Ali Ahmed, Manzoor Ahmed, Burfoot, Gordon, Hudson, Hunt, Robson, Lynda Thorne, Kirsty Davies-Warner and Keith Jones

### 1 APOLOGIES

### 2 DECLARATION OF INTEREST

To be made at the commencement of the agenda item in question, in accordance with the Members Code of Conduct

### 3 PETITIONS

Petitions have been received in relation to the following applications in accordance with Committee Meeting Procedural Rule 14.2. The petitioners have been advised of their right to speak and the applicants/agents of their right to reply:

Application: 15/03103/MNR, 41 Llyswen Road, Cyncoed – Page 1

### 4 DEVELOPMENT CONTROL APPLICATIONS

The schedule of development control applications has been circulated separately

**4a** 41 Llyswen Road (*Pages 1 - 18*)

**4b** The Gower Hotel (*Pages 19 - 44*)

**4c** Ian Williams Ltd Sanatorium Road (*Pages 45 - 68*)

**4d** Lidl, East Tyndall Street (*Pages 69 - 84*)

5      **APPLICATION FOR STOPPING UP WHITCHURCH 26** *(Pages 85 - 86)*

6      **APPLICATION FOR STOPPING UP WHITCHURCH 96** *(Pages 87 - 88)*

7      **DATE OF NEXT MEETING**

Wednesday 9 March 2016

**Marie Rosenthal**

**Director Governance and Legal Services**

Date: Thursday, 18 February 2016

Contact: Kate Rees, 029 2087 2427, [krees@cardiff.gov.uk](mailto:krees@cardiff.gov.uk), 029 2087 2427,  
[k.rees@cardiff.gov.uk](mailto:k.rees@cardiff.gov.uk)

## LOCAL MEMBER OBJECTION PETITION

COMMITTEE DATE: 24/02/2015

APPLICATION No. **15/03103/MNR** APPLICATION DATE: 21/12/2015

ED: **CYNCOED**

APP: TYPE: Full Planning Permission

APPLICANT: Mr & Mrs Snidle

LOCATION: 41 LLYSWEN ROAD, CYNCOED, CARDIFF, CF23 6PP

PROPOSAL: REPLACEMENT DETACHED HOUSE

**RECOMMENDATION 1** : That planning permission be **GRANTED** subject to the following conditions :

1. C01 Statutory Time Limit
2. The development shall be carried out in accordance with the following approved plans:
  - 473/Planning/02 – Proposed Plans
  - 473/Planning/03 Rev A – Proposed Elevations

Reason: To ensure satisfactory completion of the development and for the avoidance of doubt in line with the aims of Planning Policy Wales to promote an efficient planning system.
3. No development shall take place until details of the implementation, maintenance and management of a sustainable drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details.  
Those details shall include:
  - i) a timetable for its implementation, and
  - ii) a management and maintenance plan for the lifetime of the development

which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation

Reason: To decrease the risk of flooding elsewhere and to prevent hydraulic overload of the public sewerage system.
4. Prior to beneficial use of the development, hereby approved, a Sorbus Aucuparia, Malus Baccata, Betula or other tree, to be approved by the Local Planning Authority, shall be planted forward of the principal elevation of the new dwelling. The tree shall be planted within a minimum 5m<sup>3</sup> root available soil volume. Should the tree, within a period

of 5 years from the completion of the development die, be removed or become seriously damaged or diseased it shall be replaced in the next planting season with another of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: To maintain and improve the appearance of the area in the interests of visual amenity.

5. The materials to be used in the external finish of the development, hereby approved, shall accord with the schedule of materials detailed on drawing. no. 473/Planning/03 Rev A.

Reason: To maintain the appearance of the area in the interests of visual amenity.

6. Prior to beneficial use of the development, hereby approved, details of the means of enclosure, to include details of a 1.8m high privacy screen along the south west perimeter of the raised patio and an enclosure of 1.8m in height above internal ground floor level along the side boundaries parallel to the dwelling house, shall be submitted to and approved by the Local Planning Authority. The means of enclosure shall be erected in accordance with the approved details and thereafter retained.

Reason: to ensure an orderly form of development and to protect the privacy of neighbouring occupiers.

7. The windows within the first floor side elevations of the development, hereby permitted, shall be obscurely glazed and non-opening below a height of 1.7m from internal floor level and thereafter so retained.

Reason: To protect the privacy of neighbouring occupiers.

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

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



9. Any topsoil [natural or manufactured], or subsoil, to be imported shall be assessed for chemical or other potential contaminants in accordance with a scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority in advance of its importation. Only material approved by the Local Planning Authority shall be imported. All measures specified in the approved scheme shall be undertaken in accordance with the relevant Code of Practice and Guidance Notes. Subject to approval of the above, sampling of the material received at the development site to verify that the imported soil is free from contamination shall be undertaken in accordance with a scheme and timescale to be agreed in writing by the LPA.

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

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

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

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

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

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

**RECOMMENDATION 2:** Welsh Water advise that the proposed development site is crossed by a public sewer with the approximate position being marked on the attached Statutory Public Sewer Record. The position shall be accurately located marked out on site before works commence and no operational development shall be carried out within 3 metres either side of the centreline of the public sewer.

The applicant may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water Industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of [www.dwrcymru.com](http://www.dwrcymru.com)

The applicant is also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water on 0800 085 3968 to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

**RECOMMENDATION 3** : The contamination assessments and the effects of unstable land are considered on the basis of the best information available to the Planning Authority and are not necessarily exhaustive. The Authority takes due diligence when assessing these impacts, however you are minded that the responsibility for

- (i) determining the extent and effects of such constraints and;
- (ii) ensuring that any imported materials (including, topsoils, subsoils, aggregates and recycled or manufactured aggregates / soils) are chemically suitable for the proposed end use. Under no circumstances should controlled waste be imported. It is an offence under section 33 of the environmental Protection Act 1990 to deposit controlled waste on a site which does not benefit from an appropriate waste management license. The following must not be imported to a development site:
  - Unprocessed / unsorted demolition wastes.
  - Any materials originating from a site confirmed as being contaminated or potentially contaminated by chemical or radioactive substances.
  - Japanese Knotweed stems, leaves and rhizome infested soils. In addition to section 33 above, it is also an offence under the Wildlife and Countryside Act 1981 to spread this invasive weed; and
- (iii) the safe development and secure occupancy of the site rests with the developer.

Proposals for areas of possible land instability should take due account of the physical and chemical constraints and may include action on land reclamation or other remedial action to enable beneficial use of unstable land.

The Local Planning Authority has determined the application on the basis of the information available to it, but this does not mean that the land can be considered free from contamination.

## 1. **DESCRIPTION OF THE SITE**

- 1.1 The application site comprises a hipped roof single storey bungalow with some accommodation provided within the roof space served by a rooflight.
- 1.2 The plot is enclosed predominantly by hedges and there are some modest trees of little amenity value within the curtilage of the site.

- 1.3 The local area is characterised by a mix of detached two storey houses and single storey bungalows of varying designs and architectural detailing, but, with predominantly hipped roof forms. Properties are typically finished in light coloured render and roofs generally consist of red/brown tiles, a minority are finished in slate, windows are mainly white uPVC. Front gardens are enclosed primarily by hedges and dwarf walls.
- 1.4 The application sites south west boundary adjoins 26, 28 & 30 Llangorse Road. These properties are large detached double storey houses on plots of a similar size to the application site. These three properties would appear to have been extended to the rear.
- 1.5 The application sites north east boundary adjoins 43 Llyswen Road a bungalow of a near identical scale and design as that occupying the application site and on a similarly sized plot.
- 1.6 The rear boundary of the application site is shared with large detached properties on good size plots.

## 2. **DESCRIPTION OF PROPOSED DEVELOPMENT**

- 2.1 Planning permission is sought to replace the existing single storey bungalow with a 3/4 bedroom double storey dwelling of a hipped roof form, as amended. A single storey front bay window and porch feature is covered with a mono pitch roof and the dwelling will project at single storey to the rear finished with a gable end roof and part mono pitch roof.
- 2.2 The main two storey element of the proposed dwelling will be constructed principally upon the footprint of the existing bungalow, however, parts of the two storey element and the single storey elements will project beyond the rear wall of the existing bungalow.
- 2.3 The proposed dwelling will be finished in white smooth render with a brickwork plinth, black/blue slate and grey windows and doors.
- 2.4 Windows serving habitable room windows on side facing elevations are of low height and at high level. Other windows and doors are of standard dimensions. High level rooflights are proposed in the rear elevation serving the first floor. A raised patio and planting beds are proposed to the rear.

## 3. **PLANNING HISTORY**

- 3.1 There is no pertinent planning history relating to the application site.
- 3.2 Planning permission (ref: 14/01570/DCO) was granted for demolition of a bungalow and replacement with a two storey dwelling on the 20<sup>th</sup> November 2014. This site is in close proximity to the application site and has been referenced in comments made by objectors.

3.3 There are several examples of replacement dwellings similar to that proposed which have been granted in the wider area and are referenced in comments made by objectors.

#### 4. **POLICY OF PARTICULAR RELEVANCE**

##### 4.1 National Planning Policy

- Planning Policy Wales (8<sup>th</sup> Ed, 2015)
- Technical Advice Note 12: Design (July 2014)
- Technical Advice Note 15: Development & Flood Risk (July 2004)

##### 4.2 Cardiff Local Development Plan 2006-2026

- Policy KP5 (Good Quality and Sustainable Design)
- Policy EN8 (Trees Woodlands and Hedgerows)
- Policy EN13 (Air, Noise, Light Pollution and Land Contamination)
- Policy EN14 (Flood Risk)
- Policy T5 (Managing Transport Impacts)
- Policy W2 (Provision for Waste Management Facilities in Development)

##### 4.3 Supplementary Planning Guidance

- Access, Circulation & Parking Standards (January 2010)
- Waste Collection & Storage Facilities (March 2007)
- Infill Sites Design Guide (April 2011)
- Trees & Development (March 2007)
- Waste Collection & Storage Facilities (March 2007)

*NB. The SPGs were approved as supplementary guidance to the City of Cardiff Local Plan (1996). Although the City of Cardiff Local Plan (1996) has recently been superseded by the Cardiff Local Development Plan (2016), the advice contained within the SPGs is pertinent to the assessment of the proposal and remains consistent with the aims of both LDP Policies KP5/T5/EN8/EN13/W2 and guidance in Planning Policy Wales and are afforded significant weight*

#### 5. **INTERNAL CONSULTEE RESPONSES**

5.1 The Operational Manager (Environment Team - Contaminated Land) raises no objection to the proposal subject to conditions relating to unforeseen contamination, imported materials, use of site won materials and an advisory note relating to contamination and unstable land.

5.2 The Operational Manager (Waste Management) raises no objection to the proposal and advises that the storage of necessary waste receptacles can be adequately integrated within the curtilage of the site.

5.3 The Operational Manager (Drainage) has been consulted no representations have been received.

5.4 The Councils Tree Officer comments that there are no protected trees within the curtilage of the site and existing trees appear to be of low amenity value. It is, however, considered that the scheme is disappointing in respect of its soft

landscaping provision particularly tree planting on the public frontage. The extent of hard landscaping proposed to the front would limit opportunity for tree planting and may harm the existing hedge on the boundary, which preferably would be retained to harmonise with the existing boundary treatments in the local streetscape. In order to provide for tree planting to the front of the property a minimum of 5m<sup>3</sup> root available soil volume should be provided.

5.5 The Operational Manager (Pollution Control) has been consulted, no representations have been received.

5.6 The Councils Ecologist has been consulted, no representations have been received.

## 6. **EXTERNAL CONSULTEE RESPONSES**

6.1 Welsh Water/Dwr Cymru raise no objection to the application subject to the following recommended conditions and advisory notes:

- No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network. To prevent hydraulic overloading of the public sewerage system, to protect health and safety of existing residents and ensure no pollution of or detriment to the environment.
- That no works should be undertaken in close proximity to the public sewer crossing the site. To protect the integrity and prevent damage to the sewer in the interests of health and safety of existing residents and ensure no pollution of or detriment to the environment.
- That the applicant be advised they may need to apply for any connection to the public sewer and that some public sewers and drains may not be recorded on Welsh Water maps.

## 7. **REPRESENTATIONS**

7.1 The application was advertised by way of neighbour consultation letters. Further consultation was undertaken upon the receipt of amended plans.

7.2 Local Ward Member Councillor Kate Lloyd objects to the proposal.

7.3 A petition of over 50 signatories has been received opposing the proposal.

7.4 Letters of representation, objecting to the proposal, have been received from eight neighbouring owners/occupiers. A summary of their objections is detailed below:

- The proposal is out of character with the area in terms of its form, scale, detailing and materials and represents an overdevelopment of the site;
- The proposal fails to consider the residential amenity of neighbouring occupiers in terms of its dominance of outlook, overshadowing, loss of light, impact upon privacy and loss of views;

- The proposal will result in the loss of soft landscaping that will be detrimental to the character of the area;
- The resurfacing of the front garden to provide additional driveway area will increase water run off;
- Movement of vehicle crossover will impact upon highway safety;
- Concerns with regards to the use of the roof as a third storey;
- The proposal would result in considerable noise, dust and disruption as a result of demolition and construction activities, which has been continual in the area as a result of ongoing developments being undertaken some of a similar nature;
- The building proposed for demolition may contain asbestos and a risk assessment should be undertaken for the benefit of resident's safety;
- The demolition of the existing building represents an unsustainable waste of building materials;
- There is a continuing loss of low-rise accommodation which should be retained for persons requiring such accommodation;
- Introduction of family accommodation into an already strained catchment area;
- Property value and sales will be affected;
- Deficiencies in the application including no cross sections to show the context of the proposal with the local area, error in the existing driveway material, no percolation tests relating to proposed soakaways area is impermeable clay, solar panels referred to in application, but, not shown on plans.

7.5 Further comments, from some objectors, have been received which recognise that there is some improvement in the proposal as a result of the amendments consisting of the hipped roof form in place of a gable roof form, however, this has not overcome their principal objections.

## 8. **ANALYSIS**

### 8.1 **Impact Upon the Character of the Area**

8.1.1 Policy KP5 (Good Quality and Sustainable Design) requires high quality sustainable design that responds to local character and context. It also promotes the efficient use of land and high densities, in line with Planning Policy Wales.

8.1.2 The Infill Sites SPG, while primarily supplementary to Policy 11 (Design and Aesthetic) of the previous Local Plan, reflects national design policy and guidance and therefore remains a material consideration in the determination of this planning application. The SPG states that;

*'It is important to strike a balance between maintaining the established positive character of a residential street and introducing additional housing. To avoid a 'town cramming' effect, any proposals must;*

- *Maintain a useable amenity space or garden for new as well as any existing dwellings/occupiers;*
- *Maintain an established spacing between buildings that respects the pattern of layout in the vicinity of the site;*
- *Maintain appropriate scale and massing which respects buildings in the vicinity of the site;*
- *Respect the frontage building line and respond to the existing street scene’.*

(Para 2.14, p.11)

- 8.1.3 The proposed dwelling would have a similar footprint to that of the existing bungalow and would therefore retain an appropriate level of private amenity space.
- 8.1.4 While the width of the replacement dwelling would be marginally greater than that of the existing bungalow, the spacing between it and No. 43 Llyswen Road would be retained as existing and between it and No’s 26 and 28 Llangorse Road only minimally reduced. The proposal would not therefore be considered to result in a departure from the characteristic spacing of the properties along the street or in the wider area in general.
- 8.1.5 The proposed hipped roof form proposed, as amended, is considered to be characteristic of other properties along the road and within the wider area.
- 8.1.6 The proposed dwelling would project back into the site beyond that of the No. 43, but only by a small distance and at a single storey height. The principle rear elevation of the dwelling would be positioned in approximately the same position as that of the existing principal rear elevation of the bungalow and is therefore considered to be appropriate from a design perspective.
- 8.1.7 While a bungalow is located on the neighbouring plot to the northeast, the neighbouring properties to the southwest are a two storey dwellings, despite being orientated onto Llangorse Road and not Llyswen Road. The proposed dwelling would not subsequently be located within a stretch of properties with a consistent scale, massing or general character.
- 8.1.8 The proposed dwelling would follow the building line of the existing bungalow.
- 8.1.9 The materials proposed in the finish of the walls match the prevalent finish of properties in the area whilst there are examples of slate finished roofs in the wider area. The proposed windows are also of a similar proportion and pattern to those within similar properties within the area, whilst the proposed colour differs from that common within the area it is not generally customary for windows within a particular area to match in terms of colour, there are no controls that would stop nearby property owners changing their windows to a colour or form of their choice.
- 8.1.10 The scale, form and general design of the proposed dwelling is considered to be appropriate within the context of the surrounding built form where there is an evident variety. The application site is also considered to be of a size which

could comfortably accommodate a dwelling of the size proposed whilst appearing in character with the other properties along the street

## 8.2 Amenity of Neighbouring Occupiers

8.2.1 Policy KP5 (Good Quality and Sustainable Design) requires development to protect the amenity of neighbouring occupiers.

8.2.2 The Infill Sites SPG, while primarily supplementary to Policy 11 (Design and Aesthetic) of the previous Local Plan, reflects national design policy and guidance and therefore remains a material consideration in the determination of this planning application. The SPG states that;

*'Any infill, backland or site redevelopment must consider both the new and future occupiers' amenity, as well as neighbouring amenity of nearby dwellings.'*  
(Para. 4.1, p. 27)

*'New developments should allow for adequate privacy for the occupiers of the proposed buildings as well as for neighbouring properties. Normally, a minimum of 21m should be maintained between principal windows to habitable rooms. However, it may be possible to achieve privacy with a combination of separation distance; appropriate position and aspect of habitable rooms; screening; building orientation; window positioning, size and style of window; and placement of gardens. Design proposals will need to demonstrate how an adequate level of privacy has been provided for habitable rooms within each dwelling. The minimum overlooking distance from a habitable room window to a garden area of a separate dwelling should be 10.5m. Relying on obscurely glazed windows or non-opening windows is not a preferred means of achieving privacy.'*

(Para. 4.9, P. 28)

8.2.3 In respect of the impact of the proposed dwelling upon neighbouring occupiers it is regarded that the matters of principal consideration are its impact upon 26, 28 & 30 Llangorse Road and 43 Llyswen Road. It is clearly evident that properties to the rear are at sufficient distance such that the proposal could not be considered overbearing or to impact upon occupiers privacy, the proposals being sited in excess of 21 metres from the rear elevations of those neighbouring properties and in excess of 10.5m from the boundaries of those properties.

8.2.4 The two storey element of the proposal extends approximately quarter of the width of the garden of 28 Llangorse Road and is sited at a considerable distance from the rear elevation of the property, this concurrently with the orientation of the properties would ensure that the proposal would not have an overbearing or generally un-neighbourly impact upon this property. The property at 30 Llangorse Road, in this respect, would be impacted to a lesser extent than 28 Llangorse Road as the proposal does not extend beyond its side boundary. In terms of the proposals impact upon the privacy of these properties the rear first floor windows are set at a distance from the boundary of 30 Llangorse Road that allows for privacy by distance, as referenced at para. 8.2.2. Whilst the



relationship of these windows to 28 Llangorse Road is such that the acuteness of angle would allow for such limited direct views to such a small extent of garden that there would be no detriment to privacy. The single window proposed in the side elevation at first floor level that could impact upon privacy of these properties is set at a high level and as such would not provide views, conditions to control this matter are recommended. Views from ground floor windows and the raised patio towards these properties can be restricted through privacy screens and standard height boundary enclosures, conditions are recommended in this regard.

- 8.2.5 The two storey element of the proposal will extend approximately half of the width of the garden of 26 Llangorse Road, however, is set at a distance of approximately 2m from the boundary and a further 6.5m from the rear elevation of the single storey extension and approximately a further 10m from the rear elevation of the double storey extension at that neighbouring property. Given the separation distances between the proposal and the orientation of the sites it is not considered that the proposal would be overbearing or generally un-neighbourly in this regard, nor that the extensions at the neighbouring property should unduly prejudice the current proposal. Windows within the side elevation of the proposal are not considered to impact upon the privacy of this property, subject to conditions referenced at para. 8.2.4.
- 8.2.6 The proposal extends the full depth of the adjacent bungalow at predominately a double storey height, however, is set approximately 4 metres from the side elevation of the neighbouring property. Whilst it is acknowledged that the proposal is likely to impede direct sunlight as a result of its height, given the separation between the elevations it is not considered that it would be overbearing or reduce or have a light restricting impact to a level that would significantly impact upon the amenity of neighbouring occupiers. It should be noted that the windows serving this elevation of the property appear to predominantly be secondary lights or serve non-habitable rooms. Windows and doors within the side elevation of the proposal are not considered to impact upon the privacy of this property, subject to conditions referenced at para. 8.2.4 and a requirement that the full height bathroom window is obscurely glazed and non-opening below a height of 1.8m from internal floor level.

### **8.3 Highway Safety and Parking**

- 8.3.1 Policy T5 (Managing Transport Impacts) seeks safe and convenient provision in conjunction with development.
- 8.3.2 There are no alterations proposed to the existing access which serves the existing bungalow and it is not considered that the proposal would significantly increase the level of traffic movements. Accordingly it is not considered that the proposal have any adverse impact upon highway safety.
- 8.3.3 A sufficient amount of parking, notwithstanding the likely reduction as a consequence of required tree planting referenced at para. 8.4.2, is provided for a dwelling house of the proposed size, in accordance with the minimum guidelines set out within the Access, Circulation and Parking SPG.

## 8.4 Landscaping

- 8.4.1 Policy EN8 (Trees Woodlands and Hedgerows) states that *'development will not be permitted that would cause unacceptable harm to trees woodlands and hedgerows of significant public amenity value or cultural heritage value'* and notes that trees offer multiple benefits including those adding to visual amenity.
- 8.4.1 The comments of the Councils Tree Protection Officer (see para. 5.4) confirm that existing trees and hedgerows are not of significant value. For this reason and given that there is no protection of existing trees and hedges, which may be removed at any time prior to development, it is not considered that refusal of the application for such a reason or imposition of conditions relating to their retention would not be justified. In the interest of the visual amenity of the area and to accord with the principles of Policy EN8 and the Infill Sites SPG it is, however, considered that the planting of a small tree to the frontage of the new dwelling would be appropriate. A condition requiring the provision of a small tree is recommended.
- 8.4.2 The hard landscaping proposed, other than its extent to the frontage which will be reduced to provide for tree planting by virtue of the condition referenced at para. 8.4.2, is considered appropriate given the context of the site and area. Surface water run off should be incorporated into the required SuDs system referenced at Sec. 8.5.

## 8.5 Drainage

- 8.5.1 TAN 15 provides advice with regards to drainage, including SuDs, and its role in managing flood risk and encourages the use of such systems wherever they will be effective.
- 8.5.2 It is noted that the application refers to the use of a sustainable drainage system (SuDs) or soakaway for the disposal of surface water and Welsh Water/Dwr Cymru have detailed that no connection to the public sewerage system would be permitted for such purposes.
- 8.5.3 No details of the proposed surface water drainage method are supplied with the application. Welsh Government Circular 16/2014 notes that drainage forms a crucial part of a development and conditions should be used limiting development until such time as details are approved. Given the preference for the use of SuDs, in new development, and that Welsh Water have advised that they will not permit surface water and land drainage to connect to the public sewerage system a condition in this regard is recommended which incorporates the requests of Welsh Water and the use of SuDs.
- 8.5.4 It is noted that a neighbouring occupier refers to the ground conditions within the area being impermeable, however, this does not necessarily limit SuDs being utilised.

## 8.6 Additional Matters

- 8.6.1 The proposal includes sufficient provision of amenity space, as implied at para. 8.1.10, including provision for refuse and cycle storage.
- 8.6.2 In respect of land contamination, conditions are recommended, as requested by the Environment Team (see para. 5.1) in accordance with Policy EN13.
- 8.6.3 While bungalow to dwelling conversions or redevelopment proposals may bring about an increase in the demand for school provision in an area, this is not a matter which would be considered as part of an individual application as it falls below the approved threshold for such requirements. Given the limited number of applications received for such proposals, it is also unlikely that the additional pressure schools would be placed under would be excessive.
- 8.6.4 The loss of low rise accommodation, albeit potentially regrettable, is not something in which the Local Planning Authority or planning system in general has the ability to control, provided proposals satisfy relevant design criteria. It should be noted that in general the demolition of a building, including the bungalow which exists on this site, is permitted development by virtue of Schedule 2, Part 31 of The Town & Country Planning (General Permitted Development) Order 1995, subject to prior approval in respect of the method of demolition and restoration of the site, therefore, the LPA cannot control the retention of the existing building.
- 8.6.5 The noise, dust and disruption caused by demolition and construction works is not principally a matter which the planning systems seeks to control, however, conditions may be imposed in respect of such matters should it be reasonable and necessary to do so in particular cases to secure planning objectives. In considering whether a condition is necessary consideration should be given to other controls in respect of such matters as Welsh government Circular 016/2014 states '*conditions should not duplicate other control*'. In this regard the Council have control over construction site noise, working hours and dust through other legislation including The Control of Pollution Act 1974 and the Environmental Protection Act 1990. Accordingly, given the scale of the proposed development, it is not considered that it would be reasonable or necessary to impose a condition in this regard as the powers afforded by other legislation can reasonably ensure that such matters are controlled in the public interest and, therefore, such a condition would represent a duplication of control.
- 8.6.6 In regards to comments made by neighbours which are not covered previously, the following should be noted:
- The effect of proposals on house values and sales are not material in the determination of a planning application.
  - The likelihood of asbestos being present in the building proposed to be demolished is not material to the determination of the planning applications and is a matter controlled by separate regulation.

- The loss of the existing building has been described as unsustainable, however, as previously referenced at para. 8.6.4 the LPA have no control of retention of the existing building. Furthermore the replacement of an inefficient early 1900's building with a modern efficient, well insulated, dwelling meeting the current requirements of the Building Regulations is likely to result in a negligible impact upon the environment during the life cycle of the new building. Impact would be further reduced through the recycling and reuse of demolished material, a 2012 survey managed by Natural Resources Wales found that 87% of construction and demolition waste generated in Wales was re-used, recycled or recovered by other means.
- The application as submitted is considered to meet the minimum requirements for registration and, therefore, there is no compulsion for additional drawings to be submitted.

# H.M. LAND REGISTRY

TITLE NUMBER

## WA 151451

ORDNANCE SURVEY  
PLAN REFERENCE

COUNTY SOUTH GLAMORGAN  
CARDIFF DISTRICT

SHEET

NATIONAL GRID  
ST 1981

SECTION  
E

Scale 1:250

© Crown Copyright 1968

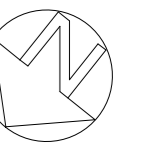


PARISH OF CARDIFF

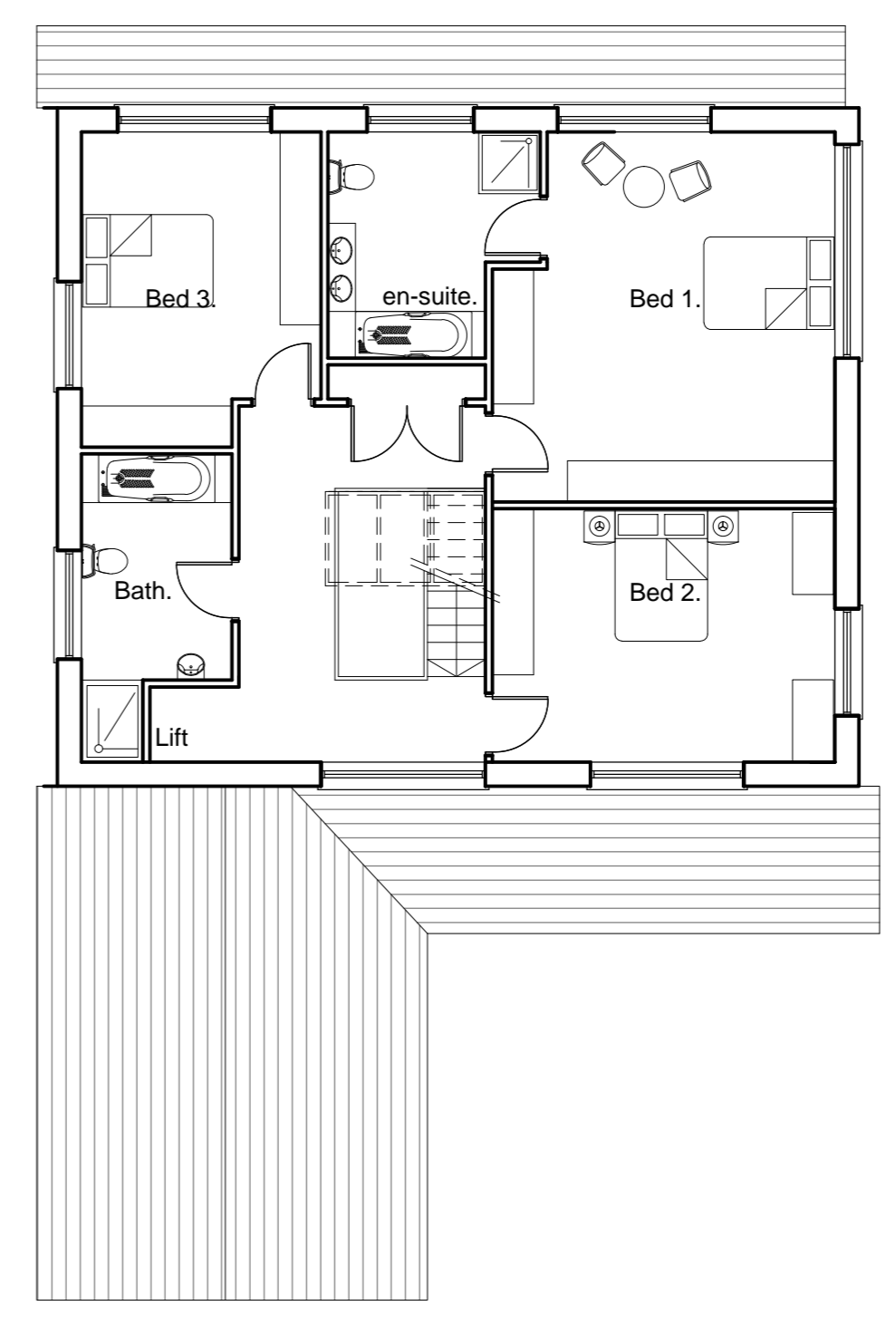
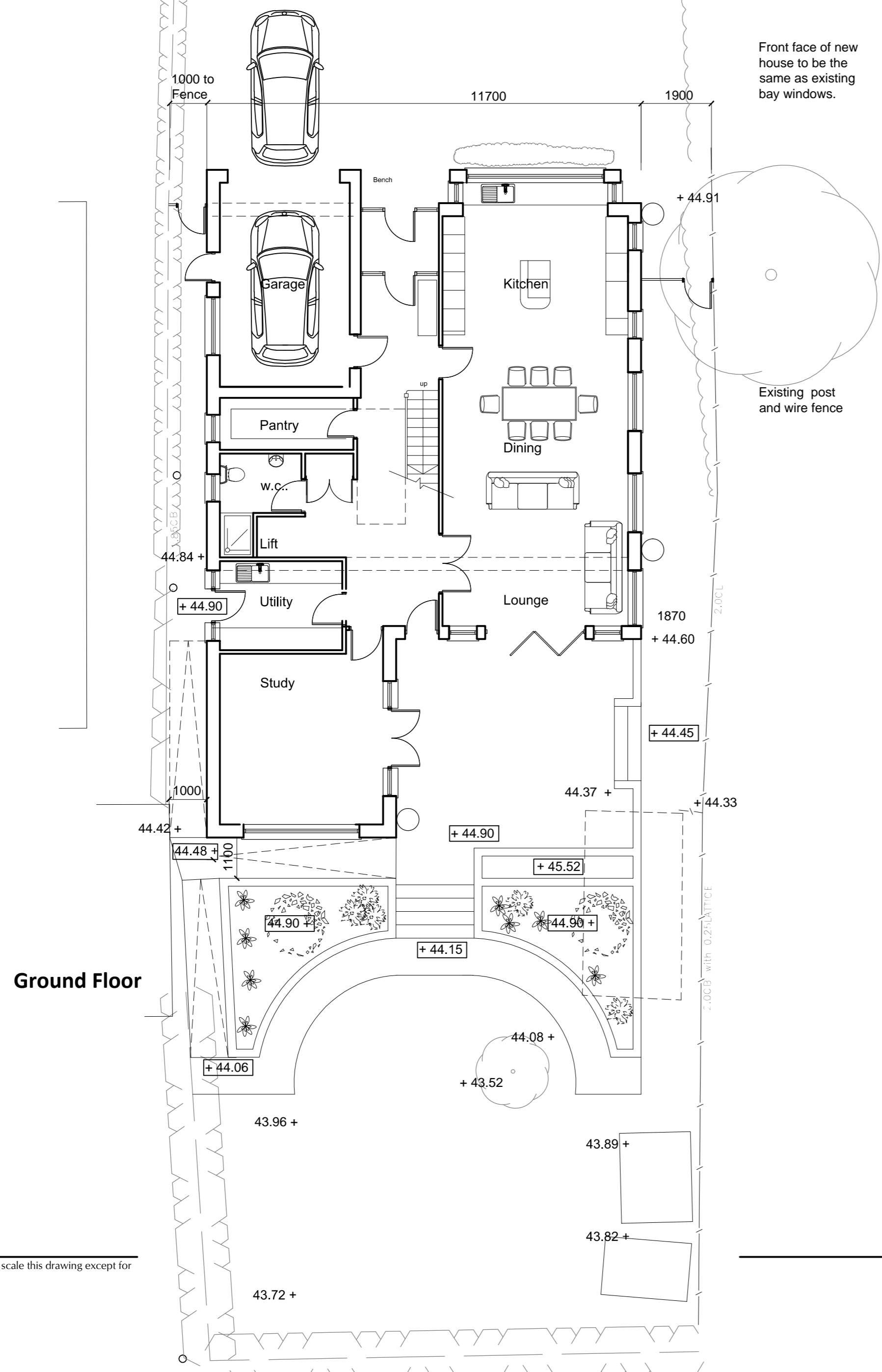
PLANNING AREA  
CARDIFF  
CARDIFF



This official copy is incomplete without the preceding notes page.  
Mae'r copi swyddogol hwn yn anghyflawn heb y dudalen nodiadau blaenorol.



+ 44.90 Proposed Level  
 + 44.92 Existing Level

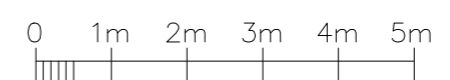


Ground Floor

First Floor

Page 16

Copyright Alun Arthur Architects, Do not scale this drawing except for Planning Purposes.



Client: Mr & Mrs Snidle	Scale 1:100 @ A2
Project Title New House at 41, Llysven Road, Cyncoed, Cardiff	Date 01/12/2015
Drawing title: Proposed Plans	Dwg No. Rev 473/Planning/02

**ALUN  
ARTHUR  
ARCHITECTS**

Architects,  
Design and  
Interiors  
Consultants

2 Gold Street  
Cardiff, CF24 0LF  
T: 029 20 257560  
M: 07939 455590



Front Elevation



Rear Elevation



Side Elevation



Side Elevation

**External Materials:**

Ground floor plinth and garden walling including new garden walls.  
Staffordshire Blue smooth face or similar clay facing brickwork laid stretcher bond.

External walls above plinth.  
White smooth render

Roofing  
Dual 35 deg Pitched Roof with hipped end in Marley Eternit Blue/Black manmade slates with Redland Blue Black hip and ventilated ridge tiles.

Fascias, Soffits and Barge Boards.  
White PVCu boards.

Main Entrance Door and garage door  
Grey secure by design.

Windows /French Doors.  
Grey thermally broken double glazed units without vents.

Cills.  
Grey colour integrated with windows.

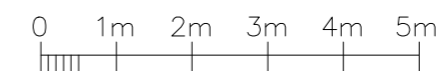
Rooflights  
Velux centre pivot rooflights with white internal finish and EDN/EKN soaker flashing.

Rainwater goods.  
Osma half round in white PVCu.

New Boundary Fences.  
Treated sw overlap boarded panels 1800mm in height.

Garden Gates and fencing to side access.  
Treated sw framed ledged and braced gate with close matched sw boarding

Drive, patio and paths  
Suds compliant external ground finish



This page is intentionally left blank



## MP / AM / LOCAL MEMBER OBJECTION

COMMITTEE DATE: 24/02/2016

APPLICATION No. **14/02918/MJR** APPLICATION DATE: 19/01/2015ED: **CATHAYS**

APP: TYPE: Full Planning Permission

APPLICANT: Gower (Cathays) Ltd  
 LOCATION: THE GOWER HOTEL, 29 GWENNYTH STREET, CATHAYS,  
 CARDIFF, CF24 4PH  
 PROPOSAL: DEMOLITION OF FORMER PUBLIC HOUSE AND  
 DEVELOPMENT OF 24 NO RESIDENTIAL UNITS

---

**RECOMMENDATION 1** : That, subject to relevant parties entering into a binding planning obligation, in agreement with the Council, under **SECTION 106** of the Town and Country Planning Act 1990, within 6 months of the date of this resolution unless otherwise agreed by the Council in writing, in respect of matters detailed in paragraph 8.7 of this report, planning permission be **GRANTED** subject to the following conditions:

1. C01 Statutory Time Limit
2. Notwithstanding the submitted plans, details of refuse storage and management, providing the following capacities, shall be submitted to and approved in writing by the Local Planning Authority:
  - 3x 1100 litre bins for general waste;
  - 2x 1100 litre bins for dry recyclables; and
  - 1x 240 litre bin for food waste.

The approved scheme shall be implemented prior to the beneficial occupation of the development and shall thereafter be retained and maintained.

Reason: To ensure an orderly form of development and protect the amenities of the area.

3. Notwithstanding the submitted plans, details of cycle parking facilities shall be submitted to and approved in writing by the local planning authority. The approved details shall be implemented prior to the beneficial occupation of the development and shall thereafter be retained and maintained.  
Reason. To ensure appropriate provision for cyclists.
4. No part of the development hereby permitted shall be occupied until a scheme of environmental improvements to Gwennyth Street footway in the vicinity of the site has been submitted to and approval in writing by

the Local Planning Authority. The scheme should include as required, but not be limited to, the reconstruction as footway of the existing crossover and resurfacing of the remaining areas of footway; including as required, surfacing, edging, the provision/renewal of street lighting and street furniture as may be required as a consequence of the development. The agreed scheme to be implemented to the satisfaction of the Local Planning Authority prior to beneficial occupation of the site. Reason: To ensure the reinstatement of the adjacent public highway in the interests of highway and pedestrian safety and to facilitate access to the proposed development.

5. No part of the development hereby permitted shall be commenced until a scheme of construction management has been submitted to and approved by the Local Planning Authority, to include as required details of site/compound, hoardings and site access/egress. Construction of the development shall be managed strictly in accordance with the scheme so approved.

Reason: In the interests of highway safety and public amenity.

6. If the development hereby approved does not commence within 2 years from the date of the planning consent, further ecological surveys should be commissioned to (i) establish if there have been any changes in the presence and/or abundance of bats and ii) identify any likely new ecological impacts that might arise from any changes.

Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, any original approved ecological measures will be revised, and new or amended measures, and a timetable for their implementation, will be submitted to and approved in writing by the local planning authority prior to the commencement of development. Works will then be carried out in accordance with the proposed new approved ecological measures and timetable.

Reason: To ensure the protection of bats, which are European Protected Species.

7. Development shall not begin until an appropriate photographic survey of the existing buildings on the site has been carried out in accordance with details to be submitted to, and approved by, the Local Planning Authority. The resulting photographs should be deposited with National Monuments Record and the Historic Environment Record, operated by the Glamorgan-Gwent Archaeological Trust (Heathfield House, Heathfield Swansea SA1 6EL. Tel: 01792 655208).

Reason: To maintain an accurate historical record of the existing former Public House.

8. C2N Drainage details

9. D4A Landscape Scheme

10. C4R Landscaping Implementation
11. C20 Architectural Detailing
12. E1B Samples of Materials
13. Prior to the commencement of development details of the measures to protect the side elevation of no. 26 Gwennyth Street, exposed by the demolition of the public house, and a scheme of remediation works shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented immediately upon the substantive completion of demolition works.  
Reason: To protect the integrity of the adjacent dwelling and in the interests of visual amenity.
14. Prior to the commencement of the development, (apart from any demolition works) an assessment of the nature and extent of contamination shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall include an intrusive investigation to assess the extent, scale and nature of contamination which may be present; an assessment of the potential risks, and; an appraisal of remedial options, and justification for the preferred remedial option(s).  
Reason: To ensure that any unacceptable risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy 2.63 of the Cardiff Unitary Development Plan.
15. Prior to the commencement of the development (apart from any demolition works) a detailed remediation scheme and verification plan to bring the site to a condition suitable for the intended use by removing any unacceptable risks to human health, controlled waters, buildings, other property and the natural and historical environment, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works and site management procedures.  
Reason: To ensure that any unacceptable risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy 2.63 of the Cardiff Unitary Development Plan.
16. The remediation scheme as approved by the Local Planning Authority must be fully undertaken in accordance with its terms prior to the occupation of any part of the development unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority

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

Reason :To ensure that any unacceptable risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy 2.63 of the Cardiff Unitary Development Plan.

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

Reason: To ensure that any unacceptable risks from land contamination to the future users of the land , neighbouring land, controlled waters, property and ecological systems are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy 2.63 of the Cardiff Unitary Development Plan.

18. D7Z Contaminated materials

19. E7Z Imported Aggregates

20. E7G Railway Noise

21. F7G Railway Vibration

22. H7G Plant Noise

23. The consent relates to the application as amended by the revised plans numbered AL(90)02 rev. A; AL(99)02 rev. A; AL(99)03 rev. A; and AL(99)04 rev. A, attached to and forming part of this planning application.

Reason: The plans amend and form part of the application.

24. This consent relates to the application as supplemented by the information contained in the email from the agent dated 4th June 2015.  
Reason: The information provided forms part of the application.

**RECOMMENDATION 2 :** To protect the amenities of occupiers of other premises in the vicinity attention is drawn to the provisions of Section 60 of the Control of Pollution Act 1974 in relation to the control of noise from demolition and construction activities. Further to this the applicant is advised that no noise audible outside the site boundary adjacent to the curtilage of residential property shall be created by construction activities in respect of the implementation of this consent outside the hours of 0800-1800 hours Mondays to Fridays and 0800 - 1300 hours on Saturdays or at any time on Sunday or public holidays. The applicant is also advised to seek approval for any proposed piling operations.

**RECOMMENDATION 3 :** Welcome Pack – The applicant is requested to provide future residents with a welcome pack upon their arrival, detailing public transport services in the area, to help promote sustainable transport. Leaflets and advice in connection with production of the packs are available from Miriam Highgate, Cardiff Council, County Hall, tel: 029 2087 2213.

**RECOMMENDATION 4 :** The contamination assessments and the effects of unstable land are considered on the basis of the best information available to the Planning Authority and are not necessarily exhaustive. The Authority takes due diligence when assessing these impacts, however you are minded that the responsibility for

- (i) determining the extent and effects of such constraints and;
- (ii) ensuring that any imported materials (including, topsoils, subsoils, aggregates and recycled or manufactured aggregates / soils) are chemically suitable for the proposed end use. Under no circumstances should controlled waste be imported. It is an offence under section 33 of the environmental Protection Act 1990 to deposit controlled waste on a site which does not benefit from an appropriate waste management license. The following must not be imported to a development site:
  - Unprocessed / unsorted demolition wastes.
  - Any materials originating from a site confirmed as being contaminated or potentially contaminated by chemical or radioactive substances.
  - Japanese Knotweed stems, leaves and rhizome infested soils. In addition to section 33 above, it is also an offence under the Wildlife and Countryside Act 1981 to spread this invasive weed; and
- (iii) the safe development and secure occupancy of the site rests with the developer.

Proposals for areas of possible land instability should take due account of the physical and chemical constraints and may include action on land reclamation

or other remedial action to enable beneficial use of unstable land.

The Local Planning Authority has determined the application on the basis of the information available to it, but this does not mean that the land can be considered free from contamination.

## 1. **DESCRIPTION OF PROPOSED DEVELOPMENT**

- 1.1 An application for the demolition of a vacant former public house premises, and the construction of a 4 storey building accommodating 24 flats – 16no. one bed and 8no. 2 bed.
- 1.2 The proposed flat roof building has a street frontage of approx. 34.2m and an overall depth of approx. 13.8m. The building has an overall height of approx. 11m, stepping down in four intervals across the site frontage.
- 1.3 The proposed building is to be predominantly finished in a mix of red facing brick and white render. However, the third floor, (which has a return off the front & rear main elevations), is finished in grey metal cladding, with the ground floor façade being mainly natural stone.
- 1.4 There are Juliet balconies to the first and second floor front elevation, with small (0.6m deep) balconies to the rear elevation at first floor height. The third floor offers roof terraces, serving 8 of the flats. The application has been amended to include sight screens to the rear corners of the third floor roof terraces.
- 1.5 The site is shown as being enclosed by 2.2m high rendered walls/railings to the rear and sides, with a dwarf wall and railings fronting Gwennyth Street. The front enclosure has been amended to omit false gateways.
- 1.6 Future occupiers of the ground floor rear flats identified as flats 2, 3, 6 & 7 will benefit from small private amenity areas, overlooking the rear. A communal amenity space of approx. 123sqm is set at the side of the proposed building (adjacent to the northern boundary). Communal refuse and cycle storage facilities are also in this area.
- 1.7 Access to the proposed building is via two communal entrances fronting Gwennyth Street.

## 2. **DESCRIPTION OF SITE**

- 2.1 The site is approx. 810sqm in area, forming the northern end of a terrace of residential properties. The existing building, of predominantly red brick construction, with a pitched roof at two levels, is currently vacant and was formerly a public house.
- 2.2 The adjacent properties on Gwennyth Street are in residential use, being of mainly two storey terrace with some three storey 'Townhouse' styles.

To the rear of the site is a local railway line. To the north of the site is an existing

vehicle repair garage business, which leads on to further residential properties.

To the opposite side of Gwennyth Street there are is a residential terrace of traditional 2 storey pitched roof construction.

### 3. **SITE HISTORY**

3.1 No relevant history.

### 4. **POLICY FRAMEWORK**

4.1 The relevant Local Development Plan Policies are:

Policy KP5 (Good Quality and Sustainable Design)  
Policy H6 (Change of Use or Redevelopment to Residential Use)  
Policy T1 (Walking and Cycling)  
Policy T5 (Managing Transport Impacts)  
Policy W2 (Provision for Waste Management Facilities in Development)

4.2 The Guidance 'Infill Sites' 2011 is also relevant, and is considered to be consistent with the principles of LDP policies KP5 and H6.

### 5. **INTERNAL CONSULTEE RESPONSES**

5.1 The Transportation Manager has no objection, making the following comments:

*"I would confirm that the submission has been assessed and is considered acceptable in principle subject to the following conditions:*

*C3S – Cycle Parking;*

*Construction Management Plan condition – No part of the development hereby permitted shall be commenced until a scheme of construction management has been submitted to and approved by the Local Planning Authority, to include as required details of site/compound, hoardings and site access/egress. Construction of the development shall be managed strictly in accordance with the scheme so approved. Reason: In the interests of highway safety and public amenity.*

*Footway works condition – No part of the development hereby permitted shall be occupied until a scheme of environmental improvements to Gwennyth Street footway in the vicinity of the site has been submitted to and approval in writing by the LPA. The scheme should include as required, but not be limited to, the reconstruction as footway of the existing crossover and resurfacing of the remaining areas of footway; including as required, surfacing, edging, the provision/renewal of street lighting and street furniture as may be required as a consequence of the development. The agreed scheme to be implemented to the satisfaction of the Local Planning Authority prior to beneficial occupation of the site. Reason: To ensure the reinstatement of the adjacent public highway in the interests of highway and pedestrian safety and to facilitate access to the*

*proposed development.*

*Second recommendation:*

*Welcome Pack – The applicant is requested to provide future residents with a welcome pack upon their arrival, detailing public transport services in the area, to help promote sustainable transport. Leaflets and advice in connection with production of the packs are available from Miriam Highgate, Cardiff Council, County Hall, tel: 029 2087 2213.*

*Comments:*

*The Access, Circulation and Parking Standards SPG identifies a car parking requirement of a half to one space per dwelling and a minimum cycle parking requirement of one space per unit for flats/apartments. In accordance with the SPG the proposed development should therefore attract a minimum of 12 car parking and 24 cycle parking spaces. However in considering the matter I must take into account that the existing Public House/Hotel has a similar car parking requirement that would have also all been accommodated on-street. The proposed development therefore generates the same or less parking demand than the existing use and consequently is considered to be policy compliant with no off-street car parking spaces; subject to provision of the cycle parking identified in the requested condition.*

*It is noted that there are a number of objections to the application which mention traffic and car parking as a concern/reason for objection. However as noted above the proposals are considered to be parking policy compliant and I must also take into account that the site is within easy walking distance of shops/services locally, along with bus public transport services and Cardiff's cycle network. The site is therefore considered to be in a sustainable location in transport terms and given its nature (smaller one and two bed units) is also likely to attract residents who economically or consciously choose not to own a car.*

*I would further confirm that incoming residents of the development would not be eligible for resident parking permits and as such will not add to parking pressure on the existing bays. Therefore, while acknowledging that parking demand may well fully occupy existing uncontrolled on-street provision at certain times of the day/week, as is the case in the majority of areas where traditional terraced housing is adjacent to a district centre or area of employment, a positive determination of this application will not itself add to pressure on existing resident permit bays.*

*In conclusion the site is considered to be policy compliant, in a sustainable location and of a unit type that is likely to attract residents who economically or consciously may choose not to own a car. I must therefore confirm that I consider an objection on traffic or parking grounds would be unsustainable and that any reason for refusal on this basis would not withstand challenge."*



- 5.2 The Waste Manager considers the indicated refuse storage area to be acceptable, subject to the proposals accommodating the appropriate capacities.
- 5.3 The Pollution Control Manager (Contaminated Land) has no objection to the proposals, subject to contaminated land conditions and advice.
- 5.4 The Pollution Control Manager (Noise & Air) has no objection, subject to conditions relating to railway noise, railway vibration and plant noise.
- 5.5 The Neighbourhood Renewal (Access) Manager has been consulted and any comments will be reported to Committee.
- 5.6 The Parks Manager has no objection to the proposals, subject to the developer agreeing to a financial contribution of **£33,696** towards the provision of or maintenance of existing open space in the vicinity of the site.
- 5.7 The Council's Ecologist has no objection, subject to the imposition of a condition seeking to ensure that a further Bat Report is prepared, should there be a delay of more than 2 years from the date of any consent. (Condition 6 above).
- 5.8 The Housing Strategy Manager has considered the proposals and makes the following comments:

*"In line with the LDP, an affordable housing contribution of 20% of the 24 units (5 units) is sought on this brown-field site.*

*Our priority is to deliver on-site affordable housing, in the form of affordable rented accommodation, built to Welsh Government Development Quality Requirements for purchase by a nominated Registered Social Landlord partner.*

*However, given the proposed design of the residential and overall scheme, the proposal for private units for sale, and the potential service charges for this type of residential development, all of the above could affect the affordability as well as the practicality of managing and maintaining affordable housing on-site for a Registered Social Landlord.*

*In view of the above, we would accept the affordable housing to be wholly delivered as a financial contribution in lieu of on-site affordable housing provision. On that basis we would seek a financial contribution of **£342,780** (in lieu of the 5 units) which is calculated in accordance with the formula in the Affordable Housing – Supplementary Planning Guidance (SPG) (2007)."*

## 6. **EXTERNAL CONSULTEE RESPONSES**

- 6.1 Dwr Cymru/Welsh Water have no objection subject to conditions in respect of site drainage.

6.2 South Wales Police offer comments in respect of crime prevention matters. Their correspondence has been forwarded to the agent.

6.3 Network Rail have no objection and provide advice in respect of developments close to the railway.

## 7. **REPRESENTATIONS**

7.1 Adjacent occupiers have been consulted and the application has been advertised on site and in the press in accordance with adopted procedures.

7.2 19 letters of objection have been received from neighbouring residents, which raise the following concerns:

- The proposals represent an overdevelopment of the site which is out of keeping with the street context;
- The lack of any off-street parking will exacerbate the existing on-street parking congestion. The submitted Transport Assessment takes in too wide an area;
- Details contained within Planning Statement and the Design and Access statement are inaccurate, in that the building design does not comply with planning policy or local context, and the information relating to the availability of public transport is incorrect;
- The proposed building will overshadow and overlook adjacent dwellings, and impact upon natural light to existing dwellings, having an adverse impact on the amenity and privacy of adjacent occupiers;
- The loss of the existing public house building, which is of local historic significance is unacceptable;
- Alterations to the site enclosure will adversely impact upon the security of an adjacent business premises;
- The scale of the development is such that it will have an adverse impact upon the existing dated sewerage system;
- There will be considerable noise and dust disturbance during any works to implement the proposals;
- The speed of existing traffic using Gwennyth Street is already excessive and dangerous;
- There has been a lack of community consultation.

7.2 Local Members have been consulted and Councillors Weaver, Merry and Knight object to the proposals, making the following comments:

*“We are writing to object to the planning application 14/02918/MJR to convert the Gower Pub into 24 residential units (32 beds). We would also request for there to be a site meeting so that the committee can fully appreciate the full impact of this development.*

*We are concerned about three main aspects:*

- *Overly large development*
- *Failure to in-keep with the design of the area*
- *Parking issues*

*We believe the plans are not a suitable replacement for the Gower pub and some effort should have been made to retain the existing pub structure or design of the building. This application would create a solid block of flats overshadowing the existing row of houses. Currently the height is typically two stories high with one block in the exception. This application would remove much of the light for some of the existing properties and create a bulk of building that is unsuitable for the area.*

*We believe that the application fails Policy 2.20 (Good Design) of the deposited Cardiff UDP on the lines of:*

- *It does not “respond to local character and context”*
- *It does not address issues of “layout, density, scale, massing, height, detailing and landscaping”*

*The blue lines shown fail to convey the difference between the developments and is much more stark than shown. For this reason we believe a site visit is essential.*

*Planning Policy Wales 9.3 “New housing developments should be well integrated with and connected to the existing pattern of settlements”. Although there has been some red brick included within the designs it is clearly secondary to rendering that does not match the consistent red brick of the rest of the street. As mentioned before the Gower Pub was not a solid height through it’s whole width and therefore changes the nature of the street. Previous new build flats on the street have been red brick in their entirety and even matching the decoration above each of the windows.*

*There are strong concerns from residents opposite that the balconies invade their privacy. Some of the balconies are at the biggest height of the building or in line with upstairs bedrooms of neighbours opposite.*

*24 flats (32 beds) will certainly add to parking issues in this area. Whilst it is often cited in planning that tenants would not need to bring cars, this has been proved incorrect time after time in Cathays. Policy 27 of the City of Cardiff Local Plan states that conversion to residential use must have appropriate provision for car parking”. A plan must be provided to cope with this extra vehicular parking alongside developments happening on the old Shaw’s site in Monthermer Road adjacent to Gwennyth Street. The application does state that parking is “limited” and that it should get better “due to the removal of the former use of the existing building.” I don’t believe that removing a closed pub and adding 24 flats would do anything but majorly increase the number of parked cars in the area.*

*The stats given for parking are not recognisable as accurate to the residents or ourselves and strongly urge for the committee to challenge the findings of the*

*transport plan. The 200m radius for parked cars is entirely unsuitable with the radius going beyond a railway which can only be crossed at one end meaning parking into an entirely different ward where there are already parking issues and cannot be walked to in a straight direction.*

*Where some policies state that only limited parking needs to be considered with “good accessibility to public transport”. We don’t believe that public transport is accessible in this location with the transport statement showing the nearest stop is 230m and 400m away from the site and do not offer services to supermarkets. The nearest train station is also 1.2km away.*

*For all these reasons we believe that the application should be rejected.”*

- 7.3 Councillor Clark objects to the proposals, supporting the issues raised by Jenny Willott MP, making the following comments:

*“I am writing to object to the proposed Gower Pub Development, Gwennyth Street, Cathays on the same grounds as the local MP, Jenny Willott.*

*In addition, I would like to stress my objection to having 4 stories for the development when the houses opposite are 2 stories and even the student accommodation down the street is 3 stories. I also object on the grounds of parking considerations. I am also very much against the design of the building. In nearly every other development in residential Cathays infill developments have been built to harmonise with the rest of the street scene. For example, the houses at the end of Gwennyth Street in Fanny Street, the aforementioned student accommodation in Gwennyth Street – these are both red brick mostly flat fronted buildings. In addition, the infill development being done in Monthermer Road and formerly in Pentyrch Street also matched the rest of the street.*

*The totally modern style of the proposed Gower Pub development is out of keeping with the rest of the street. Please could the examples I have included above be included in the officer’s report if possible.”*

- 7.4 Former MP, Jenny Willott objected to the proposals, making the following comments:

I enclose with this letter my objections to the plans as currently shown for the re-development of the Gower Pub. I understand that with changing times the Gower no longer has a viable future as a pub and it is a good site to be developed for housing. I would prefer, as would many local people, that the re-development could retain the impressive architecture of its frontage, with its beautiful windows and gable, but it is understandable that the size and positioning of the windows would make re-development into smaller units rather difficult.

However, the current plans are on a scale that is quite out of keeping with the houses around, reducing both their light and their privacy. In addition, to plan to build twenty-four flats with no car parking provision at all, when it is known

that local roads are already having difficulty coping with on-street car parking, is not sensible and is certainly not fair on local people.

I hope that the justified concerns of local people can be accepted and that the developer will be asked to reduce the scale of his plans and incorporate car parking.

### **OBJECTIONS TO THE GOWER PUB PLANNING APPLICATION**

I would like to add my concerns about the proposed development of the Gower Pub site to those already expressed by local residents, particularly people who live in Gwennyth Street, who will be the most affected. On the whole it is realised that with the change in social patterns, the site of the old pub is suitable for redevelopment, and residential development accords well with the rest of the area.

I have two main concerns: the scale of the development and the lack of car parking.

### **THE SCALE OF THE PROPOSED DEVELOPMENT**

The Planning Statement is submitted by Asbri Planning on behalf of the developers "Gower (Cathays) Ltd", which does not appear to be a local Cardiff company. It is registered at an accommodation address in London, Regent Street, see:

<http://www.endole.co.uk/company-by-postcode/swly-4lr?page=3> It is listed as having no reported assets and no reported net worth.

**Existing Architecture.** The Planning Statement correctly says (para 2.2) that Victorian terraces are the prevalent architectural style in this area, with buildings of two storeys. In para 4.3, it says that the new development is "designed in the context of the significant massing of the existing public house". The developer uses this sentiment to justify a building that is much bigger than the houses around it.

However, the Gower pub was an important public building, for the use of local people. As a community resource, it was built to have a presence that was greater than surrounding houses in much the same way as a church does. This does not mean that a private housing development, which has no public connotation or function, can have the same mass. It will overshadow, both literally and metaphorically, the Victorian terraces around it.

**Loss of Privacy.** The way in which this development will tower over surrounding terraces is clearly seen in the drawings submitted, which show that the second floor windows of the block of flats will be at the level of the terrace roofs around, while the third floor will be at the level of their chimneys. At the moment, the Gower pub has two floors of eight large windows, and two further windows in the gable, overlooking neighbouring houses. The planned flats appear to have at least thirty windows overlooking Gwennyth Street, and eight of those will have balconies. All these windows will greatly impact on the privacy of local residents. Moreover, in hot weather it is likely that windows and

balcony doors will be open and music and noise of all sorts will seriously inconvenience others.

**Local Recent Developments.** Other recent developments in the area have been far more in keeping with what is around them: for example, see the photo of modern two-storey housing and modern three- storey gabled flats on page 12 of the Context Analysis. In these Gower pub plans, it is evident that the developer is seeking to incorporate as many flats as he possibly can, not for their architectural merit, but in order to maximise his profit, even though this will have a huge adverse impact on local people, leading to loss of natural light in the street and a huge loss of privacy. I hope that the Planning Committee of Cardiff Council will have more concern for the wellbeing of their residents, than to let this over-sized development get consent in its present form.

### **THE LACK OF CAR PARKING**

#### **Car Parking Provision 'Not Necessary'**

Page 21 of the Planning Statement says that "there is no car parking proposed on site, due to the physical limitations of the site" (para 6.14). These limitations could be overcome by having garages instead of flats on the ground floor, or by building a smaller block and using the freed-up space for a car park, though of course this would provide fewer units for sale and reduce the profits to be made by the developer. The Planning Statement goes to say that the availability of public transport nearby validates the "relaxation of car parking standards".

#### **Likely Number of Cars**

Relaxing car parking standards is not the same as having no car parking provision at all. 24 flats, 8 of which are 2-bedroom, will have at least 32 occupants and probably far more, since the one-bedroom flats will often house a couple. The majority of them will have cars – for weekend trips, for visiting friends, for going to see sights. They may not use them all the time, since this area is so well situated for public transport, but in that case their cars will be parked on the street for most of the week. It is commonly hoped that university students will not come accompanied by their cars, but such hopes are never fulfilled, still less if the flats are occupied by young professional people. The streets are already over-parked – see the photo on your planning website submitted by Douglas Bragg, one of the objectors.

#### **Developers' Transport Statement**

The developers have submitted a separate Transport Statement, to try to overcome objections to their complete lack of parking provision. This Statement and its appendix contain surveys of parking capacity in surrounding roads. The surveys appear to show some capacity for extra cars.

#### **Parking Capacity Measurement is faulty**

However, according to the Statement, the parking capacity was estimated by measuring all kerbside space not taken up with yellow lines, driveway entrances etc, and then dividing it by 6m (the average length of a car) to get

a figure for the maximum numbers of cars that could in theory be parked on the roads at full capacity. The surveyors then counted the cars actually parked on the roads and took it away from the maximum to get a figure for spare capacity.

If the surveyors spent all that time walking up and down the roads counting cars, it would have been sensible to have counted actual spaces. Simply adding together all the kerb space and dividing it by 6m does not give the number of parking spaces. To illustrate this: two spaces between driveways of 9m each give a total of 18m, so in theory that is room for 3 cars, but in fact each space will only hold one car, with 3m left over. These figures given in the paper do not reflect the actual situation on the ground. It is plain from what local residents report that these roads are already accommodating their current load of cars with some difficulty. For a developer to propose 24 flats with no car parking provision at all is not fair on local residents and is really rather irresponsible.

In conclusion, whilst I do not object to the development as a whole, I object to two aspects of it: the size of the building and the complete lack of car parking. It would be useful if the developer could be asked to re-design his plans to remove the top floor of the flats so that it does not overshadow and intimidate surrounding houses. And in addition, he should be asked to incorporate at least one car parking space for each flat.

7.5 Jenny Rathbone AM objects to the proposals, making the following comments:

I object to the above application to demolish the Gower Hotel at 29 Gwynneth Street, Cathays, CF24 4PH to make way for development of 24 residential units.

The residential properties on Gwynneth Street are all two storey; the proposed development in its current form is out of keeping with the existing buildings.

The Gower Hotel is a building of historical interest; in the past it has been a community hub, winning Cardiff in Bloom on two occasions. Whilst I understand the reasons for its closure, the history of the Gower can be preserved if developers are prepared to re-use the facade and stonework. This would help protect Cardiff's heritage and keep the development aligned to the streetscene.

I understand that some residents are also concerned about the knock on effects of additional cars and the competing demands for parking. Have you considered any **restrictions on car ownership as a condition of occupancy, were the development of 24 units to go ahead?**

7.6 Although amended plans have been received, the amendments (as indicated above) are extremely minor and cosmetic. As such, no re-consultation was considered necessary as the alterations were considered to be unlikely to significantly change opinions on the proposals to such a degree that would affect the recommendation.

## 8. **ANALYSIS**

8.1 An application for the demolition of an existing two/three storey vacant public house premises, and the construction of a 4 storey building accommodating 24 self contained flats. The proposed breakdown of the accommodation is 16x 1 bed and 8x 2 bed.

8.2 In terms of land use policy, this application for the demolition of a vacant public house and the redevelopment of the site for 24 residential units is assessed against Policy H6: Change of Use or Redevelopment to Residential Accommodation of the Adopted Cardiff Local Development Plan 2006-2026. This policy provides the framework for the assessment of applications for the change of use, conversion or redevelopment of redundant previously developed land and premises for residential development within settlement boundaries.

The vacant public house is situated in an established residential area and afforded no specific protection in land use policy terms. It is therefore considered that there is no overriding need to retain the existing use of the premises.

Assessed against the above policy framework, the redevelopment of the site for residential purposes raises no land use policy concerns.

In this case, the key considerations are the impact of the proposals in terms of the scale and design on the character and amenity of the area and existing occupiers.

8.3 The existing building, although of some character and local interest, is not Listed (Statutory), and is not on the Council's list of buildings of interest. In this case, there are no sustainable planning policy grounds to prevent its demolition.

Notwithstanding the above, the comments contained in representations, and those of the Glamorgan Gwent Archaeological Trust are noted. In this regard, condition 7 above is recommended on advice from GGAT in order to maintain a historical record.

8.4 With regard to the scale and design of the proposed flats, the following comments are made:

- The proposal is for a redevelopment of the Gower pub, which has ceased trading as a public house. The existing structure is a characterful red-brick building which it would be preferable to retain and alter, however, it is understood that the adaptation of the existing structure into residential use has been explored by the applicants and is commercially unviable.



- The area is typically characterised by 2-3 storey terraced houses with pitched roofs; one possible design solution could replicate this traditional style of building with a similarly proportioned roof line. However, the architects have chosen to respond with an alternative solution and the design put forward is a four-storey flat-roofed and contemporary building.
- The design of the fenestration, the inset of the fourth storey, duplex / penthouse element, together with the materials help to visually break up the scale and massing and integrate the proposal with its context. The ridge line is slightly higher than the ridge line of the existing pub, but not significantly higher; it is lower than the ridge line of the gable feature. Given the location of the building in the street and the existing precedent set by the Gower pub, the height is considered acceptable. The contextual visualisations indicate that the proposal would sit well in the street scene. The infill guide says that:
  - All development must be of good design and make a positive contribution to the adjacent townscape/landscape; this should come about following a clear vision for the project identified after a detailed analysis of what is appropriate for the context. The design response may be expressed in a number of ways but should always make a positive contribution to the context of the area.
  - It is considered that the quality of the architecture together with this use of materials will make a positive contribution to the area. The applicant has stated they will use red brick to match adjacent dwellings and white render. Pennant stone is proposed for the ground floor. It should be ensured that the colour and size of unit matches with other buildings in the vicinity, such as those found along Monthermer Road. A sample palette should be provided and the materials conditioned where possible.
  - The site maintains adequate space between buildings and there will be a useable amenity space for new occupiers.
  - The building steps down in the street to mirror existing houses and works with the topography which is beneficial to breaking up the horizontal massing.

The building line frontage responds to the existing street scene and the adjacent row of terraces. The proposed boundary treatment similarly reflects the style of the street. Details of the brickwork (banding, coping, railings) should be provided.

- 8.5 Representations have included concerns in respect of overshadowing, loss of privacy and loss of light.

Overshadowing/impact on light – It is acknowledged that the proposed building (particularly as presenting to the street frontage due to the removal of the

pitched roof appearance) is larger than the existing. This increase (at second floor height – prior to the third floor return) is approx. 1.5m over the existing two storey eaves height. The proposed building is at the same point along the street frontage and is no closer to the properties opposite than the existing. Whilst there may be some impact on early morning light to the front of the dwellings at no. 13-21 Gwennyth Street, it is considered that it would not result in such significant harm to amenity that would justify or sustain refusal of consent.

The demolition of the existing building sees the removal of an existing two storey annexe to the full boundary depth with no. 26 Gwennyth Street, with subsequent re-development being of less depth, resulting in a net gain for the occupiers of no. 26.

Privacy – The proposed building undoubtedly introduces more windows, and a roof terrace, to the Gwennyth Street frontage, having views directly across the street towards no. 13-21. The elevation to elevation distance along this frontage varies between approx. 15.7m to approx. 16.1m, with the frontage to no. 21 being angled away. Whilst it is noted that these distances are below the 21m indicated in the Council's Supplementary Planning Guidance 'Infill Sites' 2011, it must be borne in mind that the existing building also has first and some second floor windows in the same position. In addition, these distances are comparable with the surrounding streets (Monthermer Rd is wider at approx. 19.5m) and also wider than the separation distances further along Gwennyth Street where the recent redevelopment of a former builder's premises is approx. 14.3m from no. 7 opposite.

It is considered therefore, that the proposed building would not result in such a significant increase in potential for loss of privacy to the occupiers of the existing dwellings, or to future occupiers of the development, that would justify or sustain refusal of consent.

The amended proposals include privacy screens to the roof terrace area of the two rear corners of the proposed building, that may otherwise afford views directly down into the garden of no. 26 and the yard area of the adjacent garage business. There are other small balconies to the rear elevations, but these are effectively screened by walls from unacceptable views to the rear of the same two properties.

#### 8.6 With regard to other comments made in representations:

- The proposed development has been assessed in terms of its design and scale. As indicated above, there would be no sustainable grounds to refuse consent in this regard;
- The application documents have been assessed by the Transportation Manager, who has also had regard for objection comments and the location of the site, in respect of parking, public transport and other facilities. As indicated in para. 5.1 above, there would be no sustainable grounds to refuse consent on these issues;
- Whilst there are disagreements with some of the details contained in the submitted documents, the proposed development has been assessed

on its merits. There would be no reasonable grounds to withhold consent in respect of any disputed information;

- The submitted plans indicate that the boundary enclosure to the garage premises to the north of the site is to be retained, with additional coping stones. Any discussions that have taken place between the agent and the occupier of the garage premises do not form part of the development under consideration;
- Welsh Water were consulted on the application. It is understood that their assessment process includes input from their various technical teams, including sewerage. Welsh Water have no objection, subject to drainage conditions. Condition 8 above is recommended;
- It is acknowledged that, should consent be granted and be implemented, there will be some local disturbance. However, this is not reasonable or justifiable grounds to withhold consent. Other legislation exists that can exercise control over working conditions and effects;
- The speed of existing traffic along Gwennyth Street is not material to the consideration of this application;
- The Council have publicised this application by direct notification letters, and by site and press notices, in accordance with adopted procedures. In addition, it is understood that the applicant/agent has also undertaken a public consultation exercise, including the distribution of leaflets (as submitted with the application) and a public meeting.

8.7 S106 matters – The following contribution requests have been made, with reference made to the Community Infrastructure Levy tests:

Parks – £33,696 – Towards the improvement of open space in the vicinity. Details to be agreed in line with the CIL tests.

Affordable Housing - £342,780 – A financial contribution in lieu of any on site provision is acceptable to the Housing Strategy Manager.

The applicant has submitted information relating to the economic viability of the proposed development in light of the requested contributions. This information has been assessed by the Council's Strategic Estates Manager and, in turn, the District Valuer Service.

In their report dated 1<sup>st</sup> February 2016, the DVS concluded:

“Our appraisal as detailed above for a fully open market mixed use scheme providing an offsite Affordable Housing contribution of some £342,780 and S106 sums of £33,696 returns a negative residual value and so suggests the scheme is unviable on that basis.”

Notwithstanding the findings of the DVS, the applicant has offered the Council a single financial contribution of £24,900. In consultation with the Service Areas, it is recommended that the full amount be allocated towards the off-site provision for Affordable Housing.

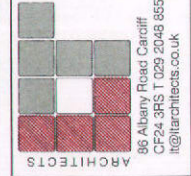
8.8 In light of the above, and having regard for adopted planning policy guidance it

is recommended that planning permission be granted, subject to a legal agreement and conditions.



Ordnance Survey (c) Crown Copyright 2014. All rights reserved. Licence number 100022432.

14/02/2018 IMJR



Project:	The Former Gower Public House redevelopment
Address:	28 Gwennyth Street, Cathays, Cardiff, CF24 4PH
Title:	Site Location Plan
Date:	November 2014
Job No:	1026
Drawing No:	AL(90)00

Drawn By:	SW
Checked By:	LT
Revision:	

scale: 1:500@A3

north

THE DRAWINGS TO BE READ IN CONJUNCTION WITH OTHER RELEVANT ARCHITECTS AND ENGINEERS DRAWINGS AND SPECIFICATIONS. ALL DIMENSIONS TO BE CHECKED ON SITE BEFORE AND DURING WORKS. ARCHITECT TO BE MADE AWARE OF ANY CHANGES TO DESIGN DIMENSIONS.





Project: The former Gower Public House redevelopment  
Address: 26 Gwennyth Street, Colwyn, Cardiff, CF74 4PH  
Title: Site Layout OS Overlay  
Date/Revision: 2014

Scale: 1:2500  
Scale bar: 0 1 2 3 4 5 6 7 8 9 10 m

Drawn By: SW  
Checked By: LT  
Revised:

Job No: 1026 Drawing No: AL(90)04

© 2014  
All Rights Reserved  
For Planning Purposes Only





Elevation to Gwennyth Street

Page 41



Elevation to No. 30 Gwennyth Street showing outline of existing building



Elevation to No. 30 Gwennyth Street

**Materials:**

- 1- Smooth white render.
- 2- Red brickwork to match context.
- 3- Natural Stone
- 4- Dark grey metal cladding

Fenestration - mid grey aluminium.  
Rain water goods - mid grey aluminium

<p>86 Albany Road Cardiff CF24 4JG T 019 2048 8506 info@alr.co.uk</p>	<p>Project: The Former Gower Public House redevelopment Address: 28 Gwennyth Street, Cathays, Cardiff, CF24 4PH Title: Proposed Elevations 01 Date: November 2014</p>	<p>Drawn By: SW Checked By: LT Revision: A - 01.06.15 - Privacy Screens added, Dummy gates omitted.</p>	<p>scale: 1:100BA1</p>
	<p>Job No: 1026 Drawing No: AL(99)02</p>		





Example of proposed Sto white render

LT Architects

86 Albany Rd  
Cardiff  
CF24 3RS

t: 029 2048 8556  
f: 029 2049 8029  
lt.architects@btconnect.com  
www.ltarchitects.co.uk







Examples of proposed brickwork

<b>ADDITIONAL INFORMATION</b>
Date 04 JUN 2015
Applic. No.

**LT Architects**  
86 Albany Rd  
Cardiff  
CF24 3RS

t: 029 2048 8556  
f: 029 2049 8029  
lt.architects@btconnect.com  
www.ltarchitects.co.uk







Examples of stone work to plinth

**ADDITIONAL INFORMATION**  
Date 04 JUN 2015  
Applic. No. 14/2918 MSC

**LT Architects**  
86 Albany Rd  
Cardiff  
CF24 3RS

t: 029 2048 8556  
f: 029 2049 8029  
lt.architects@ltconnect.com  
www.ltarchitects.co.uk



## LOCAL MEMBER OBJECTION

COMMITTEE DATE: 24/02/2016

APPLICATION No. **15/02643/MJR** APPLICATION DATE: 14/12/2015

ED: **CANTON**

APP: TYPE: Full Planning Permission

APPLICANT: Ahmadiyya Muslim Association

LOCATION: IAN WILLIAMS LTD, SANATORIUM ROAD, CANTON,  
CARDIFF, CF11 8SU

PROPOSAL: CHANGE OF USE, ALTERATIONS, AND EXTENSIONS TO  
FORM CLASS D1 (NON-RESIDENTIAL INSTITUTIONS)  
PLACE OF WORSHIP, INCLUDING TWO-STOREY MOSQUE  
WITH MINARET, DOME, ATTACHED TWO-STOREY IMAM'S  
RESIDENCE AND SINGLE-STOREY DETACHED  
COMMUNITY HALL TOGETHER WITH PARKING AND  
ASSOCIATED WORKS

**RECOMMENDATION** : That planning permission be **REFUSED** for the following reasons :

1. The application fails to address the vehicular trip generation that is likely occur from the proposed development and therefore fails to demonstrate that the development will not cause unacceptable harm to safe and efficient operation of the local highway network, contrary to the provisions of Policies T6 and C1 (iv) of the Cardiff Local Development Plan (January 2016).
2. The proposed dwelling, by reason of its siting and orientation, and provision of an inadequate amount private amenity space, would result in a poor quality living environment for future occupiers, contrary to paragraph of 9.1.2 Planning Policy Wales (8<sup>th</sup> Edition, 2016), paragraphs 5.11.2 and 5.11.4 of Technical Advice Note 12 and Policy KP5 of the Cardiff Local Development Plan (January 2016).

### 1. **DESCRIPTION OF PROPOSED DEVELOPMENT**

- 1.1 Permission is sought for the change of use, alterations and extensions to form Class D1 (Non-Residential Institutions) place of worship, including two-storey mosque with minaret, dome, attached two-storey Imam's residence and single-storey detached community hall together with parking and associated works at the former premises of Ian Williams Ltd, Sanatorium Road, Canton.
- 1.2 In addition to a place of worship, the site will be used for education, training, charity fundraising and other ancillary community use purposes.

- 1.3 The existing ground floor comprises approximately 234 square metres and will include a meeting room, women’s prayer room, library/office, ancillary nursery, and toilet facilities.
- 1.4 The proposed extensions and alterations to the main building include:
- (i) A full first floor to create men’s prayer room, office, store, and toilet facilities (approximately 157 square metres additional floor space), resulting in an increase in building height from approximately 6 metres to approximately 7.5 metres.
  - (ii) A minaret to the roof (up to 18 metres above ground level);
  - (iii) A dome to the roof (up to 13 metres above ground level);
  - (iv) Amendments to window and door openings to create traditional arched openings;
  - (v) Through coloured render applied to external walls;
  - (vi) Reconstituted stone detail course added at eaves level and first floor level.
- 1.5 The two-storey three bedroom Imam’s Residence would be attached to the rear (north) elevation of the main building and would abut the east site boundary. The dwelling would be approximately 6 metres high to eaves and 7 metres high to roof ridge. The pitched roof would be screened by parapet walling to all sides to a height of approximately 7 metres. The footprint of the dwelling measures approximately 11 metres (maximum) by 15 metres (including the public access to the main building).
- 1.6 At ground floor the dwelling would contain an office, Imam’s private study and prayer room, kitchen, dining, lounge, and toilet. Three bedrooms would be located at first floor, with a family bathroom, disabled toilet and sitting area.
- 1.7 The proposed detached single-storey Community Hall would be located at the rear of the site adjacent to the north site boundary. The hall would be approximately 7 metres to ridge and comprises a total floor space of approximately 239 square metres, of which approximately 102 square metres comprises an extension to include kitchen, storage and toilet facilities and circulation space. Approximately 137 square metres will comprise a community/dining hall. The building would be finished in through coloured render.
- 1.8 Excluding the Imam’s residence, the proposed new floor space comprises approximately 259 square metres. The total floor space proposed for Class D1 Place of Worship use comprises approximately 707 square metres. The Imam’s residence will comprise approximately 234 square metres.
- 1.9 22 no. car parking spaces would be provided within the site, of which 3 no. would be disabled spaces. The Design and Access Statement accompanying the application states: *“Many of AMA’s members who travel by private car are likely to be families or friends and therefore there will be high levels of car sharing, which will minimise the amount of local traffic along Sanatorium Road and the surrounding area. The site currently has 16 car parking spaces.”*



(paragraph 2.2.5).

- 1.10 6 no. Sheffield cycle stands will be provided (12 no. cycle parking spaces).
- 1.11 Five services will occur each day and would vary according to the season: 05:00, 13:30, 17:30, 20:15 and 21:00. A Friday lunchtime service will also take place between 13:00 and 14:00. The timing of each service will alter slightly according to the sunrise and sunset. The duration of each service will last between 15 and 20 minutes.
- 1.12 The Transport Statement accompanying the application states:
- (i) The maximum number of members attending each service will be no more than 30, which will occur during a typical Friday lunchtime service (paragraph 4.3.5);
  - (ii) A large number of members will walk, cycle, or make use of public transport (4.3.8);
  - (iii) The busiest service will take place during a typical Friday lunchtime (13:00-14:00), where up to 30 members could be in attendance. At all other service times, attendance numbers will be far lower (5.2.2);
  - (iv) 50% of members live within a one to two mile radius of the site, and are therefore likely to arrive on foot, cycle, or make use of nearby public transport facilities (5.2.3);
  - (v) The typical AM peak hour (08:00-09:00) will not be affected as there are no planned services after 05:00; the next planned service being at 13:30 (5.2.4);
  - (vi) There is however a planned PM peak hour service at 17:30. Members are likely to arrive and depart during this peak hour period (17:00-18:00) given that service duration is not expected to exceed 20 minutes (5.2.5);
  - (vii) It has been assumed for assessment purposes that a maximum of 20 worshipers will attend this particular service. Given the site's close proximity to a large residential catchment, and that 50% of members live within a one to two mile radius of the site, it is reasonable to assume that 50% of members will arrive via sustainable means i.e. walking, cycling or public transport. The remaining 10 members are therefore assumed to arrive via private car (5.2.6);
  - (viii) It has also been assumed that two members will arrive in each vehicle, resulting in a maximum of five arrivals and five departures during a typical PM peak hour i.e. 10 two-way vehicular trips (5.2.7);
  - (ix) There are a total of 144 Ahmadiyya Muslims in the area that could benefit from the [Eid] service (5.3.5). However, it is anticipated that up to 100 of these will attend the proposed Sanatorium Road site during Eid festivals, as it is common for a significant percentage to instead take part in far larger events i.e. those held in London;
  - (x) One of the rituals observed by worshippers during Eid festivals is to walk to and from the place of worship and to take a different route to and from the site (5.3.6);
  - (xi) This effectively removes the likelihood of any additional vehicular traffic attending the site during Eid gatherings to that described under normal service conditions (5.3.7);

- (xii) In addition, the [Eid] service will typically commence at 10.00am and conclude at 11.30am; i.e. mid-morning peak hour. Worshipers will arrive on time and depart soon after, to enable them to continue celebrations with their family and friends at home (5.3.8).
- 1.13 A Flood Consequences Assessment has been submitted in support of the application.
- 1.14 The agent submitted the following additional comments on 12<sup>th</sup> February 2016:
- (i) The increase in floor space of the place of worship beyond that already consented is 168m (532 compared to 700 sqm), approximately an additional 30%. The remainder of the additional floor space is associated with the Imam's residence. The size of the Ahmadiyya Muslim population of worshippers within Cardiff (around 150 persons) does not change as a result of the proposals. It remains the same despite the increase in floor space of the proposal. The majority of this additional floor space associated purely with the place of worship (not including the Imam's residence) provides for high quality facilities for worshipers in the form of male, female and disabled toilet and wash room facilities, a lift facility, an ancillary nursery, kitchen facility and a meeting room to serve community functions. The increase in floor space is designed to serve the relatively static number of worshippers well, rather than attract additional footfall. This is the reason for the only additional traffic movements beyond that previously consented being the Imam's residence as set out within the Transport Statement (TS) submitted in support of the planning application;
  - (ii) For the reasons set out above it is considered that there will not be a significant intensification of use. The population of worshippers remains relatively static regardless of the floor space. The proposal is designed to provide a high quality service to and facilities for the static number of worshippers rather than attract additional footfall;
  - (iii) I see no reason why a 'Framework Travel/Event Management Plan' condition cannot be attached to this permission as previously.
  - (iv) As set out within the TS, typically the peak number of worshipers attending a service is 30 persons on a Friday lunchtime. Normally the number attending services is significantly lower.
  - (v) During Eid festivals, as previously, the place of worship will operate at capacity of around 100 persons as many Cardiff based Ahmadiyya Muslims will attend larger festivals in London or elsewhere.
  - (vi) The Local Planning Authority's supplementary planning guidance requires 1/10<sup>th</sup> of capacity to be provided in terms of parking. The proposal provides 22 car parking spaces and 12 cycle spaces, which is considered to be sufficient to cater for the additional Imam's residence and during Eid festival celebrations and therefore complies with guidance.
  - (vii) The site is in a sustainable an accessible location and the Transport Statement considers the additional transport movements (associated with the Imam's residence) beyond that previously permitted.

## 2. **DESCRIPTION OF SITE**

- 2.1 The site extends to approximately 0.15 Ha and includes vacant offices and workshops in one and two-storey buildings. The previous occupier of the site vacated the premises in June 2014.
- 2.2 A railway embankment of approximately 4 metres height adjoins the rear site boundary with residential properties further north, approximately 43 metres away.
- 2.3 The surrounding uses include a primary school, doctor's surgery and pharmacy, children's nursery, and a printing company. A veterinary practice, residential, and other commercial uses are located in the vicinity. Vehicular access to the site is off Sanatorium Road with courtyard parking.
- 2.4 The site is located within Flood Zone C1 on the Development Advice Map.

## 3. **SITE HISTORY**

- 3.1 14/01523/DCO: Permission granted in March 2015 for change of use from Class B1 (Business) to Class D1 (Non-Residential Institutions).
- 3.2 13/01645/DCO: Permission granted in October 2013 for proposed extensions to existing office accommodation.
- 3.3 97/01987/R: Permission granted in December 1987 for pitched roof.

## 4. **POLICY FRAMEWORK**

- 4.1 Planning Policy Wales, Edition 8 (January 2016):

*4.2.2 The planning system provides for a presumption in favour of sustainable development to ensure that social, economic and environmental issues are balanced and integrated, at the same time, by the decision-taker when taking decisions on individual planning applications.*

*4.2.4 Legislation secures a presumption in favour of development in accordance with the development plan for the area unless material considerations indicate otherwise.*

*4.3.1 All those involved in the planning system are expected to adhere to (inter alia):*

- *putting people, and their quality of life now and in the future, at the centre of decision-making;*
- *taking a long term perspective to safeguard the interests of future generations, whilst at the same time meeting needs of people today;*
- *respect for environmental limits, so that resources are not irrecoverably depleted or the environment irreversibly damaged. This means, for example, mitigating climate change, protecting and enhancing biodiversity,*

*minimising harmful emissions, and promoting sustainable use of natural resources;*

- *tackling climate change by reducing the greenhouse gas emissions that cause climate change and ensuring that places are resilient to the consequences of climate change; and*
- *taking account of the full range of costs and benefits over the lifetime of a development, including those which cannot be easily valued in money terms when making plans and decisions and taking account of timing, risks and uncertainties. This also includes recognition of the climate a development is likely to experience over its intended lifetime.*

*4.4.1 The following sustainability objectives for the planning system reflect our vision for sustainable development and the outcomes we seek to deliver across Wales. These objectives should be taken into account...in taking decisions on individual planning applications in Wales. These reflect the sustainable development outcomes that we see the planning system facilitating across Wales.*

*4.4.3 Planning policies, decisions, and proposals should (inter alia):*

- *Contribute to the protection and improvement of the environment so as to improve the quality of life and protect local and global ecosystems*
- *Promote access to employment, shopping, education, health, community facilities and green space*
- *Foster improvements to transport facilities*
- *Foster social inclusion.*
- *Promote resource-efficient and climate change resilient settlement patterns that minimise land-take and urban sprawl, especially through preference for the re-use of suitable previously developed land and buildings, wherever possible avoiding development on greenfield sites;*
- *Locate developments so as to minimise the demand for travel, especially by private car;*
- *Support the need to tackle the causes of climate change by moving towards a low carbon economy.*
- *Play an appropriate role to facilitate sustainable building standards (including zero carbon) that seek to minimise the sustainability and environmental impacts of buildings.*
- *Contribute to the protection and improvement of the environment, so as to improve the quality of life, and protect local and global ecosystems.*
- *Promote access to employment, shopping, education, health, community, leisure and sports facilities and open and green space, maximising opportunities for community development and social welfare.*
- *Foster improvements to transport facilities and services which maintain or improve accessibility to services and facilities, secure employment, economic and environmental objectives, and improve safety and amenity.*
- *Foster social inclusion by ensuring that full advantage is taken of the opportunities to secure a more accessible environment for everyone that the development of land and buildings provides. This includes helping to ensure that development is accessible by means other than the private car.*



#### 4.2 Technical Advice Notes (TANs):

- 11 Noise (1997)
- 12 Design (2014)
- 15 Development and Flood Risk (2004)
- 18 Transport (2007)
- 21 Waste (2014)

#### 4.3 Local Development Plan (January 2016):

- KP5 Good Quality and Sustainable Design
- KP8 Sustainable Transport
- KP12 Waste
- KP13 Responding to Evidenced Social Needs
- KP15 Climate Change
- EC3 Alternative Use of Employment Land and Premises
- EN10 Water Sensitive Design
- EN13 Air, Noise, Light Pollution and Land Contamination
- EN14 Flood Risk
- T1 Walking and Cycling
- T5 Managing Transport Impacts
- T6 Impact on Transport Networks and Services
- C1 Community Facilities
- C3 Community Safety/Creating Safe Environments
- C6 Health
- C7 Planning for Schools
- W2 Provision for Waste Management Facilities in Development

#### 4.4 The following Guidance was supplementary to Development Plan Policy now superseded by the Local Development Plan (LDP). However, the following are considered consistent with LDP policy and are relevant to the consideration of this proposal:

*Access, Circulation and Parking Standards* (January 2010)

*Waste Collection and Storage Facilities* (March 2007)

*Residential Design Guide* (March 2008)

### 5. **INTERNAL CONSULTEES RESPONSES**

#### 5.1 The **Operational Manager, Transportation**, makes the following comments:

- (i) The submitted Transport Statement (TS) assumes that the same number of vehicular trips, i.e. 10No two-way during a typical PM peak hour will be associated with the place of worship together with 1No additional trip for the three bed dwelling, at this time, despite the submission being greater in scale from that which was previously approved under 14/01523/DCO. Therefore the TS fails to demonstrate what the traffic impact of the development would be over and above that which has previously obtained consent.

- (ii) The submitted TS therefore assumes that the maximum number of people likely to attend this facility (up to 20 worshippers generally and up to 30No worshippers on a Friday lunch time) will be the same as that which was previously approved. The additional floor area, i.e. 934m<sup>2</sup> compared with 532m<sup>2</sup> (which includes a 3 bed dwelling and Community Hall) suggests that the number of visitors would likely be more than this figure and that there would be an intensification in use over and above that which has previously obtained consent.
- (iii) No 'Framework Travel/Event Management Plan' has been submitted in support of this new application as was required by condition previously under 14/01523/DCO and which would assist in supporting those statements made within the submitted TS, i.e. that a large number of people would walk to/from the site. This document should also address the management of events held on the site when up to 100 people are expected to attend the Eid Festivals which typically occur twice a year and those that would likely occur as a result of the proposed new community hall and increase in floor area.
- (iv) On the basis of the above an objection from Transportation would be forthcoming and I would suggest the following Reason for Refusal: *The application does not satisfactorily address the likely vehicular trip generation that would be associated with the development and therefore fails to demonstrate that the use of the site would not adversely impact on the efficient operation of the local highway network.*

5.2 The **Operational Manager, Environment (Contaminated Land)**, has been consulted and any comments received will be reported to Committee.

5.3 The **Operational Manager, Waste Management**, advises that the application gives no details for the proposed storage of waste and recycling and requests that these details be submitted to enable the suitability of the waste storage provision to be assessed. She advises that:

- (i) The proposed residential unit will require storage provision for 1 x 140 litre bin for general waste, 1 x 25 litre kerbside caddy for food waste and green bags for mixed recycling;
- (ii) The kitchen should be designed to allow the separation of waste into three waste streams; general, recycling and food waste, in order to encourage the correct disposal of waste;
- (iii) The mosque is permitted to use the free domestic waste collection with the residential unit. Larger bins can be allocated;
- (iv) The developers of all new residential units are required to purchase the bin provision required for each unit. The bins have to meet the Council's specifications and can be purchased directly by contacting the Waste Management's commercial team;
- (v) The Community Hall will require a commercial waste collection contract. This waste must not be mixed with the waste from the residential unit or Mosque, and will therefore require a separate storage location. The Council can collect and dispose of this waste by arrangement;
- (vi) The Waste Collection and Storage Facilities Supplementary Planning Guidance contains further relevant information.

- 5.4 The **Operational Manager, Environment (Noise & Air)**, recommends a condition in the event that planning permission is granted to prevent the use of external speakers for amplified sound and speech.
- 5.5 The Council's **Access Officer** has been consulted and any comments received will be reported to Committee.
- 5.6 The Council's **Drainage Officer** has no objection in principle to the application, although where ground conditions are suitable he advises that surface water should be drained via sustainable drainage techniques, such as permeable paving or soakaways, as indicated in TAN 15. Although it has been stated that the area of low permeability is not changing, the site is being completely re-developed and therefore he expects the applicant to improve the current surface water drainage situation (assuming that there is currently no soakaway or attenuation system, as no details have been forwarded as part of the application). In light of the above and in order to minimise any risk of flooding and pollution he would request a relevant condition be attached to any planning permission.

## 6. **EXTERNAL CONSULTEES RESPONSES**

- 6.1 **Dwr Cymru Welsh Water (DCWW)** requests that conditions are added to any permission that is granted to ensure that no surface water drains into the public sewerage system and no operational development takes place within 5 metres either side of the centreline of the public sewer crossing the site. They also recommend that advisory notes be attached reminding the applicant of the need to apply for any connection to the public sewer under Section 106 of the Water Industry Act 1991, and recommending that they contact DCWW to establish whether any other public sewers or lateral drains exist (previously in private ownership) which may be affected by the development.
- 6.2 The **South Wales Police Design Out Crime Advisor** has been consulted and any comments received will be reported to Committee.
- 6.3 **Natural Resources Wales** do not object to the development. Section 6 of TAN15 requires the Local Planning Authority to determine whether the development at this location is justified and refer to the justification tests set out in section 6.2. It is their view that the development proposed in the application would result in the intensification of 'highly vulnerable development', with the likely introduction of more people into a **flood risk** area. They can confirm that the application site lies entirely within Zone C1 as defined by the Development Advice Map (DAM) referred to under Technical Advice Note 15: Development and Flood Risk (TAN15) (July 2004). Their Flood Map, which is updated on a quarterly basis, confirms the site to be within the 1% (1 in 100 year) and 0.1% (1 in 1000 year) annual probability fluvial flood outlines of the River Ely, a designated main river.
- 6.4 The Flood Consequences Assessment (FCA) undertaken by RPS dated October 2015 (ref. JER6641), which includes their response to a data request

confirms that:

- (i) The proposed development consists of extensions to the existing structure and site levels will not be altered based on existing site levels of 8.42m AOD;
- (ii) The site will not flood during a 1 in 100 year plus climate change flood event and will therefore be designed flood free. These results are compliant with the frequency thresholds set out in A1.14 of TAN15.
- (iii) For the 1 in 1000 year flood event the site will flood to depths between 420 to 570 mm, which is considered to be within the limits of the tolerable conditions set out in A1.15 of TAN15. The depth of flooding is described to have a hazard to people classification of 'danger to some' (includes children, the elderly and the infirm).

6.5 It is for the Local Planning Authority to determine whether the risks and consequences of flooding can be managed in accordance with TAN15. They would recommend consultation with other professional advisors on the acceptability of proposals and on matters they cannot advise on, such as, emergency plans, procedures and measures to address structural damage that may result from flooding. The submitted FCA should aid considerations in terms of evacuation routes, access to and egress from the site. They do not normally comment on or approve the adequacy of flood emergency response and procedures accompanying development proposals, as they do not carry out these roles during a flood. Their involvement during a flood emergency would be limited to delivering flood warnings to occupants/users. The developer can also access advice and information on protection from flooding from the ODPM publication 'Preparing for Floods: Interim Guidance for Improving the Flood Resistance of Domestic and Small Business Properties', which is available from the Planning Portal website.

6.6 Should the Local Planning Authority be minded to grant planning permission then they would suggest an informative note on the decision notice, recommending the applicant to consider the future insurability of this development. Although they have no involvement in this matter they would advise the applicant to review the Association of British Insurers published a paper, 'Climate Adaptation: Guidance on Insurance Issues for New Developments', to help ensure any properties are as flood proof as possible and insurable.

6.7 In respect of **potential for land contamination**, they consider that the controlled waters at this site are not of highest environmental sensitivity, therefore they will not be providing detailed site-specific advice or comments with regards to land contamination issues. They recommend that the requirements of Planning Policy Wales and the Guiding Principles for Land Contamination (GPLC) be followed. This is based on our assumption that gross contamination is not present at this location. If, during development, gross contamination is found to be present at the site the Local Planning Authority may wish to re-consult Natural Resources Wales.

- 6.8 Their records indicate that there is a **historic landfill** within 250m of the proposed development site and their understanding is that the local planning authority holds detailed information to inform planning decisions about risks posed by landfill gas and other factors.
- 6.4 **Network Rail** has no objection in principle and makes a number of detailed comments regarding requirements for the safe operation of the railway and the protection of their adjoining land. These comments include:
- (i) The provision and future maintenance of a suitable trespass proof fence (of at least 1.8m in height) adjacent to their boundary. Vegetation must remain undisturbed;
  - (ii) Additional or increased flows of surface water should not be discharged onto their land or into their culvert or drains. It is recommended that soakaways should not be constructed within 10 metres of their boundary;
  - (iii) No work should be carried out that may endanger the safe operation of the railway or the stability of their structures and adjoining land;
  - (iv) Construction and future operation of the development must not affect the safety, operation or integrity of the operational railway, Network Rail and its infrastructure or undermine or damage or adversely affect any railway land or structures. There must be no encroachment of the proposal onto Network Rail land. Any future maintenance must be conducted solely within the applicant's land ownership. Should the applicant require access to Network Rail land then they must seek approval from Network Rail Asset Protection Team.
  - (v) All roads, paths or ways providing access to any part of the railway undertaker's land shall be kept open at all times during and after the development.
  - (vi) No trees should be planted closer than 1.5 times their mature height to the boundary fence. The developer should adhere to Network Rail's advice guide on acceptable tree/plant species. Any tree felling works where there is a risk of the trees or branches falling across the boundary fence will require railway supervision.
  - (vii) Any scaffold which is to be constructed adjacent to the railway must be erected in such a manner that at no time will any poles or cranes over-sail or fall onto the railway. All plant and scaffolding must be positioned, that in the event of failure, it will not fall on to Network Rail land.
  - (viii) Any lighting associated with the development (including vehicle lights) must not interfere with the sighting of signalling equipment and/or train drivers vision on approaching trains. The location and colour of lights must not give rise to the potential for confusion with the signalling arrangements on the railway.
  - (ix) The close proximity of the proposed site could bring a risk to the railway and Asset Protection involvement may be required. The Developer should contact the Network Rail's Asset Protection Western Team well in advance of mobilising on site or commencing any works.

## 7. **REPRESENTATIONS**

7.1 **Councillor R Cook** states his objection concerning the increase in traffic from worshippers at the mosque in what is already a very busy area with schools, a GP surgery, vet, nursery, gym and other commercial units which have many visitors and deliveries. When the paper mill site is fully developed the area will become even busier. In addition, when the traffic computer modelling was carried out for the paper mill site any additional traffic from a place of worship like this mosque was not factored in to the model. He therefore considers that the modelling should be repeated by the applicant to ascertain whether the additional journeys generated from this application would mean that more changes to the highway network are needed so that traffic flows freely.

7.2 **7 no. objections** have been received from the occupiers of 136 Broad Street, 15, 17 and 20 Lansdowne Avenue West, 108 Broad Street, The Hollies Day Care Nursery and one unaddressed email. The grounds for objection are summarised as follows:

- (i) Increased traffic congestion and parking problems, the existing network and parking provision will not cope with more traffic leading to overspill parking on surrounding streets; The existing school, nursery, clinic and other businesses causes parking chaos;
- (ii) Traffic congestion will cause access problems for emergency vehicles;
- (iii) Previous application gave assurances that the development is for a very small community that would not affect the area;
- (iv) Minaret will cause unnecessary noise at unsociable hours;
- (v) Requests that Planning Committee carry out a site visit before determining the application;
- (vi) The future Wiggins Teape/Ely Paper Mill will also lead to increased traffic;
- (vii) Local businesses were assured that most parents would walk or cycle to the new primary school and the increase in traffic would be acceptable. Since the school opened, the traffic and parking situation has deteriorated significantly;
- (viii) The pupil intake to Ysgol Treganna has increased, further exacerbating the traffic and parking issues;
- (ix) The Hollies currently employs 43 staff and anticipates an additional 8 no. staff in future, accommodating up to 130 children, which is expected to rise to 150. Many staff live outside Cardiff therefore they have to travel by car. A proportion of staff who live locally cycle or walk to work;
- (x) Traffic congestion will worsen at the afternoon peak time when 5.30pm prayer coincides with the end of the business day;
- (xi) Queries the extent of neighbour consultations that have been carried out;
- (xii) Questions whether a traffic survey relating to Sanatorium Road has taken place?
- (xiii) The applicant's agent states that new premises are required due to

- the applicant's increasing membership. Queries the projected increase in membership and the impact upon the application;
- (xiv) Questions whether the premises are licenced for a specified maximum attendance;
  - (xv) Application completely changes the appearance and size of the buildings on the site;
  - (xvi) Floor space will more than double from 428 to 928 metres (excluding the storage containers which were non-permanent structures which have since been removed from the site). Queries the permitted increase per planning regulations;
  - (xvii) It is not clear how parking for 22 no. vehicles will be accommodated;
  - (xviii) It is impossible to accurately estimate the size of the congregation in attendance at any given point;
  - (xix) Requests confirmation on the capacity of the Community Hall and the Mosque;
  - (xx) Queries the traffic and parking implications when both the Community Hall and Mosque are used to full capacity;
  - (xxi) Inconsistent with the business and educational buildings in the area;
  - (xxii) Proposals do not reflect the height, scale and massing of business and residential premises in the vicinity;
  - (xxiii) Impact upon natural light to neighbouring properties;
  - (xxiv) Concerns regarding continued rights of access for neighbouring occupier and waste storage;
  - (xxv) Seeks confirmation that the crèche will be for worshippers only.

## 8. **ANALYSIS**

- 8.1 The key issues for the consideration of this application are the principle of the change of use to Class D1 (Non-Residential Institutions), the design and appearance of the proposed extensions and dwelling, transportation considerations, impact upon residential amenity and flood risk.

### **Principle of Development**

- 8.2 The principle of the changing the use of the site from Class B1 (Business) to Class D1 (Non-Residential Institutions) has been established by the decision of Planning Committee to grant planning permission for a similar proposal by the same applicant in March 2015. Paragraph 3.1 of this report summarises the details of this application which was accompanied by an Employment Marketing Statement.

### **Design and Appearance**

- 8.3 This application proposes an increase in floor space from approximately 448 square metres to approximately 707 square metres (excluding the Imam's residence), an increase of approximately 259 square metres (37%).
- 8.4 The extensions to the first floor of the main building will increase the scale and massing of the building along Sanatorium Road, however it is considered that the marginal increase in building height by 1.5 metres above the existing first

floor is unlikely to be overbearing in the street scene. It is acknowledged that the use of appropriate external finishes, fenestration design, and dentil course would improve the aesthetics of the existing building.

- 8.5 The dome, which has a maximum height of approximately 13 metres, and the minaret, which would be approximately 18 metres in height, are considered to be satisfactory in design terms, being typical features for the intended use. Both features will be prominent features in the street scene and would also be visible from the upper floors of residential properties on Lansdowne Avenue West, north of the site beyond the railway line.
- 8.6 The proposed Imam's residence, being attached to the rear (north) elevation would largely be screened from the public highway, although views of the rear (east) elevation would be possible when approaching the site from the east. The finished appearance of the dwelling is considered to be acceptable.
- 8.7 The dwelling would front onto the carpark behind the main building, and would be separated from it by a 0.6m wall, which would offer a degree of defensible space. However, the only private amenity space for this large, three bedroom dwelling would be a 12.5 square metre patio in front of the main entrance to the dwelling. This patio would be adjacent to the public access to the Mosque offices and would be defined by the 0.6m wall. It would overlook the car park.
- 8.8 Planning Policy Wales, 8<sup>th</sup> Edition (PPW8) emphasises the need for quality, good design in and the creation of places to live that are safe and attractive in well-designed living environments (paragraph 9.1.2). Technical Advice Note 12 advises that *"Development proposals, in relation to housing design, should aim to create places with the needs of people in mind"* and *"focus on the quality of the places and living environments for pedestrians rather than the movement and parking of vehicles."* (paragraph 5.11.2). *"The location and definition of public and private space and the design of boundary treatment are particularly important for housing...every effort should be made to orientate dwellings so that they front existing roads and spaces"* (paragraph 5.11.4).
- 8.9 Cardiff's Residential Design Guide (2008) outlines design policies for new residential development and intends to secure the highest standards of design in new developments. Although this guidance was produced as Supplementary Planning Guidance (SPG) to Development Plan Policy now superseded by the Local Development Plan (LDP), it is considered to be relevant to consideration of the proposed three-bedroom family dwelling.
- 8.10 This SPG states that *"The provision of useable and appropriate amenity space is required as part of all residential proposals. For all houses and for ground floor flats that will likely serve as family accommodation, enclosed and secure private rear gardens should be provided. The size of gardens should reflect the character of the area and it must be demonstrated that they are appropriate to the size and type of accommodation proposed. Depending on context, gardens should measure at least 10.5m in depth or 50m<sup>2</sup> overall."* (Objective 2.2 p10). It also states that *"The aspect of proposed dwellings should be considered to ensure that they face out on to a pleasant street scene rather than a bland*



*parking area.*” (Objective 2.3 p12) and habitable rooms should overlook the streetscape and the wider public realm (Objective 9.1 p27).

- 8.11 Whilst it is acknowledged that the proposed dwelling would be ancillary to the main use of the site as a place of worship, it is considered that the future occupiers of this three-bedroom dwelling should still be provided with a good quality living environment. The habitable rooms of the proposed dwelling would not front Sanatorium Road, instead they either face onto the main car park, or towards the Community Hall from less than 3 metres away. Furthermore, the only private amenity space would comprise a mere 12.5 square metres, would be sited at the front of the dwelling immediately adjacent to the car park and the public access to the Mosque offices and would not enjoy the benefit of satisfactory privacy screening. It is considered that the future occupiers of this family dwelling would experience a poor quality living environment.

### **Transportation Considerations**

- 8.12 The Transport Statement (TS) accompanying the application is predicated on the basis that the maximum number of members attending each service will be not more than 30, except for the annual Eid celebrations when up to 100 people could attend. The TS also assumes that 50% of worshippers will use non-car modes of travel as they live within 2 miles of the site, and two members will arrive in each car. The same figures were relied upon for the previous change of use application which Committee approved in March 2015.
- 8.13 Paragraph 8.3 of this analysis summarises the increased scale of the proposed development in floor space terms, an increase of approximately 37% above the existing premises. The women’s prayer room would be 65 square metres, the men’s prayer room would be 144 square metres, and the community/dining hall would be 136 square metres. It is considered that the scale of development proposed indicates that the number of visitors would likely be more than the figures relied upon in the TS and that there would be an intensification in use of the site over and above that which has previously obtained consent. The Operational Manager, Transportation, considers that the TS fails to demonstrate what the traffic impact of the development would be over and above that which has previously obtained permission.
- 8.14 Furthermore, it is noted that the application contains no information on the intended frequency of use of the proposed Community/Dining Hall. It is common for such ancillary facilities to be used for weddings and other religious festivals, as well as being available for hire for private events. Mindful of the amount of floor space proposed and the attached kitchen and toilet facilities, it is reasonable to assume that this hall be could operate on a regular basis by large groups of people. The application is silent on this issue.
- 8.15 It is also noted that the TS contains no information or evidence to back up the assumption that half of the worshippers would use non-car modes of travel to and from the site, and those that drive will ‘car-share.’
- 8.16 It is considered that the application fails to demonstrate that the development

will not cause unacceptable harm to the safe and efficient operation of the local highway network, contrary to the provisions of LDP Policies T6 and C1 (iv).

### **Residential Amenity**

- 8.16 LDP Policy C1 encourages proposals for new religious facilities, subject to their satisfying five criteria, of which number (ii) places a requirement on such developments not unduly prejudicing the amenities of neighbouring and nearby residential occupiers. It is noted that the neighbouring occupiers to the application site include a school, a doctor's surgery and pharmacy, a child day care facility and a printing company. The nearest residential properties are located immediately north of the application site on Lansdowne Avenue West beyond the railway embankment (approximately 5 metres high) and further away to the east (Broad Street) and southeast (Heol Terrel).
- 8.17 Although the application does not specify the proposed hours of opening nor does it confirm whether the applicant intends to operate an amplified call to prayer, it is considered that the amenities of the existing residential properties in the vicinity of the application site can be adequately safeguarded through relevant conditions restricting the hours of use and preventing any amplified call to prayer from the minaret.
- 8.18 In undertaking a site visit, the case officer observed an extraction unit in the side (east) elevation of the adjacent printing company immediately east of the application site. Mindful that no habitable rooms in the proposed three bedroom would face towards this neighbouring occupier, it is not considered that a reason for refusal on these grounds could be sustained.
- 8.19 It is not considered that the proposed development would result in an adverse loss of light for neighbouring properties.

### **Flood Risk**

- 8.20 The Flood Consequences Assessment (FCA) accompanying the application confirms that existing site levels will not be altered and the site will not flood during a 1 in 100 year event. Although there will be flooding to a depth of between 420 to 475mm in a 1 in 1000 year event, this is considered to be within the limits of tolerable conditions set out in TAN 15. It is noted that the Natural Resources Wales (NRW) do not object to the proposals on grounds of flood risk (paragraph 6.3).
- 8.21 It is considered that the risks and consequences of flooding can be managed in accordance with TAN15. It is noted that the premises would have a means of escape to first floor in the unlikely event of a flood emergency.

### **Third Party Representations**

- 8.22 In respect of the third party representations which have not already been addressed in this report:

- (i) It is for Planning Committee to determine whether a Committee site visit is necessary;
- (ii) Each application must be determined on its own planning merits;
- (iii) The publicity for this application exceeds the requirements of Article 12 of The Town and Country Planning (Development Management Procedure) (Wales) Order 2012;
- (iv) The licencing requirements for the premises would be assessed under separate legislation;
- (v) The plans accompanying the application detail the proposed parking arrangements;
- (vi) The permitted capacity of the Community Hall and Mosque would be assessed against Part B of the Building Regulations (Fire Safety), which allows 0.5 square metres per person for assembly halls and 1 square metre per person for dining rooms;
- (vii) Access rights over the application site would not be affected by the decision on this application;
- (viii) It is assumed that the proposed crèche would be an ancillary function for worshippers. A relevant condition could secure this if it was deemed necessary.

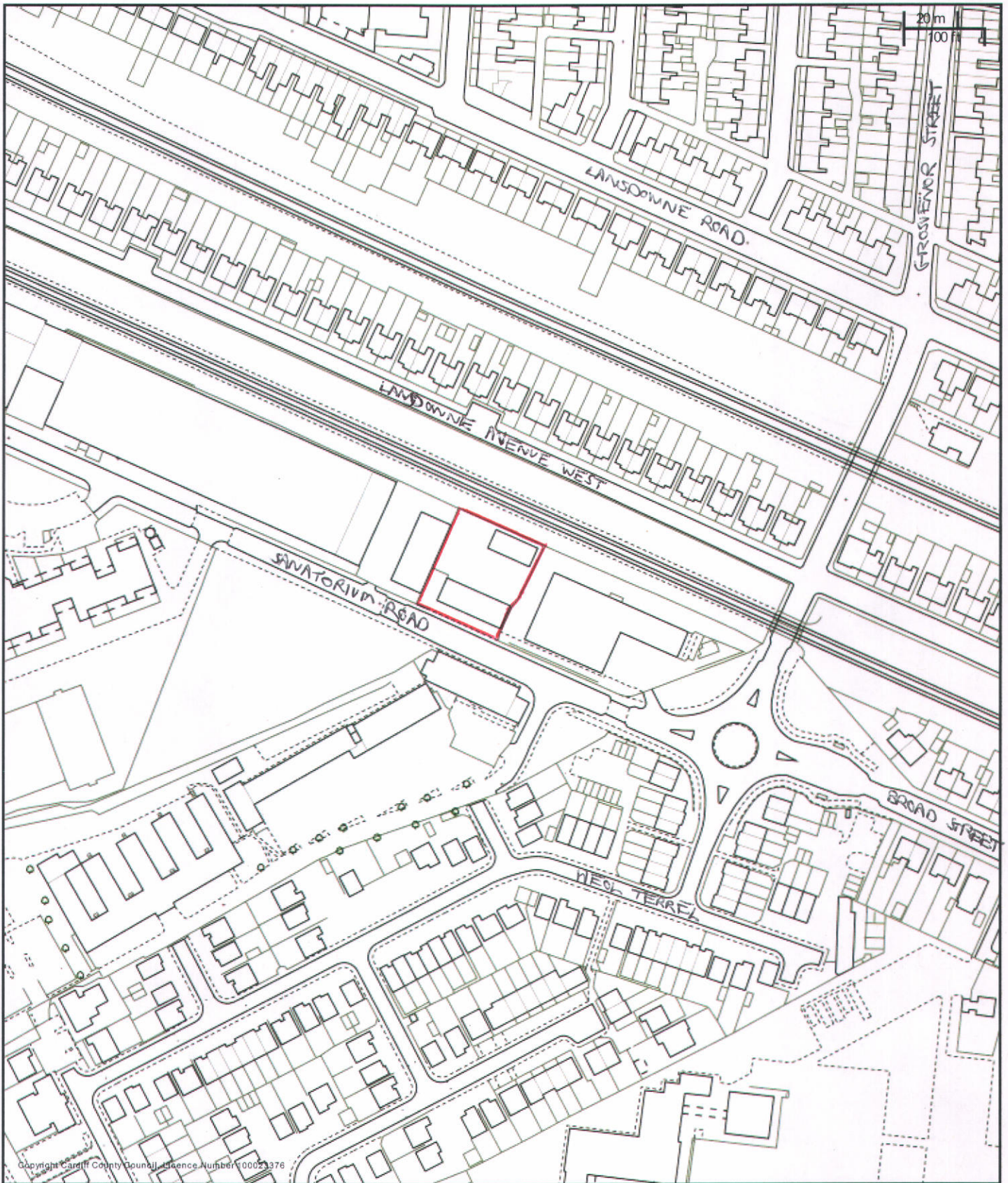
### **Other Considerations**

- 8.23 Section 17(1) of the Crime and Disorder Act 1998 imposes a duty on the Local Authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. This duty has been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable increase in crime and disorder as a result of the proposed decision.
- 8.24 The Equality Act 2010 identifies a number of 'protected characteristics', namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; marriage and civil partnership. The Council's duty under the above Act has been given due consideration in the determination of this application. It is considered that the proposed development does not have any significant implications for, or effect on, persons who share a protected characteristic.

### **Conclusion**

- 8.25 It is considered that the application fails to address the vehicular trip generation that is likely occur from the proposed development and therefore fails to demonstrate that the development will not cause unacceptable harm to safe and efficient operation of the local highway network.
- 8.26 It is also considered that the proposed dwelling, by reason of its siting and orientation, and inadequate provision of inadequate private amenity space, would result in a poor quality living environment for future occupiers.
- 8.27 It is therefore recommended that the application be refused for these reasons.





Copyright Cardiff County Council, Licence Number 100023376

CHIEF EXECUTIVE  
 Paul Orders  
 County Hall  
 Atlantic Wharf  
 Cardiff CF10 4UW  
 Tel: 029 20872000

**City of Cardiff Council**  
**Cyngor Dinas Caerdydd**



Title

Scale: 1:2000

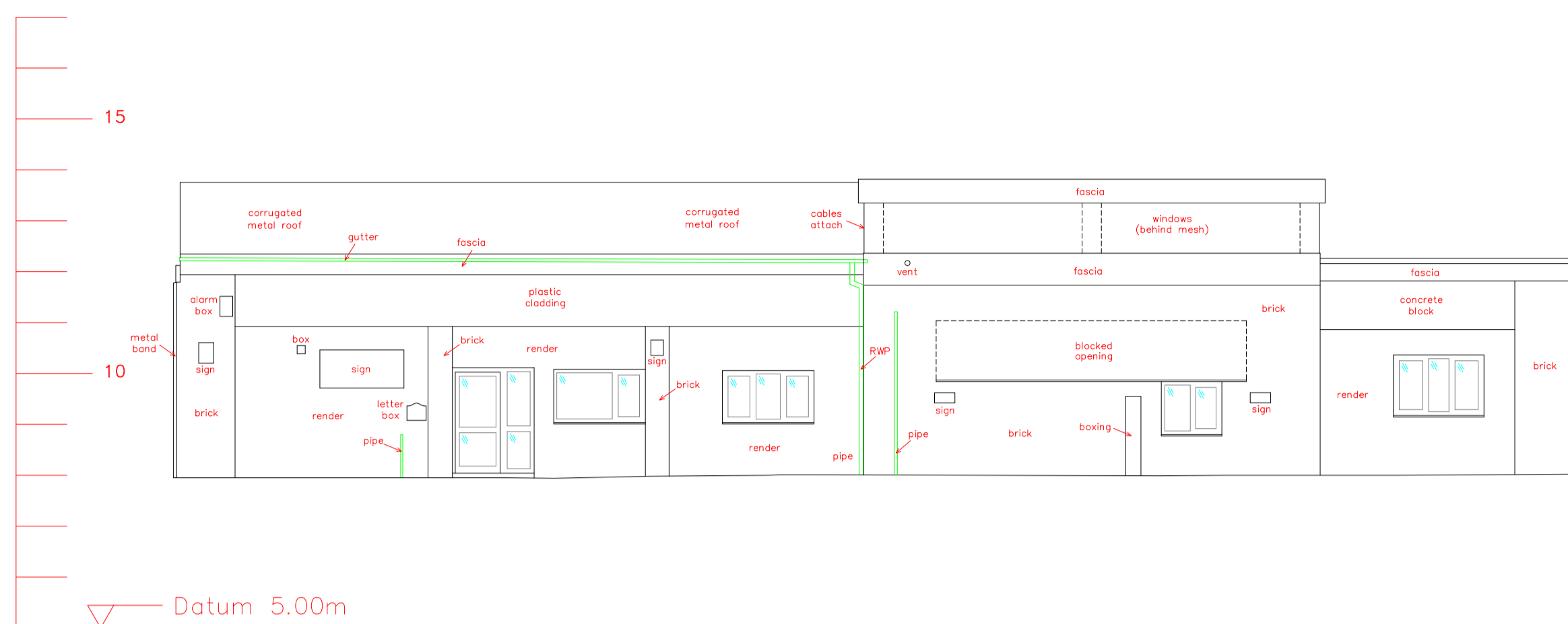
Date: 25/2/2015

Coordinates:

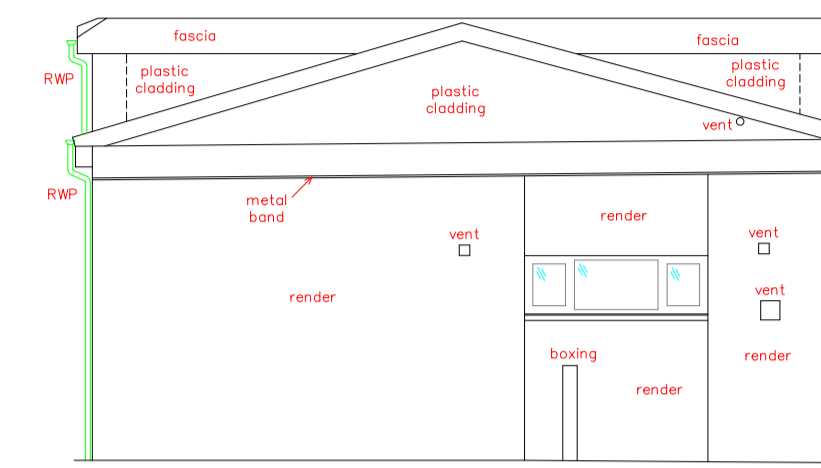
© Crown copyright and database rights (2014).  
 This copy is produced specifically to supply County Council information NO  
 further copies may be made.

Ordnance Survey 100023376 (2014).

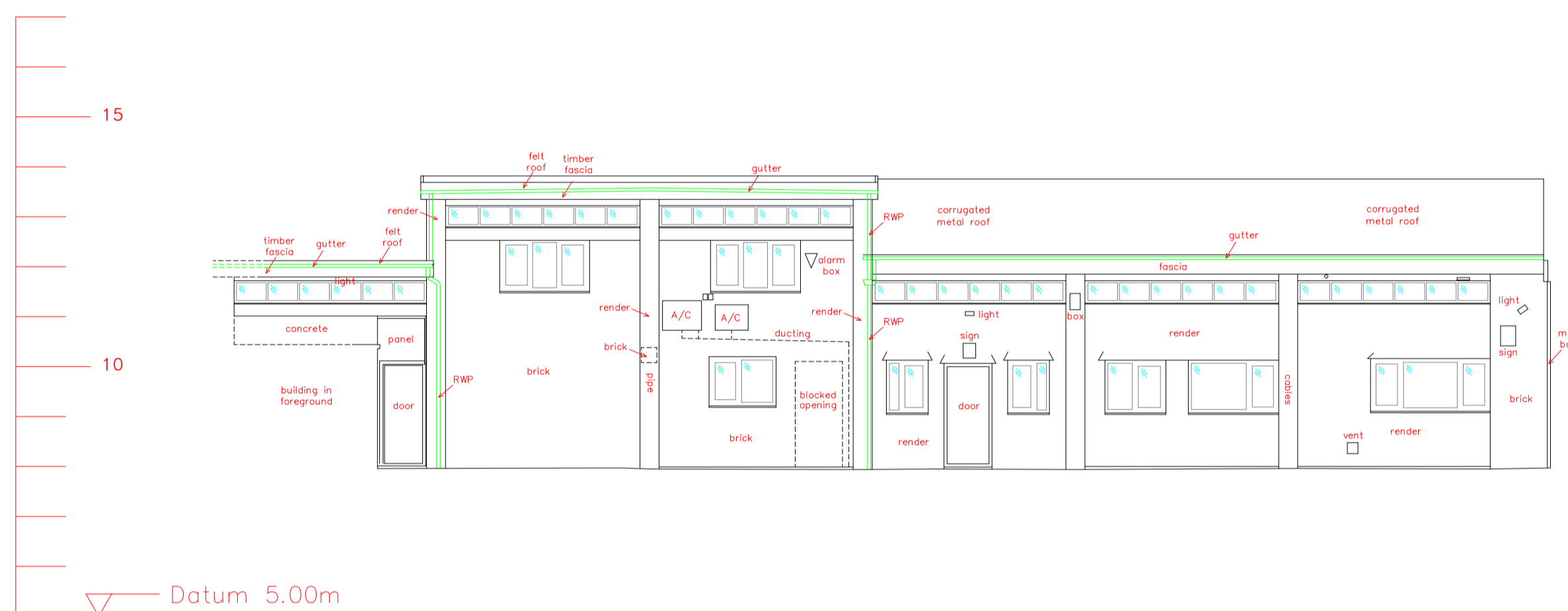




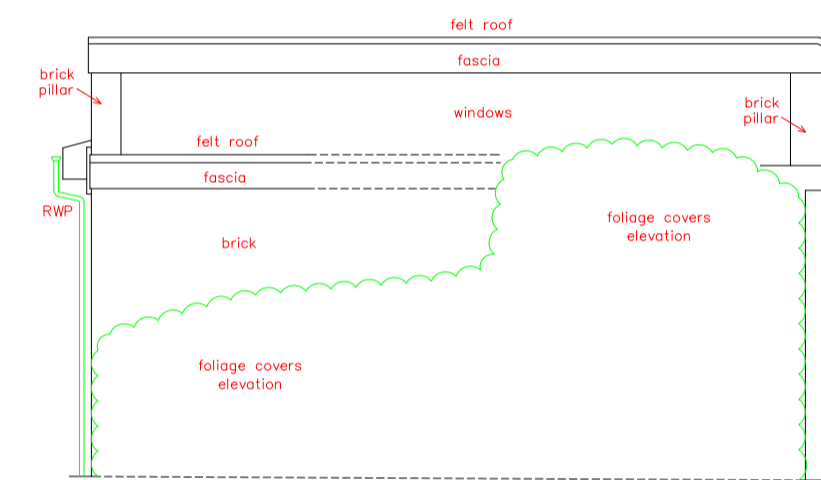
Main Building – South Elevation



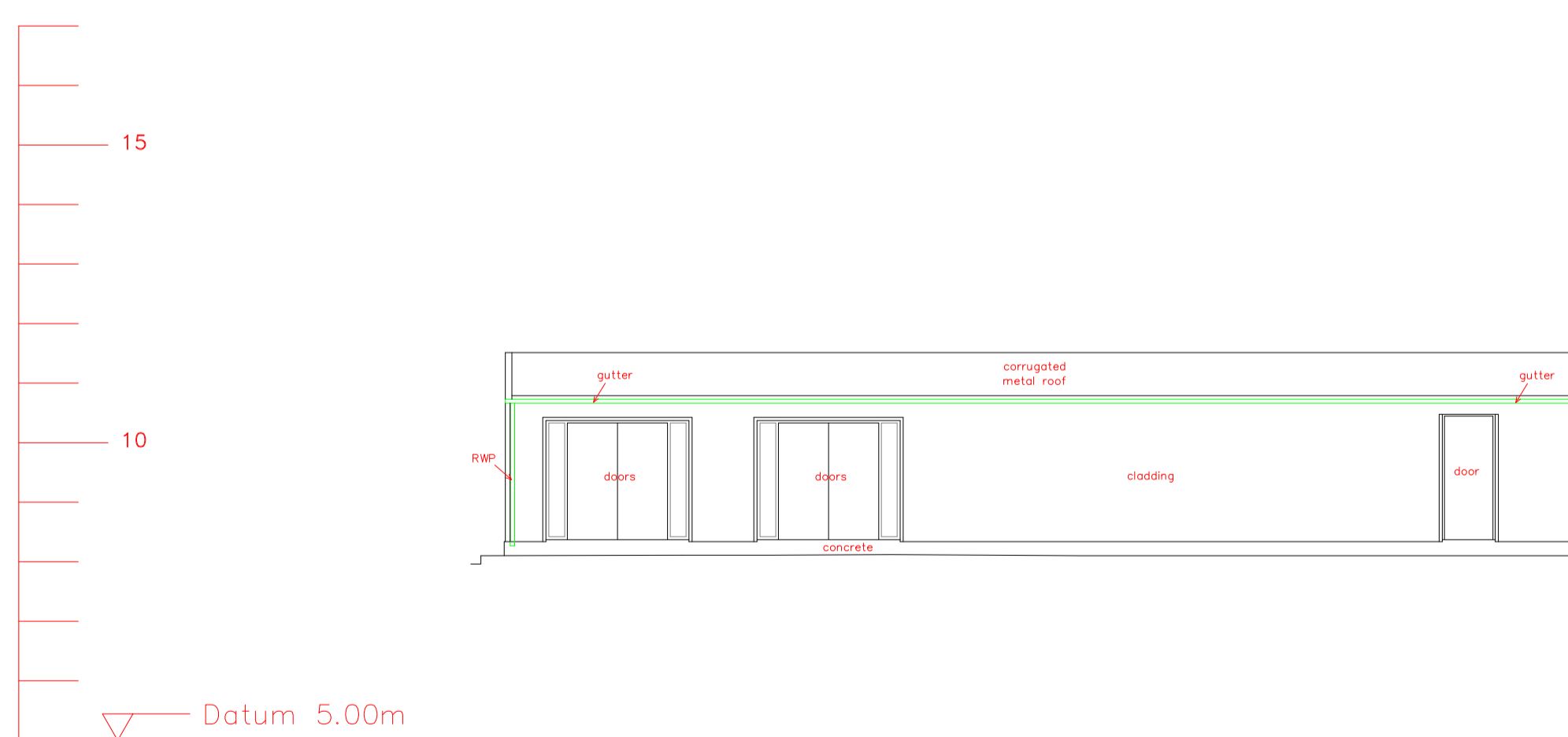
West Elevation



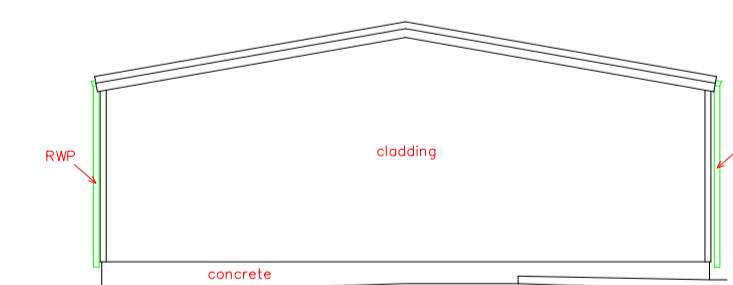
Main Building – North Elevation



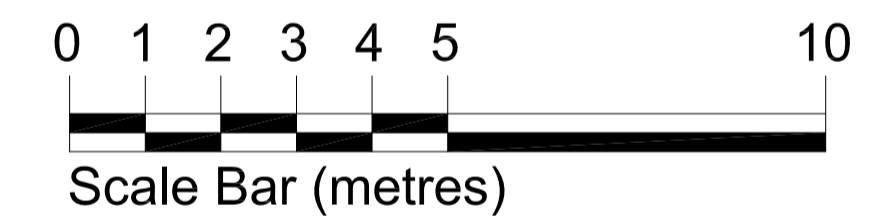
East Elevation



Workshop – South Elevation

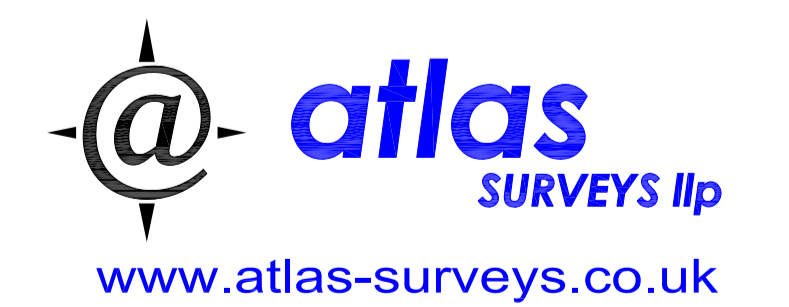


West Elevation



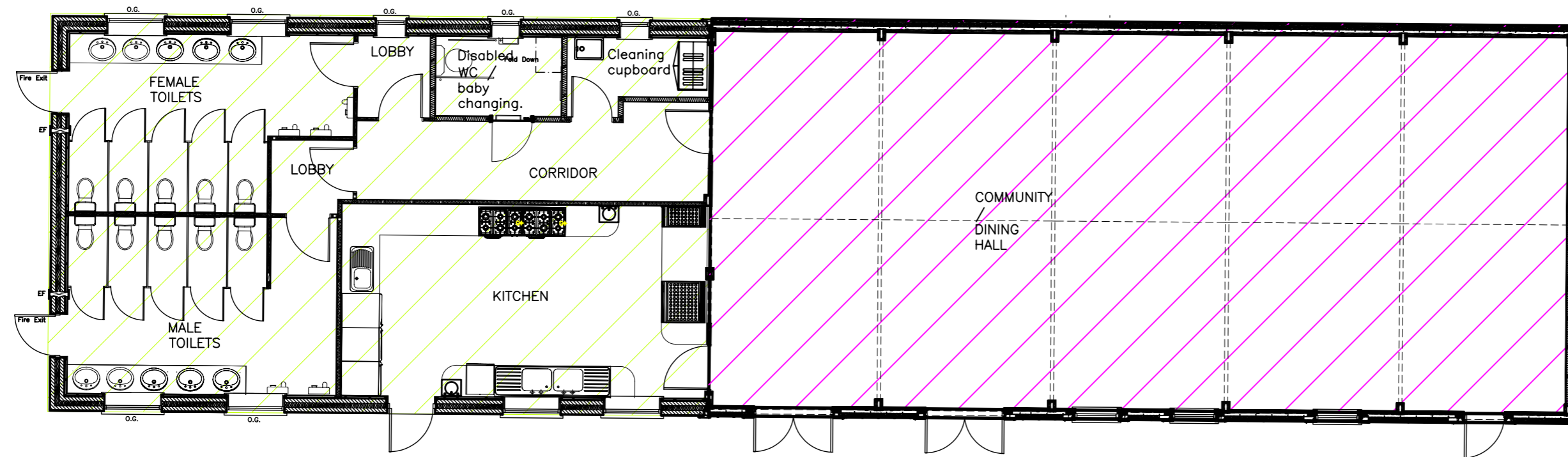
ABBREVIATIONS					
AH	arch apex height	K	key operated switch	FCH	false ceiling height
A/C	air conditioning	ID	invert depth	U/S	underside
BH	beam height	MH	manhole	BSU	beam slopes up
CH	ceiling height	RA	roof access		
CL	cover level	S/L	skylight		
CSU	ceiling slopes up	SH	sill height		
DH	door height	SPH	arch spring height		
HH	head height	SVP	soil vent pipe		
HT	height	UTR	unable to raise		
IC	inspection cover	RWP	rainwater pipe		

- NOTES
- Features shown dashed are indicative only.
  - Security bars are not shown.



Sanatorium Road Cardiff, CF11 8SU			
Elevations			
Scale	1:100	Dwg No.	ASP1395-2
Surveyed by	R A Davies	Job Number	ASP1395
Drawn by	J P A Taylor	Date	July 2014
Checked by	R A Davies	Status	Final
Coord Grid	Local Grid centred on OS National Grid		
Level Datum	Ordnance Survey Datum via GPS Active Network		

The Copyright in the Plans remain vested in Atlas Surveys. We will grant an irrevocable license for use by the Client upon receipt of full payment. Plans are provided prior to receipt of payment under a temporary license. All errors are the responsibility of the Client. Atlas Surveys is not responsible for any errors or omissions. The Client shall not claim or demand any amount of damages, whether from a third party or otherwise, arising from the use of the Plans. No liability for accuracy or any other service is intended. All services to be held in confidence.



NOTE

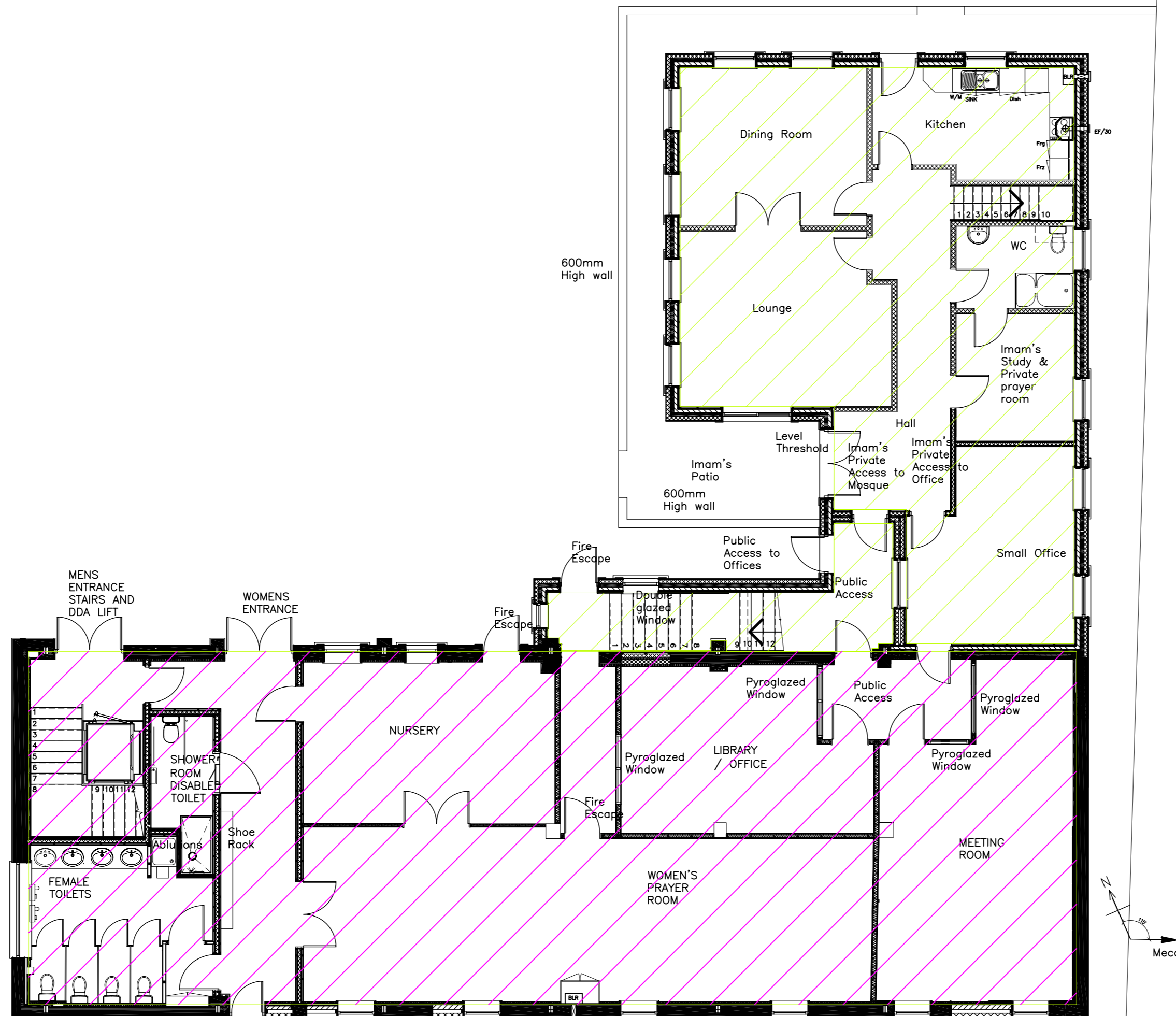
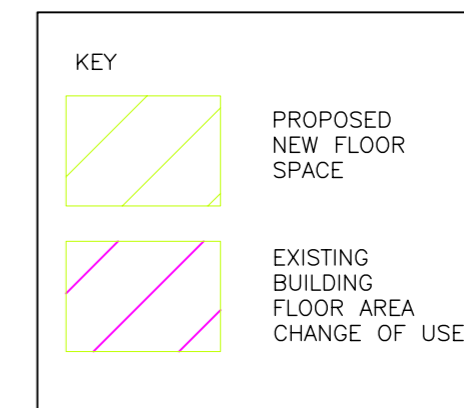
THIS DRAWING IS THE COPYRIGHT © OF GAP ARCHITECTURAL & ENGINEERING DESIGN SERVICES. IT MUST NOT BE COPIED (EITHER IN FULL OR PART) NOR AMENDED WITHOUT THE EXPRESS WRITTEN CONSENT OF GAP ARCHITECTURAL & ENGINEERING DESIGN SERVICES.

ANY AMBIGUITIES, ANOMALIES, DISCREPANCIES, OR OMISSIONS MUST BE REPORTED TO GAP ARCHITECTURAL & ENGINEERING DESIGN SERVICES.

DO NOT SCALE USE DIMENSIONS ONLY

THIS DRAWING IS TO BE READ IN CONJUNCTION WITH THE GENERAL SPECIFICATION AND ANY COSSH DOCUMENTS RELATING TO SPECIFIC MATERIALS.

WHERE NON-GENERIC MATERIALS HAVE BEEN SPECIFIED, ALTERNATIVES MAY ONLY BE USED WITH THE WRITTEN CONSENT OF GAP ARCHITECTURAL & ENGINEERING DESIGN SERVICES. AS THIS MAY AFFECT THE ENERGY PERFORMANCE RATING OF THE BUILDING AND HENCE FAILURE UNDER APPROVED DOCUMENT PART L OF THE BUILDING REGULATIONS.



REV.	DESCRIPTION	DATE
------	-------------	------

**GAP ARCHITECTURAL & ENGINEERING DESIGN SERVICES**

"NYTHFA"  
 BEDWLWYN ROAD  
 YSTRAD MYNACH  
 HENGOED  
 CAERPHILLY CBC  
 CF82 7AB  
 TEL 01443 831844  
 Mobile: 0792 3265127  
 Email: info@gap-architectural.co.uk  
 Web: www.gap-architectural.co.uk

CLIENT  
**Ahmadiyya Muslim Association UK**

PROJECT TITLE  
**The Cardiff Mosque at Sanatorium Road, Cardiff.**

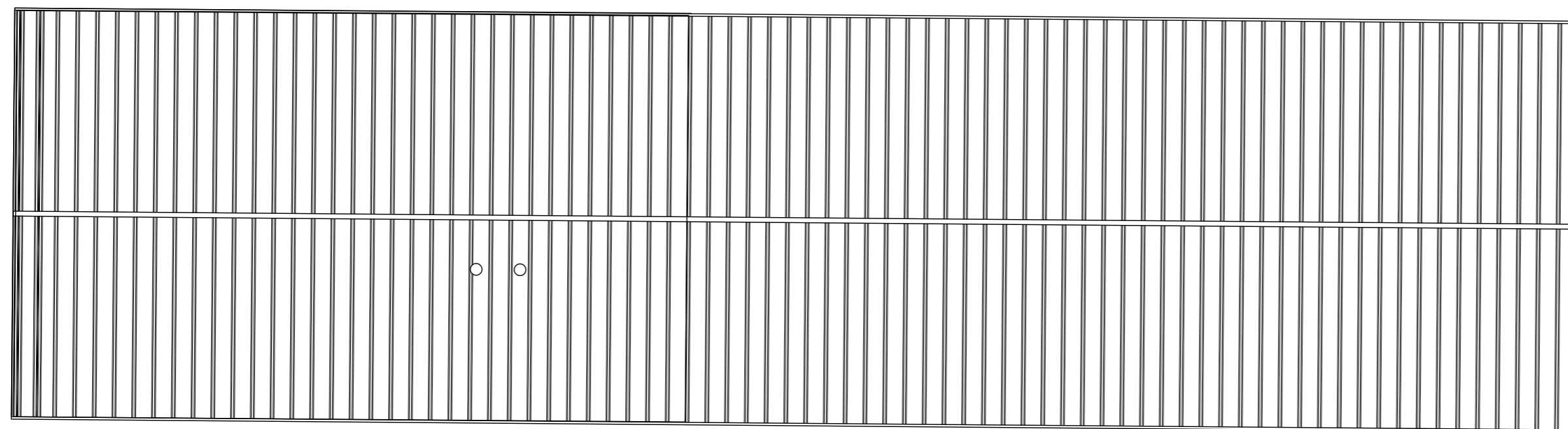
DRAWING TITLE  
**Proposed Site Layout showing, change of use and proposed new floor area – Ground Floor**

SCALE  
 1/100 @ A2

DRAWN BY SBH	PROJECT – DRAWING NO.
-----------------	-----------------------

DATE OCT 2015	221
------------------	-----

FILE Planning	REV. PLO
------------------	-------------



NOTE

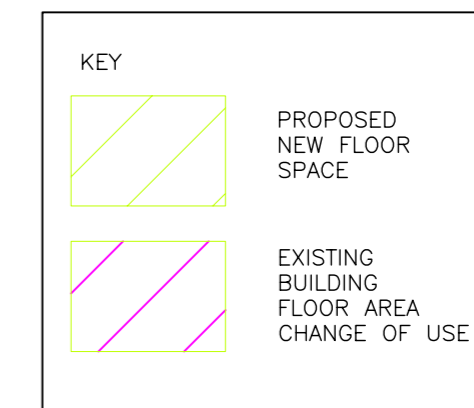
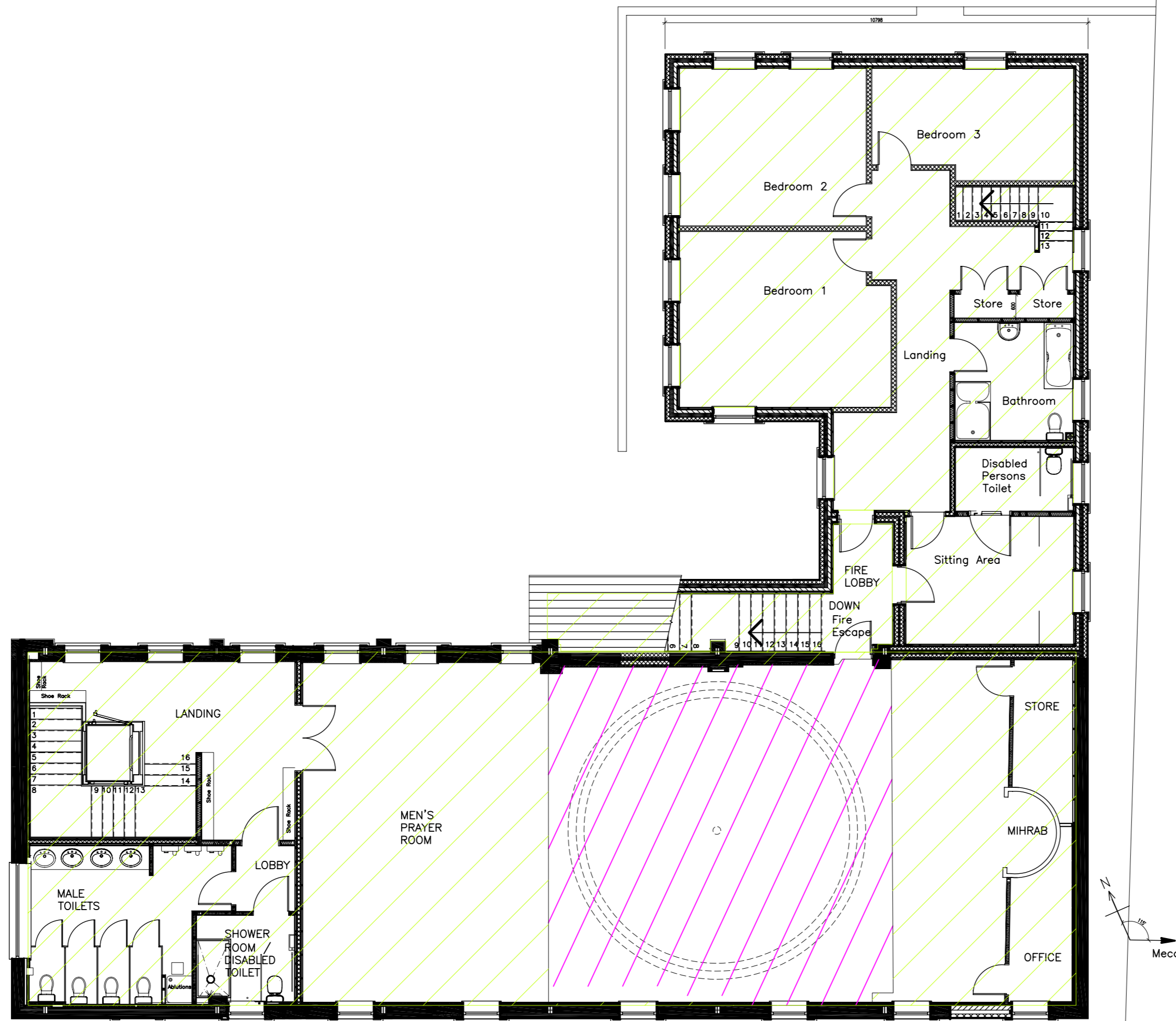
THIS DRAWING IS THE COPYRIGHT © OF GAP ARCHITECTURAL & ENGINEERING DESIGN SERVICES. IT MUST NOT BE COPIED (EITHER IN FULL OR PART) NOR AMENDED WITHOUT THE EXPRESS WRITTEN CONSENT OF GAP ARCHITECTURAL & ENGINEERING DESIGN SERVICES.

ANY AMBIGUITIES, ANOMALIES, DISCREPANCIES, OR OMISSIONS MUST BE REPORTED TO GAP ARCHITECTURAL & ENGINEERING DESIGN SERVICES.

DO NOT SCALE USE DIMENSIONS ONLY

THIS DRAWING IS TO BE READ IN CONJUNCTION WITH THE GENERAL SPECIFICATION AND ANY COSSH DOCUMENTS RELATING TO SPECIFIC MATERIALS.

WHERE NON-GENERIC MATERIALS HAVE BEEN SPECIFIED, ALTERNATIVES MAY ONLY BE USED WITH THE WRITTEN CONSENT OF GAP ARCHITECTURAL & ENGINEERING DESIGN SERVICES. AS THIS MAY AFFECT THE ENERGY PERFORMANCE RATING OF THE BUILDING AND HENCE FAILURE UNDER APPROVED DOCUMENT PART L OF THE BUILDING REGULATIONS.



REV.	DESCRIPTION	DATE
------	-------------	------

**GAP ARCHITECTURAL & ENGINEERING DESIGN SERVICES**

"NYTHFA"  
 BEDWLWYN ROAD  
 YSTRAD MYNACH  
 HENGOED  
 CAERPHILLY CBC  
 CF82 7AB  
 TEL 01443 831844  
 Mobile: 0792 3265127  
 Email: info@gap-architectural.co.uk  
 Web: www.gap-architectural.co.uk

CLIENT  
**Ahmadiyya Muslim Association UK**

PROJECT TITLE  
**The Cardiff Mosque at Sanatorium Road, Cardiff.**

DRAWING TITLE  
**Proposed Site Layout showing, change of use and proposed new floor area – First Floor**

SCALE  
 1/100 @ A2

DRAWN BY SBH	PROJECT – DRAWING NO. 222
-----------------	------------------------------

DATE OCT 2015	REV. PL0
------------------	-------------

FILE Planning	REV. PL0
------------------	-------------



Existing Post and wire Steel boundary fence

Proposed Community Hall

NOTE  
 THIS DRAWING IS THE COPYRIGHT © OF GAP ARCHITECTURAL & ENGINEERING DESIGN SERVICES. IT MUST NOT BE COPIED (EITHER IN FULL OR PART) NOR AMENDED WITHOUT THE EXPRESS WRITTEN CONSENT OF GAP ARCHITECTURAL & ENGINEERING DESIGN SERVICES.  
 ANY AMBIGUITIES, ANOMALIES, DISCREPANCIES, OR OMISSIONS MUST BE REPORTED TO GAP ARCHITECTURAL & ENGINEERING DESIGN SERVICES.  
 DO NOT SCALE USE DIMENSIONS ONLY  
 THIS DRAWING IS TO BE READ IN CONJUNCTION WITH THE GENERAL SPECIFICATION AND ANY COSHH DOCUMENTS RELATING TO SPECIFIC MATERIALS.  
 WHERE NON-GENERIC MATERIALS HAVE BEEN SPECIFIED, ALTERNATIVES MAY ONLY BE USED WITH THE WRITTEN CONSENT OF GAP ARCHITECTURAL & ENGINEERING DESIGN SERVICES. AS THIS MAY AFFECT THE ENERGY PERFORMANCE RATING OF THE BUILDING AND HENCE FAILURE UNDER APPROVED DOCUMENT PART L OF THE BUILDING REGULATIONS.

Proposed Concrete kerbing along parking area.

Proposed Paved Path

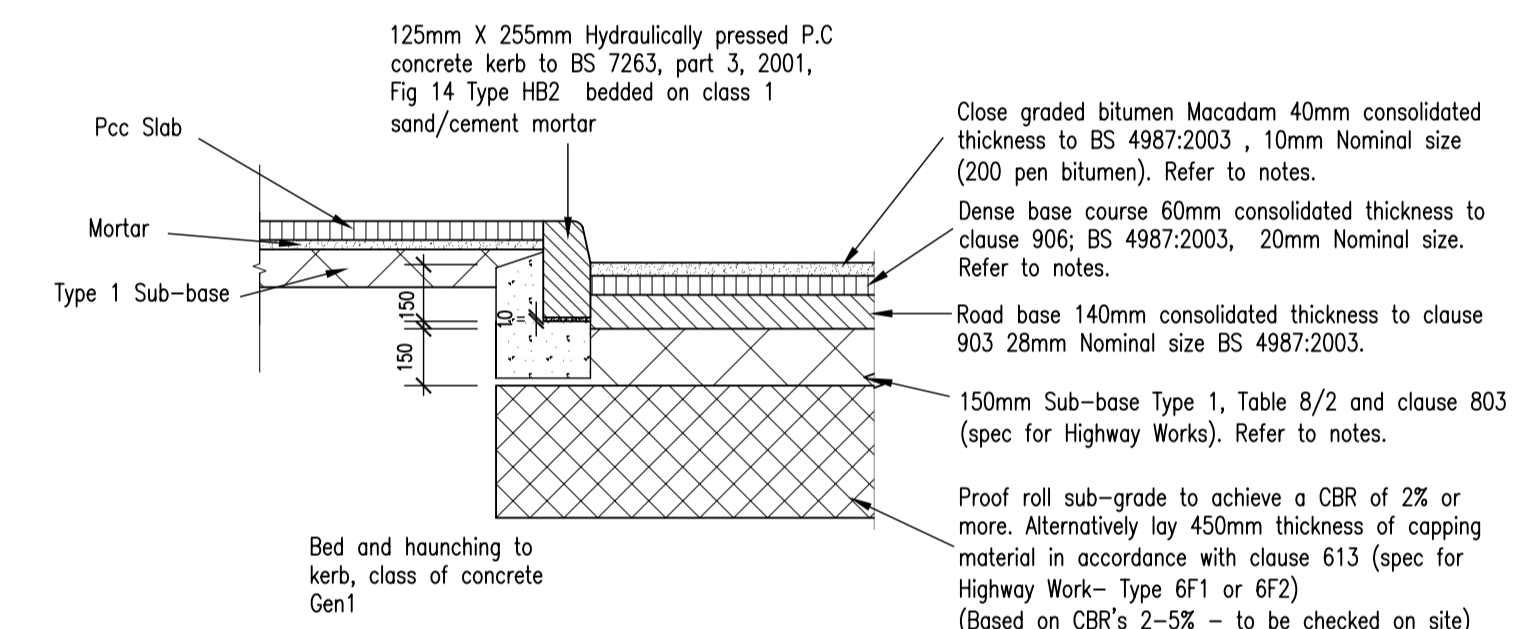
Proposed 600mm high dwarf wall

Proposed Paved Path

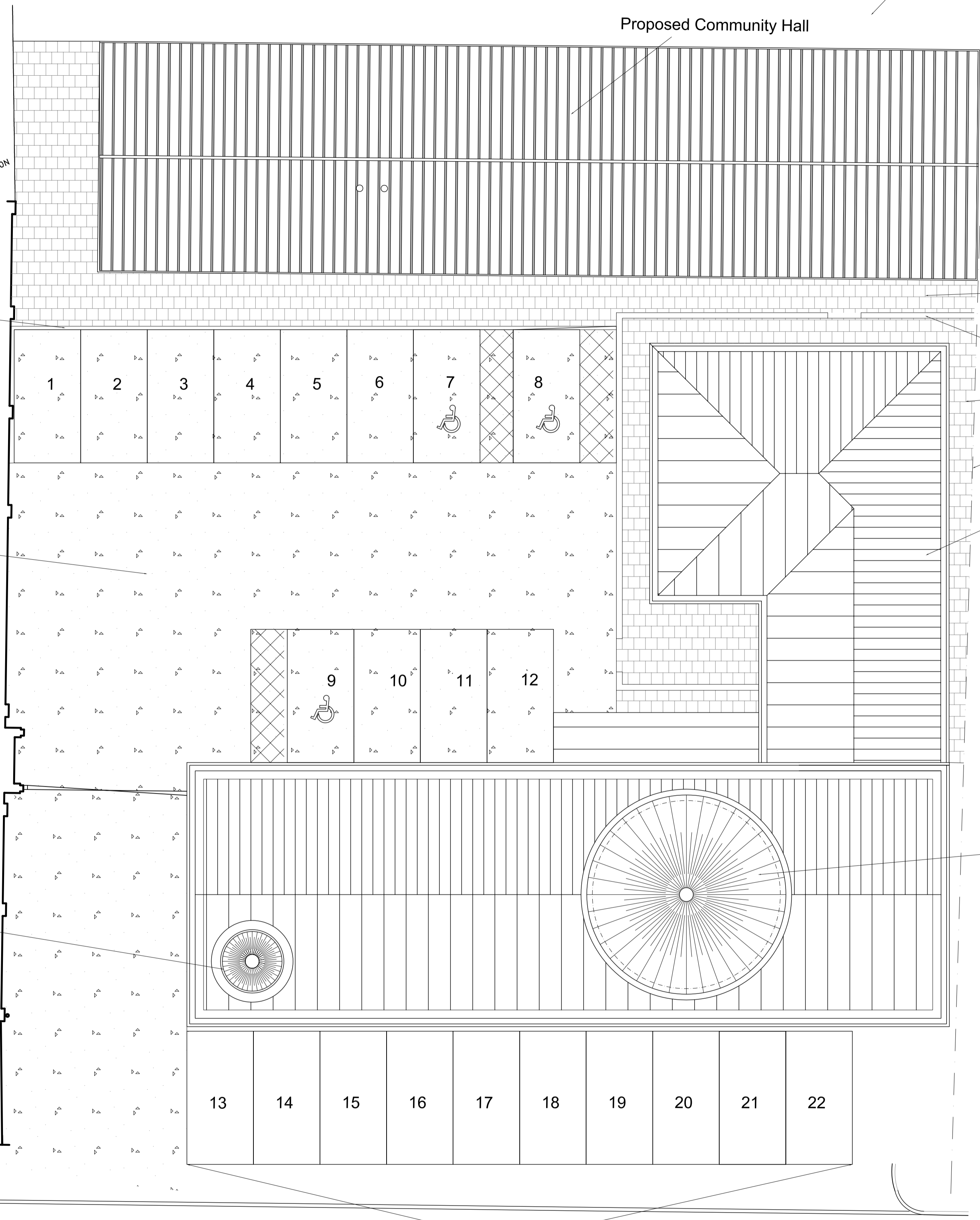
Proposed Steel Pallisade replacement boundary fence

Proposed Imam Residence

Proposed tarmac car park area.



LIGHT VEHICLE AREA / CAR PARKING  
 MACADAM ROAD CONSTRUCTION



Sanatorium Road

NOTE:- 10 number substandard parking bays (2.4m x 4.7m i.e. 100mm too short) however, custom & practise is for parking in this location and has previously been accepted by the Highways Authority as evident by the presence of a dropped kerb and hog back footway crossover along the majority of this frontage of Sanatorium Road

PL1	Disabled Person's Car Parking Increased	28/08/15
REV.	DESCRIPTION	DATE

**GAP ARCHITECTURAL & ENGINEERING DESIGN SERVICES**  
 "NYTHFA"  
 BEDWLWYN ROAD  
 YSTRAD MYNACH  
 HENGOED  
 CAERPHILLY CBC  
 CF82 7AB  
 TEL 01443 831844  
 Mobile: 0792 3265127  
 Email: info@gap-architectural.co.uk  
 Web: www.gap-architectural.co.uk

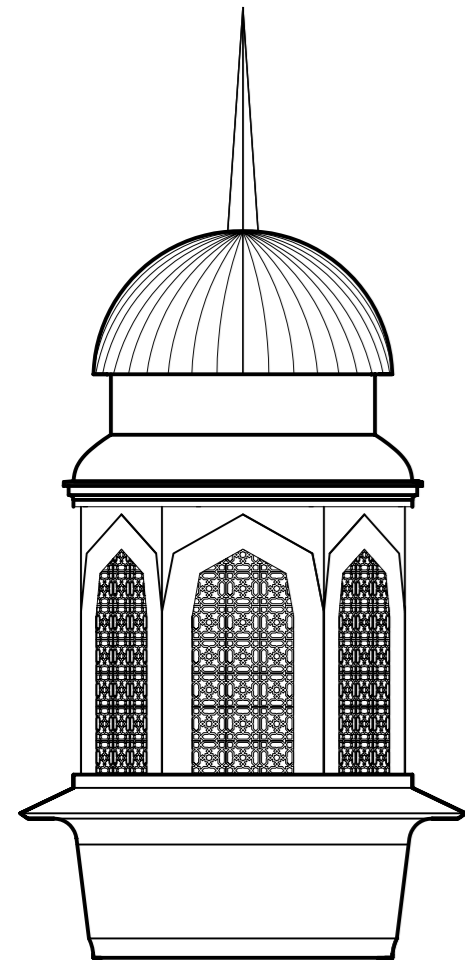
CLIENT  
 Ahmadiyya Muslim Association UK

PROJECT TITLE  
 The Cardiff Mosque  
 at Sanatorium Road, Cardiff.

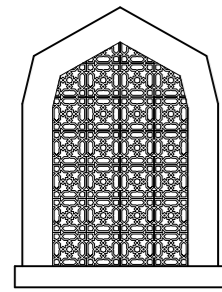
DRAWING TITLE  
 Proposed Site Layout & Hard  
 Landscaped Plan

SCALE	1/20, 1/100 @ A1	
DRAWN BY	SBH	PROJECT - DRAWING NO.
DATE	JUNE 2015	15-008-201
FILE	Planning	REV. PL1

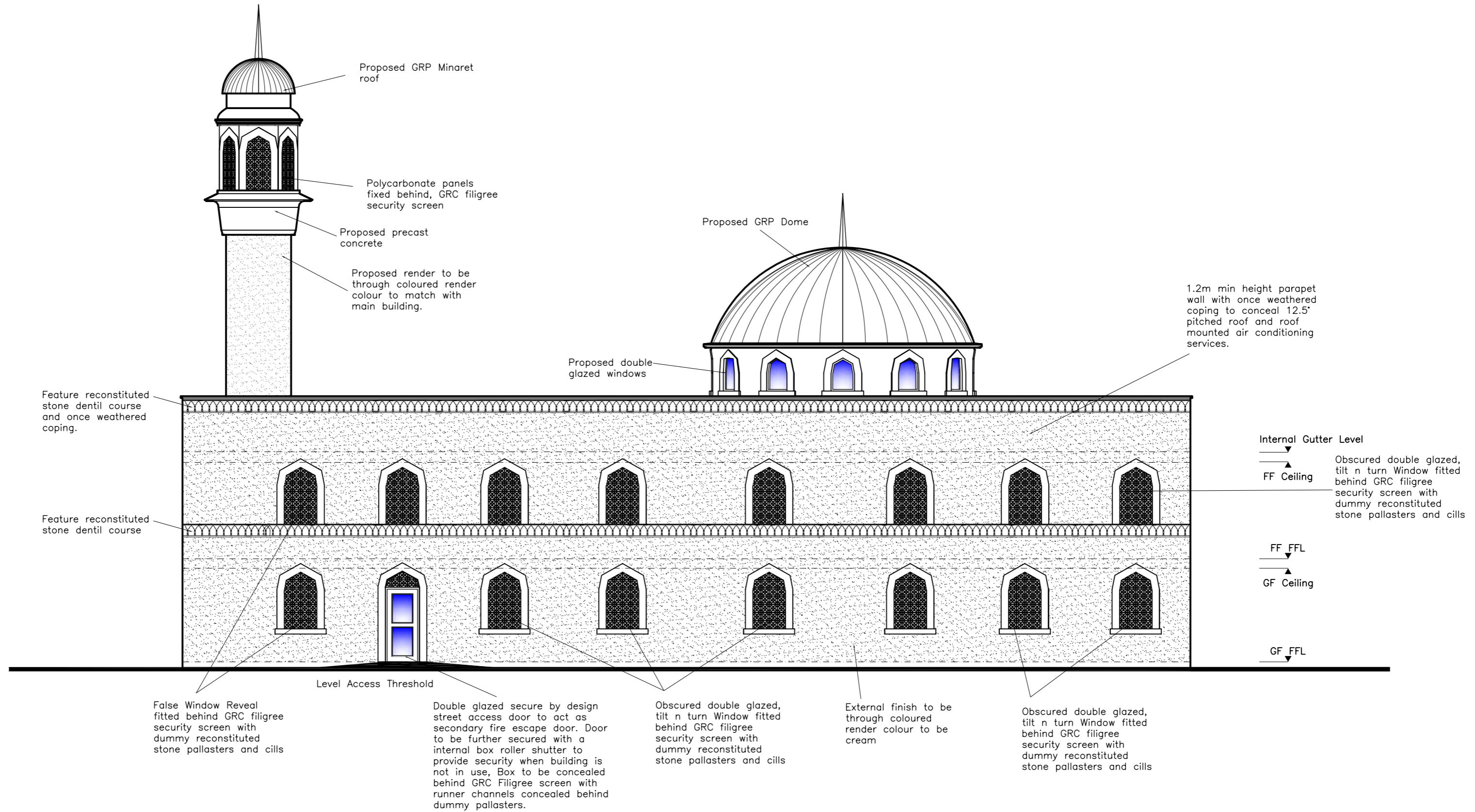




Enlarged view of Minaret



Detail of window GRC Filigree



NOTE

THIS DRAWING IS THE COPYRIGHT © OF GAP ARCHITECTURAL & ENGINEERING DESIGN SERVICES. IT MUST NOT BE COPIED (EITHER IN FULL OR PART) NOR AMENDED WITHOUT THE EXPRESS WRITTEN CONSENT OF GAP ARCHITECTURAL & ENGINEERING DESIGN SERVICES.

ANY AMBIGUITIES, ANOMALIES, DISCREPANCIES, OR OMISSIONS MUST BE REPORTED TO GAP ARCHITECTURAL & ENGINEERING DESIGN SERVICES.

DO NOT SCALE USE DIMENSIONS ONLY

THIS DRAWING IS TO BE READ IN CONJUNCTION WITH THE GENERAL SPECIFICATION AND ANY COSSH DOCUMENTS RELAIN TO SPECIFIC MATERIALS.

WHERE NON-GENERIC MATERIALS HAVE BEEN SPECIFIED, ALTERNATIVES MAY ONLY BE USED WITH THE WRITTEN CONSENT OF GAP ARCHITECTURAL & ENGINEERING DESIGN SERVICES. AS THIS MAY AFFECT THE ENERGY PERFORMANCE RATING OF THE BUILDING AND HENCE FAILURE UNDER APPROVED DOCUMENT PART L OF THE BUILDING REGULATIONS.

**GAP ARCHITECTURAL & ENGINEERING DESIGN SERVICES**

"Nythfa"  
Bedwlyn Road  
Ystrad Mynoch, Hengoed,  
Caerphilly CBC CF82 7AB  
Tel: 01443 831844  
Mobile: 07923265127  
Email: info@gap-architectural.co.uk  
WEB: http://www.gap-architectural.co.uk

Client  
Ahmadiyya Muslim  
Association UK

Revision	Date
P1 Single Dome	10-07-15
P2 Minor Amendments - Additional Minaret	20-07-15
P3 Minor Amendments - Additional Minaret	23-07-15
P4 Minor Amendments - Minaret amended	24-07-15

Project Title  
Proposed Mosque at Sanatorium  
Road Cardiff

Drawing Title  
Proposed Front Elevation  
As viewed from Sanatorium Road

Office of Origin  
VALLEYS OFFICE

Drawn By  
SBH

Scale  
1/50, 1/100  
@A2

Date  
June 2015

File  
-

Status  
PRELIMINARY

Project No.  
15-008

Drawing No.  
205

Revision  
P4



COMMITTEE DATE: 24/02/2016

APPLICATION No. **15/02760/MJR** APPLICATION DATE: 13/11/2015

ED: **SPLOTT**

APP: TYPE: Full Planning Permission

APPLICANT: Lidl UK GmbH

LOCATION: LIDL, EAST TYNDALL STREET, SPLOTT, CARDIFF, CF24  
5EH

PROPOSAL: DEMOLITION OF THE EXISTING FOODSTORE AND  
CONSTRUCTION OF A NEW LIDL FOODSTORE WITH  
ASSOCIATED PARKING AND SERVICING

**RECOMMENDATION 1:** That, subject to relevant parties entering into a binding planning obligation, in agreement with the Council under **SECTION 106** of the Town and Country Planning Act 1990, within 6 months of the date of this resolution unless otherwise agreed by the Council in writing, in respect of matters detailed in paragraph 8.7 of this report, planning permission be **GRANTED** subject to the following conditions:

1. C01 Statutory Time Limit
2. The consent relates to the application as amended by the revised plans numbered 15036-3020 revision T4 attached to and forming part of this planning application.  
Reason: The plans amend and form part of the application.
3. C3S Cycle Parking
4. The parking spaces and other hard surface details shown on plan number 15036-3020 rev. T4 shall be implemented prior to the beneficial use of the development and shall thereafter be retained and maintained.  
Reason: To ensure an orderly form of development and to ensure the safe movement of vehicles and pedestrians.
5. Details of a lighting scheme to the parking and other external areas shall be submitted to and approved in writing by the local planning authority. The scheme shall allow for (but not be limited to) focused, low intensity lighting that does not result in light pollution into the adjacent dwellings. The approved lighting shall be implemented prior to the beneficial use of the development and shall thereafter be retained and maintained.  
Reason: To ensure appropriate lighting for the safe movement of traffic and pedestrians within and adjacent to the site.
6. A scheme of construction management to include (but not be limited to) any; site hoardings, site access, management of all activities impinging on the highway, diversion of the existing footway during the construction

period/traffic management measures/ re-instatement of the footway as a consequence of damage to it during construction etc. shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved scheme.

Reason: In the interests of highway safety and public amenity.

7. Details of a scheme to reinstate the footway to the existing redundant crossover, and construct the new vehicle crossover shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented prior to the beneficial occupation of the development.

Reason: In the interests of visual amenity and to secure the safe movement of pedestrians.

8. Customers shall only be admitted to or allowed to remain on the premises between the hours of 08:00 to 22:00 Mondays to Saturdays and 10:00 to 16:00 on Sundays.

Reason: To protect the amenity of adjacent residential occupiers.

9. There shall be no arrival, departure, loading or unloading of delivery vehicles between the hours of 07:00 and 21:00.

Reason: To ensure the amenities of occupiers of other premises in the vicinity are protected.

10. The net sales floorspace shall not exceed 1,432 sq m either by internal or external alteration and shall only be used for the sale of convenience goods, except for a maximum of 286 sq m (net) which may be used for the sale of non-convenience goods, and for no other purpose including those set out in Class A1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking, amending or re-enacting that Order with or without notification. (For the avoidance of doubt convenience goods shall be taken to mean: Food, drink, tobacco, household cleaning products, newspapers and magazines). None of this floorspace shall be subdivided.

Reason: To ensure that changes to the type, format and scale of development do not compromise the retail strategy of the development plan and/or national planning guidance.

11. The refuse storage and disposal details hereby approved shall be implemented prior to the beneficial use of the development and shall thereafter be retained and maintained unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure an orderly form of development and to protect the amenities of the area.

12. F7Y Ground Gas Protection

13. C7Za CONTAMINATED LAND MEASURES - ASSESSMENT

14. C7Zb CLM - REMEDIATION & VERIFICATION PLAN
15. C7Zc CLM - REMEDIATION & VERIFICATION
16. C7Zd CLM - UNFORESEEN CONTAMINATION
17. D7Z Contaminated materials
18. E7Z Imported Aggregates
19. Any site won material including soils, aggregates, recycled materials shall be assessed for chemical or other potential contaminants in accordance with a sampling scheme which shall be submitted to and approved in writing by the Local Planning Authority in advance of the reuse of site won materials. Only material that meets site specific target values approved by the local planning authority shall be reused.  
Reason: To ensure that the safety of future occupiers is not prejudiced in accordance with policy 2.63 of the Cardiff Unitary Development Plan.
20. C2N Drainage details
21. D4A Landscape Scheme
22. C4R Landscaping Implementation
23. H7G Plant Noise

**RECOMMENDATION 2** : To protect the amenities of occupiers of other premises in the vicinity attention is drawn to the provisions of Section 60 of the Control of Pollution Act 1974 in relation to the control of noise from demolition and construction activities. Further to this the applicant is advised that no noise audible outside the site boundary adjacent to the curtilage of residential property shall be created by construction activities in respect of the implementation of this consent outside the hours of 0800-1800 hours Mondays to Fridays and 0800 - 1300 hours on Saturdays or at any time on Sunday or public holidays. The applicant is also advised to seek approval for any proposed piling operations.

**RECOMMENDATION 3** : The contamination assessments and the effects of unstable land are considered on the basis of the best information available to the Planning Authority and are not necessarily exhaustive. The Authority takes due diligence when assessing these impacts, however you are minded that the responsibility for

- (i) determining the extent and effects of such constraints and;
- (ii) ensuring that any imported materials (including, topsoils, subsoils, aggregates and recycled or manufactured aggregates / soils) are chemically suitable for the proposed end use. Under no circumstances should controlled waste be imported. It is an offence under section 33



of the environmental Protection Act 1990 to deposit controlled waste on a site which does not benefit from an appropriate waste management license. The following must not be imported to a development site:

- Unprocessed / unsorted demolition wastes.
- Any materials originating from a site confirmed as being contaminated or potentially contaminated by chemical or radioactive substances.
- Japanese Knotweed stems, leaves and rhizome infested soils. In addition to section 33 above, it is also an offence under the Wildlife and Countryside Act 1981 to spread this invasive weed; and

- (iii) the safe development and secure occupancy of the site rests with the developer.

Proposals for areas of possible land instability should take due account of the physical and chemical constraints and may include action on land reclamation or other remedial action to enable beneficial use of unstable land.

The Local Planning Authority has determined the application on the basis of the information available to it, but this does not mean that the land can be considered free from contamination.

**RECOMMENDATION 4** : That the applicant be advised that the required highways improvement works (reinstatement of redundant crossover and construction of new crossover) are to be subject to an agreement under Section 278 of the Highways Act 1980.

**RECOMMENDATION 5** : Bats often roost in houses, buildings and trees, and work on these buildings and trees may disturb a bat roost. All bats and their roosts are protected against disturbance under UK and European legislation. If works are planned on buildings or trees in which bats are known to be roosting, Natural Resources Wales must be contacted for advice.

If work has already commenced and bats are found, or if any evidence that bats are using the site as a roost is found, work should cease and NRW should be contacted immediately.

Where bats or their roosts are present, no works of site clearance, demolition or construction should take place unless a licence to disturb these species and/or their roosts has been granted in accordance with the relevant legislation.

NRW can be contacted at:-

Natural Resources Wales

Ty Cambria

29 Newport Road

Cardiff

CF24 0TP

Tel : 0300 065 3000

For further advice on bats please contact :

The Bat Conservation Trust  
5th Floor  
Quadrant House  
250 Kennington Lane  
London  
SE11 5DR  
Tel : 0845 1300228

## 1. **DESCRIPTION OF PROPOSED DEVELOPMENT**

- 1.1 An application for the demolition of an existing LIDL foodstore, to be replaced by a newly constructed, larger LIDL foodstore, with associated a new parking and external area.
- 1.2 The application indicates that the new store would increase the floorspace from approx. 1044sqm to approx. 2448sqm (+1404sqm). The new building increases the existing footprint in an easterly and southerly direction, towards the adjacent industrial estate and East Tyndall Street respectively. The adjacent vacant premises (formerly a café/restaurant, more recently a car wash) is also to be demolished to cater for the new parking surface. The increased footprint results in a relocation of the existing access off East Tyndall Street further eastward, and makes the existing crossover redundant.
- 1.3 The new building has a 'wedge' design, with the lowest point being adjacent to the western boundary (and the dwellings fronting Sapele Drive) measuring approx. 4.5m high, increasing to approx. 7.9m high to the car park frontage. The entrance foyer is to the south-east corner (similar to existing), with a glazed wall running the length of the East Tyndall Street frontage. The remainder of the building is finished in white render, with 'White Aluminium' (light grey) cladding above and to the roof.
- 1.4 The proposed delivery area is to the north of the new building, adjacent to the boundary with the dwellings on Neilson Close (as existing). A HGV tracking plan has been submitted that indicates how delivery vehicles would utilise the expanded parking area to manoeuvre into the delivery bay in reverse gear.
- 1.5 Access to the proposed store remains similar to existing, with a relocated vehicle and pedestrian access off East Tyndall Street, and a pedestrian path off Sanquhar Street. The existing footpath access that continues through the site to East Tyndall Street is to be retained, with that area crossing the parking surface highlighted by Zebra Crossing markings, with the amended layout plan also providing for a guard rail to the sides of the path that lie adjacent to the parking bays.
- 1.6 The application forms indicate store opening times of 08:00 to 22:00 Monday to Saturday and 10:00 to 16:00 on Sundays.

## 2. **DESCRIPTION OF SITE**

- 2.1 The site is approx. 6337sqm in area, formed by the existing store land and

adjacent vacant commercial premises.

- 2.2 The adjacent properties on City Road are in mixed commercial/residential use with both having restaurant uses to their ground floors.

The areas to the north and west of the site are predominantly residential in nature, with commercial and some residential uses to the east and south.

### 3. **SITE HISTORY**

- 3.1 94/1678R – Proposed retail unit – Approved  
94/1787R – residential development for 31 flats & houses – Approved  
06/2693E – Enclosure of loading bay, creation of entrance foyer and external works – Approved  
11/2097DCI – Renewal of pp 06/2693E – Approved  
15/280MJR – Demolish existing foodstore and construct new foodstore – Withdrawn  
15/1446MJR – Demolish existing foodstore and construct new foodstore - Withdrawn

### 4. **POLICY FRAMEWORK**

- 4.2 The relevant Local Development Plan Policies are:

Policy KP5 (Good Quality and Sustainable Design)

Policy EN14 (Flood Risk)

Policy T1 (Walking and Cycling)

Policy T5 (Managing Transport Impacts)

Policy W2 (Provision for Waste Management Facilities in Development)

### 5. **INTERNAL CONSULTEE RESPONSES**

- 5.1 The Transportation Manager has no objection. The amended layout plan satisfies concerns over a possible conflict between pedestrians, manoeuvring delivery vehicles and parking/parked cars within the new parking area of the site. Guard rails are proposed that segregate the pedestrian path and vehicle bays.

Notwithstanding the amended layout plan, details of cycle parking provision are required and the parking provision as indicated on the approved plans should be implemented prior to beneficial use.

The development requires the reinstatement of the footpath to East Tyndall Street where the existing crossover is made redundant, and the construction of a new crossover. These works are to be undertaken by the developer and will be subject to an agreement under Section 278 of the Highways Act 1980.

The developer has agreed to make a contribution of £20,000 towards the provision of a raised Zebra Crossing on East Tyndall Street.



- 5.2 The Waste Manager considers the specified refuse management plan of storing waste 'in-store' before transporting to Regional Distribution Centres for sorting is acceptable.
- 5.3 The Pollution Control Manager (Contaminated Land) has no objection, subject to conditions in respect of contamination, along with contaminated land advice.
- 5.4 The Pollution Control Manager (Noise & Air) has been consulted and any comments will be reported to Committee.

## 6. **EXTERNAL CONSULTEE RESPONSES**

- 6.1 Dwr Cymru/Welsh Water have no objection subject to conditions in respect of site drainage.
- 6.2 South Wales Police offer comments in respect of crime prevention matters. Their correspondence has been forwarded to the agent for consideration.
- 6.3 Natural Resources Wales have no objection

## 7. **REPRESENTATIONS**

- 7.1 Adjacent occupiers have been consulted and the application has been advertised on site and in the press in accordance with adopted procedures. The occupier of 14 Wilkinson Close objects to the proposals on the following grounds:
- Late night deliveries (already taking place several times a week), cause disturbance and concern to an awakened child. As the plans show deliveries being closer to their dwelling. In this case, and with the opening hours being longer, the noise will get worse;
  - Moving the store to within a few metres of the house will increase noise disturbance;
  - Privacy and light will be harmed due to new store;
  - Bats may be present in the vacant 'Bayside House'
- 7.2 Local Members have been consulted and any comments will be reported to Committee.
- 7.3 The application has been advertised on site and in the press in accordance with procedures. No comments have been received.

## 8. **ANALYSIS**

- 8.1 An application for the demolition of an existing foodstore and vacant commercial premises, with the construction of a new larger foodstore with expanded parking facilities.
- 8.2 In terms of Land Use Policy, the application proposes the demolition and reconstruction of a Lidl foodstore. The existing Lidl store is a first generation

store with a sales area of less than 1,000 sq m (857 sq m) and as a result is unable to be stocked and serviced efficiently.

The existing store has a net sales area of 857 sq m (686 sq m for convenience goods sales and 171 sq m comparison goods floorspace). This current proposal will result in a total net sales area of 1,432 sq m (1146 sq m for the sale of convenience goods and 286 sq m for the sale of comparison goods) i.e. a total increase in the net sales area of 575 sq m.

### **Retail Development**

The application site is in an out-of-centre location in terms of retail policy. Planning Policy Wales Edition 8 (July 2016) is clear that planning applications for retail developments, including redevelopment and extensions in out-of-centre locations should be assessed against the following tests:-

- (i) Compatibility with a Community or up-to-date Development Plan Strategy;
- (ii) Consideration of need;
- (iii) The sequential approach to site selection; and
- (iv) The impact on existing centres.

Policy R6 of the Adopted Cardiff Local Development Plan 2006-2026 provides the development plan policy framework.

Policy R6 only allows for retail development outside the Central Shopping Area, District and Local Centres identified on the Proposals Map if:

- (i) There is a need for the proposed floorspace (with precedence accorded to establishing quantitative need);
- (ii) That need cannot satisfactorily be accommodated within or adjacent to the Central Shopping Area, within a District or Local Centre;
- (iii) The proposal would not cause unacceptable harm to the vitality, attractiveness or viability of the Central Shopping Area, a District or Local centre or a proposal or strategy including the Community Strategy, for the protection or enhancement of these centres;
- (iv) The site is accessible by a choice of means of transport; and
- (v) The proposal is not on land allocated for other uses. This especially applies to land designated for employment and housing, where retail development can be shown to limit the range and quality of sites for such use.

In order to support the application agents for the applicants have provided a retail statement which provides an assessment of the proposal against the above policy framework, relating to retail need, the sequential approach to site selection and the potential impact of the proposal on the vitality and viability of nearby centres.

The agents findings are summarised below :-

## Retail Need and Impact

The proposed additional Lidl retail floorspace will generate an annual turnover of £1.10m by 2020. The total expenditure retained within the study area will be £229.08m by 2020. The identified benchmark turnover of all convenience goods retail facilities within the study area is £224.89m. If this is deducted from the available expenditure, along with the additional Lidl turnover (£1.10m), this would leave a residual capacity of £3.10m. This is sufficient to enable the development of additional convenience goods retail floorspace within existing centres whilst ensuring that there is sufficient expenditure to support the replacement Lidl store.

The level of trade diversion to the proposed store will be negligible and as such it is not considered that the level of trade diversion will harm the ability of local, district and/or city centre business owners to invest in their premises. The majority of trade diversion will come from other out of centre stores, notably Asda in Cardiff Bay. This has regard to its significant market share of convenience goods spend generated by residents in Zone 5 of the study area and the stores large number of value range products comparable with those sold by Lidl. It is estimated that the replacement Lidl store will divert £0.38m of convenience goods turnover from the Asda store. Only a small proportion of the net additional convenience goods turnover generated by the replacement Lidl store will be diverted from designated centres.

## Sequential Approach

In relation to the sequential test the retail statement concludes that the proposal is to redevelop an existing store on the same site. There is nothing to prevent the existing store from continuing to trade but the objective is to deliver operational and customer benefits and as such the net increase in floorspace could not be provided remote from the existing store. The need that is to be accommodated is therefore considered 'site specific'. Nonetheless, the applicants have considered whether there are any more centrally located opportunities that could accommodate the development that is proposed. No suitable units of the required size in any centre could be found within the standard five minute off-peak drive time catchment area of the existing foodstore.

## Policy Conclusions

The agent has satisfactorily assessed the proposal against the retail tests of need, impact and the sequential approach to site selection. The retail statement has demonstrated there is sufficient capacity to support the redeveloped store and a residual capacity of £3.10m which is considered sufficient to enable the development of additional convenience goods retail floorspace within existing centres whilst ensuring that there is sufficient expenditure to support the replacement Lidl store. The additional retail floorspace is modest in size and the majority of trade diversion has been demonstrated to come from other out-of-centre stores, most notably Asda at Cardiff Bay. The trade diversion from in centre stores will be negligible and cancelled out within just a few months of

expenditure growth. It is also considered that the retail statement has demonstrated that there are no sequentially preferable sites that could accommodate the proposal.

In conclusion the application raises no retail policy concerns. However, a condition is recommended above (condition 10) which seeks to prevent future change to the scale and nature of the foodstore which may adversely impact on the retail strategy of the development plan.

- 8.3 The design and finish of the store is consistent with the majority of the existing (redeveloped) stores of this brand throughout the City.

The street elevation comprises a mainly glazed wall, with the main entrance to one corner. This offers an active frontage to the street, with light and movement into the hours of darkness during the winter months. The remainder of the elevations are largely utilitarian, with render and cladding finishes that present as being clean & tidy.

The site has a historical commercial context, being the former Splott Market, with the current store being built in the mid 1990's. Whilst parts of the previously commercial areas have been developed as housing, there remains a strong commercial context (retained warehousing to the east). As such, the scale and design of the building raises no concerns in respect of its visual impact on the street scene.

- 8.4 Whilst the scale of the store has been considerably enlarged, the increase is minimal to the boundary with the dwellings on Sapele Drive, with the height of the new building increased by approx. 0.9m along this elevation. Whilst the maximum height exceeds the existing by approx. 1.1m, this increase is set approx. 36m off the boundary to the Sapele Drive dwellings.

The proposed foodstore building extends closer to the street and therefore introduces a built form to the side boundary and side elevation of the dwelling, no. 55 East Tyndall Street. However, as with the dwellings to Sapele Drive, the height of the new structure in context of the existing boundary wall enclosure is such that the increased height would not result in such significant harm that would generate concern.

There are windows to the side elevations of no. 7 & 8 Neilson Close to the north. However, the windows at first floor would appear to be non-habitable room windows and any ground floor windows would have views obscured by the existing (retained) high boundary wall.

There are no windows to the side elevation of the dwelling at no. 16 Wilkinson Close and views into the site from no's 6-8 would be from approx. 55m.

In light of the above, it is considered that the proposed new foodstore building would have no adverse impact on the privacy or amenity of adjacent residential occupiers.

- 8.5 The amended layout plan, which indicates barrier protection between pedestrians using the retained through footpath and vehicles, alleviates the original concerns of the Transportation Manager. While questions remain regarding the manoeuvring of HGV delivery vehicles within the site, the Transportation Manager acknowledges that this is a matter of management by the store, on their land. As such, there would be no grounds to sustain refusal of consent.
- 8.6 With regard to the objections raised by the occupier of no. 14 Wilkinson Close:
- Delivery times are conditioned (as existing) to no later than 21:00. The same delivery times are recommended above. The delivery bay for the new foodstore building is in the same position as existing. It is no closer to no. 14 than at present. There are no recorded complaints regarding any breach of this condition and the delivery timeframe is considered to be reasonable given the context of the existing and proposed use;
  - The proposed new foodstore building is undoubtedly closer to no. 14 than at present. However, at an acute angle, the side (car park) elevation of the new store is approx. 47m from the middle of the rear elevation of no. 14. It would therefore be very difficult to sustain refusal of consent on these grounds;
  - As discussed in para. 8.4 above, the impact of the store on the adjacent residents is considered to be acceptable. The setting of the new foodstore building to the west of no. 14 by some 47m would not result in any significant loss of light or privacy to those occupiers;
  - As a result of this representation, the Council's Ecologist has advised verbally that recommendation 5 above is sufficient to advise developers of the consequences of bats being detected during development. In this case, a Bat Survey is not required.
- 8.7 S106 matters – The following contribution requests have been made, with reference made to the Community Infrastructure Levy tests:
- Transportation - £20,000 – Contribution towards the provision of a raised Zebra Crossing to East Tyndall Street.
- In addition, further highways works are to be the subject of an agreement under Section 278 of the Highways Act 1980.
- 8.8 In light of the above, and having regard for adopted planning policy guidance it is recommended that planning permission be granted, subject to a legal agreement and conditions.

15/02760/MSR



EXISTING CAR PARK SPACES	
ELEMENT	NO.
NUMBER OF REGULAR CAR PARKING SPACES	80
NUMBER OF DISABLED CAR PARKING SPACES	4
NUMBER OF PARENT & CHILD CAR PARKING SPACES	4
TOTAL NUMBER OF CAR PARKING SPACES	88



SITE BOUNDARY SHOWN OUTLINED IN RED WITH AN AREA OF 6337m<sup>2</sup> (0.6337Ha /1.56Acres)

Superstore

EAST TYNDALL STREET

ARROL STREET

Warehouse

Page 80

EXISTING SITE SURVEY  
SCALE = 1:500

SDS-UK (Structural Design Solutions) Ltd. This drawing, the design and contents contained herein are copyright © and may not be used without express permission of the authors. No part thereof may be copied or reproduced partially or wholly in any form whatsoever or stored in any retrieval system of any nature without the prior written consent of the copyright owners. SDS-UK (Structural Design Solutions) Ltd. is a registered company in England and Wales. No. 08422483. Registered office: 25-27 The Bridge, Wealdstone, Harrow, Middx. HA9 7AJ. Tel: +44 (0)181 606 4499. Fax: +44 (0)181 606 4498. E-mail: info@structuraldesign.co.uk Web: www.structuraldesign.co.uk

Rev	Date	By	Description

SDS-UK (Structural Design Solutions) Ltd,  
BRIDGE HOUSE, 25-27 THE BRIDGE,  
WEALDSTONE, HARROW, MIDSX, HA9 7AJ.  
Tel: +44 (0)181 606 4499 Fax: +44 (0)181 606 4498  
E-mail: info@structuraldesign.co.uk Web: www.structuraldesign.co.uk

**SDS**  
SDS-UK (Structural Design Solutions) Ltd.

LIDL UK GmbH  
PROPOSED NEW BUILDING TO  
REPLACE EXISTING STORE

EXISTING SITE SURVEY  
LIDL STORE AT  
EAST TYNDALL STREET  
SPLOTT, CARDIFF

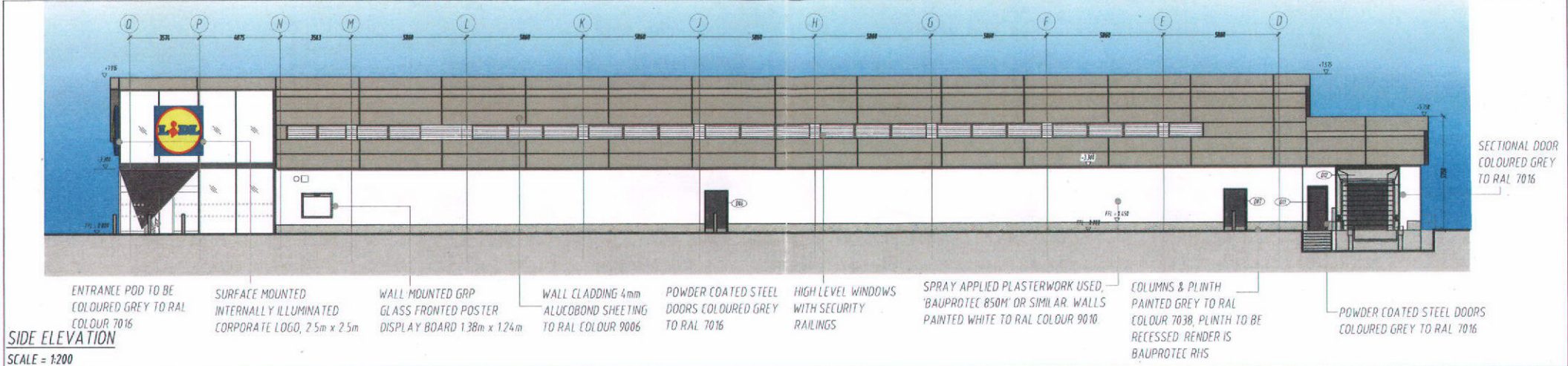
Scale	Page No.	Rev	Date	Author
1/500	@A3		NOV 2014	PLANNING
GC				DG
14233	1001			

P:1201414233 - LIDL UK - SploTT Planning Dwg(1)1-STATUTORY3.A-PLANNING Planning Sept 2015/1000





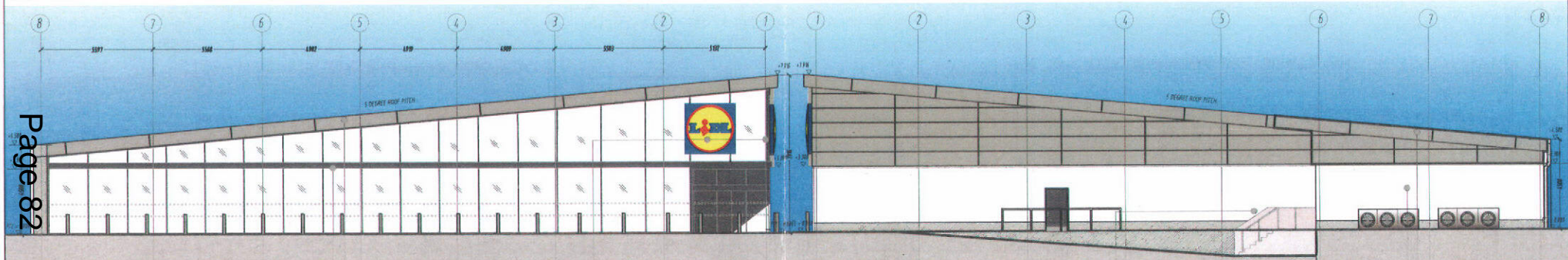




**SIDE ELEVATION**  
SCALE = 1:200

- ENTRANCE POD TO BE COLOURED GREY TO RAL COLOUR 7016
- SURFACE MOUNTED INTERNALLY ILLUMINATED CORPORATE LOGO, 2.5m x 2.5m
- WALL MOUNTED GRP GLASS FRONTED POSTER DISPLAY BOARD 1.38m x 1.24m
- WALL CLADDING 4mm ALUCOBOND SHEETING TO RAL COLOUR 9006
- POWDER COATED STEEL DOORS COLOURED GREY TO RAL 7016
- HIGH LEVEL WINDOWS WITH SECURITY RAILINGS
- SPRAY APPLIED PLASTERWORK USED, 'BAUPROTEC 850M' OR SIMILAR. WALLS PAINTED WHITE TO RAL COLOUR 9010.
- COLUMNS & PLINTH PAINTED GREY TO RAL COLOUR 7038, PLINTH TO BE RECESSED RENDER IS BAUPROTEC RHS
- POWDER COATED STEEL DOORS COLOURED GREY TO RAL 7016

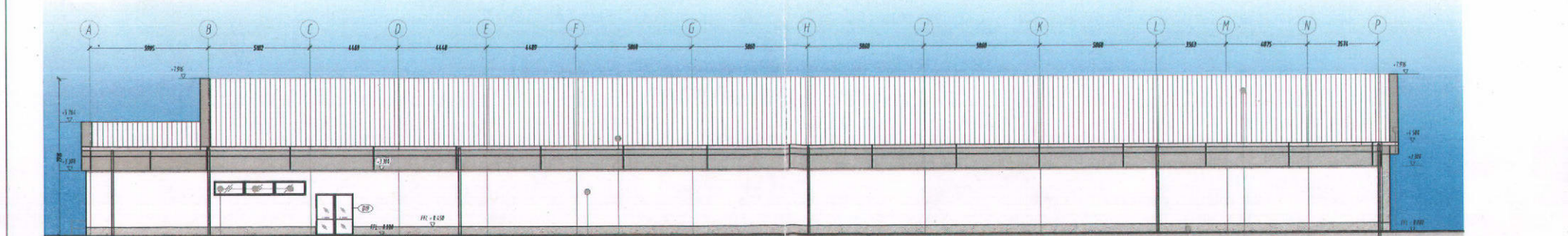
SECTIONAL DOOR COLOURED GREY TO RAL 7016



**FRONT ELEVATION**  
SCALE = 1:200

- WINDOWS - DOUBLE GLAZED POWDER COATED ALUMINIUM UNITS, COLOURED GREY TO RAL COLOUR 7016
- WALL CLADDING - 4mm ALUCOBOND SHEETING TO RAL COLOUR 9006
- 2 No SURFACE MOUNTED INTERNALLY ILLUMINATED CORPORATE LOGO, 2.5m x 2.5m
- ENTRANCE POD DOUBLE GLAZED POWDER COATED ALUMINIUM UNITS, COLOURED GREY TO RAL COLOUR 7016
- REINFORCED CONCRETE WALL WITH HANDRAIL TO STEPS
- SPRAY APPLIED PLASTERWORK USED, 'BAUPROTEC 850M' OR SIMILAR. WALLS PAINTED WHITE TO RAL COLOUR 9010
- WALL CLADDING - 4mm ALUCOBOND SHEETING TO RAL COLOUR 9006

**SIDE ELEVATION**  
SCALE = 1:200



**REAR ELEVATION**  
SCALE = 1:200

- 3ND OF GLAZED UNITS FULL LENGTH TO LOBBY AREA
- SPRAY APPLIED PLASTERWORK USED, 'BAUPROTEC 850M' OR SIMILAR. WALLS PAINTED WHITE TO RAL COLOUR 9010.
- WALL CLADDING - 4mm ALUCOBOND SHEETING TO RAL COLOUR 9006
- COLUMNS & PLINTH PAINTED GREY TO RAL COLOUR 7038, PLINTH TO BE RECESSED RENDER IS BAUPROTEC RHS
- METAL ROOF SHEETING IN GREY COLOUR RAL 9006
- GUTTERS & DOWNPIPES COLOURED CODED TO MATCH ALUCOBOND CLADDING

**REVISIONS**

No.	Date	By	Description
PL 1	29.09.2015	GC	ISSUED FOR PLANNING

No.	Date	By	Description
PL 1	29.09.2015	GC	ISSUED FOR PLANNING

**SDS-UK (Structural Design Solutions) Ltd,**  
BRIDGE HOUSE, 25-27 THE BRIDGE,  
WEALDSTONE, HARROW, HA3 3AB.  
Tel: +353 (0)194 9034914 Fax: +353 (0)194 9034698  
info@structuraldesign.ie www.structuraldesign.ie

**SDS**  
SDS-UK (Structural Design Solutions) Ltd

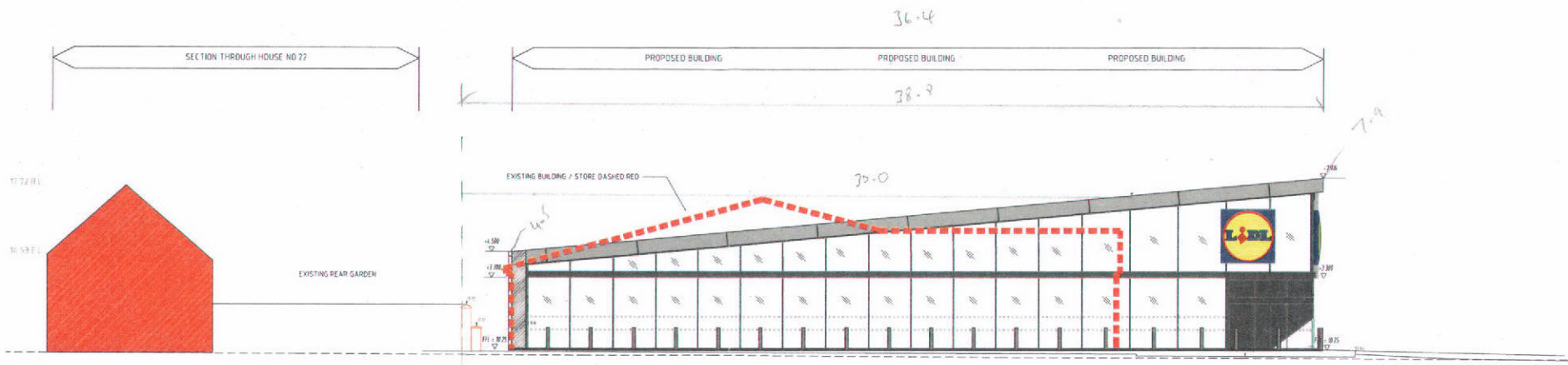
**LIDL UK GmbH**  
PROPOSED NEW LICENSED DISCOUNT FOOD STORE TO REPLACE EXISTING LIDL STORE AT EAST TYNDALL, SLOTT, CARDIFF.

Scale		Rev No		Rev Desc	
1:200	@A3	PLANNING			
GC	29.09.2015	PLANNING	PL 01		
1:233	1201				

Page 82

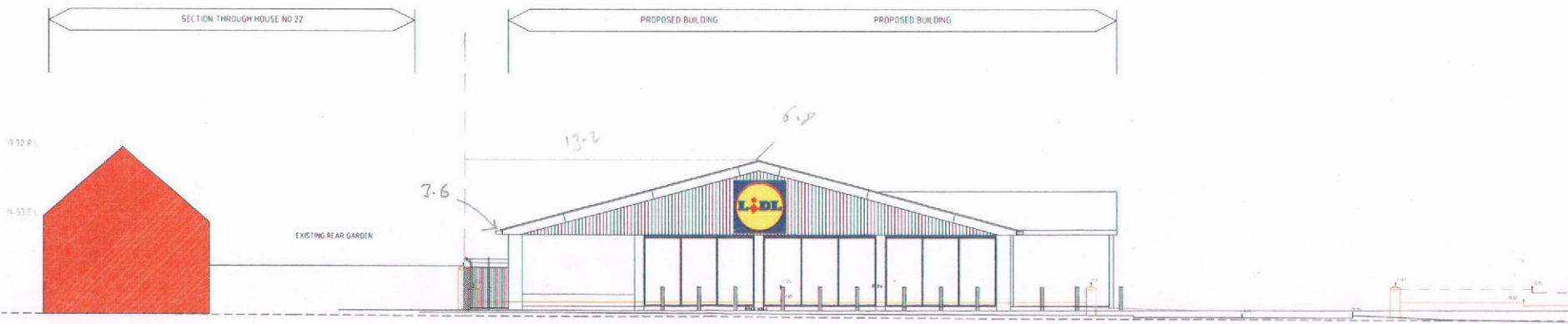
102760/MSR





PROPOSED CROSS SECTION THROUGH HOUSE 22  
SCALE: 1:100

ELEVATION A



EXISTING CROSS SECTION THROUGH HOUSE 22  
SCALE: 1:100

ELEVATION A

**DRAWING NOTES:** This drawing, the design and contents contained herein are copyright & may not be used without express permission of the authors. No part hereof may be copied or reproduced partially or wholly in any form whatsoever or stored in any retrieval system of any nature without the prior written consent of the copyright owners SDS (Structural Design Solutions) Ltd / SDS (UK) Structural Design Solutions Ltd. NOTES: 1. This drawing is to be read in conjunction with the relevant Specifications & other Architectural & Engineering Drawings. 2. Do Not Scale from this Drawing. -Metric Figure of Dimension only to be used. 3. All dimensions to be checked on site prior to work commencing. 4. Engineers to be informed immediately of any discrepancies before work proceeds. 5. It is the Contractor's responsibility to ensure that all works are carried out in accordance with the requirements of the current Building Regulations and all other statutory documents relevant to this project. 6. All details are standard, and are not project specific unless clearly stated otherwise. 7. Wherever a particular product is specified by name, the term 'or equivalent' is implied. The Contractor is obliged to ensure any and all product incorporated into a project are certified to the relevant National Standards before necessary. 8. It is for their informed purpose and will provide adequate performance subject to manufacturer's warranties. 9. SDS (UK) Structural Design Solutions Ltd. 10. SDS (UK) Structural Design Solutions Ltd. bear no liability for material changes/modifications made during the course of construction based on the drawing prepared without prior consultation and confirmation of acceptance of revisions by SDS (UK) Structural Design Solutions Ltd. / SDS (UK) Structural Design Solutions Ltd. 11. This drawing is to be read in conjunction with all relevant Architects drawings and Specifications. Any discrepancies identified are to be reported to the Engineers before proceeding.

SDS-UK (Structural Design Solutions) Ltd.  
BRIDGE HOUSE, 25-27 THE BRIDGE,  
HEADINGTON, NARFON, HAVS 5AB  
Tel: +44 (0)1493 903494 Fax: +44 (0)1493 903495  
www.structuraldesignsolutions.co.uk

**SDS**  
UK (UK) Structural Design Solutions Ltd.

Rev	Date	By	Description

**LIDL UK GmbH**  
Waterlton Industrial Estate, Bridgend, CF31 3PH

PROPOSED NEW BUILDING TO REPLACE THE EXISTING STORE AT EAST TYNDALL STREET, SPOTT, CARDIFF

**EXISTING & PROPOSED BUILDING CROSS SECTION OF HOUSE 22 TO REAR OF PROPOSED BUILDING**

Scale	1:100	Sheet No	@ A3	Title	PLANNING
Client	GC	Date	09.12.2015	Project	
Project No	14233	Sheet No	1203	Author	PL.1

This page is intentionally left blank

**CITY AND COUNTY OF CARDIFF****PLANNING COMMITTEE:****REPORT OF THE CORPORATE DIRECTOR - CITY OPERATIONS**

---

**APPLICATION FOR STOPPING UP OF HIGHWAY,PUBLIC RIGHT OF WAY  
26 WHITCHURCH, SECTION 118,HIGHWAYS ACT 1980.****Background Section 118 Stopping Up Prow Whitchurch 26**

The path has been built on at each end between Pen Y Dre and Heol Wen and on neither occasion did the Planning Service area impose the necessary stopping up Orders via Section 247 Town and Country Planning Act 1990.

**Issues**

The Highway legally exists within the domain of property titles until such time as it is legally extinguished by the process of Section 118, Highway Act 1980.

There is an alternative pedestrian pavement at Pen Y Dre and therefore the highway is not needed.

**Legal Implications**

The Highway Authority has powers to stop up highway no longer needed under Section 118 Highways Act 1980.

**Recommendation**

The recommended decision is: To Stop Up highway which has already been built upon at both ends and that Chief Officer, City Services requests Legal Services to make a Section 118 Order.

The reason for the recommended decision is: There is an alternative pedestrian pavement at Pen Y Dre and therefore the highway is not needed.

## **Background Papers**

1. Plan of location.
2. Copy of Draft Survey.

**CITY AND COUNTY OF CARDIFF****PLANNING COMMITTEE:****REPORT OF THE CORPORATE DIRECTOR CITY OPERATIONS**

---

**APPLICATION FOR Section 118, Highways Act 1980. Stopping Up Prow  
Whitchurch 96****Background**

This section was a historic short cut to the Crown Hotel public house when first claimed in 1949. The public house has since been demolished, and a proper railway crossing has been built in the subsequent years, 137 metres to the west of the old short cut.

In the current age of faster and more frequent trains and the ongoing electrification process, the PROW team would not wish to validate unchecked crossing of the railway line when there is a safe, level crossing in the immediate vicinity.

In addition the path will be removed from the Definitive Map thus ensuring an accurate reflection of the ground situation.

The stopping up of the highway is required because it is not needed for public use.

**Issues**

This highway has not been used for years since the improved level crossing installed in 1990's and it is not in anyone's interest to have random, unchecked crossing of the railway line.

The Stopping Up of the highway is required because it is unnecessary for public use.

**Legal Implications**

Under Section 118, Highways Act 1980 the Highway Authority can extinguish highway that is deemed not needed for public use.

**Recommendation**

The recommended decision is: To extinguish a section of Public Right of Way,96 Whitchurch in order that the Definitive Map actually represents the physical feature of the path at ground level and that Chief Officer, City Services requests Legal Services to make a Section 118 Order.

**Background Papers**

1. Plan of location
2. copy of original Draft OS surveyor's work formalising as a PROW.