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AGENDA

Committee	PLANNING COMMITTEE
Date and Time of Meeting	WEDNESDAY, 8 FEBRUARY 2017, 2.30 PM
Venue	COMMITTEE ROOM 4 - COUNTY HALL
Membership	Councillor Michael (Chair) Councillors Manzoor Ahmed, Ali Ahmed, Burfoot, Gordon, Hudson, Hunt, Murphy, Robson and Lynda Thorne

1 APOLOGIES

2 MINUTES - to follow

To approve as a correct record the minutes of the meeting held on 11 January 2017

3 DECLARATION OF INTEREST

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

4 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 no 16/00711/MJR, Land at Llanishen Rugby Club, Usk Road
Application no 16/01760/MJR, Cardiff Metropolitan University, Cyncoed Campus, Cyncoed Road
Application no 16/02758/MJR, 20 Windsor Road, Radyr

5 DEVELOPMENT CONTROL APPLICATIONS

The schedule of development control applications has been circulated separately

- 5a 14/00852/DCO, Land to the North of M4 Junction 33, Creigau (*Pages 1 - 144*)
- 5b 15/01198/MNR, Fish at 85, 85 Pontcanna Street (*Pages 145 - 152*)
- 5c 16/00711/MJR, Land at Llanishen Rugby Club, Usk Road (*Pages 153 - 192*)
- 5d 16/01477/MNR, 50 Bronwydd Avenue (*Pages 193 - 228*)
- 5e 16/01760/MJR, Cardiff Metropolitan University, Cyncoed Campus (*Pages 229 - 280*)
- 5f 16/02710/MJR, Howardian Centre, Hammond Way, Penylan (*Pages 281 - 310*)
- 5g 16/02726/MNR, 20 Windsor Road, Radyr (*Pages 311 - 344*)
- 5h 16/02758/MJR, Land to the rear of 35-37 Charles Street, City Centre (*Pages 345 - 370*)
- 5i 16/02871/MJR, Gabalfa Primary School, Colwill Road (*Pages 371 - 394*)
- 6 **Powerhouse Stopping Up Application** (*Pages 395 - 398*)
- 7 **APPLICATIONS DECIDED BY DELEGATED POWERS**
- January 2017
- 8 **DATE OF NEXT MEETING**

Davina Fiore

Director Governance & Legal Services

Date: Thursday, 2 February 2017

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

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

LOCAL MEMBER OBJECTION

COMMITTEE DATE: 08/02/2017

APPLICATION No. **14/00852/DCO** APPLICATION DATE: 05/06/2014

ED: **CREIGAU/ST FAGANS**

APP: TYPE: Outline Planning Permission

APPLICANT: Persimmon Homes (East Wales)
 LOCATION: LAND TO THE NORTH OF M4 JUNCTION 33, CREIGIAU
 PROPOSAL: COMPREHENSIVE DEVELOPMENT OF 'LAND TO THE NORTH OF JUNCTION 33 OF THE M4' TO CREATE A NEW COMMUNITY CONTAINING:
 A RANGE OF NEW HOMES, INCLUDING HOUSES, APARTMENTS AND SOME SHELTERED ACCOMMODATION FOR THE ELDERLY (USE CLASSES C2 AND C3)
 A PARK AND RIDE FACILITY AND TRANSPORT INTERCHANGE OR HUB
 COMMUNITY FACILITIES INCLUDING A NEW PRIMARY SCHOOL AND COMMUNITY CENTRE (USE CLASS D1)
 A LOCAL CENTRE INCLUDING SHOPS (USE CLASS A1), FINANCIAL AND PROFESSIONAL (USE CLASS A2), FOOD AND DRINK (USE CLASS A3) AND A CLINIC OR SURGERY (USE CLASS D1)
 NEW OFFICES, WORKSHOPS AND RESEARCH AND DEVELOPMENT FACILITIES (USE CLASSES B1 WITH ANCILLARY B2 AND B8)
 A NETWORK OF OPEN SPACES INCLUDING PARKLAND, FOOTPATHS, SPORTS PITCHES AND AREAS FOR INFORMAL RECREATION
 NEW ROADS, PARKING AREAS, ACCESSES AND PATHS OTHER ANCILLARY USES AND ACTIVITIES AND REQUIRING; SITE PREPARATION, THE INSTALLATION OR IMPROVEMENT OF SERVICES AND INFRASTRUCTURE; THE CREATION OF DRAINAGE CHANNELS; IMPROVEMENTS/WORKS TO THE HIGHWAY NETWORK AND OTHER ANCILLARY WORKS AND ACTIVITIES

RECOMMENDATION 1 : That, subject to relevant parties entering into a binding legal agreement with the Council under the provisions of **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 paragraphs 9.5 to 9.20 of this report, and having taken the Environmental Information in to consideration, planning permission be **GRANTED** subject to the following conditions:

SECTION 1 – RESERVED MATTERS AND PLANS

RESERVED MATTERS AND TIME LIMIT

1. A. Prior to the commencement of development on any Reserved Matters

site, details of the layout, scale and appearance of the buildings, access (except for the detailed highway improvement works that are the subject of conditions 24 (DETAILED HIGHWAY IMPROVEMENT WORKS OFF LLANTRISANT RD) and 25 (DETAILED HIGHWAY IMPROVEMENT WORKS OFF M4 J33) and landscaping (hereinafter called "the reserved matters") for that Reserved Matters site shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out as approved.

B. Application for approval of the first Reserved Matters site shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. Application for approval of all other reserved matters sites shall be made to the Local Planning Authority before the expiration of twelve years from the date of this permission.

C. The development hereby permitted shall be begun either before the expiration of five years from the date of this permission or before the expiration of two years from the date of the last of the reserved matters to be approved, whichever is the later.

Reasons: A. In accordance with the provisions of Article (3)1 of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012. B and C. In accordance with the provisions of Section 92 of the Town and Country Planning Act 1990 (as amended).

APPLICATION PLANS AND DOCUMENTS

2. This consent relates to the following plans and documents attached to and forming part of this planning application:

Plans:

- a) Red Line Plan (drawing no 22043 9654)
- b) Land Use Figure 3.2 (drawing no 22043 9605 rev K)
- c) Access and Movement Figure 3.3 (drawing no 22043 9602 Rev J)
- d) Density Plan Figure 3.4 (drawing no 22043 9600 Rev J)
- e) Building Heights and Scale Figure 3.5 (drawing no 22043 9601 Rev L)
- f) Green Infrastructure (Overview) Figure 3.6 (drawing no 22043 9603 Rev J)
- g) Amount Figure 3.7 (drawing no 22043 9606 Rev D)
- h) Phasing Plan (drawing no 22403 9701 Rev C)
- i) Development Concept Plan Figure 3.9 (drawing no 22043 9607 Rev C)
- j) Indicative Masterplan (drawing no 22043 9900 Rev E)
- k) Green Infrastructure Plan (Strategic Landscape Framework Plan) (drawing no 1348501/P/GA/003 Rev L)
- l) Multi-functional Green Infrastructure Typology (drawing no 1348501/P/S/005 Rev B)
- m) A4119 Llantrisant Road Signalised Junction Arrangement Alternative Alignment (drawing no W131169/SK/24 Rev A).
- n) Masterplan showing Proposed Vehicular Access Points (drawing no W131169-B-04 Rev I)

Documents

- o) Revised Design and Access Statement (August 2016)
- p) Transport Assessment (May 2014)

- q) Interim Residential Travel Plan (May 2014)
 - r) Interim Employment Travel Plan (May 2014)
 - s) Transport Assessment Addendum (August 2016)
 - t) Environmental Statement (May 2014)
 - u) Environmental Statement Addendum (August 2016) and Non-Technical Summary (August 2016)
 - v) Revised Planning Statement (August 2016)
 - w) Flood Consequences Assessment (May 2014)
 - x) Sustainability Statement (May 2014)
- Reason: For the avoidance of doubt.

RESERVED MATTERS AND DISCHARGE OF CONDITION PLANS AND DOCUMENTS

3. Subject to the provisions of conditions 17 (PHASING), 18 (BUILT FORM AND TOWNSCAPE), 22 (BESPOKE PROPOSALS), 24 (DETAILED HIGHWAY IMPROVEMENT WORKS OFF LLANTRISANT RD), 25 (DETAILED HIGHWAY IMPROVEMENT WORKS OFF M4 J33), 31 (WESTERN LEAP), 52 (AVENUE ROAD CROSS SECTION), 49 (DETAILED SURFACE WATER DRAINAGE SCHEME), 54 (ECOTONE) and 59 (PITCHES), the development shall accord with the following approved plans and documents:
- a) Red Line Plan (drawing no 22043 9654)
 - b) Land Use Figure 3.2 (drawing no 22043 9605 rev K)
 - c) Access and Movement Figure 3.3 (drawing no 22043 9602 Rev J)
 - d) Density Plan Figure 3.4 (drawing no 22043 9600 Rev J)
 - e) Building Heights and Scale Figure 3.5 (drawing no 22043 9601 Rev L)
 - f) Green Infrastructure (Overview) Figure 3.6 (drawing no 22043 9603 Rev J)
 - g) Amount Figure 3.7 (drawing no 22043 9606 Rev D)
 - h) Development Concept Plan Figure 3.9 (drawing no 22043 9607 Rev C)
 - i) The design principles for the local centre set out on pages 144-147 of the Design and Access Statement (August 2016)
 - j) The street hierarchy plan (p.101) and cross sections (pp. 94, 102 – 113) set out on in the Design and Access Statement (August 2016). The 3m segregated cycle route proposed along all Spine and Avenue streets shall also extend along the Llantrisant Rd frontage as shown on p.95 of the Design and Access Statement (August 2016).
 - k) Environmental Statement (May 2014)
 - l) Environmental Statement Addendum (August 2016)
 - m) A4119 Llantrisant Road Signalised Junction Arrangement Alternative Alignment (drawing no W131169/SK/24 Rev A).
 - n) Masterplan showing Proposed Vehicular Access Points (drawing no W131169-B-04 Rev I)
- and shall be in substantial accordance with the following approved plans and document:
- o) Phasing Plan (drawing no 22403 9701 Rev C)
 - p) Design and Access Statement (August 2016)

- q) Indicative Masterplan (drawing no 22043 9900 Rev E)
 - r) Green Infrastructure Plan (Strategic Landscape Framework Plan) (drawing no 1348501/P/GA/003 Rev L)
 - s) the Dark Corridor Principles Diagrams Key Plan (drawing no GI01 Rev B)
 - t) Multi-functional Green Infrastructure Typology (drawing no 1348501/P/S/005 Rev B)
- unless otherwise approved through discharge of condition and reserved matters applications, provided that any amendment does not result in any environmental impacts which exceed the range and scope of those assessed in the Environmental Assessment (May 2014) and subsequent Addendum (August 2016).

Reason: To retain control of the development and given the information has been used to assess the development.

SECTION 2: CONDITIONS REQUIRING DETAILS TO BE SUBMITTED AS PART OF THE DISCHARGE OF CONDITION 1

ACCESS WITHIN THE SITE

4. Details in relation to the reserved matter ACCESS submitted to the Local Planning Authority for any reserved matters site in compliance with condition 1 shall include:
 - a) Details showing the position and form of construction of all roads, verges, cycle paths, footpaths and shared surfaces, the position of street lighting linked to a Central Management System and the method of disposal of all surface water drainage therefrom
 - b) Details of any temporary access required and identified under condition 17 (PHASING) to ensure safe and convenient pedestrian, cycle and vehicular access through those areas not under construction or where construction is complete.
 - c) Details of 'safe zones' within any proposed shared spaces to protect vulnerable users.

The development shall be carried out in accordance with the approved details, condition 63 (PROVISION OF ROAD BEFORE OCCUPATION OF DWELLINGS) and the phasing details approved under condition 17 (PHASING).

Reason: To make provision for satisfactory access and to ensure effective pedestrian, cycle and vehicular links to the wider strategic site and to allow the phased dimming of street lights to protect light sensitive species on the site.

ACCESS TO THE REMAINDER OF SITE D AND POTENTIAL FUTURE EXPANSION AREA

5. Details in relation to the reserved matter ACCESS, submitted to the Local Planning Authority in compliance with condition 1 for any reserved matters site that adjoins the boundary of the remainder of Strategic Site D and/or the land identified for 'potential future expansion in the plan period' on the Cardiff LDP Proposals Map at the points of the proposed 'Future Access Points' shown on the 'Access & Movement Figure 3.3' parameter plan (drawing no 9602 Rev J), shall include details of land

provided and safeguarded for pedestrian, cycle and vehicular access up to the boundary of the outline permission site to serve development beyond the boundary and a strategy for their delivery. The routes shall be capable of use as a bus route and shall have a min carriageway width of 6.3m, a 1.9m segregated footway on each side of the carriageway and a 3m cycleway on one side. The submitted details shall demonstrate how the access will not prejudice the proposed green and movement corridors. The development shall be carried out in accordance with the approved details.

Reason: To make provision for effective pedestrian, cycle and vehicular links to the wider strategic site and future expansion areas identified in the Cardiff Local Development Plan.

PARK AND RIDE AND TRANSPORT INTERCHANGE

6. Details in relation to the reserved matters submitted in compliance with condition 1 for the reserved matter site wherein the Park and Ride facility and Transport Interchange are proposed shall include details of the Park and Ride Facility and Transport Interchange. The details shall comprise a 1000 space Park and Ride Facility, including but not limited to the parking spaces, bus routes, the transport interchange/hub building and facilities, public transport, cycle and pedestrian facilities, bus only-gates and enforcement cameras, links to adjoining/ external highways, a strategy for the operation, management, maintenance, monitoring and implementation of the P&R and Transport Interchange, and other infrastructure/works. The Park and Ride Facility shall be designed so as not to prejudice the potential to increase the size of the P&R by the installation of a first floor deck in the future. The development shall be carried out, managed, maintained and operated in accordance with the approved details and phasing approved under condition 17 (PHASING).

Reason: To secure provision of the Park and Ride and Transport Interchange and to ensure more sustainable modes of travel to/from and passing the site and linking to the City Centre.

RAPID TRANSIT CORRIDOR / METRO

7. Details in relation to the reserved matters submitted in compliance with condition 1 for any reserved matter site shall include:
- a) For any reserved matters site wherein the Spine Road is proposed, details, including layout and cross sections, showing how the proposed on-road rapid transit route through the site shown on p. 92 of the Design and Access Statement (August 2016) and the 'with rapid transit' cross section shown on p. 105 of that same document will be accommodated and the land provided and safeguarded
 - b) For any reserved matters site where alternative rapid transit route options are proposed (as shown on p. 92 of the revised Design and Access Statement (August 2016)), details of land to be provided and safeguarded for the alternative rapid transit route options shown on p. 92 of the Design and Access Statement (August 2016) and demonstrating how this will not prejudice the

proposed green and movement corridors.

The development shall be carried out in accordance with the approved details.

Reason: To safeguard options for the future delivery of the 'Metro' within the site, in accordance with policies KP2(D&E) and T9 of the Cardiff Local Transport Plan.

CAR PARKING

8. Details in relation to the reserved matter LAYOUT submitted to the Local Planning Authority for any reserved matters site in compliance with condition 1 shall include details for the parking of vehicles. The details shall include, but not be limited to, a strategy for the provision, management, monitoring and control of car parking for any and all non-residential land uses proposed within that reserved matters site with the exception of the park and ride site (to which condition 6 (PARK AND RIDE AND TRANSPORT INTERCHANGE) applies. The development shall be implemented in accordance with the approved details and no dwelling or building shall be occupied until the approved parking facilities serving it have been provided. The approved parking shall be retained thereafter and shall not be used for any purpose other than the parking of vehicles.

Reason: To ensure that the use of the proposed development does not interfere with the safety and free flow of traffic circulating within and passing the site.

CYCLE AND MOTORCYCLE PARKING

9. Details in relation to the reserved matter LAYOUT submitted to the Local Planning Authority for any reserved matters site in compliance with condition 1 shall include details for the provision of secure cycle and motorcycle parking spaces. No building shall be occupied until the approved cycle or motorcycle parking serving it has been provided and the cycle and motorcycle parking shall be retained in perpetuity and shall not be used for any other purpose. For the avoidance of doubt, cycle parking will not be required to be provided for any dwellings with garages and motorcycle parking will not be required to be provided for dwellings.
- Reason: To ensure that adequate provision is made for the secure parking of cycles.

LOADING AND UNLOADING OF VEHICLES

10. Details in relation to the reserved matter LAYOUT submitted to the Local Planning Authority for any reserved matters site in compliance with condition 1 shall include details of facilities for the loading and unloading of vehicles serving any and all non-residential buildings and a Servicing Management Plan. The development shall be implemented in accordance with the application details and no non-residential building shall be occupied until the approved loading/unloading facilities serving it have been provided. The approved details shall be thereafter maintained and retained.

Reason: To ensure that the use of the proposed development does not interfere with the safety and free flow of traffic passing along the highway

abutting the site.

SAFEGUARDING OF LAND AND CHANGING FACILITIES AND ASSOCIATED CAR PARK

11. Details in relation to the reserved matters submitted for the Central Sports and Play area shown on the 'Multi-functional Green Infrastructure Typology Plan (drawing no 1348501/P/S005 Rev B) in compliance with condition 1 shall include details of land to be provided and safeguarded for a changing facility and car parking to support to the 2 no sports pitches that are the subject of condition 59 (PITCHES).
Reason: To help ensure the future delivery of these facilities on-site through by other developments within the remainder of site D and E.

ADOPTABLE AREAS PLAN

12. Details in relation to the reserved matters submitted to the Local Planning Authority for any Reserved Matters site in compliance with condition 1 shall include a plan showing the following:
- a) Adoptable highway
 - b) Open space maintained by management company
 - c) Any private drives maintained by management where public right access is maintained
 - d) Any other categories pertaining to management arrangements.
- Reason: To help clarify and inform the management arrangements for the site.

REFUSE

13. Details in relation to the reserved matter LAYOUT submitted to the Local Planning Authority for any reserved matters site in compliance with condition 1 shall include the following:
- a) Details of facilities for the storage of refuse containers for each house and flat, and collection points for refuse collection vehicles
 - b) Vehicle tracking plan(s) which shall demonstrate via swept path analysis that the Council's largest refuse collection vehicle is able to reach within 25m of all dwellings, and enter and exit all roads (including shared surfaces) in a forward gear and that the turning heads are of sufficient size. Where private drives are identified and access for the Council's refuse collection is not suitable, details of collection arrangements must be submitted to and agreed by the Local Planning Authority in writing
 - c) Details of facilities for the storage of refuse containers for any and all non-residential buildings and vehicle tracking plans(s) and which shall demonstrate via swept path analysis that they can be serviced by the Council's largest refuse collection vehicle
 - d) Details showing the location of litter bins and - for those litter bins that are proposed on adopted land and/or which are to be emptied and maintained by the Council – details of their design and specifications
- No dwelling or building shall be occupied until the approved refuse facilities and arrangements serving it have been provided. The approved refuse facilities shall be implemented and thereafter retained for future

use.

Reason: To secure an orderly form of development, to protect the amenities of the area and because refuse collection vehicles are not permitted to reverse down any roads and must be able to reach within 25m of all dwellings in order for crews to empty bins.

FLOOR AND GROUND LEVELS

14. Details in relation to the reserved matters submitted to the Local Planning Authority for any reserved matters site in compliance with condition 1 shall include:

- a) details and a plan(s) showing proposed finished floor levels of each dwelling and building, and existing and proposed ground levels in relation to a fixed datum
- b) a plan showing proposed gradients of all streets, cycleways and footpaths and shared surfaces in full compliance with DfT Inclusive Mobility Guide and Manual for Streets 1 & 2, except where it can be demonstrated that there is a suitable, alternative route available.

The development shall be carried out in accordance with the approved details.

Reason: To enable assessment of the relative heights of existing and proposed ground/floor levels and access requirements.

LANDSCAPE SCHEME FOR EACH RESERVED MATTERS SITE

15. Details in relation to the reserved matter LANDSCAPING submitted to the Local Planning Authority for any reserved matters site in compliance with condition 1 shall include the following details:

- a) Hard landscape works which shall include: means of enclosure and retaining structures; vehicle, cycle and pedestrian access and circulation areas; hard surfacing materials; position of external lighting including street lights; minor artefacts and structures (e.g. litter bins, furniture, play equipment and signs); proposed and existing functional services above and below ground (eg. drainage, power, communications cables) and an implementation programme
- b) A landscaping scheme which shall include: proposed finished levels and contours, scaled planting plans/ written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/ densities where appropriate; top soil and subsoil specifications, tree pit sections and plan views showing root available soil volume, planting and aftercare methodology, proposals for remediation work in the event that any element of the landscaping fails and an implementation programme
- c) Details, where applicable, of existing and proposed ponds, attenuation basins and water features, which shall include detailed plans and cross sections of proposed features and respective landscaping and planting details
- d) A Detailed Green Infrastructure Management Strategy (DGIMS)

for the delivery, and long term management, maintenance and monitoring of the ecological, aboriginal, landscape, soil and open space and water resource other than privately owned, domestic gardens. The DGIMS shall accord with the approved SGIMS required to be submitted under condition 19, including any amendments to the SGIMS, and shall substantially accord with the Green Infrastructure Plan (drawing no 1348501/P/GA/003RevL), the Dark Corridor Principles Diagrams Key Plan (drawing no GI01 Rev B) and the mitigation measures set out in the Environmental Statement (May 2014) and ES Addendum (August 2016). The DGIMS shall include, where applicable to that RM site: a report of the findings and mitigation of bat surveys of any trees and buildings to be removed on that reserved matters site, targeted reptile surveys and any other pre-commencement surveys for that site required as part of the SGIMS; a report of the findings and mitigation of a re-survey of the badger sett identified on the Ecology Constraints plan on p.61 of the DAS (August 2016); a detailed plan setting out habitats to be lost, enhanced, created and retained and an implementation programme; details of proposed green corridors (including detailed layout plans showing habitat composition and new and retained planting required to reach the size and scale of corridor proposed, cross sections, and a phasing plan for green corridor planting); a detailed schedule of habitat and species management and maintenance operations and their implementation/timing; proposals for species and habitat monitoring and a mechanism to address mitigation failures, proposals for reviews and updating of the DGIMP; proposals for the delivery and ongoing management, maintenance and monitoring of the water resource, landscaped areas and open space; an implementation programme for the phasing and delivery of the detailed green infrastructure;

- e) A detailed lighting scheme and implementation plan to control light spillage to any 'dark corridors' and other 'sensitive receptors' identified in the approved SGIMS (under condition 19). The scheme shall include details of the siting and type of lighting to be used, their technical specifications, contour plans showing light spillage and cross sections of green corridors where they intersect with roads, footpaths and cycle paths and adjacent properties, detailing green infrastructure and lighting proposals, and operational measures to ensure appropriate lighting including the timing and extent of any dimming. The lighting shall be linked to a Central Management System to allow for phased dimming.
- f) Proposals for the identification and eradication of any invasive species identified on the reserved matters site.

The development shall be carried out in accordance with the approved details.

Reason: To protect the Green Infrastructure resource, to maintain and improve the appearance of the area in the interests of visual amenity

and to help reduce crime and disorder.

PROMOTION OF BIODIVERSITY THROUGH DESIGN

16. Details in relation to the reserved matters submitted to the Local Planning Authority for any Reserved Matters site in compliance with condition 1 shall include:

- a) details of fences or other forms of enclosure which shall include opportunities to allow the free passage of hedgehogs and other wildlife. Any walls and or/ fences or other forms of enclosure shall be erected in accordance with the approved details. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification), those walls and/or fences or other means of enclosure shall be erected in accordance with the approved details and shall not thereafter be altered or removed without the prior written approval of the Local Planning Authority
- b) Proposals to include new bird and bat roosting opportunities based upon the Town and Country Planning Association's 'Biodiversity Positive: Eco-towns Biodiversity Worksheet 2009' and the Bat Conservation Trust's 'Biodiversity for Low and Zero Carbon Buildings: A Technical Guide for New Build 2010'
- c) Details of planting to allow wildflowers to development on roadside verges, parks and other greenspaces;
- d) Proposals to include Devil's-bit Scabious in the seed mix of any attenuation basins for the potential benefit of Marsh Fritillary Butterflies.
- e) Proposals to include inset kerbs adjacent to gulley pots on the site to avoid trapping Great Crested Newts and other protected amphibians

The development shall be carried out in accordance with the approved details.

Reason: To promote biodiversity of the site through design.

SECTION 3: CONDITIONS TO BE DISCHARGED

3A: Conditions to be discharged in respect of whole outline permission site

PHASING

17. Notwithstanding the provisions of condition 3, no reserved matter application shall be approved by the Local Planning Authority and no development shall take place except for the detailed highway and landscaping works that are the subject of condition 24 (DETAILED HIGHWAY IMPROVEMENT WORKS OFF LLANTRISANT RD) and 26 (LANDSCAPE SCHEME FOR DETAILED HIGHWAY IMPROVEMENT WORKS OFF LLANTRISANT ROAD) until a phasing schedule and plan for the whole outline permission site has been submitted to and approved in writing by the Local Planning Authority. The phasing schedule and plan shall accord with the associated Section 106 Agreement, and shall include details of the phasing of the following:

- a) Phases of construction, including the number of dwellings to be

- delivered under each phase
- b) detailed highway improvement works off M4 J33 and associated landscaping works that are the subject of conditions 25 and 27
- c) all roads, footpaths, cycle paths and shared surfaces within the site
- d) the Park and Ride facility and transport interchange
- e) Foul and surface water drainage infrastructure and SUDS
- f) Green corridors, landscaping, open space and play areas and other publicly accessible areas
- g) The primary school, local centre, two employment areas
- h) Section 106 triggers

The development shall be carried out in accordance with the approved phasing plan or in accordance with any modification to that phasing plan as may be agreed with the prior written approval of the Local Planning Authority.

Reason: To ensure the development is carried out in a comprehensive, sustainable and coherent manner.

BUILT FORM AND TOWNSCAPE

18. Notwithstanding the provisions of condition 3, no reserved matters application shall be approved by the Local Planning Authority until there has been submitted to and approved in writing by the Local Planning Authority a Built Form and Townscape diagram for the whole outline permission site, highlighting special nodes with a bespoke treatment, key public green spaces, secondary spaces with bespoke landscape design and adjusted standard house types, building height changes related to establishing greater legibility and character at key points in the scheme, principal frontages with a special character, the position of large specimen trees, the position of key corners requiring special built form and architectural treatments, the position of landmark buildings, and key vistas to views within and through the scheme, including to landmark buildings.

Details in relation to the reserved matters submitted to the Local Planning Authority in compliance with condition 1 shall accord with the approved details unless otherwise approved through reserved matters applications approved by the Local Planning Authority. Reason: To ensure greater townscape character and legibility and to guarantee continuity of treatment between phases of development.

STRATEGIC GREEN INFRASTRUCTURE MANAGEMENT STRATEGY

19. No reserved matters applications shall be approved by the Local Planning Authority and no development shall commence except for the detailed highway and landscaping works that are the subject of condition 24 (DETAILED HIGHWAY IMPROVEMENT WORKS OFF LLANTRISANT RD) and 26 (LANDSCAPE SCHEME FOR DETAILED HIGHWAY IMPROVEMENT WORKS OFF LLANTRISANT ROAD) until a Strategic Green Infrastructure Management Strategy (SGIMS) for the delivery and ongoing management, maintenance and monitoring of green infrastructure comprising the ecological, aboricultural, landscape, soil, open space and SUDS and water resource other than privately

owned, domestic gardens for the whole outline permission site for the construction and operational phases and longer term (up to 30 years and beyond) has been submitted to and approved in writing by the Local Planning Authority. The SGIMS shall substantially accord with the Green Infrastructure Plan (drawing no 1348501/P/GA/003RevL), the Dark Corridor Principles Diagrams Key Plan (drawing no GI01 Rev B) and the mitigation measures set out in the Environmental Statement (May 2014) and ES Addendum (August 2016). The SGIMS shall include details and an implementation programme for the following: Outline proposals for the delivery of green corridors and dark corridors which shall include plans and outline details of habitat composition and layout, the location of new and retained planting required to reach the size and scale of corridor set out in the Green Infrastructure Plan (drawing no 1348501/P/GA/003RevL), the phasing of that provision, details of ecotones and buffer zones to protect the green corridors, outline lighting principles showing and cross sections showing how 'dark corridors' can be achieved over road crossings.

- a) Outline proposals for the protection, creation, translocation, enhancement, management and maintenance of habitats, including woodlands, hedgerows and trees, grasslands, ponds, stream, ditches and water features, highway trees/verges and road crossings, and other habitat providing foraging, community and breeding opportunities for protected species, including a description of the habitats, their desired condition, key indicators to show when the desired condition has been achieved and management operations required to deliver and maintain their desired condition, suitable buffers to watercourses, ponds and other habitats, and an outline plan showing habitats to be lost, enhanced, created and retained
- a) Strategies, including mitigation and enhancement measures, to be delivered for European and other protected species affected by the development, including bats, birds, badgers, dormice, reptiles, otter, Great Crested Newts and amphibians, and invertebrates (including Marsh Fritillary Butterfly)
- b) Proposals for the delivery and ongoing management, maintenance and monitoring of landscaped areas and open space, including semi natural multi-functional green space, recreational woodland, sports provision, play grounds, teenage/older children facilities, orchards and structural landscaping
- c) Appropriate scheduling and timing of management and maintenance operations for habitats, species, landscaped areas and open space
- d) Proposals for habitat and species monitoring and for reviewing the success of habitat enhancement and establishment, including the frequency and timing of any species and habitat re-surveys, pre-construction surveys, bat surveys of trees and buildings to be removed, and reviews and updating of the SGIMP, and proposals to address identified mitigation failures
- e) An outline site-wide lighting strategy to protect bats, dormice and other light sensitive species to inform the detailed lighting

strategy for each Reserved Matters site. The outline strategy shall set out broad lighting principles, including the siting and type of lighting linked to a Central Management System, times and extent of proposed light 'dimming', drawings setting out light spillage and any operational measures to ensure wildlife corridors are appropriately illuminated.

- f) A site-wide plan showing outline proposals for the diversion of PROW Llanilterne No 18 and Peterstone Super Ely No 10, and proposals for a network of pedestrian only footpaths, any bridleways, and shared footway/cycle ways.

The approved SGIMS, and any subsequent amendments, shall be implemented in accordance with the approved details and programme for implementation.

Reason: To protect and enhance the Green Infrastructure resource of the site, in accordance with policy KP16 of the Cardiff Local Development Plan.

RESIDENTIAL TRAVEL PLAN

20. No part of the development hereby permitted shall be occupied until the submitted Interim Residential Travel Plan (May 2014) has been progressed for the whole outline permission site, submitted to and approved in writing by the Local Planning Authority. The Residential Travel Plan shall set out proposals and targets to limit or reduce the number of single occupancy car journeys to and from the site, and to promote travel by sustainable modes. The Residential Travel Plan shall set out proposals to implement and manage the Travel Plan, through a designated Travel Plan Coordinator. The Residential Travel Plan shall be implemented in accordance with the timetable which shall be set out in the plan or in accordance with a revised timetable which shall be agreed in writing by the Local Planning Authority. Reports demonstrating progress in promoting the sustainable transport measures detailed in the Residential Travel Plan shall be submitted annually for a period of 10 years to the Local Planning Authority for approval in writing, commencing from the first anniversary of beneficial occupation of the first phase of development.

Reason: To encourage sustainable transport and effect modal shift to non-car modes.

ENERGY STRATEGY

21. No reserved matters application shall be approved by the Local Planning Authority, until an energy strategy for the whole outline permission site and a timetable for provision has been submitted to and approved in writing by the Local Planning Authority. The strategy shall include an assessment of the financial viability and technical feasibility of incorporating renewable and low carbon technologies, including energy supply systems, and shall also include an assessment of proposals for the provision of an Electric Car Club, and frequent and convenient electric car charging points within the site as detailed on p. 90 of the Design and Access Statement (August 2016). The scheme shall be implemented as approved and the proposals shall be included in the

reserved matters for the respective Reserved Matter site within which they are identified.

Reason: To promote sustainable development.

BESPOKE PROPOSALS

22. Notwithstanding the provisions of condition 3, no reserved matters application shall be approved by the Local Planning Authority until an outline site-wide scheme for delivery of bespoke proposals proposed in the Design and Access Statement (August 2016) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a plan identifying the proposed location of the proposals identified below and a phasing plan for that provision and the proposals shall be included in the reserved matters for the respective Reserved Matter site within which they are identified:

- a) An Interpretation Trail use as an educational resource through the woods linked closely to the Primary School
- b) A 360 degree viewing platform from the highest point of the branch line allowing unique views over the landscape setting and greenspaces
- c) The retention of the tunnel structure along the branch line as a reminder of the history of the site
- d) Community orchard

Details in relation to the reserved matters submitted to the Local Planning Authority in compliance with condition 1 shall accord with the approved details, unless otherwise approved through reserved matters applications. The development shall be carried out in accordance with the approved details.

Reason: In the interests of creating quality, legible and compelling open spaces and to reflect the submitted proposals.

STRATEGIC SUSTAINABLE SURFACE WATER DRAINAGE MASTERPLAN

23. Prior to the submission of any detailed surface water drainage scheme under condition 49, a strategic sustainable surface water drainage masterplan for the whole outline application site shall be submitted to and approved by the Local Planning Authority. The details shall show how the natural drainage catchments, the development phases, the reserved matters sites and the flood flow paths relate to each other. The details shall take into consideration the interaction between natural drainage catchments and be designed to ensure that the necessary sustainable drainage network for each reserved matters site is in place prior to occupation of any building. Where a phase of the development is constructed within part of a natural drainage catchment or straddles more than one drainage catchment, the sustainable drainage network for the entire catchment shall be constructed to accommodate this.

Reason: To ensure that drainage from the development does not cause or exacerbate any adverse condition on the development site, adjoining properties, environment and infrastructure with regard to flood risk.

3B: Conditions to be discharged in respect of specific works/ land uses

DETAILED HIGHWAY IMPROVEMENT WORKS OFF LLANTRISANT RD

24. Subject to the provisions of condition 63 (PROVISION OF ROAD BEFORE OCCUPATION OF DWELLINGS) and notwithstanding the provisions of condition 3 and the submission of drawings no W131169/SK/24RevA (A4119 Llantrisant Road Signalised Junction Arrangement Alternative Alignment) and W131169/B/04 Rev I (Masterplan showing Proposed Vehicular Access Points), no reserved matters application shall be approved by the Local Planning Authority and no development of those highway works shall take place until full engineering details of the highway improvement works at the two site accesses along Llantrisant Rd and along the full length of the site frontage and an implementation programme have been submitted to and approved in writing by the Local Planning Authority. These works shall include the following:
- a) Construction of new traffic signal controlled 3-arm junction at the Llantrisant Rd/ Site Access junction with pedestrian / cycle 'Toucan' crossing facilities on the site access arm. The 'site arm' shall include a 1.9m segregated footway on each side of the carriageway, and a 3m cycleway on one side. The cycleway and footway shall be separated by a min 2m verge. These works shall include all associated carriageway, footway and cycleway provision, separation strips, kerbing, tactile paving, the position of street lighting linked to a Central Management System, Telematics (inc. a CCTV camera), ducting, lining and signage works and details of the method of disposal of all surface water drainage therefrom.
 - b) Construction of a new traffic signal controlled 4-arm junction at the Llantrisant Rd/ Site Access junction with a 200m eastbound right turn lane and pedestrian/cycle 'Toucan' crossing facilities on the site access arm and pedestrian 'Puffin' crossing facilities (including infrastructure for upgrading to 'Toucan' in the future) on the Llantrisant Rd west arm. The 'site arm' shall include a 2m segregated footway on each side of the carriageway and a 3m cycleway on one side. The cycleway and footway shall be separated by a min 2m verge. These works shall include all associated carriageway, footway and cycleway provision, separation strips, kerbing, tactile paving, the position of street lighting linked to a Central Management System, Telematics (inc. a CCTV camera), ducting, lining and signage works and details of the method of disposal of all surface water drainage therefrom.
 - c) A segregated 2m footway and 3m cycleway separated by a verge of a suitable width to accommodate street trees and/ or hedgerows along the full length of the site frontage on the development side of Llantrisant Rd to include any diversion required around the dwelling Parc-y-Bac. These works shall include all associated carriageway, footway and cycleway provision, separation strips, kerbing, tactile paving, the position of street lighting linked to a Central Management System, Telematics (inc. a CCTV camera), ducting, lining and signage works and details of the method of disposal of all surface water drainage therefrom.

- d) Designs for a reduction in speed limit to 30mph which shall include the extent of speed limit together with appropriate signage
- e) Amendments to the proposed crossing points to ensure sufficient space for all users including removal of verge/hedge as appropriate
- f) Details showing the position of the two existing bus stops on Llantrisant Rd together with any necessary improvements
- g) Details showing the continuation of fibre and ducting from Site C and linking to both the primary and secondary new signal junctions
- h) Details showing the location of maintenance bay(s).

These works shall be implemented in accordance with the approved details and implementation programme prior to the first occupation of any of the dwellings hereby approved.

Reason: To ensure the provision of satisfactory access to and from the site, and the provision of foot/cycle ways and public transport improvements.

DETAILED HIGHWAY IMPROVEMENT WORKS OFF M4 J33

25. Notwithstanding the provisions of condition 3 and the submission of drawing no W131169/B/04 Rev I (Masterplan showing Proposed Vehicular Access Points), no reserved matters application associated with any development accessed off Junction 33 shall be approved by the Local Planning Authority until full engineering details of the proposed access arrangements to the M4 Junction 33 have been submitted to and approved in writing by the Local Planning Authority in consultation with Welsh Government Network Management Division. These works shall include all associated carriageway, footway and cycleway provision, separation strips, kerbing, tactile paving, street lighting, Telematics cabling and ducting (inc. a CCTV camera), lining and signage works and details of the method of disposal of all surface water drainage therefrom. The works shall be implemented in accordance with the approved details and the phasing plan approved under condition 17 (PHASING). Reason: To ensure the provision of satisfactory access to and from the site, and the provision of foot/cycle ways and public transport improvements.

LANDSCAPE SCHEME FOR DETAILED HIGHWAY IMPROVEMENT WORKS OFF LLANTRISANT ROAD

26. No development of the access and highway works that are the subject of condition 24 (DETAILED HIGHWAY IMPROVEMENT WORKS OFF LLANTRISANT ROAD) shall take place nor any associated removal of trees and hedgerows, until there has been submitted to and approved in writing by the Local Planning Authority a landscaping scheme for those works. The scheme shall:
- a) include a tree assessment for that part of the site in accordance with BS 5837:2012 comprising an Arboricultural Impact Assessment, Arboricultural Method Statement and Tree Protection Plan

- b) include a Soil Resource Survey (SRS) and Soil Resource Plan (SRP) for that part of the site that shall accord with the 'Construction Code of Practice for the Sustainable Use of Soils on Construction Sites' (DEFRA 2009)
- c) include details of proposed finished levels of the site in relation to the existing ground level, earthworks, hard surfacing materials, lighting, proposed and existing services above and below ground level, scaled planting plans (including schedules of plant species, sizes, numbers or densities, and in the case of trees, planting, staking, mulching, protection, soil protection and after care methods), topsoil and sub soil specification, tree pit sectional and plan views, planting and aftercare methodology.
- d) demonstrate how planting shall be accommodated to avoid conflict with services.

The scheme shall be implemented in accordance with the approved details.

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

LANDSCAPE SCHEME FOR DETAILED HIGHWAY IMPROVEMENT WORKS OFF M4 J33

27. No development of the access and highway works that are the subject of condition 25 (DETAILED HIGHWAY IMPROVEMENT WORKS OFF M4 J33) shall take place nor any associated removal of trees and hedgerows, until there has been submitted to and approved in writing by the Local Planning Authority a landscaping scheme for those works. The scheme shall include:

- a) a tree assessment for that part of the site in accordance with BS 5837:2012 comprising an Arboricultural Impact Assessment, Arboricultural Method Statement and Tree Protection Plan
- b) a Soil Resource Survey (SRS) and Soil Resource Plan (SRP) for that part of the site that shall accord with the 'Construction Code of Practice for the Sustainable Use of Soils on Construction Sites' (DEFRA 2009)
- c) details of proposed finished levels of the site in relation to the existing ground level, earthworks, hard surfacing materials, lighting, proposed and existing services above and below ground level, scaled planting plans (including schedules of plant species, sizes, numbers or densities, and in the case of trees, planting, staking, mulching, protection, soil protection and after care methods), topsoil and sub soil specification, tree pit sectional and plan views, planting and aftercare methodology.
- d) The landscaping scheme shall demonstrate how planting shall be accommodated to avoid conflict with services.

The scheme shall be implemented in accordance with the approved details.

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

SCHOOL TRAVEL PLAN

28. Prior to first beneficial use of the school, a School Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The School Travel Plan shall set out proposals and targets, together with a timetable to limit or reduce the number of single occupancy car journeys to and from the site, and to promote travel by sustainable modes. The School Travel Plan shall set out proposals to implement and manage the Travel Plan, through a designated Travel Plan Coordinator. The School Travel Plan shall be implemented in accordance with the timetable which shall be set out in the plan or in accordance with a revised timetable which shall be agreed in writing by the Local Planning Authority. Reports demonstrating progress in promoting the sustainable transport measures detailed in the School Travel Plan shall be submitted annually for a period of 10 years to the Local Planning Authority for approval in writing, commencing from the first anniversary of beneficial occupation of the school.

Reason: To encourage sustainable transport and effect modal shift to non-car modes.

EMPLOYMENT TRAVEL PLAN

29. No part of the proposed employment development shall be occupied until the submitted Interim Employment Travel Plan (May 2014) has been progressed, submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall set out proposals and targets, together with a timetable to limit or reduce the number of single occupancy car journeys to and from the site, and to promote travel by sustainable modes. The Employment Travel Plan shall set out proposals to implement and manage the Travel Plan, through a designated Travel Plan Coordinator. The Employment Travel Plan shall be implemented in accordance with the timetable which shall be set out in the plan or in accordance with a revised timetable which shall be agreed in writing by the Local Planning Authority. Reports demonstrating progress in promoting the sustainable transport measures detailed in the Travel Plan shall be submitted annually for a period of 10 years to the Local Planning Authority for approval in writing, commencing from the first anniversary of beneficial occupation of the school.

Reason: To encourage sustainable transport and effect modal shift to non-car modes.

M4 NOISE BARRIER

30. No reserved matters application within phase 2 or 3 shown on the Phasing Plan (drawing no 9701RevC) shall be approved by the Local Planning Authority until details of the proposed noise barrier shown on Land Use Figure 3.2 (drawing no 9605RevK), which shall include details of its precise location, technical specification and a maintenance schedule, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented and maintained in accordance with the approved details and the approved noise barrier shall be erected prior to beneficial occupation of any dwelling within phase 2 or 3 shown on the Phasing Plan (drawing no 9701RevC).

Reason: In the interests of the residential amenity of future occupiers of the proposed dwellings.

WESTERN LEAP

31. Notwithstanding the provisions of condition 3, no reserved matters application within phase 3 on the Phasing Plan (drawing no 9701RevC) shall be approved by the Local Planning Authority until details of the location of the LEAP has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: Parks Services have expressed concerns that the indicative location of the western LEAP shown on the Green Infrastructure Plan (drawing no 1348501/P/GA/003 Rev L) is unacceptable due to lack of natural surveillance.

3C: Conditions to be discharged in respect of each RM site

PUBLIC ART

32. No reserved matters application shall be approved by the Local Planning Authority until a scheme, maintenance schedule and timetable for the provision of public art on that reserved matters site has been submitted to and approved in writing by the Local Planning Authority. The approved public art strategy shall be implemented and maintained in accordance with the approved details.

Reason: In the interests of creating a quality and legible built environment.

TREES

33. No reserved matters application shall be approved by the Local Planning Authority and no development or site clearance on that Reserved Matters site shall take place until there has been submitted to and approved in writing by the Local Planning Authority a tree assessment in accordance with BS 5837:2012 for that Reserved Matters site. The tree assessment shall include:

- a) an Arboricultural Impact Assessment (AIA);
- b) a plan showing the hedgerows and trees to be retained, removed, relocated and planted;
- c) an Arboricultural Method Statement (AMS) setting out the methodology that shall be used to prevent loss of or damage to retained trees. The AMS shall include details of on-site monitoring of tree protection and tree condition that shall be carried out for at least two years after its completion; and
- d) a Tree Protection Plan (TPP) in the form of a scale drawing showing the finalised layout and the tree and landscaping protection methods detailed in the AMS that can be shown graphically.

The development shall be carried out in full conformity with the approved AIA, AMS and TPP unless modifications to the approved AIA, AMS and TPP are agreed in writing by the Local Planning Authority.

Reason: To maintain and improve the appearance of the area in the interests of visual amenity and to protect the arboricultural and ecological

resource.

SOILS

34. No reserved matters application shall be approved by the Local Planning Authority and no development or site clearance on that Reserved Matters site shall take place until there has been submitted to and approved in writing by the Local Planning Authority a Soil Resource Survey (SRS) and Soil Resource Plan (SRP) for that Reserved Matters site that shall accord with the 'Construction Code of Practice for the Sustainable Use of Soils on Construction Sites' (DEFRA 2009). The development shall be carried out in full conformity with the approved SRP unless modifications to the SRP are agreed in writing by the Local Planning Authority.
- Reason: To ensure the successful delivery of green infrastructure proposals.

CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

35. Prior to the commencement of any site clearance, construction works or development on any Reserved Matters site a Construction Environmental and Management Plan (CEMP) for that Reserved Matters site shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall accord with the approved parameter plans and shall be in substantial accordance with the Green Infrastructure Plan (drawing no 1348501/P/GA/003 Rev L) and the mitigation measures set out in the Environmental Statement (May 2014) and Environmental Statement Addendum (August 2016). The CEMP shall include:
- a) an implementation programme
 - b) a Construction Traffic Management Plan, which shall include the following details: identification of the routes that HGV construction vehicles would take and which shall avoid use of St Fagans Level Crossing and comply with Heol Isaf weight restrictions and identification of measures to regulate the routing of HGV construction traffic; times within which traffic can enter and leave the site; times of deliveries, loading and unloading of plant and materials; access to the site for construction traffic; provision and a timetable for delivery of measures to ensure safe and convenient pedestrian, cycle and vehicular access through those areas not under construction or where construction is complete; wheel washing facilities; and parking of vehicles for contractors, site operatives and visitors and loading and unloading of plant and materials
 - c) details of the storage, loading and unloading of plant and materials (including any oils, fuels and chemicals), construction compounds, any temporary facilities for construction / sales staff
 - d) details of site hoardings (including the erection, maintenance, security and any decorative displays) and means of enclosure to prevent unauthorized access during construction
 - e) a Dust Management Plan and measures to control the emission of dust and dirt from construction and minimise sediment loading

- f) Measures to control cementitious materials
- g) a Site Waste Management Plan for the recycling and/ or disposal of all waste resulting from construction works
- h) a noise control plan
- i) a Construction Drainage Scheme indicating how surface water and land drainage run off will be dealt with to prevent contamination, nuisance, subsidence or flooding to land, buildings, watercourses or highways within the Reserved Matters site and adjacent land, buildings, watercourses and highways during the construction period
- j) a Green Infrastructure Construction Protection Strategy (GICPS) detailing measures for the protection of the ecological (habitats & protected species), aboriginal, landscape, soil, open space, water and SuDs resource during clearance and construction, including those existing elements proposed for retention and translocation, and those proposed to be created or enhanced as part of the application. The GICPS shall comply with the approved Aboriginal Impact Assessment, Aboriginal Method Statement and Tree Protection Plan and the approved Soil Resource Survey and Soil Resource Plan for that site/ land and shall include but shall not be limited to:
 - k) a plan showing green infrastructure to be lost, retained, enhanced, translocated and newly created and its phasing
 - l) an assessment of the impacts
 - a plan showing protection zones for the ecological (habitats & protected species), aboriginal, landscape, soil, open space, water and SUDS resource for the construction phase, which shall include but not be limited to a 10m wide buffer zone alongside all watercourses within and bordering the site and precautionary measures to avoid harm to previously undetected dormice and badgers
 - pre-construction checks
 - reports of bat surveys of any trees and buildings to be removed during the construction phase and other pre-commencement surveys required as part of the SGIMS approved under condition 19
 - details of site clearance and construction methods and measures to be taken to minimize the impact of any works
 - phasing / timing of works
 - a lighting scheme, including measures to reduce light spillage from construction onto key habitats and corridors.
 - List of on-site contacts and their responsibilities and arrangements for liaison between site manager, principle contractor, ecologist, arboriculturist, soil scientist, landscape architect or other related professionals during the course of construction, and ecological site inductions for contractors working on site.

The details so approved and any subsequent amendments as shall be agreed in writing by the Local Planning Authority shall be complied within in full throughout the construction period.

Reason: To manage the impacts of construction on that Reserved Matters site in the interests of highway safety, and protection of the environment and public amenity.

GROUND GAS ASSESSMENT AND MITIGATION MEASURES

36. Prior to the commencement of development on each reserved matters site, a scheme to investigate and monitor that reserved matters site for the presence of gases being generated at that reserved matters site or on land adjoining thereto, including a plan of the area to be monitored, shall be submitted to and approved in writing by the Local Planning Authority. Following completion of the approved monitoring scheme, the proposed details of any appropriate gas protection measures which may be required to ensure the safe and inoffensive dispersal or management of gases and to prevent lateral migration of gases into or from land surrounding the application site shall be submitted to and approved in writing by the Local Planning Authority. All required gas protection measures shall be implemented as approved and appropriately verified before occupation of any part of that reserved matters site and the approved protection measures shall be retained and maintained until such time as the Local Planning Authority agrees in writing that the measures are no longer required.

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

LAND CONTAMINATION A: RISK ASSESSMENT

37. Prior to the commencement of the development on each reserved matters site, an assessment of the nature and extent of contamination on land and controlled waters for that reserved matters site shall be submitted to and approved in writing by the Local Planning Authority. The assessment must be taken as an intrusive investigation to assess the extent, scale and nature of contamination which may be present. A report on the results of the investigation detailing the assessment of the potential risks and an appraisal of remedial options and justification for the preferred remedial option(s) shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that information provided for the assessment of the risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems is sufficient to enable a proper assessment in accordance with policy EN13 of the Cardiff Local Development Plan.

LAND CONTAMINATION B: SUBMISSION OF REMEDIATION SCHEME AND VERIFICATION PLAN

38. Where the approved risk assessment report submitted under condition 37 (LAND CONTAMINATION A: RISK ASSESSMENT) concludes that remediation is necessary, prior to the commencement of development on each Reserved Matters site, a detailed remediation scheme and verification plan to bring that reserved matters 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 EN13 of the Cardiff Local Development Plan.

LAND CONTAMINATION C: UNDERTAKING OF REMEDIATION AND ISSUE OF VERIFICATION REPORT

39. Where the approved risk assessment report submitted under condition 37 (LAND CONTAMINATION A: RISK ASSESSMENT) concludes that remediation is necessary, the approved remediation scheme for that reserved matters site shall be implemented and completed in accordance with its terms prior to the occupation of any part of the development on that reserved matters site unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority shall 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 shall 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 EN13 of the Cardiff Local Development Plan.

LAND CONTAMINATION D: POST REMEDIATION MONITORING REQUIREMENTS

40. Where the approved risk assessment report submitted under condition 37 (LAND CONTAMINATION A: RISK ASSESSMENT) concludes that remediation is necessary, a monitoring scheme to include monitoring the long-term effectiveness of the remediation over a period which shall be agreed in writing by the Local Planning Authority and the provision of reports on the same shall be submitted to and approved in writing by the Local Planning Authority, prior to the occupation of any approved building on that reserved matters site.

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.

IDENTIFICATION OF UNSUSPECTED CONTAMINATION

41. In the event that contamination is found at any time when carrying out the approved development on each Reserved Matters site that was not previously identified, it shall be reported in writing within 2 days to the Local Planning Authority, all associated works shall stop, and no further development shall take place, unless otherwise agreed in writing by the Local Planning Authority, until a scheme to deal with the contamination found has been submitted to and approved in writing by the Local Planning Authority. An investigation and risk assessment shall be undertaken and, where remediation is necessary, a remediation scheme and verification plan shall be submitted to and approved in writing by the Local Planning Authority. Following completion of the measures identified in the approved remediation scheme, a verification report shall be submitted to and approved in writing by the Local Planning Authority. The timescale for the above actions shall be submitted to the Local Planning Authority for approval in writing within 2 weeks of the discovery of any unsuspected contamination and shall be implemented in accordance with the approved timetable unless otherwise agreed 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 EN13 of the Cardiff Local Development Plan.

IMPORTED SOIL

42. Any topsoil (natural or manufactured), or subsoil, to be imported onto a Reserved Matters site 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, verification sampling of the material received at the development site shall be undertaken to verify that the imported soil is free from contamination and shall be undertaken in accordance with a scheme which shall be agreed with 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.

IMPORTED AGGREGATES

43. Any aggregate (other than virgin quarry stone) or recycled aggregate material to be imported onto each Reserved Matters site shall be assessed for chemical or other potential contaminants in accordance with a scheme of investigation to 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, verification sampling of the material received at the development site shall be undertaken to verify that the imported aggregate is free from contamination and shall be undertaken in accordance with a scheme which shall be submitted to and agreed in writing by the Local Planning Authority.

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

ROAD TRAFFIC NOISE

44. No reserved matters application shall be approved by the Local Planning Authority until there has been submitted to and approved in writing by the Local Planning Authority a scheme for that reserved matters site to provide that all habitable rooms exposed to external road traffic noise in excess of 63 dBA Leq 16 hour [free field] during the day [07.00 to 23.00 hours] or 57 dBA Leq 8 hour [free field] at night [23.00 to 07.00 hours] shall be subject to sound insulation measures to ensure that all such rooms achieve an internal noise level of 40 dBA Leq 16 hour during the day and 35 dBA Leq 8 hour at night. The submitted scheme shall ensure that habitable rooms subject to sound insulation measures shall be provided with acoustically treated active ventilation units. Each ventilation unit (with air filter in position), by itself or with an integral air supply duct and cowl (or grille), shall be capable of giving variable ventilation rates ranging from –

- an upper rate of not less than 37 litres per second against a back pressure of 10 newtons per square metre and not less than 31 litres per second against a back pressure of 30 newtons per square metre, to
- a lower rate of between 10 and 17 litres per second against zero back pressure.

No habitable room shall be occupied until the approved sound insulation and ventilation measures have been installed in that room. Any private open space (excepting terraces or balconies to any apartment) shall be designed to provide an area which is at least 50% of the area for sitting out where the maximum day time noise level does not exceed 55 dBA Leq 16 hour [free field].

Reason: To ensure that the amenities of future occupiers are protected in accordance with policy EN13 of the Cardiff Local Development Plan.

NON-RESIDENTIAL PREMISES

45. No non-residential premises shall be occupied until the following details for that premises have been submitted to and approved in writing by the Local Planning Authority:

- a) proposed hours that any member of the public shall be admitted to or allowed to remain on the premises
- b) a scheme for sound insulation of any room where amplified music will be played at any time
- c) a scheme for sound insulation to the party floors and/or walls between any commercial and domestic premises
- d) a scheme for the provision and maintenance of extract ventilation

equipment for the mechanical extraction of all fumes from the food preparation areas in any premises which is to involve the preparation and cooking of hot food at any time. The scheme shall include, but shall not be limited to, details of: the point that fumes shall be mechanically extracted to, details of the equipment, de-odorising filter and chimney.

The development shall be carried out, operated and maintained in accordance with the approved details and, in respect of kitchen extraction equipment, shall be maintained in accordance with the manufacturer's guidelines.

Reason: To ensure the amenities of occupiers of other premises are protected in accordance with policy EN13 of the Cardiff Local Development Plan.

FLOODLIGHTING SCHEME

46. No floodlighting shall be installed on any reserved matters site until a floodlighting scheme for that reserved matters site has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in accordance with the approved details prior to beneficial use and be permanently maintained.
Reason: To protect residential amenity and to avoid disturbance to other sensitive receptors in accordance with policies KP16, KP18 and EN7 of the Cardiff Local Development Plan.

ARCHAEOLOGY

47. No reserved matters application shall be approved by the Local Planning Authority and no development on any Reserved Matters site shall take place prior to the implementation of a programme of archaeological work for that reserved matters site in accordance with a written scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority.
Reason: To identify and record any features of archaeological interest discovered during the works in order to mitigate the impact of the works on the archaeological resource in accordance with policy EN9 of the Cardiff Local Development Plan.

FOUL WATER DRAINAGE SCHEME

48. No reserved matters application shall be approved by the Local Planning Authority and no development of that reserved matter site shall commence until a scheme for the disposal of foul water for that reserved matter site/ or other identified part has been submitted to and agreed in writing by the Local Planning Authority. Unless otherwise agreed in writing by the Local Planning Authority, the scheme shall, together with other foul water drainage schemes approved in discharge of this condition, demonstrate that:
- a) no more than 400 units permitted under this outline permission shall drain to Creigiau Wastewater Treatment Works and shall communicate with the public sewer between manholes ST08806901 and ST08809732
 - b) no more than 1100 units and the non-residential units proposed

permitted under this outline permission shall drain to Coslech Wastewater Treatment Works which shall communicate to the public sewerage system at a point to be agreed in writing by Dwr Cymru.

The scheme shall be implemented in accordance with the approved details prior to the communication of any flows with the public sewer network and shall be retained for the lifetime of the development.

Reason: To prevent hydraulic overloading of the public sewerage system, protect the health and safety of existing residents, ensure no pollution of or detriment to the environment and to ensure the site can be effectively drained.

DETAILED SURFACE WATER DRAINAGE SCHEME

49. No reserved matters application shall be approved by the Local Planning Authority and no development shall commence on any reserved matters site until a scheme for the disposal of surface water for that reserved matters site has been submitted to and approved in writing by the Local Planning Authority. The sustainable drainage scheme shall:
- a) incorporate sustainable drainage principles and indicate how the development will comply with the requirements of Section 8.3 of TAN 15
 - b) provide information about the design storm return, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution to the receiving infrastructure;
 - c) assess the performance of the proposed surface water drainage system in relation to the impact of a 1 in 100 year return period storm and climate change allowance of +30%
 - d) demonstrate that surface water runoff from any impermeable surfaces within the proposed development shall be attenuated to greenfield rates
 - e) demonstrate consideration given to and the assessment of the impact of phasing of the development in relation to the Strategic Sustainable Surface Water Drainage Masterplan submitted in discharge of condition 23, including the interaction between adjoining drainage catchments and demonstrate that the necessary sustainable drainage network for each reserved matters site will be provided to enable the development of that reserved matters site
 - f) demonstrate that appropriate control and mitigation measures are employed to prevent surface water run off to properties/land adjoining the site or from land adjoining the site, and any associated nuisance, flooding and subsidence issues
 - g) include details of locations, plans, cross sections, proposed ground levels and depths of attenuation facilities (including surface and sub-surface), along with their exceedance flow routes and proposed method of on-site management
 - h) include drainage models of all attenuated drainage systems to prove viability and demonstrate that all exceedance flows do not cause surface water flooding to existing or proposed properties.

The mdx files shall be forwarded to the Local Planning Authority for verification and approval.

- i) include a timetable for its implementation
- j) provide a management and maintenance plan of the development which shall include the arrangements for adoption by any public body, statutory undertaker or private management company and any other arrangements to secure the operation of the drainage system throughout its lifetime, details of maintenance responsibility and a detailed maintenance schedule. The submitted details clearly show who is responsible for each element of drainage and shall include the approach to safety of all ponds and SUDs features for the general public.
- k) Demonstrate the protection of open and culverted sections of the existing watercourse during and after construction.

The above will take the form of a Hydrological Impact Assessment, including an assessment of the development in a hydrological and hydrogeological context of the development and conform to the hierarchical approach for the principles of storm water drainage strategy for the development. The assessments shall be carried out in accordance with a written scheme of investigation which shall be first submitted to and approved in writing by the LPA and the results of the assessments shall be submitted to and approved in writing by the LPA. No dwelling shall be occupied until the detailed surface water drainage scheme has been implemented in accordance with the approved details, and the scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

Reason: To ensure that drainage from the development does not cause or exacerbate any adverse condition on the development site, adjoining properties, environment and infrastructure with regard to flood risk.

SECTION 4: COMPLIANCE CONDITIONS

QUANTUM OF DEVELOPMENT AND USE

50. No more than 1500 dwellings, including houses, apartments and sheltered accommodation (Use Classes C2 and C3) shall be erected on site. Up to 750sq m of community facilities (as defined by the Planning Obligations SPG January 2017) may be accommodated. Up to 2500 sq m (gross) of Class A1, A2 and A3 floorspace shall be provided. The Class A1, A2 and A3 floorspace shall be located in 'Junction 33 Central' within the buildings fronting the high street and square (as defined by the areas shaded in pink on p. 154 of the Design and Access Statement August 2016), unless otherwise approved through a Reserved Matters application. No individual comparison goods retail unit shall exceed 300 sq metres and no individual convenience goods retail unit shall exceed 1000sq m. For the avoidance of doubt, 'convenience goods' shall be taken to mean food, drink, tobacco, household cleaning materials, newspapers and magazines. Up to 16,300sq m (gross) of Use Class B1 floorspace shall be provided. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) there shall be no increase to the retail or ancillary storage floor space by way of provision of a

mezzanine or first floor level. No Use Class B2 or B8 floorspace shall be provided except for the change from Use Class B1 to B8 permitted under the Town and Country Planning (Use Classes) Order 1987 (as amended). The primary school site size shall be a min of 1.9ha. A 1000 space strategic Park and Ride facility and transport interchange shall be provided.

Reason: To ensure that development is carried out in a manner envisaged by the outline application, to provide a balanced and mixed planned centre within the development without undermining surrounding retail centres.

M4 MOTORWAY (JCT 33) ACCESS LIMIT

51. The access from the development onto the M4 at Junction 33 shall be limited to vehicular use for 750 of the Park and Ride Spaces, up to 10,867sq m (gross) of Use Class B1 floorspace and the scheduled bus services utilising the 'Bus Gate'. The remaining 250 Park and Ride spaces, the remaining Class B1 floorspace and all residential traffic shall be accessed from Llantrisant Rd.

Reason: To ensure the free movement of traffic on the highway network at Junction 33 of the M4 Motorway.

AVENUE ROAD CROSS SECTION

52. Notwithstanding the provisions of condition 3, 24 (DETAILED HIGHWAY IMPROVEMENT WORKS OFF LLANTRISANT RD) and the Design and Access Statement (August 2016), the cross section for Avenue Roads shown on p.100 of the Design and Access Statement (August 2016) shall include provision for a min 6.3m wide carriageway, a 1.9m footway on both sides of the carriageway and a min 3m segregated cycleway on one side except for sections designed as shared surfaces.

Reason: To promote sustainable travel. For the avoidance of doubt.

M4 NOISE BUFFER

53. No dwelling shall be erected within 80m of the site boundary with the M4 motorway.

Reason: In the interests of the residential amenity of future occupiers of the proposed dwellings.

ECOTONE

54. Notwithstanding the provisions of condition 3, a minimum 15m wide buffer shall extend along the length of all existing and proposed woodland which shall be designed as an 'ecotone' and no development within it shall be permitted except for soft landscaping and footpaths and cycle paths, unless otherwise agreed at Reserved Matters stage.

Reason: To protect the arboricultural and ecological resource of the site.

DELIVERY TIMES

55. There shall be no arrival, departure, loading or unloading of delivery vehicles servicing non-residential buildings outside the hours of 08:00 and 20:00.

Reason: To ensure that the amenities of occupiers of other premises in

the vicinity are protected.

PLANT NOISE

56. The rating level of the noise emitted from fixed plant and equipment on the site shall not exceed 10dB below the existing background noise level at any time when measured and corrected in accordance with BS 4142: 1997 (or any British Standard amending or superseding that standard).
Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected.

USE OF THE EXTERNAL AREAS OF THE PARK AND RIDE FACILITY

57. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, the parking, manoeuvring areas and other external areas of the Park and Ride facility shall not be used for any temporary uses, or for the sale of food and drink, or for the siting of mobile structures or vehicles used for sales, display or the provision of services other than its use as a park and ride facility, unless otherwise agreed in writing by the Local Planning Authority in consultation with Welsh Government Network Management Division.
Reason: to ensure that the parking, delivery and manoeuvring areas are available for such use, in the interests of visual amenity and to preserve the safety and freeflow of traffic at Junctions 33 and the M4 Motorway

GREASE TRAP

58. Before any premises within Class A3 of the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to those classes in any statutory instrument amending, revoking or re-enacting that Order) or other commercial premises which will involve the preparation and cooking of hot food at any time are brought into use, the developer shall install a mechanism to prevent the entry of grease into the public sewerage system. Thereafter the mechanism shall remain in place unless otherwise agreed in writing by the Local Planning Authority.
Reason: To protect the integrity of the public sewer and avoid damage thereto.

PITCHES

59. Notwithstanding the provisions of condition 3, 2 no well-drained and level pitches shall be provided in the Central Sports and Play area shown on the 'Multi-functional Green Infrastructure Typology Plan (drawing no 1348501/P/S005 Rev B). The pitches shall be at least 100m x 64m plus 3m run off (giving an overall size for each pitch of 106m x 70m).
Reason: To ensure an acceptable provision of public open space.

LANDSCAPE IMPLEMENTATION

60. In relation to any landscaping scheme approved in discharge of conditions 15 (LANDSCAPE SCHEME FOR EACH RESERVED MATTERS SITE), 26 (LANDSCAPE SCHEME FOR DETAILED HIGHWAY IMPROVEMENT WORKS OFF LLANTRISANT ROAD), 27 (LANDSCAPE SCHEME FOR DETAILED HIGHWAY IMPROVEMENT

WORKS OFF M4 J33) any trees, plants or hedgerows which within a period of five years from the date of first planting die, are removed, become seriously damaged or diseased, or become (in the opinion of the Local Planning Authority) otherwise defective, shall be replaced in the current planting season or the first two months of the next planting season, whichever is the sooner.

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

NESTING BIRDS

61. No removal of hedgerows, trees, scrub or shrubs shall take place between 1st March and 31st August inclusive unless otherwise approved in writing by the Local Planning Authority.

Reason: To avoid disturbance to nesting birds which are protected under the Wildlife and Countryside Act 1981: Part 1 1(1)(b), it is an offence to intentionally take, damage or destroy the nest of any wild bird while that nest is in use or being built.

SITES OF IMPORTANCE FOR NATURE CONSERVATION

62. No materials, waste, arisings or plant shall be stored or operated within the Coed Gwernybowlau, Nant Henstaff, Cadoxton and Trehafod Branch Line, M4 Junction 33 Spoil Tip, Nant-Y-Glaswg and Pencoed Wood SINC, or be allowed to fall, be washed or blown into them except for those parts of the SINC that are to be developed as part of this permission.

Reason: To protect the features of interest for nature conservation for which the SINC has been designated.

PROVISION OF ROAD BEFORE OCCUPATION OF DWELLINGS / BUILDINGS

63. No dwelling or building shall be occupied until that part of the road and footpath which provides access to it from the existing highway and all surface water drainage works for the said road have been laid out, constructed and completed up to base course level and lit in accordance with the approved plans. The roads and footpaths shall be constructed to surface level prior to the occupation of the last dwelling or building served by that road, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure an orderly form of development and to make provision for satisfactory access to the dwelling by the future occupants.

SECTION 5: INFORMATIVES

RECOMMENDATION 2: R1 CONSTRUCTION SITE NOISE

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: R2 RADON GAS PROTECTION

This development falls within a radon affected area and may require basic radon protective measures, as recommended for the purposes of the Building Regulations 2010.

RECOMMENDATION 4: R4 CONTAMINATION AND UNSTABLE LAND ADVISORY NOTICE

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 the following rests with the developer:

- (i) determining the extent and effects of such constraints;
- (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.

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 5: That the developer be advised that any permanent or temporary works that may impact upon an ordinary watercourse may require consent under Section 23 of the Land Drainage Act 1991 from the City of Cardiff Council. It is recommended that landowners and developer contact the City of Cardiff Council to discuss proposals in order to determine if such consent is required.

RECOMMENDATION 6: The Council's street lighting engineers provide the following advice in their email of 25/09/2015:

- Switching street lighting off is not seen as an option at any time of the year.
- A staged dimming regime could be considered where the street lighting could be dimmed at certain times dependent on demand. 25% min light

output would be the lowest that would be considered and only when there is the least amount of demand on the highway (midnight - 6am).

- Typically the minimum mounting height lighting columns are 5m on footpaths and would remain the case for future developments. This would mean that an acceptable lighting class could be achieved for a given footpath in line with the British Standard and would also limit the amount of column types that would need to be held as stock by the Council in the future.
- Typically column mounting heights for residential streets/ areas are 5-6m dependent on road characteristics and spine / access roads between 6 - 10m mounting height dependent on mounting characteristics.
- The use of 3m lighting columns to illuminate the footway / cycleway would not be acceptable.
- The Council are specifying LED on all new developments. They provide more control as to where the light is directed and areas required to be lit and minimise light spill and intrusive light.

RECOMMENDATION 7: That the developer be advised of the advice from the Council's Tree Officer, dated 19/08/16.

RECOMMENDATION 8: That the developer be advised of the advice from the Council's PROW team, under the section 'What the Developer needs to consider', dated 25/08/16. The grant of planning permission does not give a developer any right to interfere with, obstruct or move a public right of way.

RECOMMENDATION 9: That the developer be advised that the litter bin specifications for adopted land are as follows:

Free standing litter bins:

- Black with Council logo, and the lettering "Litter/Sbwriel" in gold
- 120 litre capacity
- Include ash tray/ stub plate
- Heavy duty polythene plastic with hinge slam shut door (self-locking) and hex/t-bar key
- Drip space and fixing holes for bolting to the floor
- Approximately 100 litre plastic liner with outside handles

Post mounted litter bins:

- Black with Council logo in gold
- 50 litre capacity
- Hooded with cigarette stub plate
- Release drop-out and click back with triangular key mechanism
- Drip holes
- Secured to post with band wire kit.

RECOMMENDATION 10 : The archaeological work must be undertaken to the appropriate Standard and Guidance set by Chartered Institute for Archaeologists (CIfA), (www.archaeologists.net/codes/ifa) and it is recommended that it is carried out either by a CIfA Registered Organisation (www.archaeologists.net/ro) or an accredited Member.

RECOMMENDATION 11 : The highway works conditions and any other development related works to existing or proposed adopted public highway are to be subject to agreements under Section 278 and/or Section 38 of the Highways Act 1980 between the developer and Local Highway Authority.

RECOMMENDATION 12 : No works to the two footpaths that cross the site (Capel Llanilterne No 18 and Peterstone Super Ely no 10) shall be undertaken a legal order has been applied for by the developer and confirmed by the Local Highway Authority. In the event that the legal orders are not confirmed, the existing path alignments shall be retained. PROW access via Capel Llanilterne No 18 through to Pencoed House shall be retained.

RECOMMENDATION 13 : That the developer be advised of the advice from NRW dated 21/09/15 (actually sent 21/09/16) including:
Where an EPS is present, and a development proposal is likely to contravene the protection afforded to it, development may only proceed under a licence issued by Natural Resources Wales (NRW) having satisfied three requirements set out in the legislation. One of these requires the development authorised will 'not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status (FCS) in their natural range.' These requirements are translated into planning policy through Planning Policy Wales (PPW) July 2014, sections 5.5.11 and 5.5.12, and Technical Advice Note (TAN) 5, Nature Conservation and Planning September 2009. The planning authority should take them into account when considering development proposals where an EPS is present. NRW advise the Applicant seeks an EPS licence from NRW under Regulation 53(2)e of The Conservation of Habitats and Species Regulations 2010 before any works on site commence that may impact upon EPS. Please note, the granting of planning permission does not negate the need to obtain a licence.

RECOMMENDATION 14 : That the developer be advised that the reserved matters details must demonstrate that due consideration has been given to the presence and setting of Pencoed House (Grade II* Listed Building).

RECOMMENDATION 15: That the developer be advised of the advice from the Council's Tree Officer dated 19/08/15 in respect of tree planting, 12/06/14 in respect of species mixes, tree pit specifications, Ecotones and the scope of management plans.

RECOMMENDATION 16: That the developer be advised of the advice from DCWW dated 23/06/15 noting the presence of a water main that crosses the site and related advice, including that no structure is to be sited within a minimum distance of 3m from the centre line of the water main.

RECOMMENDATION 17: That the developer be advised that records indicate the potential for subsurface voids/solution features to be present in the area and that they should be fully aware of this in relation to their responsibilities regarding the safe development and occupancy of the site. For the avoidance of doubt, the responsibility for the safe development and occupancy of the site rests with the developer.

RECOMMENDATION 18: Sustainable Drainage is defined as per the definition contained in Schedule 3 of the Flood and Water Management Act 2010: "Sustainable drainage" means managing rainwater (including snow and other precipitation) with the aim of— (a) reducing damage from flooding, (b) improving water quality, (c) protecting and improving the environment, (d) protecting health and safety, and (e) ensuring the stability and durability of drainage systems."

RECOMMENDATION 19 : That the Developer be advised that prior to the commencement of development, the Developer must notify the local planning authority of the commencement of development, and must display a site notice and plan on, or near the site, in accordance with the requirements of Article 12 of the Town & Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016.

1. **DESCRIPTION OF PROPOSED DEVELOPMENT**

- 1.1 This application, as amended, seeks outline planning permission for a comprehensive development to create a new community containing:
- (i) Up to 1,500 new homes, including houses, apartments and some sheltered accommodation for the elderly (Use Classes C2 and C3)
 - (ii) A 1000 space Park and Ride facility and transport interchange or hub including associated building
 - (iii) Community facilities including a new 2 form entry primary school (2 hectares) and a community centre (Use Class D1) of up to 750m²
 - (iv) A local centre including 2,500m² of shops (Use Class A1), financial and professional (Use Class A2), food and drink (Use Class A3) uses and a clinic or surgery (Use Class D1)
 - (v) 16300m² of new offices, workshops and research and development facilities (Use Classes B1 with ancillary B2 and B8) over two separate locations – a business zone around J33 and a second area along the M4 corridor for local workspace
 - (vi) A network of open spaces, including parkland, footpaths, 2 sports pitches, allotments/local growing space and orchards, play facilities for young and teenage/older children (including 3 no Local Equipped Area of Play and 1 no Neighbourhood Equipped Area of Play and Multi Use Games Area) and areas for informal recreation
 - (vii) New roads, parking areas, accesses and paths
 - (viii) Other ancillary uses and activities and requiring site preparation, the installation or improvement of services and infrastructure, the creation of drainage channels and basins, improvements/ works to the highway network and other ancillary works and activities.
- 1.2 The application description has been amended to propose Use Classes B2 (General Industry) and B8 (Storage or Distribution) as ancillary uses to Use Class B1, rather than as primary uses as originally proposed, as those uses are not considered to be suitable for this location.

- 1.3 Detailed permission is sought for three junctions. These comprise two vehicular accesses into/ from the site along Llantrisant Rd and a single vehicular access from J33 of the M4, as set out on drawings 'A4119 Llantrisant Road Signalised Junction Arrangement Alternative Alignment' (drawing no W131169/SK/24 Rev A) and Masterplan showing Proposed Vehicular Access Points (drawing no W131169-B-04 Rev I).
- 1.4 Permission is also sought for a series of Parameter Plans, encompassing Land Use, Access and Movement, Density, Building Heights and Scale, Green Infrastructure, Amount, Phasing and Development Concept and Red Line Plan. The parameter plans provide a framework that will inform the detailed design of the site at reserved matters stage and ensure the development is implemented within the scope of the development tested by the EIA. In light of this, conditions are recommended to 'fix' the parameters at this outline stage. Three illustrative plans – an 'Indicative Masterplan', 'Green Infrastructure Plan (Strategic Landscape Framework Plan)' and 'Multi-functional Green Infrastructure Typology' plan have also been submitted, which seek to reflect the proposals and show how the development could be accommodated within the identified parameters. (The recommended conditions require the reserved matters details to be in substantial accordance' with the illustrative plans.)
- 1.5 The amended submission comprises a Revised Planning Statement (August 2016), a revised Design and Access Statement (August 2016), an Environmental Statement (May 2014), an Environmental Statement Addendum and Non-Technical Summary (August 2016), Transport Assessment (May 2014), Transport Assessment Addendum (August 2016), Interim Residential and Employment Travel Plans (May 2014), Flood Consequences Assessment (May 2014) and Sustainability Assessment (May 2014) and a revised drawings package.
- 1.6 The Environmental Statement (ES) covers the following topics: Introduction, Environmental Impact Assessment Methodology, Application Site and Proposed Development, Alternative Sites and Development Options, Society and Economics, Transport Movement and Access, Ecology and Nature Conservation, Landscape and Visual Impact, Hydrology and Drainage, Ground Conditions, Noise and Vibrations, Air Quality, Cultural Heritage and Archaeology, Cumulative Effects, Summary of Mitigation and Residual Impacts.
- 1.7 The stated Vision for the scheme is as follows:

Junction 33 will be a new sustainable community linked to the heart of Cardiff by high quality public transport. Strategically positioned and set within a retained and improved green network of open space, it will offer facilities for new residents and those nearby, including a brand new Park and Ride for North West Cardiff. There will be a mixture of homes, jobs and community buildings, including a first class primary school and local hub.
- 1.8 The amended proposal includes the following components:

Land Use - residential

- 1.9 Whilst the definitive number, mix and density of dwellings will not be known until future reserved matters applications are approved, permission is sought for up to 1,500 dwellings. The development description provides for a mix of dwelling types (houses, apartments and some sheltered accommodation for the elderly), with the DAS proposing a range of sizes, from starter units through to intermediate and large detached housing. A range of tenures will be delivered through the s106, with the developers having agreed to deliver 15% affordable housing on-site, comprising a tenure split of 80% Intermediate Rented and 20% Low Cost Home Ownership, together with a financial contribution for off-site provision. (See Section 9 for s106 Heads of Terms.)
- 1.10 The Building Heights parameter plan confirms that within most areas a maximum of 2 storeys is proposed, with occasional 2.5-3 storeys. The Local Centre and J33 business zone will be up to 4 storeys. Whilst the Revised DAS notes that the overall average density is approx 44dph, the Density parameter plan proposes a range of densities. Highest densities (45+ dph) are proposed within the local centre, medium densities in the central part of the scheme (30-34dph) and lower densities close to existing woodlands, main public open spaces and water courses to the west of the site.

Other Land Uses

- 1.11 A new local centre will include provision for shopping, commercial and community facilities. In addition to residential, a Park and Ride and transport interchange, employment floorspace, primary school and community uses are proposed.

Green Infrastructure, Open Space and Drainage

- 1.12 The Green Infrastructure and Open Space proposals are reflected in the Green Infrastructure parameter plan, the Indicative Masterplan, Green Infrastructure Plan (Strategic Landscape Framework Plan) and Multi-functional Green Infrastructure Typology plan, Revised DAS and ES. The stated overall strategy is to protect the most valuable components where possible, mitigate features which cannot be retained, enhance retained site features, introduce valuable new landscape features appropriate to the proposed development and retained habitat, and manage the overall multi-functional green infrastructure network to improve the appearance of the site and its habitat value, and provide leisure and amenity space. Key Green Infrastructure proposals include:
- A network of linked multi-functional green corridors, providing habitat connectivity and movement corridors and open space accessible to new residents and the surrounding communities,
 - the green infrastructure network would also provide links to watercourses, wetland areas and river corridors, with attenuation ponds, swales and basins providing new species-rich marshy grassland
 - Retention and positive management of the majority of existing woodland and important trees
 - Retention of most existing hedgerows and provision of a new hedgerow network with native specimen tree planting
 - New tree planting along Llantrisant Rd and woodland planting to mitigate the loss of existing hedgerow and an active frontage and sense of place

- A site-wide street tree planting strategy to reinforce the street hierarchy and legibility
- Provision of buffer strips to protect habitats (woodland, hedgerows, streams and ponds)
- Public open space to include wildflower grassland, herbaceous, tree and shrub species selected to be beneficial to biodiversity, with native wetland planting around attenuation ponds
- Retention of known bat roosts where possible and provision of replacement roosting opportunities for tree roosts to be lost
- Provision of bird boxes along woodland edge and retained hedgerow habitat to provide replacement for loss of nesting resource onsite
- Retention of ponds and terrestrial habitat of value to amphibians
- Access to retained woodland habitats to be limited through the provision of dedicated pathways, signs and fencing
- Provision of play and sports spaces, including substantial provision in a new Central Park Area, located adjacent to the local centre, school and one of the main blocks of retained woodland, and which will accommodate the 2 sports pitches and Neighbourhood Equipped Area of Play and Multi Use Games Area, complimented by 3 no Local Equipped Areas of play in the north, west and eastern parts of the site and informal green space and woodland
- Orchards and 2400m² of allotment space, with a general allotment building, shed for each allotment and parking
- A cycle and pedestrian pathway network, connecting formal public open space, informal green space and woodland to create an accessible and connected recreational network
- Integration of the retained railway corridor archway within the path network to provide a remnant industrial heritage focal point
- The creation of a linear park along the line of the former railway
- The creation of species-rich marshy grassland, as a target BAP habitat, in drainage basins and swales required as part of the drainage strategy
- Management of the retained and proposed green infrastructure network with the aim of enhancing biodiversity, longevity of the major landscape components and enhancing landscape amenity value
- Design of site lighting to limit spill onto retained hedgerow and woodland habitats
- Treatment/eradication of invasive species (Rhododendron)
- Adoption of site clearance methodology and timing to protect valued species
- Sustainable drainage measures, including storage ponds and swales
- Potential surface water run-off from site minimised during construction and operation to prevent adverse impact on streams and ponds, and
- Preparation of a Construction Environmental Management Plan to ensure appropriate protection and control during the construction phase.

Placemaking

- 1.13 The parameter plans noted above, illustrative materials, including Illustrative Masterplan and Green Infrastructure Plan, Revised DAS given an indication of the overall layout and design of the scheme with regards building height,

density, street hierarchy and layout. The character of the scheme is progressed in the Revised DAS, with 5 character areas proposed – Westgate Employment Area, Llantrisant Gateway, Greenway, J33 Centre and Woodland Park. Additionally, four Key Focal Areas are proposed to show high quality development. ‘Gateways’ are proposed at J33 – a key arrival point defined by landmark commercial buildings and an informal parkland at the base of the disused railway and at Llantrisant Rd, defined by key residential buildings and public realm quality.

Transport and Access

1.14 The overall strategy is based on providing a sustainable transport solution. At a site level, the approach is to minimise the need to travel for those living on the site and to ensure that any travel is made by the most sustainable means, reducing dependence on the private car for both the development and City region. The strategy is based on three key measures:

- Maximising the scope for walking and cycling within the scheme and the surrounding area
- Installation of a new Park and Ride
- The improvement of existing public transport services into the City.

Vehicular Access

1.15 Detailed planning permission is sought for 3 new junctions, as noted in para 1.3 above; two signal controlled access junctions along Llantrisant Rd and a single vehicular access from J33 of the M4. The Llantrisant Rd junctions will provide associated pedestrian and cycle crossing facilities. The ESA notes that the Council could use the site access junctions on Llantrisant Rd as network management locations to hold traffic on Llantrisant Rd to ensure free flow of traffic through the Air Quality Management Area in Llandaff.

1.16 Access from J33 of the M4 will be limited to provide access to three quarters of the P&R spaces (750 no) and two thirds of the employment space (J33 employment zone), with all the new dwellings, the remaining 250 park and ride spaces, the local employment space and remaining part of the development accessed from the two junctions on Llantrisant Rd. A bus gate between Llantrisant Rd and Junction 33 will prevent through movement by all motor vehicles, except buses in line with the overall aim to promote and advance travel by non-car modes.

1.17 Future access points are proposed to provide future vehicular, walking and cycling links to the remainder of site D (2 no) and to the ‘flexibility allowance land’ identified in the LDP (1 no) to the west around Henstaff Court.

1.18 The Revised DAS sets out a proposed street hierarchy (main Spine road, Avenue roads, Streets, Lanes and Private Drives), in addition to off road, traffic free pedestrian and cycle paths. The masterplan shows the streets connecting to create a grid of connected streets to facilitate the creation of a ‘walkable neighbourhood’.

Pedestrian and Cycle Access

1.19 The main cycling and pedestrian proposals include:

- A 3m two-way segregated cycle way on one side and segregated pedestrian footways on both sides of all Spine and Avenue roads. 'Streets' provide 2m footways on either side of the carriageway, with cyclists to share the carriageway. Shared surfaces are proposed on Lanes and Private Drives.
- Pedestrian and cycling crossing facilities at the Llantrisant Rd junctions
- A Llantrisant Rd cross section, including a 3m two-way segregated cycleway and a 2m footpath on the development side, in line with the Council's common approach to the treatment of Llantrisant Rd along the frontage of Strategic Site C
- Traffic free routes (for pedestrians and cyclists), advisory routes (for cyclists) and a proposed Cycle Super Route (for pedestrians and cyclists) along the disused railway line
- Cycle parking
- Residential, business and school travel planning measures (e.g. walking bus schemes to and from the primary school incorporating 'stations' around the site, scoot to school with scooter parking at school, cycle trains for school children incorporating cycle parking at the school).

Park and Ride and Hub

- 1.20 The 1000 space Park and Ride and associated hub will serve both the development and wider region, having the potential to remove background car trips from the network. The park and ride is proposed on a single level, with the application noting the potential to provide more spaces in the future by 'decking' this area. The hub is proposed to provide a destination point for site wide cycle and pedestrian routes, a high quality and attractive cycle parking facility and other local facilities such as shops. The Phasing Plan identifies the delivery of the Park and Ride in Phase 1. In subsequent s106 negotiations Persimmon have advised that the negotiation of s278 agreements from Welsh Government will take approximately 18 months and that there will be restrictions in terms of times of year and times of day when work can take place on the motorway junction, which will affect the phasing of the Park and Ride. Section 9 provides details of proposed trigger points for its delivery.

Buses and Rapid Transit

- 1.21 Buses will be able to access the site using all site access junctions, facilitated by the bus gate referred to above. The Spine and Avenue Roads all provide a 6.3m carriageway to facilitate bus use.
- 1.22 The scheme proposes an indicative on-road Rapid Transit Route, stopping at the hub, and also safeguards land for a series of alternative routes (Revised DAS, p. 92). In addition, the street hierarchy cross sections safeguard land for the potential future introduction of a 'with rapid transit' option along the central spine road.

Phasing

- 1.23 The phasing parameter plan indicates the scheme will be delivered in three principal phases. Phase 1 would start along the edge of Llantrisant Rd and into the centre and include the Park and Ride, with phase 2 delivering the local centre, J33 employment zone and the primary school, and phase 3, the

western side of the site and local employment area. The DAS identifies that around 550 dwellings would be delivered in phase 1, around 500 on phase 2 and the remainder - approx 450 - in phase 3. A condition is recommended to control the phasing, with the phasing of key elements secured via the s106 Agreement - see section 9 of this report.

Amendments

- 1.24 Amended plans and further information was submitted in August 2016. The key amendments comprise:
- (i) Amended description to propose Use Classes B2 (General Industry) and B8 (Storage or Distribution) as ancillary uses to Use Class B1, rather than as primary uses
 - (ii) increase in Class A1 – A3 retail floorspace to 2,500m² from 1,500m² of Use Class A1 – A3 and D1 uses, supported by a retail assessment
 - (iii) Reconfigured vehicular accesses from Llantrisant Rd to signalised junctions
 - (iv) Amendments to the street hierarchy, movement strategies and cross sections, including provision of 6.3m carriageways and 3m segregated cycleways along the Spine and all Avenue Roads and Llantrisant Rd;
 - (v) Progression of site-wide design principles, including briefs for 5 character areas, key street design principles, a parking strategy offering different parking solutions and a public art strategy
 - (vi) Amendments to height, density, scale and phasing plans
 - (vii) Evolution of Green Infrastructure, including types, quantities of and design principles, and an indicative tree planting strategy
 - (viii) Masterplanning, including safeguarding of land for the 'Metro' and safeguarding of future links to adjoining land
 - (ix) Transport Assessment Addendum, including amendments/clarification on the rapid transit corridor, approach to Llantrisant Rd, bus priority, Park and Ride/transport hub, walking cycling and public transport corridors, and the network management strategy. Inclusion of sensitivity traffic analysis based on existing mode split for Creigiau and St Fagans, accessibility profiles, RCT's committed development from LDP allocation sites and potential impact at Groesfaen and matters of clarification on the original TA
 - (x) Environmental Statement Addendum, including updated ecology chapter building on additional survey work for bats and reptiles, design proposals and treatments for key corridors, and updated air quality and noise chapters.

Site Visit

- 1.25 A Planning Committee site visit took place 1 February 2016. A site visit hand-out was prepared, showing photographs of the site, and is available to view on the Council's website.

2. DESCRIPTION OF SITE

Site Location

- 2.1 The application site comprises approx 77.4ha of greenfield land, located between the M4 at its junction with the A4232 to the south and Llantrisant Rd

(A4119) to the north. The site is bounded to the south by the M4 motorway, associated slip roads and the entry spur road in the Cardiff West Motorway Service Area. The northern boundary is largely formed by the A4119 Llantrisant Rd, and the eastern and western boundary by agricultural land, rough pasture, copses and woodland. There are a small number of properties nearby, including Pencoed House and Parc-y-Bach immediately adjacent to the site to the east, and Henstaff Court, immediately adjacent to the west.

- 2.2 The LDP allocation Strategic site E is located immediately north of Llantrisant Rd, whilst land to the west of the site is identified as land to provide for 'future flexibility'. The site lies in close proximity to the Council's administrative boundary with the Vale of Glamorgan and Rhondda Cynon Taff Councils, the former being immediately south west of junction 33 and the latter being north of the M4 approximately a kilometre west of the site.

Land Use and Site Conditions

- 2.3 The site comprises a series of agricultural fields managed as grazing land. It can be characterised as open rolling pasture (improved agricultural grassland with areas of predominantly species-poor marshy grassland) interspersed by woodland, coppice, hedgerows, and trees. A 0.25ha area of hardstanding is located to the south of the site immediately adjacent to Junction 33 which is currently unused. Apart from the area of hardstanding, the former Barry to Llantrisant branch railway line, which runs in a north-westerly direction through the centre of the site from the Junction 33 roundabout, an area of fill associated with the construction of the A4232 and the archaeological resource identified in the analysis section below, the site has remained undeveloped. The dismantled railway line embankment has two under-pass bridges along it, which form distinctive landscape features in the site.

- 2.4 The topography of the site is also a defining feature. The site is gently undulating, with highpoints on the northern boundary of Llantrisant Rd (AOD 64m), in the central section (60m AOD) and where the site borders the M4 in the south (62m AOD), which fall into shallow valleys associated with water courses in the centre of the site (flowing south east to the Nant y Glaswg) and on the western boundary (the Nant Henstaff, flowing south). The low point is in the south west, near the boundary with the M4. The majority of the site is located in Zone A of the TAN 15 development advice maps (dam). A small section of the site located along the Nant Henstaff is located in Zone B. There are 5 small ponds in the northwest corner of the site. A number of localised potential sources of contamination are present on the site, associated with the historic railway line/embankment, an area of tipped surplus subsoil from the construction of the M4, an infilled historic quarry, a former storage compound and fly tipping. The geology across the site is varied with clayey superficial deposits over various bedrock strata which have variable permeability characteristics. Several secondary aquifers have been classified within the site boundary.

Site Designations

- 2.5 The application site comprises Grade 3 to 4 agricultural land. Several groups of trees / hedgerows within and adjoining the site are protected by Tree

Preservation Orders. There are no statutory landscape or nature conservation designations within the site. There are a number of locally identified Sites of Importance for Nature Conservation within and adjacent to the site, including an area of ancient woodland and streams. There are two listed buildings nearby, namely the Grade II* Listed Pencoed House, and Grade II Listed Church of St Eldeyrn at Capel Llanilltern.

Access and Accessibility

- 2.6 There are a number of informal gated access points to the site from the A4119 Llantrisant Rd providing agricultural access to the fields. The nearest settlement is the village of Creigiau, the centre of which lies approximately 1 km to the north of the site, with the village of Groes Faen located approx 1.6k to the west along Llantrisant Rd. There is footway provision along the site frontage on the southern side of Llantrisant Rd, at varying widths. Two public footpaths cross the site in a north south alignment; Llanilterne no 18 (which crosses the site from Pencoed House in the east to the M4) and Peterstone Super Ely no 10 (which runs from the A4119 through the site to the M4). Two bus services currently pass the northern boundary of the site along Llantrisant Rd, operated by Stagecoach (service 122 and 124), providing services between Tonypany and Maerdy to Cardiff City Centre. An intercity service operated by Greyhound provides a service between Swansea and Bridgend to Cardiff City Centre, passing the site via Junction 33 of the M4.

3. **RELEVANT SITE HISTORY**

Site History

- 3.1 06/02504/W – Land to the N of Junction 33, M4 Motorway – approved subject to s106, but subsequently withdrawn following call in under Section 77 of the Town and Country Planning Act 1990 for determination by the Welsh Ministers *International status business park comprising 100,000 sqm employment (b1); 26,000 sqm hotel/complementary facilities/ a regional transport interchange; car parking, landscaping and access*

Related History

- 3.2 The following applications falls within Strategic Site C, located south east from Strategic Site D and which are also accessed, in part, via Llantrisant Rd:

14/02157/MJR – Land North and South of Llantrisant Rd – outline application approved 09/08/2016

The development of up to 630 residential dwellings (use class c3, including affordable homes), primary school (use class d1), visitor centre/community centre (use class d1), community centre (use class d1), open space (including children's play spaces), landscaping, sustainable urban drainage, vehicular accesses, bus lanes, pedestrian and cycle accesses and related infrastructure and engineering works

16/02016/MJR – Reserved matters application for outline planning (14/02157/MJR) approved 23/12/16

Reserved matters application for outline planning (14/02157/MJR) for the development of 126 dwellings forming part of phase 1a of land to the north and

south of Llantrisant Road, detailed consent requested for all outstanding matters

Various Discharge of Condition applications relating to 14/02157/MJR.

14/02188/MJR – Land South of Pentreban Rd – outline application approved 13/12/16

Up to 290 residential dwellings (C3), open space (including children's play space), landscaping, sustainable urban drainage, vehicular access, pedestrian and cycle accesses and related infrastructure and engineering works

14/02733/MJR – North West Cardiff - current application

Outline planning application with all matters reserved apart from strategic access junctions for residential-led mixed use development, to be developed in phases, including preparatory works as necessary including demolition and re-grading of site levels; up to 5,970 residential units (use class c3, including affordable homes); 3 no. Local centres providing residential units, convenience shops and facilities/services (including up to 7,900 sq m in use classes a1-a3) and 1no. District centre providing residential units, up to 12,000 sq m in use classes a1-a3 including up to two food stores (up to 5,000 sq m gross) with associated parking, up to 15,500 sq m of use class b1(a), b1(b) and b1(c); provision of up to 5,100 sq m of community and healthcare facilities across the district and local centres (use classes d1 and d2); provision for 3no. Primary schools and 1 no. Secondary school; open space including allotments; parks; natural and semi natural green space; amenity green spaces; facilities for children and young people; outdoor sports provision including playing pitches; associated infrastructure and engineering works including new vehicular accesses, improvement works to the existing highway network, new roads, footpaths/cycleways, a reserved strategic transport corridor; up to 1 no. Electricity primary-substation and landscaping works (including suds).

16/00106/MJR – Goitre Fach Farm, Llantrisant Rd – approved subject to s106 14/12/16

Outline planning application (all matters reserved apart from strategic vehicular, cycle and pedestrian access into the site) for the demolition of existing buildings and residential development of up to 300 dwellings on site to include open space (including children's play space), landscaping. Sustainable urban drainage, vehicular access, pedestrian and cycle accesses and related infrastructure and engineering works.

4. **POLICY FRAMEWORK**

4.1 Local Policy

Cardiff Local Development Plan 2006-2026 (Adopted January 2016)

Key Policies:

KP1: LEVEL OF GROWTH

KP2: STRATEGIC SITES

KP2(D&E): NORTH OF JUNCTION 33 ON M4 AND SOUTH OF CREIGIAU

KP4: MASTERPLANNING APPROACH

KP5: GOOD QUALITY AND SUSTAINABLE DESIGN

KP6: NEW INFRASTRUCTURE
KP7: PLANNING OBLIGATIONS
KP8: SUSTAINABLE TRANSPORT
KP12: WASTE
KP13: RESPONDING TO EVIDENCED SOCIAL NEEDS
KP14: HEALTHY LIVING
KP15: CLIMATE CHANGE
KP16: GREEN INFRASTRUCTURE
KP17: BUILT HERITAGE
KP18: NATURAL RESOURCES

Detailed Policies:

H3: AFFORDABLE HOUSING
EN3: LANDSCAPE PROTECTION
EN5: DESIGNATED SITES
EN6: ECOLOGICAL NETWORKS AND FEATURES OF IMPORTANCE FOR BIODIVERSITY
EN7: PRIORITY HABITATS AND SPECIES
EN8: TREES, WOODLANDS AND HEDGEROWS
EN9: CONSERVATION OF THE HISTORIC ENVIRONMENT
EN10: WATER SENSITIVE DESIGN
EN11: PROTECTION OF WATER RESOURCES
EN12: RENEWABLE ENERGY AND LOW CARBON TECHNOLOGIES
EN13: AIR, NOISE, LIGHT POLLUTION AND LAND CONTAMINATION
EN14: FLOOD RISK
T1: WALKING AND CYCLING
T2: STRATEGIC RAPID TRANSIT AND BUS CORRIDORS
T3: TRANSPORT INTERCHANGES
T5: MANAGING TRANSPORT IMPACTS
T6: IMPACT ON TRANSPORT NETWORKS AND SERVICES
T7: STRATEGIC TRANSPORTATION INFRASTRUCTURE
T9: CARDIFF CITY REGION 'METRO' NETWORK
R1: RETAIL HIERARCHY
R6: RETAIL DEVELOPMENT (OUT OF CENTRE)
R7: RETAIL PROVISION WITHIN STRATEGIC SITES
R8: FOOD AND DRINK USES
C1: COMMUNITY FACILITIES
C3: COMMUNITY SAFETY/ CREATING SAFE ENVIRONMENTS
C4: PROTECTION OF OPEN SPACE
C5: PROVISION FOR OPEN SPACE, OUTDOOR RECREATION, CHILDREN'S PLAY AND SPORT
C6: HEALTH
C7: PLANNING FOR SCHOOLS
W2: PROVISION FOR WASTE MANAGEMENT FACILITIES IN DEVELOPMENT

- 4.2 The application site falls within Cardiff's settlement boundary, as identified on the adopted Cardiff LDP Proposals Map. The site forms part of Strategic Site 'D' –'North of Junction 33 on M4', allocated under policies KP2 and KP2(D & E) for *'mixed use [development] of approximately 2,000 homes, employment, other*

associated community uses and a strategic park and ride site'. The LDP identifies land North West of the Strategic Site North of junction 33 as an area to provide 'future flexibility'. The land is noted to represent a logical extension of this site which could provide a minimum of an extra 1,250 dwellings if required in the Plan period, but noting that further masterplanning is likely to demonstrate that a higher figure is possible (para 4.29). It is noted that masterplanning will ensure that suitable access is secured and that future Plan monitoring will trigger any future detailed discussion of infrastructure and masterplanning requirements should the need for their early release be triggered within the Plan period (para 4.28).

- 4.3 Strategic Site D forms one of 3 strategic sites allocated in NW Cardiff with access off Llantrisant Road (A4119).
- 4.4 Strategic Site C – 'North West Cardiff' is allocated for a "*a mixed-use comprehensive development including a minimum of 5,000 homes and local employment opportunities, together with essential, enabling and necessary supporting infrastructure*". The LDP notes that the overall capacity of the site is considered to be in the order of 6,500 – 7,000 dwellings, but that work undertaken to date suggests that a figure of 5,000 dwellings is appropriate to be delivered within the plan period (para 4.29). The LDP also notes that land North of the North West Cardiff site has the potential to provide a minimum of an extra 1,250 dwellings if required in the later phases of the plan, with a higher figure being possible (para 4.29).
- 4.5 Strategic Site E – 'South of Creigiau' – is allocated as a 'housing-based scheme of approximately 650 homes representing a southern extension of the existing village'.

Supplementary Planning Guidance (SPG):

- 4.6 Relevant SPG approved following the adoption of the Cardiff Local Development Plan:
'Waste Collection and Storage Facilities' (approved October 2016)
'Planning Obligations' (approved January 2017)
'Residential Design Guide' (approved January 2017)
- 4.7 SPG approved prior to the adoption of the Cardiff Local Development Plan are no longer linked to adopted development plan policies. However, where such SPG is considered consistent with the new LDP policy framework, it will continue to be material to the Development Management process. The following SPG are considered relevant to the determination of this application:
'Affordable Housing' (March 2007) and 'Affordable Housing Delivery Statement (October 2010)
'Community Facilities and Residential Development' (March 2007)
'Developer Contributions for School Facilities' (March 2007)
'Open Space' (March 2008), including May 2015 update to S.106 Baseline Contribution Figure
'Access, Circulation and Parking Standards' (January 2010)
'Cardiff Liveable Design Guide' (May 2015)

National Planning Policy

- 4.8 Planning Policy Wales and the Wales Spatial Plan set out the land use policies of the Welsh Government. These are supplemented by a series of Technical Advice Notes and Circulars.

Planning Policy Wales (Edition 9, November 2016)

- 4.9 Section 1.2 explains that the purpose of the planning system is to manage the development and use of land in the public interest, contributing to improving the economic, social, environmental and cultural well-being of Wales, as required by the Well-being of Future Generations (Wales) Act 2015. It notes that the planning system should reconcile the needs of development and conservation, securing economy, efficiency and amenity in the use of land, and protecting natural resources and the historic environment. It recognises that a well-functioning planning system is fundamental for sustainable development (para 1.2.1).
- 4.10 PPW has been updated to include reference to the statutory purpose for the planning system introduced by the Planning (Wales) Act 2015 – that any statutory body carrying out a planning function must exercise those functions in accordance with the principles of sustainable development as set out in the Well-being of Future Generations (Wales) Act 2015. PPW has been updated to take into account the Well-being of Future Generations (Wales) Act 2015 more fully, and includes information on the provisions of the Act. It notes that the Act establishes a ‘sustainable development principle’ which it notes means that a defined public body must act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs and lists a series of key principles that they expect all those involved in the planning system to adhere to:
- putting people, and their quality of life now and in the future, at the centre of decision-making;
 - engagement and involvement, ensuring that everyone has the chance to obtain information, see how decisions are made and take part in 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;
 - applying the precautionary principle. Cost-effective measures to prevent possibly serious environmental damage should not be postponed just because of scientific uncertainty about how serious the risk is;
 - using scientific knowledge to aid decision-making, and trying to work out in advance what knowledge will be needed so that appropriate research can be undertaken;

- while preventing pollution as far as possible, ensuring that the polluter pays for damage resulting from pollution. In general the Welsh Government will seek to ensure that costs are met by those whose actions incur them;
- applying the proximity principle, especially in managing waste and pollution. This means solving problems locally rather than passing them on to other places or to future generations;
- 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; and
- working in collaboration with others to ensure that information and knowledge is shared to deliver outcomes with wider benefits.

4.11 In addition, PPW sets out a series of sustainability objectives that reflect the vision for sustainable development and which should be taken into account in taking decisions on individual planning applications in Wales, structured around 7 well-being goals: a prosperous Wales, a resilient Wales, a healthier Wales, a more equal Wales, a Wales of cohesive communities, a Wales of vibrant culture and thriving Welsh Language, and a globally responsible Wales.

Wales Spatial Plan (2008 update)

4.12 The plan sets out the Welsh Government's vision for spatial planning within Wales and sets out a strategic framework to guide future development and policy interventions. The plan sets out key issues and challenges facing Wales under 5 key themes – building sustainable communities, promoting a sustainable economy, valuing our environment, achieving sustainable accessibility and respecting distinctiveness. The plan divides Wales into six strategy areas of which Cardiff falls within the South East Wales – Capital Region. The plan recognises that the success of the region relies on Cardiff developing its capital functions in order for the area to work as a networked city region, to provide an appropriate quality of life for all and to be able to compete with comparable areas in the UK and EU for investment and growth. The vision recognises the key role that Cardiff plays. The plan identifies the area around Llantrisant and North West Cardiff as one of 3 Strategic Opportunity Areas in the South East Wales – Capital Region.

Technical Advice Notes (TANs) and Circulars

4.13 Key TANs and Circulars include:

- TAN 1: Joint Housing Land Availability Studies (2015):
- TAN 2: Planning and Affordable Housing (2006)
- TAN5: Nature Conservation and Planning (2009)
- TAN 6: Planning For Sustainable Rural Communities (2010)
- TAN 8: Renewable Energy (2005)
- TAN 11: Noise (1997)
- TAN 12: Design (2014)
- TAN 15: Development and Flood Risk (2004)
- TAN 16: Sport, Recreation and Open Space (2009)
- TAN 18: Transport (2007)
- TAN 21: Waste (2014)

TAN 22: Sustainable Buildings (2010)
Circular 16/94 'Planning Out Crime'
Circular 60/96 'Planning and the Historic Environment: Archaeology'
Circular 61/96 'Planning and the Historic Environment: Historic Buildings'
Circular 20/01 'Planning Controls for Hazardous Substances'
Circular 07/12 'The Town and Country Planning (Notification) (Wales) Direction 2012

5. **INTERNAL CONSULTEE RESPONSES**

- 5.1 **Strategic Planning** note that the retail assessment satisfactorily addresses the queries raised by the Council and demonstrates policy compliance with the tests and criteria outlined in policies R6 and R7, and confirm that the retail proposals do not raise any land use policy concerns. Strategic Planning confirm the amount of office floorspace and the split between the two office locations is acceptable. Conditions are recommended to limit the employment allocations to B1 (a) Offices, (b) Research and development, studios, laboratories, high-tech and (c) Light industry, to address the points noted by Economic Development below, and to control the retail uses.
- 5.2 **Economic Development** raised initial concerns that there is a danger the site could become another trading estate in south wales, when it has significant potential to deliver more. They note the location was identified as a potential International Business Park in 2003, that those attributes that led to that still largely exist and that it has the potential to attract high quality technology investments, particularly in the pharma, life sciences and ICT sectors. It is noted that the units and their environment would have to be of a higher quality and lower density. Concerns are also raised about the proposal to include warehousing accommodation on the site (Class B8), noting that there is scope for some small B1 office research and development facilities and that this site could be a location where small businesses in the incubation space could move to, which does not exist at present. It is noted that the pressing need is for good high quality manufacturing space, which would take advantage of the site's excellent accessibility and Cardiff location. It is noted that the recent changes to Assisted Area status, which has taken the site outside coverage for the next 7 years is a factor which will impact on its effectiveness as a general manufacturing site, but its excellent catchment population and location in Cardiff, coupled with a high quality setting would still find favour with tech companies. A high quality motorway related offer for business will importantly offer investors a range of choice. No comments were received in response to the amended submission.
- 5.3 **The Placemaking Team (Conservation)** has no objection. It is noted that, whilst parts of the application fall within relative close proximity of the Pencoed House (Gd II* Listed Building), the property benefits from significant levels of surrounding landscaping and sits within a generous and well defined plot and that the setting of the listed building could be appropriately preserved, subject to the scale and finish of any development proposed within the vicinity of the building respecting its presence. It is advised that any reserved matters

submission should demonstrate that the layout of the proposed development has given due to the presence and setting of Pencoed House and how the scale, form and finish of various buildings have been adjusted accordingly. It is noted that other listed buildings in the vicinity of the application site are sufficiently detached such that their setting would not be impacted upon.

5.4 In response to the amended submission, the Placemaking Team note that since the application was submitted, local policy and national legislation has changed with the adoption of the LDP and the passing of the Historic Environment (Wales) Act 2016. They note that their original comments still stand given that the development extent remains unchanged, that the substantive heritage policy position remains unaltered and that no new designations have been made in this area.

5.5 **Housing Development** advise:

- they seek 30% affordable housing on-site across the whole Strategic Site and in each tranche/planning application site submitted, to ensure the creation of mixed and balanced communities
- they require a mix of unit types/sizes across the site and for these unit types/sizes to be representative of the development as a whole, with detailed discussion required when there is more information about unit types/unit mix/unit number/location
- they would seek the majority of units (25%) to be delivered as on-site affordable rented in the form of social rented units (15%) and intermediate rented units (10%)
- the price to be paid for each unit by one of the Council's RSL Housing Association partners
- The affordable rented units (both social and intermediate rented) will need to be built to Welsh Government DQR standards and meet Welsh Housing Quality Standards
- Within the affordable rented percentage they would seek accommodation for Older Persons and/or Specialist Accommodation for clients with either a Physical Disability and/or Learning Disabilities. Within the first phase of this site they would seek bungalows for Older People (with assistive technology) and/ or a core & cluster development for Physical & Sensory impairment or Learning Disabilities, with the design/specification to be discussed in detail.
- They would potentially seek some Low Cost Home Ownership (LCHO) units (up to 5%) to be delivered across the site, if they are determined by the Council as affordable. They would need projected open market values to be able to determine this, but if agreed, Housing Development would predict they would need to be made available at around 65% OMV but confirm they cannot comment further until projected open market values/prices are known.

5.6 Following s106 negotiations with the developer, Housing Development confirm agreement of the following Heads of Terms set out in Section 9:

- 15% (up to 225 units) affordable housing on-site, to be delivered as 80% Intermediate Rented and 20% Low Cost Home Ownership (LCHO) at

70% OMV. The Intermediate Rented units will be built to Welsh Government DQR standards and meet WHQS.

- Some accommodation for Older Persons (which could include bungalows with/without assistive technology) and/or a Core & Cluster Specialist Accommodation for clients with either a Physical Disability and/or Learning Disabilities may be required. Detailed discussion will take place with the developer regarding the more specialist accommodation provision.
- Based on a viability assessment, a financial contribution of £7.9 million in lieu of 8.5% affordable housing, is to be paid towards the provision of affordable housing in the City of Cardiff Council, and to be paid in phases. Timescales/triggers for the delivery of the housing and payments will be included in the s106 agreement. A review mechanism is sought to be incorporated into the s106 to allow the viability of affordable housing provision to be reviewed at a specified time.

5.7 **Neighbourhood Regeneration** advise that on site community facility provision is essential and the development should provide a community space within the proposed primary school building, the scale of which will depend on the number of dwellings and habitable rooms within each dwelling, and cannot be confirmed. The community facility will need to be independently accessible for the public throughout the day and evening, with careful consideration given to security, with the community facility being securely separated from the school. The community provision would be additional to the primary school in terms of floorspace and fittings, but would form part of the school building so that it can be managed as part of the overall school building. The land for this facility and the financial contribution to pay for the building and its fit out would be provided as part of the financial contribution from the developer in line with the SPG.

5.8 In response to the amended submission, Neighbourhood Regeneration advise that they seek a community facility of no less than 750m², noting that its location within the local centre as shown on the illustrative masterplan would be good. They advise that developers will be expected to bring forward proposals to demonstrate how the community facility will be developed and managed, as the Council will not be in a position to take on ownership of the facility.

5.9 The **Director of Education and Lifelong Learning** provides the following summarised comments:

- (i) **Background** – The starting point for any application is a commitment to children going to their local school to promote sustainable local communities. In common with other Local Authorities, Cardiff has invested significantly in its school premises, but has repair backlogs and suitability issues city-wide which, at current estimates, will cost in the region of £370m to address. Following a period of unprecedented growth in demand, the Council is in the process of expanding primary school provision city-wide. Although the supply of and demand for places varies by area, it is anticipated that there will be no overall surplus school places at entry to the primary sector in 2016, nor in the secondary sector in 2019, taking account of existing school investment proposals and projections based upon Health Service (GP) and school roll data.

The Council therefore seeks contributions to meet the demand for school places directly arising out of each proposed housing development where projections indicate that these pupils cannot be accommodated within existing local schools. The Council will continue to look to fund any shortfall in school places arising from existing housing from Council funding or other funding sources such as 21st Century Schools. Contribution requests are based upon circumstances known/ data available at the time of developments. Where the scale of developments are not sufficiently large to support the building of new primary or secondary schools, careful consideration will need to be given to the timing of and combining of contributions from multiple developments, including the provision of any land for construction. Consideration will also be given to developers buildings schools to agreed quality and performance standards;

- (ii) **Context** – A site has been set aside within the development to accommodate a 2 Form Entry Primary School, to serve the needs directly arising from the development. The site concerned measures c19,000m², compared to the range of 18,399m² to 21,458m² for a 2FE primary school with nursery on an unconfined site with on-site pitches (as set out in Building Bulletin 99). In order to provide a suitable site for a 2FE primary school the Council normally requests the mean size of site required for an unconfined 2 Form entry school site with on-site pitch provision, as set out in BB99, of 19,928m² (the size range being 18,399 m² – 21,458m²). However, if the developer is willing to provide a site of 1.9Ha and to build the school to agreed standards (BB99, compliant with the Welsh context (Foundation Phase requirements, mandatory sprinklers, BREEAM etc and meeting the Council's Employers Requirements) then the Council would accept the site and school as being appropriate in principle. Provision to meet the yield of secondary school and sixth form age pupils would be required off-site.
- (iii) The Council's **preferred strategy for local primary and secondary school provision** based on 1,500 dwellings and an indicative mix of 93 'qualifying houses' and 7% 'non-qualifying housing/apartments' is set out below. The contribution would be revisited should the proportion of qualifying houses change.

Primary school age pupils

- **A 2 Form Entry primary school incorporating 48 FTE nursery places is requested, to accommodate the yield of 432 primary age pupils from the proposed development.**
- **A land contribution of c19,000m², to accommodate a 2FE primary school serving the yield of 432 primary age pupils from the proposed development.**

As a condition of accepting this school and site, it is requested that:

- the school site size must therefore be no less than 18,900m²;
- that the two form entry (420 place) primary school provided includes a 48 (full time) place nursery
- that school building(s) must meet the requirements of Building Bulletin (BB) 99
- that the school meets the relevant Employers requirements of the Council.

- Should any additional buildings on the school site (e.g. a community facility) the site should be enlarged by the equivalent floor area to comply with the suggested BB99 site size
- Should any additional buildings on the school site (e.g. a community facility) the school buildings be designed to provide separate secure entrances

Phasing – primary

. It is requested that the new primary school be completed prior to the 550th occupation of the new housing. As a potential alternative to completing the new school, the Council would support a phased build two form entry primary school provided as follows: Phase 1: All Foundation Phase classrooms, hall spaces and ancillary facilities, Phase 2: Remaining eight Key Stage 2 classrooms.

The completion of Phase 1 would be required by occupation of the 550th dwelling. The completion of Phase 2 would be required prior to occupation of 50% of housing (750th dwelling). Consideration will be given to establishing the school (as an organisation) on a phased basis; in the first instance organised as a 1 Form Entry school allowing up to 30 pupils per year group to be admitted, enlarging to a 2 Form Entry school at the appropriate time. However, such matters would require further consideration by the Council prior to, during, and following the statutory consultation process that must be followed when school organisation proposals are brought forward and the Council could not predetermine such a proposal.

Secondary school and sixth form age pupils

English medium Secondary and sixth form

- The projected yields of English-medium secondary age and sixth form pupils from the development are 180.23 and 32.7 respectively.
- Projections for the local English-medium secondary school (Radyr Comprehensive School), based on existing housing and pupil data, indicate that the school will be fully subscribed at entry to Year 7 in coming years, including pupils resident within the school's catchment area and pupils from outside of the school's catchment area. The availability of school places that may be taken up by children resident within the catchment area (based on existing housing and approved developments) will however reduce year on year as projected demand from housing within the catchment area increases.
- Taking into account the yield of housing developments and pupils who are already enrolled in English-medium primary education within the catchment area only, up to 94 surplus places would be available in 2023.
- It is therefore assumed that a yield of 80 secondary age and 14 sixth form pupils from the proposed 14/00852/DCO development would be able to access places at Radyr Comprehensive School.
- **A request is made for contributions towards the building of additional English-medium secondary school and sixth form places to accommodate the remaining 119 pupils yielded by the development, calculated as £1,906,077**

- As the additional places are proposed to be provided on an existing school site, the Council would waive a request for financial contribution of towards the purchase of land to accommodate the yield of English-medium secondary and sixth form age pupils.

Welsh-medium Secondary and Sixth Form

- The projected yields of English-medium secondary age and sixth form pupils from the development are 45.06 and 8.17 respectively.
- Projections for the local Welsh-medium secondary school (Ysgol Gyfun Gymraeg Plasmawr), based on existing housing and pupil data, indicate that the school will be fully subscribed at entry to Year 7 in coming years, based only on children resident within the school's catchment area.
- **A request is made for contributions towards the building of additional Welsh-medium secondary school and sixth form places to accommodate the 53.23 pupils yielded by the development, calculated as £853,163.**
- Whilst these additional places may in theory be accommodated on an existing school site, it would be necessary to either expand an existing school site (Ysgol Plasmawr) onto an existing leisure centre site (Fairwater Leisure centre) and provide alternative playing field provision elsewhere or alternatively to contribute towards the purchase of a new site to establish a fourth Welsh-medium secondary school. Neither of these options would be within the development site.
- **A financial contribution of £516,960 towards the purchase of 3,487m² of land is therefore requested, @ £600,000 per acre / £2,471,050 per hectare and calculated pro rata to a 1,500 place secondary school site, to accommodate the yield of c53 Welsh-medium secondary and sixth form age pupils. Should the Council not proceed with the purchase of land specifically to facilitate this option then the requested contributions would be waived.**

Phasing - Secondary

The surplus at entry to the English-medium secondary school sector city-wide in Year 7 is projected (based on pupils already in the primary school system) to fall to c5% by September 2017 and to be in deficit in September 2019; the surplus in each year group above thus being in deficit in the succeeding years as each cohort promotes. Based on there being no changes to secondary school provision beyond 2019 (as there are none formally planned nor approved) then this sector would be full in each year no more than five years later (in September 2024) even if there was no yield of pupils from any new developments.

The surplus at entry to the Welsh-medium secondary school sector city-wide in Year 7 is projected (based on pupils already in the primary school system) to fall to c10% by September 2018 and to be in deficit in September 2019. Based on there being no changes to secondary school provision beyond 2016 (as there are none formally planned nor approved) then this sector would be full in each year group five years later (in September 2024) even if there was no yield of pupils from any

new developments.

In light of the overall deficit of places, the Council is unable to significantly defer financial contributions from housing developments.

Financial contributions towards the build of a new English-medium secondary school are requested toward the expansion of Radyr Comprehensive School and may be combined with contributions that would be sought from other planning applications for other development sites and from Council and/ or other financial resources.

Financial contributions towards the expansion of Welsh-medium secondary school provision are requested in order that the Council may strategically expand Welsh-medium provision through expanding Ysgol Plasmawr or combined towards establishing a new fourth Welsh-medium secondary school on a new site.

Assuming planning permission for the housing development were to be granted secondary school and sixth form financial contributions (including towards the purchase of land) are requested at 50% and 75% occupation levels.

Consideration will be given by the Council to providing suitable accommodation to temporarily enlarge secondary schools and to review admission arrangements as appropriate to meet the yield from the proposed development.

However, projections based on existing housing and pupil data from Welsh-medium primary schools indicate that the establishment of a fourth Welsh-medium secondary school would be required during the period 2020 – 2026 to meet the increasing demand for places.

Either of these potential solutions, like the majority of proposals, would be deemed a statutory proposal and therefore subject to consultation i.e. whilst it may be considered an appropriate solution at this stage the decision to implement such a proposal could not be predetermined.

- 5.10 **Pollution Control (Contaminated Land Team)** note that the ES has identified both on-site sources of contamination (which include the historic dismantled railway line, area of tipped subsoil from the M4 in the centre of the site and the potentially in-filled quarry) and several off-site sources (which include a fuel filling station, the Historic Taff Vale Railway line, a mill, the M4 and the J33 services area), and advises a focused intrusive ground investigation to assess the potential 'pollutant linkages'. The Team has **no objection**, subject to recommended conditions (Ground Gas Assessment and Mitigation Measures, Land Contamination Risk Assessment, Submission of Remediation Scheme and Verification Plan, Undertaking of Remediation and Issue of Verification Report, Post Remediation Monitoring Requirements, Identification of Unsuspected Contamination, Imported Soil, Imported Aggregates) and advisory notices (Radon Gas Protection, Contamination and Unstable Land). The Team confirmed that the Preliminary Risk Assessment has been complied with.
- 5.11 In response to the amended submission, the Contaminated Land team note the potential for subsurface voids/ solution features to be present in the area and recommend an advisory notice advising the developer of this potential and

reminding them that the responsibility for the safe development and occupancy of the site rests with them.

5.12 **Pollution Control (Noise and Air)** raised the following initial comments in respect of noise:

- The noise monitoring was not taken in the best positions
- From the baseline results the site falls into Category D of TAN 11, meaning that planning permission should be refused. It is noted that the Developer recognises that through mitigation measures and ensuring that dwellings are 80m away from the boundary of the M4, they can fall into Category C or B. Additional information must be prepared to provide the LPA with contours around the site whereby no dwellings can be built, clearly defining the NECs. Through modelling the layout of the site can development can development, being mindful of WHO garden criteria and internal noise criteria, with bedrooms not exceeding 30dB at night. In addition to this, the calculation of road traffic noise (CTRN) for the through road from J33 to Llantrisant Rd must be modelled as this will impact on those dwellings around it
- With the lack of knowledge about the type of retail units/ workshops going onto the site, we would want to avoid creeping background noise, therefore the fixed plant associated with the development must not exceed the predicted background. This will have to be designed in during construction, and conditioned appropriately
- A majority of the mitigation measures centre around the construction of the site. It would be beneficial to engage with the development in agreeing to a s61 consent to work, as this would provide the Council with more control and up to date relevant information
- The document states that the development is proposed to take place in 2024. Whilst the author of the report acknowledges that the traffic growth hasn't been applied to the date, it is prudent to model this into the CTRN.

5.13 In respect of the amended submission, Pollution Control advise that they have read the noise elements of the updated documentation and have no objection, subject to conditions to control road traffic noise, sound insulation, delivery times, plant noise, kitchen extraction, floodlighting and advisory notices relating to construction site noise and illuminated advertisements. They subsequently confirmed they are happy with the recommended conditions.

5.14 **Pollution Control (Noise and Light)**, in responding to the initial submission, raise the following concerns in respect of air quality:

- *I have considered the Chapters 6, 12 and 14 of the Environmental Statement (Transport and Movement Access, Air Quality and Cumulative Effects respectively) and the Air Quality Assessment Addendum (November 2014) submitted as part of the application documentation.*
- *This application cannot just be considered in isolation, but must be considered with regard to its potential for cumulative impacts when combined with Land at Llantrisant Road and Land South of Pentrebane Road and sites D (North of Junction 33 of the M4) and E (South of Creigiau) and Land at North West Cardiff: Plasdwr.*

- *In general, I am in agreement with the Air Quality Chapter's assessment of likely construction impacts and the developer should be encouraged to adopt the mitigation measures detailed to minimise the impact of this upon existing local residents and residents who take possession of the premises on the site before development is complete.*
- *I am satisfied with regard to the methodology adopted for the residual impact of the proposed development upon local air quality. In particular, it is pleasing to note the various sensitivity assessments which have been carried out, including at 15% and 35% modal split. I note, too, the need for a buffer between any proposed residential accommodation and the M4 and its slip-roads.*
- *The provision and use of alternative transport modes (cycling, walking, public transport inc park and ride) to reduce the potential cumulative road traffic impact of the development upon Llantrisant Road will need to precede, or proceed in tandem with, the development.*
- *It is the Council's assessment that a 50:50 modal split with regard to passenger transport is essential to accommodate the additional peak-hour travel demand generated by the developments cumulatively. That this will be achieved appears to have been assumed in some of the documentation although the presence of sensitivity tests to the contrary are welcomed in the Air Quality Assessments.*
- *Documents submitted with applications for the other sites referred to above refer to traffic restrictions/gaiting at key points on the local road network. These have yet to be agreed and there is therefore uncertainty as to the location and capacity of these traffic restrictions and has been no assessment as to the impact on air quality of potentially increased queuing in the immediate vicinity of these gaiting points. This is particularly relevant where there is residential accommodation nearby. There appears to be no reference to these proposed traffic restrictions in the documentation submitted with this application and it is not clear whether such restrictions have been included in the assessments.*
- *The Environment Act 1990 places a statutory duty upon the Council to review and assess Air Quality in its area and to take action to address breaches of National Air Quality Standards where these occur. This development, together with the cumulative impact from the aforementioned two other developments will place a significant additional burden upon the Council in terms of monitoring the impact of the developments both in the vicinity of the individual developments and wider afield, including within the Llandaff AQMA. This additional burden could be significant when considered over a number of years. I therefore recommend that the developer make a contribution under Section 106 towards the additional costs that the Council will incur and that this should amount to £7,500 in this case.*

5.15 In respect to the amended submission, Pollution Control (Air Quality) note they have reviewed the documentation and that they are happy with the conclusions made and have no objections on grounds of air quality. They subsequently confirmed that they are happy with the recommended CEMP condition.

5.16 The **Council's Ecologist**, in their initial comments, provide the following summarised advice:

Masterplanning

- Masterplanning for any development on this site should accord with the Cardiff LDP Masterplanning Framework, which includes generic and site-specific masterplanning principles. To an extent, the submitted land-use and green infrastructure plans reflect these principles. My main concern is that the *de facto* 'High Street' may cause severance of east-west habitat connectivity, and that aspirations to accommodate a variety of transport uses, including Bus Rapid Transport, trams, dedicated cycleways and footways, may lead to widening to such an extent that functional habitat connectivity is lost. There are ways of maintaining this connectivity, as shown on the illustrative masterplan, but treatment needs to be designed-into the scheme. The lighting at crossing-points should be designed to be sensitive to nocturnal wildlife species such as bats and dormice.
- The Schematic Framework for this site clearly depicts the fields of marshy grassland either side of the Nant Henstaff immediately north of the M4 as 'Strategic Green Open Space'. I would expect this aspect of the Site-Specific Masterplanning Principles for this site to be observed.

Habitats Regulations Assessment

- It will be necessary for Cardiff Council to carry out a HRA of any application which covers the whole of this site, prior to granting consent to consider the effects of a development on Cardiff Beechwoods SAC, The Severn Estuary SAC/SPA/Ramsar, and sites such as the River Usk and River Wye SACs further afield.

Survey Shelf Life

- As a general principle, survey work which is more than 2 years old will be regarded with caution, as certain species may colonise or leave an area in the interim period. This is particularly the case with mobile species such as bats, and bat surveys greater than 2 years old will have to be repeated.

European Protected Species (EPS)

- In accordance with Regulation 9(3) of the Conservation of Habitats and Species Regulations 2010 (as amended), Cardiff Council has a duty to have regard to the requirements of the Habitats Directive so far as they may be affected by the exercise of its functions. The requirements in this case being the strict protection afforded to EPS. Referring to PPW advice in relation to EPS and the three derogation tests, advises that NRW be consulted regarding the third test and recommends advises that a condition be attached to prevent any works of site clearance, demolition or construction without any necessary license being in place. Advises that where existing survey reports are relied upon in undertaking an assessment of the impact of any proposals upon EPS these surveys should not be more than two years old.

Great Crested Newts

- Given that this species was detected during previous surveys, it is likely to still be present, at least in the terrestrial phase. The amphibian surveys of the ponds on the site where this species was previously detected illustrate that the ponds in the Llwynioli area are silting up, such that they may no longer be suitable for this species to breed in. However, the adults may

still be present on land, and as this species can live for up to 15 years, there is every chance that those detected in 2003 may still be present. Therefore, as a biodiversity enhancement measure, these ponds should be restored, i.e. desilted, such that they become suitable for GCN breeding.

- I note that there are a number of attenuation ponds proposed for the application site. I suggest that the applicant investigates the possibility of designing one or more of these ponds such that it holds water more permanently, e.g. for 4 years in 5, or 9 years in 10. If this were possible, it would represent a biodiversity enhancement for the site, especially in the light of the potential presence of GCN.
- The treatment of gully pots in the roads in the final scheme should incorporate measures to avoid trapping GCNs and other amphibians such as the Common Toad, a Section 42 species which is known to occur on site. Specifically, I would like to see inset kerbs adjacent to gully pots on the site.

Bat Roosts – Trees

- I would expect all trees on site to be categorised for bat roost potential, listed with justification for their categorisation given and marked on a plan. It may be useful to liaise with the arboricultural survey in this respect. It is noted that surveys of trees for bats are ongoing.

Bats – Flights

- As would be expected, there is substantial use of the site by foraging and commuting bats. Whilst some loss of foraging habitat is inevitable, it could be partially offset by ensuring that parks and open spaces support insects upon which bats feed. This could be achieved by ensuring that wildflower verges and meadows are created at every opportunity within the development, so as to provide food for pollinating insects. Dark flight corridors should be maintained through the site to allow bats to continue to forage and commute without disturbance. These dark corridors should be maintained using a lighting scheme as below.

Lighting

- A lighting scheme should be secured by condition to avoid light spillage onto habitats such as woodlands and hedgerows as this may disturb some nocturnal species.

Dormice

- Whilst the dormouse survey did not detect any of this species, there exists the potential for them to occur in woodlands and in adjacent areas. Therefore it is important that habitat connectivity, in the form of hedgerows and woodlands, is maintained across and around the site. Removal of potential dormouse habitat, in the form of hedgerows for example, may well need an EPS licence, and the applicant should obtain the views of NRW on this.

Marsh Fritillary Butterfly

- This species has become extinct in Cardiff on the last 60 years, but there are still some areas of marshy grassland which could support Marsh Fritillaries, with appropriate management. One of these areas, identified in the 2005 Strategic Assessment of the Marsh Fritillary Butterfly and its Habitat in Rhondda Cynon Taff, occurs within the current proposed development site. This area is one of the fields of marshy grassland associated with the Nant Henstaff, just north of the M4. In order to conform

to the Masterplanning Principles, and as a biodiversity enhancement to help restore this species to its previous range, I recommend that these fields are retained as marshy grassland as part of a Strategic Green Open Space.

Freshwater Crayfish and Water Vole

- The Nant Henstaff and Nant y Glaswg may support native freshwater crayfish and Water Vole, so either surveys for this species should be undertaken, or alternatively reasoned justification given as to why this species is not considered likely to be present. Construction and use of the development may result in contaminated surface water run-off into these streams, but without an assessment of the likely presence of this species, I am unable to advise on the impact of this contamination.

Badger

- It is unclear from 7.23 and 7.101 of the ES whether a dedicated search for Badger setts was undertaken, or whether setts were noted anecdotally during grassland surveys. Woodlands within and adjacent to the red line boundary should be searched systematically for badger setts, as these animals would be likely to forage on the grasslands within the site. If this were the case then the impact of the proposed development upon these badgers would have to be assessed.

Reptiles

- It is very likely that reptiles will be present on this site, and I would expect to see a full survey undertaken in accordance with currently accepted guidelines. If reptiles are encountered on the site, and if a translocation of these animals is required, then a suitable receptor site should be identified, surveyed, and a suitable management regime for reptiles secured, well in advance of the translocation. Alternatively, where persuasion techniques are used to remove Grass Snakes from the site, the adjacent receptor habitat should be managed so as to increase its carrying capacity with respect to this species.

Nesting Birds

- If consent were granted, it is likely that they would ask for a planning condition to require that clearance of vegetation likely to support nesting birds takes place outside the bird nesting season.

Phase 1 Habitat Surveys

- Species lists should be provided for each feature's surveys, and in particular for any grassland which has not been identified as improved grassland. Whilst Appendix 7.5 provides target notes for the Phase 1 surveys, these notes typically state that '...species present include...', implying that not all species detected have been listed. These species lists should preferably be provided in excel spreadsheet format, and it would be helpful if they included Latin binomial names as well as English names. Depending on the results of these surveys, it may well be the case that areas of marshy grassland on the site would qualify as SINC's (see below), and I would expect the mitigation hierarchy to be applied to these areas.

Sites of Importance for Nature Conservation

- Notes that there are several SINC's on the site and reminds the Applicant of Section 5.5.3 of TAN 5 and advises that even if a site has yet formally to be designated as a SINC, if it meets the qualifying thresholds, it should be

treated as a SINC for planning purposes, noting they would expect to see measures of avoidance, mitigation and compensation to avoid or counteract any harm to the habitats and/or species which would result from the proposed development

- If they can be assured that habitat management techniques in SuDS area (i.e. in and around the attenuation basins) will be suitable for species-rich grassland types such as marshy grassland, then this could represent adequate habitat compensation. These techniques would have to include traditional wildflower meadow management techniques, such as late July mowing to allow flowers to set seed, followed by lifting of the arisings to avoid soil enrichment.
- Sections 7.125 and 7.128 of the ES state that '*...the majority of woodland edge is to be buffered from the development.*' Generally, and as set out in the Site-Specific Masterplanning Principles for this site, all woodlands should be protected by a buffer of 15 metres. The Forestry Commission's Standing Advice for Ancient Woodland and Veteran Trees, updated April 2014, states '*Buffer Zones: Development must be kept as far as possible from ancient woodland, with a buffer area maintained between the ancient woodland and any development boundary. An appropriate buffer area will depend on the local circumstances and the type of development. In a planning case in West Sussex the Secretary of State supported the arguments for a 15m buffer around the affected ancient woodland, but larger buffers may be required.*' Domestic gardens should be excluded from this buffer zone, as the creation of gardens backing directly onto woodland is likely to lead to conflict between occupants and the woodland, leading to inappropriate tree management. This in turn may have negative impacts upon species supported by these trees, such as bats, nesting birds and dormice. Contrary to section 7.164, the Figure 3.10 Illustrative masterplan shows gardens backing onto woodland in several places, although in most cases we welcome the proposal to locate roadside verges and open greenspaces adjacent to woodland edges. In terms of biodiversity, there may be some flexibility with a woodland buffer zone where it can be demonstrated that a narrower buffer zone at one point is offset by a wider buffer, or even additional tree planting, elsewhere around the woodland edge.
- Woodland management for the benefit of biodiversity, as well as for education and recreation, should be funded through s106 agreement or similar.

Pollinators

- In accordance with the Pollinator Action Plan for Wales, every effort should be made to allow wildflowers to develop on roadside verges, parks, attenuation basins, and any other greenspaces. The design of these areas should allow wherever possible for access for 'cut and lift' machinery, as cutting wildflower areas at an appropriate time of year, and removing the arisings, can be important in maintaining these areas.

20 NERC Duty

- These comments contribute to this Authority's discharge of its duties under Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006, wherein: (1) Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those

functions, to the purpose of conserving biodiversity. (3) Conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat.

- 5.17 In response to the amended submission, the Council's Ecologist note that they remain concerned at the robustness of the east/west green corridors and in this context support NRW's advice in respect of the amended submission that conditions be attached to any consent relating to the composition and layout of green corridors, details of retained and newly planted areas, phasing of planting, long-term habitat management, monitoring of habitats and protected species and lighting of habitat. He also supports: NRW's view that implementation of the Dormouse Strategy should be secured by planning condition, the undertaking to undertake targeted reptile surveys prior to each phase of development, to include Devil's-bit Scabious in the seed mix for attenuation basin for the potential benefit of Marsh Fritillary Butterflies. The Ecologist notes his comments in relation to nesting birds, Great Crested News and amphibians in general remain unchanged. A condition is recommended to require nesting or roosting opportunities for birds and bats to be incorporated into new build at reserved matters stage, in accordance with the Council's Biodiversity and Resilience of Ecosystems duty to consider how enhancements to the natural environment can be brought forward in development. The Council's Ecologist has subsequently confirmed he is happy with the recommended conditions.
- 5.18 The Council's Ecologist has undertaken a Habitats Regulations Assessment (HRA) for the site. (This is available to view on the Council's website.) HRA is a requirement of Section 61(1) of the Habitats Directive (92/43/EEC) as set out in the Conservation of Habitats and Species Regulations 2010 (as amended). An assessment was made of the likelihood of significant impact of the proposed development on eight international sites in and around Cardiff, namely Cardiff Beech Woods SAC, Severn Estuary SAC, SPA, Ramsar Site, the River Usk SAC, the River Wye SAC, Blackmill Woodlands SAC and Aberbargoed Grasslands SAC. Those elements of the proposed development which were judged to have the potential to affect some or all of these sites were aerial pollution (from transport, housing and industry), discharge of sewerage effluent to sea, and water demand (from the Rivers Usk and Wye). Following this screening assessment, none of these were considered likely to have a significant effect on any of the international sites either alone or in combination with other plans, projects or programmes.
- 5.19 The **Council's Tree Officer**, in their initial comments, provided the following summarised advice:
- Tree Loss*
- Some trees in the site are nominally covered by a 1976 TPO within group, area and woodland designations. Most are unaffected by the proposals but some are shown to be lost or significantly breached, notably the 'B' (moderate quality) category trees comprising G19, G43, T64 and T66 as per the submitted arboricultural report. To enable construction of the western roundabout access (inset 'A') the 'B' category G37a and T52 require removal and G37 will be breached. To enable construction of the

middle roundabout (inset 'B') the 'B' category G28 will be significantly breached. To enable construction of the access off the J33 roundabout the 'B' category T64 and T66 are lost and G43 is significantly breached. Considering the wider indicative proposals, the following additional 'B' category trees are shown to be lost or breached: T3, T4, G25 (breached), G28 (breached), G34, G55 (breached), G71 (breached), T72, G73 (breached), T74, T84, T119, T120, T121. Although it would be preferable to see all 'B' category trees retained, where this is not possible due to overriding design constraints, full mitigation through new planting should be provided for. Whilst detailed landscaping information has not been submitted, indicative plans do show provision for significant and well connected green infrastructure that will incorporate new tree, hedgerow and woodland planting.

Species Mixes, Tree Pit Specifications and Ecotones

- Detailed advice is provided which require consideration in detailed layout design at reserved matters stage.

Management Plans

- A long-term (50+ years) management plan is required for all substantial arboricultural features including woodlands, hedgerows and copses and detailed advice is provided on its scope.

Arboricultural Reports and Reserved Matters

- Advice is provided on the requirement for arboricultural reports to be submitted at reserved matters, with early consideration to be given to the location of services and construction management/logistics and for tree protection to extend not just to existing trees but areas where new planting is proposed, to be secured by condition.
- Advice is provided on the landscaping information to be included at reserved matters stage, to be secured by condition.

5.20 The Council's Tree Officer provides the following summarised advice in response to the amended submission:

- detailed advice is provided on the planting of semi-mature trees into 1.9m verges, with the concern expressed that there may be practical problems in getting the trees in the ground whilst ensuring they have access to sufficient root available soil volume
- a Soil Resource Survey and Plan should inform detailed landscaping specifications at reserved matters
- mono-species street tree planting with trees planted directly opposite each other, as proposed in the DAS, is not necessarily desirable - different species and size mixes should be utilised to avoid visual monotony, pest and disease outbreaks, wind tunnel and canyoning effects. Staggering of planting, planting with groups of fastigated trees and then larger more spreading trees should be considered wherever possible
- Detailed advice is provided on species for the street hierarchy to aid the development of a more diverse mix utilising trees of different form and size for different situations

The Tree Officer confirms he is happy with the recommended conditions.

5.21 **Parks Development** raised initial comments, summarised as follows:

- The overall response is noted to be positive, with the layout reflecting the Masterplanning principles, with interconnecting areas of green infrastructure included throughout the site. To fully assess the proposals, the wider site should be included in the assessment
- the central open space adjacent to the school is a positive feature, providing the opportunity to combine the school environment and adjacent public open space to serve both the school and residents
- much of the green infrastructure provides an important backdrop and structure to the development; there are number of issues that need to be resolved in order to clearly identify management responsibilities and avoid conflict between properties and green infrastructure e.g. the need for ecotone transition between woodland and adjacent housing
- 4 play areas are proposed - the original assessment by Parks for 2000 houses identified the need for 3. Many are on the perimeter of the site behind housing and could lead to potential problems. Parks Services would prefer to see one large central play area associated with the school, with other areas set aside for more natural play in 2 or 3 locations, with money allocated through s106 to allow the Council to develop more natural play areas in collaboration with the local population. The proposal mentions allotments and teenage areas, but these are not apparent on the drawings. Formal sporting facilities will be required to serve the population, either through an all-weather pitch off-site or on site provision. The presence of a flat or gently sloping area for recreation, offering the opportunity for pitches, is a positive feature of the scheme
- Proposals for attenuation ponds and other water attenuation measures within public open space are achievable but would require detailed design discussions. e.g. the approach to safety. Parks would not support the inclusion of underground tanks in incidental areas of open space for maintenance reasons, but the same effect could be achieved via SUDS.
- Long term management of public open spaces, highway trees/ verges, and green infrastructure needs to be considered from an early stage
- Consideration needs to be given to the protection of natural habitats and proposed open space during construction. A condition is recommended to ensure no proposed public open space is used for storage or as a site compound during the construction process.

5.22 In response to the amended submission, Parks provide the following summarised comments:

- The projected population for 1500 units would be 3615, giving an overall open space requirement of 8.78ha the following minimum quantities would need to be secured via s106:
Multi functional recreational space 8.78ha comprising
3 new playgrounds - min 1 NEAP and 2 LEAP
1 teen facility, including a MUGA and teen shelter
1 no allotment site - 33 allotments (based on 40 plots per 1800 units)
5.89ha of level functional and well drained green space available for formal recreational use, with changing facilities available for adult pitches
- although a number of categories including within the submitted green space typology wouldn't be considered as functional or recreational open

space, the overall quantum of usable space would meet the requirement in terms of overall totals

- Play Provision - the 1 NEAP and 3 no LEAPs proposed meets the requirements, with a reasonable distribution. There are concerns over the position of the western play space (which would be relatively hidden by vegetation and not overlooked by housing) and over the LEAPs which are on relatively small areas of land
- Informal Recreation Provision - the site offers considerable opportunity for informal recreation, with numerous footpaths through the site
- Formal Recreation and Teen Provision - noting the requirement for 5.89ha of formal recreational POS, the proposed 16,300m² for pitches seems reasonable. Two full sized pitches would be required (106m x 70m² including run off) and changing facilities for adult pitches. The Green Infrastructure Plan shows pitches overlapping adjoining footpaths and extend right up to the boundary of the open space. There is some concern that the area of formal land shown is insufficient and will not accommodate the two full sized pitches given other constraints. There appears to be sufficient room to accommodate a NEAP in the location shown but not a MUGA. Overall the amount of formal sporting provision is well below the 5.89ha requirement, but the deficit can be offset to some degree by the amount of space available for informal recreation, including walking and cycling. It is essential to provide the two full sized pitches and a good size MUGA and other provision for teenagers, in addition to a play area for older children and there is clearly insufficient capacity based on the current layout.
- Other Sporting Provision - Although beyond the scope of the open space provision, indoor sports provision will also be important given the absence of any facilities nearby. Some provision could be planned into the community building or consideration be given when designing the local centre to create a flexible space that could be taken up by a commercial gym or sports facility.
- Allotments - The typology plan proposed 2400m² which would only provide 8 plots based on an allotment plot of 250m² (based on the National Allotment Society) increased to 300m² to include a 20% allowance for roads and other infrastructure. The required minimum 33 plots would require an area of 9900m², such that there is a significant shortfall which would need to be addressed.
- Dual Use of Schools - Although the DAS proposes the dual use of the school recreational facility for community use this cannot be guaranteed due to security issues and the policy of the school at any particular time. Therefore it can not be considered as forming part of the main open space allocation.
- Phasing and Delivery of on-site provision - the formal recreational elements and main play area will not be provided until phase 2, leaving a deficit in facilities for people living in the first phase.
- Management and Maintenance - Management of the site is likely to be through a community management trust or management company, with the former the preferred option. Advice is provided on the elements that could need to be covered by any management arrangement.

Following further discussions with the Applicant, Parks further advise:

- Allotments - Given the other provision on site in terms of park and ride, school, local centre and significant green infrastructure, it has proved difficult to find a location of a suitable size and physical characteristics that will work effectively as an allotment, noting that the site identified by the developer is relatively small, sloping in places and critically located next to the football pitches. It is noted that the latter will cause conflict of use, with footballs likely to be kicked over the fence into the allotments, creating potential damage to crops and difficulty retrieving the ball particularly if the allotment is locked. Alternative areas have been examined but nowhere suitable is available. Therefore, it is suggested that the focus is on providing a larger more multifunctional open space, with allotments to be provided on the remainder of strategic site D and site E. In order to help mitigate the loss of allotments, a community orchard or garden should be provided and it is noted that an orchard is proposed to be delivered in the DAS. The orchard would require no set area and other locations beyond the main recreational space can be identified.
- Pitch Provision - Given the omission of the allotments, potential for realignment of the footpaths, Parks agree that the scheme can now deliver the two full sized pitches.
- Changing rooms - It is noted that provision of adult pitches requires provision for changing rooms for four teams along with referees and storage. Provision via the developer or another mechanism will need to be explored further. The developer's offer, through s106 negotiations, of providing land of a suitable size for a changing facility is welcomed.
- Parks confirm that the sporting provision addresses the need generated by this outline application and that further formal sporting provision will be required to deliver the remainder of strategic sites D and site E.
- NEAP, MUGA and Teen Shelter - Although the location for the proposed NEAP and MUGA is good, forming a key focal point, more certainty is required that there is room to deliver both items along with the shelter. A MUGA of 30m x 20m would be expected. The standard size for a NEAP is 1000m², although it is noted this could be divided into two areas - one for younger children and the other for older children, to provide more flexibility in locating it. The MUGA, NEAP and shelter will require a 30m buffer zone to the boundary of any residential properties nearby. The possibility exists to install a fitness trail around the main open space.
- Western Play Area - conditions are recommended to identify a suitable location.

Parks Services confirm they are happy with the recommended conditions.

5.23 Waste Management, in their initial comments, advise:

- A site waste management plan should be implemented to reduce environmental impacts of construction waste
- that funding will be sought for all bins on site (not just communal).
- Detailed advice is given in respect of responsibilities for waste management, refuse capacity for all units, design requirements in respect of flats, accommodating refuse vehicles, refuse requirements for domestic waste (flats and houses) and commercial waste, expectations in respect of 'bring sites' and litter bins. It is noted that the commercial element should

look to becoming self-sufficient in dealing with their waste - St David's 2 in the City Centre is an example of best practice, recycling 98% of their waste and having a Material Sorting Facility on site.

- 5.24 In response to the amended submission, Waste Management provide updated advice on the cost of all bins on site (reproduced in Section 9) and confirm they are happy with the recommended conditions.
- 5.25 **Drainage Services**, in their initial comments, advise that the general principles of water management appear to be in line with the requirements of the Authority. It is noted that, in order to maximise the environmental and ecological benefits of engineering the surface water run-off, creating surface water features (both as permanent and temporary storm) are an essential element integrated with the planned green open spaces. This also includes minimising the unnecessary culverting of watercourses where more environmentally sustainable options are viable. Noting the presence of filled quarries in the vicinity of the site with no current record of their content, they note it would be anticipated for the fill to be assessed as part of any future testing procedures.
- 5.26 In response to the amended submission, Drainage Services advise that they have no objection, subject to a condition reflecting the points below:
- *The phasing of development shall at all times ensure that no existing or new properties are put at flood risk, either at the set flood protection level, or at exceedance flows (assume 1in200 to prove exceedance, or greater if required).*
 - *The developer shall show clearly who is responsible for each element of drainage, both in terms of maintenance and ownership.*
 - *The Local Authority shall have step in rights, if the management company responsible of any element of the surface water management, fails in its duties.*
 - *The site area yet to have confirmation of its potential of permeability, shall be adequately tested prior to any detailed drainage design being completed for that area.*
 - *All drainage models shall be simulated to prove viability; the mdx files being forwarded to the Planning Authority for checking and verification.*
- 5.27 The **Public Rights of Way Team**, in response to the initial submission, advises that Public Rights of Way affected by the new development should preferably be kept in equally green commodious route, that all sections of the rights of way that will be on roads will require the developer to apply for a Section 38 to change the status of the path to adopted highway, that any alterations would require a Diversion Order, that any objections can lead to a Public Enquiry and that the Developer will have to come up with a plan to accommodate the path. It is advised that any Diversion Order that is required should be confirmed prior to commencement of development. They advise of the need to ensure the network does not become disjointed, but rather creates more strategic links whilst improving access for all, and put forward suggestions for linking PROW no 18 (Llanilterne) and PROW no 10 (Peterson Super Ely) to provide circular walks, and advise of the need to ensure public access is maintained through the Pencoed House estate.

- 5.28 In response to the amended submission, the PROW team advise that:
- They support the two footpaths on the site being diverted to link into the wider path network and advise that Llanilterne no 18 must be retained so as to ensure there is access through to Pencoed House property
 - A condition is requested to require a legal order to be applied for following any grant of planning permission and for existing alignments to be retained if the legal orders are not confirmed.
 - There are several footpaths/cycle tracks that cross the site which is great for active travel and leisure, but not every path should permit cycling, with pedestrian only paths recommended through within woodland areas and green corridors
 - Welcomes the provision of segregated paths for cyclists and pedestrians along Llantrisant Rd and spine roads, but recommends that the cycle track should be adjacent to the carriageway.
 - Detailed advice is provided for the developer with regards section 38 agreements, Express Dedication, Creation Orders, creating a shared use path on a PROW footpath legal orders, temporary diversions/stopping up and repairs. It is confirmed that the grant of planning permission does not give a developer any right to interfere with, obstruct or move a PROW.
- 5.29 No comments have been received from the Council's Access Officer. Any comments received will be reported as a late representation.
- 5.30 The **Operational Manager Transportation** provides the following advice in respect of the amended submission:
- (i) ***Transport Assessment and TA Addendum*** - Dialogue has been ongoing between the Councils Transport officers and the developer / agent for a number of months including a number of meetings to address issues associated with the proposed access junctions, technical assessments, spine road and connectivity within the site. The Council had previously raised concerns relating to the new accesses, together with carriageway width and cycle and bus provision. The developer has sought to address these issues through the application supporting documentation (Transport Assessment Addendum August 2016) as submitted;
- Traffic Assessment – The site is not located close to any day-to-day facilities in terms of walking distance. The assessments submitted assume that 90% of education trips will be internalised or undertaken with non-car transport. The basis of this is that a two form entry primary school will be provided on site. There has been a 10% allowance made for parents transporting children to other schools. It is considered that the vehicular impact will be higher than this forecast.
- The requested scenarios of capacity assessing the junctions, assuming Llantrisant Road is at 100% capacity at the Bridge Road Junction, has been carried out. The results of assuming a 75% car modal choice for the development and adding the development scenario, reports in the results that there will be some queuing and delays on that corridor, although this is a forecast worst case scenario.
- The capacity assessment work on the site accesses has evolved and this

considers the cumulative impact of the other Strategic Sites on this corridor.

Notwithstanding the above, it is considered that the proposed mitigation measures and infrastructure improvements are making an effective contribution towards delivery of the emerging North West Corridor Programme sufficient to mitigate these concerns to allow this site to come forward for development;

- (ii) Proposed Site Access - Since the original submission, the proposed site access has been redesigned to provide a section of enabling infrastructure along this corridor. The signalised junction arrangement, for both accesses, will provide the Council with the necessary control in the future to manage traffic. The access and highway improvement scheme has been discussed with Transport Officers prior to submission of the TA Addendum. Further enhancements have been secured in the form of an extended right turn lane to aid buses to bypass any delays at the signals to connect with the site and the Park and Ride.

The following comments are taken from discussions and listed below to inform further amendments to the scheme:

- Reduction in speed limit to 30mph to be indicated on submitted layout plan, including extent together with appropriate signage;
- The proposed crossing points at the signalised junctions are too congested on the development side. These need to be amended such that there is sufficient space for all users to move freely, including removal of verge/hedge as appropriate;
- The locations of the two existing bus stops on Llantrisant Road to be indicated on the layout, together with any necessary improvements, i.e. there is currently no bus boarder kerb or bus shelter provided on the outbound side, adjacent to the development;
- The segregated cycleway does not extend to the full frontage of the site. This will be provided;
- Two CCTV cameras will be required to be included within the layout. One at each of the new signalised junctions, in order to be able to manage the highway network at these locations;
- Plan to show continuation of fibre and ducting from Site C and linking to both the primary and secondary new signal junctions; and
- Location of maintenance bay/s to be included within the layout.

It is considered that the above will require an amended plan to be submitted and therefore in order to secure this an appropriately worded condition is included within my recommendation.

- (iii) Llantrisant Road - The proposal will provide a 2.0 metre wide footway and 3.0 metre wide segregated cycleway along the frontage of the site on Llantrisant Road. Toucan crossings will be provided across the site accesses. The proposed crossing facility to the west of the site four arm access will be provided as a puffin which will include installation of all necessary channels and equipment to be upgraded to a toucan crossing in the future;
- (iv) Public Transport - Public transport improvements include the provision of two new bus stops on Llantrisant Road for travel in each direction. There will also be bus stops provided within the site at appropriate locations that

will be determined through the reserved matters process. The requirement is that the proposed development plots are within 400 metres walking distance of a bus stop. These services will link with the hub transport interchange and the Park and Ride facility. The proposed bus service enhancements of 5 services should be funded by the developer for 3 years secured by appropriate S106. The cost of this should be £150,000 per year for three years, a total of £2,250,000;

- (v) Sustainable Transport Commitments - As mentioned previously the site is not located within a short walking distance of local facilities. However, the development will provide integral local community facilities to internalise trips for daily requirements. The Travel Plans included relate to employment and residential uses, there will also be a requirement for a school Travel Plan, these will all be covered by appropriate conditions. The Travel Plans reviewed set out potential measures over that which are proposed as part of the new junction arrangement and the Llantrisant Road improvements. The document includes:
- Transport Planning Co-ordinator to be provided continuously for a minimum of 10 years at the developer's expenses. Following this period, the skills will be shared and passed onto local community members;
 - Annual Surveys to be undertaken for 10 years and formal commitment to achieve a 70% response rate on surveys;
 - First initial Travel Plan Survey / Baseline Survey to be undertaken within 3 months of 'meaningful' occupation;
 - Travel Plan survey undertaken within 6 months of 'meaningful' occupation;
 - Commitment to a first monitoring survey of the surrounding community, prior to first occupation;
 - Personalised Travel Planning;
 - Free or discount travel for a trial period on local bus services. This is not set out in detail, it is recommended that in line with other Strategic Sites, free annual bus passes are provided, at least one per household;
 - Cycle training;
 - A cycle voucher to be used towards bike purchase;
 - A Travel Plan reserve fund for 'fighting' failures or shortcomings through the monitoring period, this will need an amount secured for the purposes of the S106 to be held for appropriate intervention measures;
- (vi) Independent Audit - This has been undertaken and submitted. The Audit listed a number of points for discussion and clarification. The Author's response, included together with the Audit largely addresses the points made.
- (vii) Pedestrian and Cycle Improvements within the site - Within the site, although subject to a reserved matters application, the main pedestrian and cycle routes are secured via the amended parameter plans and these will ensure that legible routes are provided within the layout which will link into the wider Strategic Site D and E when they come forward. The cycle route that runs adjacent to the spine road will be segregated in

accordance with those principles that have been established for all of the major Strategic Sites, i.e. Spine Route through the site: this has been agreed as a minimum of 6.3 metres. A cycleway with a minimum width of 3.0 metres will be provided along the eastern side of the carriageway together with 2.0 metre footways either side of these routes. This arrangement is accepted in principle by officers, although a further detailed plan will be required in order to demonstrate how the spine road will connect to the main strategic site, including details relating to how the segregated cycle way will interface with junctions along the length of the route. This will be secured by way of a condition;

- (viii) **Legal Agreements** - The highway layout plan for which detailed planning permission is sought will be required to be amended in order to address those comments/issues raised above. Whilst the principle of the arrangement is accepted, details of the layout will be secured by way of an appropriately worded condition. These works will then be subject to a S278 Agreement and associated Technical Approval Process.

Those roads that lie within the site the detail of which will be agreed at the reserved matters stage would be adopted by the Council by way of a Section 38 Agreement and associated Technical Approval Process;

- (ix) **Conclusion** - Having reviewed the submitted Transport Assessment, TA Addendum and amended plans, it is considered that the traffic flows and traffic modelling for this site, i.e. the transport impact for this scale of development has been adequately addressed and that the proposed mitigation (physical works and S106 financial contribution) is sufficient to enable the proposal to come forward and to increase the sustainable travel credentials of the site. This conclusion does not prejudice delivery of the remainder of this strategic site or any of the other strategic sites along the North West corridor and which are included within the Local Development Plan.

- (x) **Responses to third party objections**

Sustainability of Development

The focus of the major Strategic Sites and this application is to encourage a modal shift for new residents. This site will provide a Park and Ride facility which will have strategic transport benefits for reducing traffic on the M4 and A4232, together with the provision of frequent bus services for public use. The proposals will deliver a package of improvement measures to Llantrisant Road including signalised junction arrangement, which will enable Cardiff Council to manage the network and prioritise bus services through these junctions. The development is making a significant contribution towards walking, cycling and public transport infrastructure, including funding a £2.25 bus subsidy. In addition to this, the site is safeguarding potential future rapid transit routes.

Llantrisant Road

The Council has identified a number of key transport interventions along the North West Corridor which it considers will be necessary to support the implementation of the Local Development Plan and help achieve the LDP city-wide 50:50 modal split target from its boundary with Rhondda Cynon Taff extending to Cardiff City Centre. Schemes include the location of proposed bus lanes / bus priority measures, junction improvements together with improvements to the walking and cycling

networks. Developer contributions towards these transport infrastructure improvements to mitigate development impacts will be sought through the permissions for strategic development sites along this corridor.

Footways along Llantrisant Rd

To the frontage of the site the proposals will deliver a significant section of continuous footway and cycleway provision along the NW Corridor. Whilst the width of this provision varies along Llantrisant Rd, beyond the site frontage, it is accepted as representing an interim measure/solution, until the relevant phases of the wider Strategic Site C come forward.

Llantrisant Road (National Speed Limit)

Under the proposals, the existing speed limit to the frontage of the site will be reduced to 30mph.

Proposed Access

The originally proposed priority based access junctions have subsequently been amended to a signal controlled arrangement, and, therefore, do not conflict with the strategy for Llantrisant Road in terms of future proofing.

Whilst no bus priority is included within the junction layout, an extended right turn lane from Llantrisant Road (west) will be provided which will be used to prioritise buses through the junction to serve the Park and Ride site.

Modal Split / Shift (50:50)

Policy KP8 of the adopted Local Development Plan seeks to integrate new development with transport infrastructure in order to achieve the target of a 50:50 split between car-based and non-car-based travel by 2026. The results of the modelling and assessment work carried out for the LDP show that in order for the development proposed in the LDP to be realised, it will need to be supported by significant new transport infrastructure, improvements to existing transport facilities, and measures to manage travel demand and encourage use of sustainable transport both within existing and new communities in Cardiff. For new developments to be successfully accommodated and to achieve modal shift, the transport measures secured through planning permissions will need to ease existing pressures on the highway network as well as mitigating the impact of the new trips generated. The Council will secure financial contributions (via appropriate conditions a S106 Agreement), for the provision of additional bus services. These improvements, along with the on-site Park and Ride and interchange facilities will help to ease traffic pressures and improve public transport provision along the A4119 Llantrisant Road Corridor. These improvements will benefit residents of existing communities along this corridor as well as the occupiers of the new developments.

Park and Ride

Delivery of the Park and Ride Facility will be supported by the transport interchange hub and 5 new bus services as set out in the TA and Addendum and therefore this will offer choice over and above those bus services that will divert through the site. Whilst the developer initially offered 250 parking spaces with the developer trigger point of the completion of 250 dwellings, Transport Officers put forward a more sustainable strategic strategy. This was considered appropriate in order

that the Park and Ride use is maximised and its full potential for linking buses through from Llantrisant Road to Junction 33. It is therefore proposed that this facility be delivered initially with 500 parking spaces at the completion of the 500th dwelling, this will include the vehicular link between the Llantrisant Road junctions and the Motorway network, appropriately managed for bus through connection only. The additional 500 spaces will be provided following the completion of the 750th dwelling. A suitable condition will be included that sets out these requirements.

Rapid Transit Corridor

Policy T9 of the LDP commits the Council to facilitating the future development of the Cardiff Capital Region Metro and safeguarding the land and space required to accommodate potential future routes and potential mode options through the development management process. In determining applications on land that may accommodate future 'Metro' routes it is important that development granted consent is designed in a way which does not prejudice the future development of the 'Metro' route and would enable it to be incorporated within the development at a later date. Policy T9 makes provision for this.

The development of the Cardiff Capital Region Metro project is being led by Welsh Government. Proposals for the network are at an early, conceptual stage and extensive technical work will be required to develop firm proposals and to support critical decisions regarding the precise alignment and mode of operation of individual route corridors.

The development site is crossed by a disused rail line which could potentially accommodate a future segregated rail or bus-based rapid transit corridor. The future option for a segregated rapid transit corridor along the entire length of the disused rail line within the site including a connection between the rail formation and Heol St Nyll is safeguarded within the site layout. The street widths also maintain the option for the future on-street running of a rail or bus-based rapid transit route through the site.

Metro

The Local Development Plan (LDP) makes clear that the delivery of allocated sites and achieving the 50:50 modal split target is not dependent on the provision of the Metro within the plan period, i.e. 2026. This has been accepted by the LDP Planning Inspector and Welsh Government.

Transport Assessment

As included within my Transport comments above, for the purpose of this application, the traffic flows and modelling have been accepted by Transport Officers for the purpose of assessing this application and, as such, it is considered that the impact has been adequately assessed. The proposed mitigation is, therefore, accepted together with those conditions and S106 matters stipulated. The Authority has secured what it considers to be an adequate level of mitigation for the scale of development.

Bus Services

Funding for bus services will be secured via the s106 Agreement and the sum requested is considered appropriate and reasonably related in scale.

Network Rail

Comments have been received from Network Rail stating that there would

be significant increase at the St Fagans level crossing sufficient to warrant mitigation. No evidence to support this statement has been submitted to date by Network Rail. The assessments undertaken demonstrate that there will a low potential traffic impact at this location. The routing of construction vehicles can be controlled, where reasonable, through the recommended Construction Environmental Management Plan.

RCT Traffic

An assumption has been made within the TA Addendum for traffic travelling from RCT and included within the modelling. This has been accepted previously on other recent strategic site applications.

Rhondda Cynon Taf (RCT)

Rhondda Cynon Taf County Borough Council's objection is based upon concerns relating to the impacts of the proposals upon the RCT area and that the application offers no specific measures or financial contributions for improving links to RCT. RCT is concerned that the cumulative impact of additional traffic from the development on the A4119, both east and west bound will be detrimental to existing commuters and public transport services that link Talbot Green with Cardiff.

In response to these concerns, the following should be considered:

The package of mitigation measures which will be delivered through the S278 and S106 Agreements will:

- i. address local impacts of the development along Llantrisant Road through the provision of measures to improve road safety and support active travel in order to contribute towards LDP Policy KP 2 (D).*
- ii. provide a new Park & Ride Facility with a minimum of 500 spaces within early phases together with a north / south bus link.*
- iii. contribute towards the provision of 5 new buses to serve the Park & Ride Facility, together with a subsidy of £150k per year per bus for a period of 5 years.*
- iv. through infrastructure secured through the Section 278 Agreement, enable this site to come forward in a phased manner.*

In light of the above, it is considered that those mitigation measures and S106 Financial Contributions being requested by officers for Cardiff are appropriate and proportionate for this scale of development.

RCT CBC's response refers to the need for specific transport measures in their area which could form part of the mitigation package (estimated to cost £3,536,583). However, RCT CBC has not supplied any evidence to demonstrate the impact of this development upon those lengths of road and junctions being put forward for improvements. In the absence of this evidence it is not considered that the mitigation measures sought by RCT CBC could satisfy the tests of Regulation 122 of the CIL Regulations (2010) in respect of being necessary to make the development acceptable in planning terms, being directly related and fairly and reasonably related in scale and kind to the development.

Notwithstanding the above, the Council will continue to engage with RCT CBC with regard to the issue of cross boundary transport improvements within the North West Corridor.

- (xi) **Recommendation** - *On the basis of the above, I can confirm that Transport would have no objection to this proposal, subject to the following Conditions, Recommendation and S106 Matters being included / secured. (Conditions are recommended to control car and cycle parking, phasing, to require full engineering details of the main site access, reserved matters access, the provision of roads prior to occupation of dwellings and a Construction Management Plan.)*
- (xii) **Legal Agreements** - *That the highway improvement works as conditioned above (and any other works) which relate to the existing or proposed adopted highway are to be subject to an agreement under Section 38 and / or Section 278 of The Highways Act 1980 between the developer and Local Highway Authority.*

S106 Matters:

- (xiii) **Bus Service Provision** – *That a subsidy be secured from the developer towards the provision of 5 bus services serving the site and the Park and Ride, for a period of 3 years. The developer shall provide the Council with written evidence of payment of the contribution. This sum to be £2,250,000 and secured by way of a S106 Agreement with timescale for delivery to be agreed by the Local Planning Authority in writing.*
- (xiv) **Park and Ride and Transport Interchange Hub** – *the first 500 car parking spaces to be provided, together with the interchange hub and a vehicular link from Llantrisant Road to Junction 33 for bus use, on the completion of the 500th dwelling. The remaining 500 spaces to be provided on the completion of the 750th dwelling.*
- (xv) **Residential Travel Plan** – *No part of the development hereby permitted shall be occupied until a Travel Plan has been submitted, this being applicable for the employment, residential and school land uses. The Travel Plans will require to be submitted to and approved in writing by the Local Planning Authority.*

The following list of commitments has been included within the submitted Travel Plan and will be secured via the S106 Agreement where they are not secured above through the S278 Agreement:

- *Transport Planning Co-ordinator to be provided continuously for a minimum of 10 years at the developer's expenses. Following this period, the skills will be shared and passed onto local community members;*
- *Annual Surveys to be undertaken for 10 years and formal commitment to achieve a 70% response rate on surveys;*
- *First initial Travel Plan Survey / Baseline Survey to be undertaken within 3 months of 'meaningful' occupation;*
- *Travel Plan survey undertaken within 6 months of 'meaningful' occupation;*
- *Commitment to a first monitoring survey of the surrounding community, prior to first occupation;*
- *Personlised Travel Planning;*
- *Free or discount travel for a trial period on local bus services. This is not set out in detail, it is recommended that in line with other Strategic Sites, free annual bus passes are provided, at least one per household;*
- *Cycle training;*

- *A cycle voucher to be used towards bike purchase;*
- *A Travel Plan reserve fund for 'fighting' failures or shortcomings through the monitoring period, this will need an amount secured for the purposes of the S106 to be held for appropriate intervention measures;*

6. **EXTERNAL CONSULTEE RESPONSES**

- 6.1 The **Planning Division, Welsh Government** advise that they have received a third party call-in request for the application, but clarify that Planning Committee can proceed to make a decision without the outcome of the call in request being known to them. They advise that Welsh Ministers can consider call in at any time up until the final decision notice is issued, and that the call in request should not be considered as a third party representation as it is not a matter for the LPA, but solely a matter for the Welsh Ministers to consider.
- 6.2 Transport Division, Welsh Government** confirm that the Welsh Government as the Highway Authority for the trunk roads and motorway in Wales has no objections to the proposed development, noting that only the Park and Ride facility (750 spaces of 1000) and the employment area will be accessed directly from the M4 Junction 33 with the entire residential area plus associated facilities access from the local county roads. It is emphasised that their comments only relate to the motorway and do not consider the impact on the A4119 or other county roads where Cardiff or RCT are the relevant Highway Authorities. It is recommended that a condition is imposed to protect the motorway junction, such that the limited access/ egress arrangements to the development are enforced to maintain the safe and free flow of traffic on the strategic highway network and ensure that no residential traffic from this proposed Development site will be able to access the motorway directly through Junction 33. Specifically, they suggest that *'access from the development on to the M4 at Junction 33 site shall be limited to vehicular use for 750 of the Park and Ride spaces, the three employment areas detailed on the Masterplans (References W131169/B/04 and 9901) and the scheduled bus services utilising the Bus Plug. The remaining 250 Park and Ride spaces, all residential traffic and the additional employment areas to the western end of the site shall be accessed from Llantrisant Road'*.
- 6.3 The Transport Division, Welsh Government also confirm that, as rail infrastructure is not devolved, the Welsh Government Rail Team has no remit to comment on the level crossing and that the observations from Network Rail should be seen as the definitive response. The Director of Transport was also consulted in respect of the 'Metro'. No comments were received.
- 6.4 In response to the amended submission, the Network Management Division WG reiterates the above advice in respect of the control required to protect the motorway junction.
- 6.5 WG were sent a draft and final version of the recommended conditions. Any comments received will be reported as a late representation.

- 6.6 The **Department for Environment & Rural Affairs, Welsh Government**, in response to the initial submission, note that:
- the site was surveyed in 1993 and found to be majority agricultural land classification grade 3b
 - though their records are incomplete (whilst they have a copy of the 1993 survey map, they can not locate the survey file containing the original ALC report) it is highly likely the survey was commissioned at a 200m sample density
 - whilst there is the possibility a limited amount of Subgrade 3a (BMV) land may be found if resurveyed at a detailed level (100m sample density), they believe it unlikely that the ALC grading of the site would alter significantly, therefore, the Department has no grounds to offer a view on the proposal and the remit in this case is to provide technical information only
 - the threshold given at TAN6 Annex B2 where the Department has grounds to offer a view is 20 ha of BMV (the national agricultural interest); it is very unlikely the threshold would be reached if resurveyed
 - the Department views the 1993 survey as the best available information and reliable at the scale. It is considered that there is a low risk of BMV loss and therefore it is very unlikely the proposal would impact on the national agricultural interest. In coming to this conclusion the Department took the decision not to resurvey the site
 - in summary, the ALC grading is reliable at scale, the risk of BMV land being lost is low and as a result the Department does not believe it has the grounds to offer a view.
- 6.7 In response to the amended submission and a query regarding the absence of any comment, the Department for Environment & Rural Affairs advise that they wouldn't have provided an update because the response was made under TAN6 B6 – provision of technical advice only. To be able to express a view, they advise the site would need to come under TAN6 B2 or B5 arrangements (20ha BMV loss, cumulative BMV loss of 20ha, significant BMV loss under 20ha). They advise that, as my previous comments highlight, the existing survey indicates that the site is no better than ALC grade 3b; therefore, BMV policy would not apply and the Department would have no grounds or reason to express a view against PPW 4.10.1.
- 6.8 **Rhondda Cynon Taf County Borough Council (RCT CBC)** forward a copy of a report presented to their Development Control Committee on 19th May 2016 and provide the following comments in respect of the initial submission:
- (i) RCT CBC accepts the need to provide additional housing within Cardiff;
 - (ii) RCT CBC is concerned that applications 14/00852/DCO does not appear to be proposing any specific measures or contributions for improving links to Rhondda Cynon Taf, required to accord with Policy KP2(D&E) of the adopted LDP;
 - (iii) In the absence of such proposals, RCT CBC object to these planning applications in their current form and requests that the City of Cardiff Council negotiates the provision of a proportionate financial contribution or physical works within RCT to protect public transport journey time reliability, prior to the determination of these applications in order to remove these objections;

- (iv) It is suggested that it would be appropriate for the developments subject of the four applications 14/0852/DCO, 14/02188/MJR, 14/02733/MJR and 16/00106/MJR to provide between them for improvements in the area of the Castell Mynach Junction in order to mitigate the impacts of these developments, and provide measures to improve linkages into RCT in compliance with Policy KP2(D&E);
- (v) The works would include: a new bus-only southbound carriageway between the A4119/School Road Junction and Llantrisant Rd, a new signalised junction at the A4119/School Road Junction, improvements to the Llantrisant Rd and School Road Junctions, including the provision of bus lanes and increasing the size of right hand turn lanes, and active travel works, the cost of which are estimated to be £3,536,584 to be secured via s106 Agreement. It is considered a matter for CCC and the Applicants how this provision is divided between the development proposals, but recommend that officers from CCC should contact them to discuss details of the scheme;
- (vi) The works are considered to meet section 122 of the Community Levy Regulations 2010 as follows:
 - *They must be necessary to make the development acceptable in planning terms* – it is considered that traffic generated cumulatively by the four proposals would have a significant impact on the A4119 corridor and these proposed improvements would ease congestion caused by them and are considered necessary to make the development acceptable in planning terms
 - *They must be directly related to the development* - it is expected that a considerable amount of traffic generated cumulatively by the four proposal will travel through the Castell Mynach Junction and therefore the works are considered directly related to the development
 - *They must be fairly and reasonably related in scale and kind to the development* – as these four applications propose up to 8060 houses in total and a further 630 houses on Strategic Site C have been resolved to be approved, with no proposals to mitigate the traffic impacts on RCT, these improvements are considered to be fairly and reasonably related in scale and kind to the development.
- (vii) Any bus services that will be provided as a result of the development should not be limited to running between the sites and Cardiff City Centre. It is considered that in order to comply with policy KP2(D&E), investment should be made in extending such services as part of a regional route to Talbot Green Bus Station, which is a key transport interchange for RCT. This would support public transport use to and from the development sites and it is requested that CCC negotiate this provision with the developers.

6.9 The RCT Committee report also identified that officers considered that the marshy grassland within the development area to be of more strategic importance than the EIA has recognised, and that appropriate consideration of impacts and mitigation is needed, but concludes that this issue is not considered to be of sufficient concern to raise an objection to the application. The following issues are raised ‘for information’:

- *There is concern that the significance of the marshy grassland has not necessarily been adequately considered in the EIA process;*

- *Retention and maintenance of habitat connectivity of marshy grassland is considered to be a key biodiversity issue in this area, particularly due to its function as Marsh Fritillary butterfly habitat, restoration of marshy grassland is regionally an important biodiversity objective, and there is a long term objective of restoring the range of the Marsh Fritillary butterfly in the Ely Valley meta-population area;*
- *The Environmental Statement references a 1995 assessment where the habitat was assessed as being of low potential for Marsh Fritillary butterfly due to the scarcity of Devil's-bit Scabious;*
- *However, the presence of Purple Moor-grass suggests habitat that may have, with appropriate management, potential as Marsh Fritillary habitat;*
- *Therefore there is concern that the marshy grassland within the development area is of more strategic regional importance than the Environmental Impact Assessment has recognised, and appropriate consideration of impacts and mitigation is needed*
- *In respect of landscaping, there is a general comment that rather than wildflower-rich mixes suggested in the landscaping proposals, perhaps it would be more appropriate to place more emphasis on protecting habitat, reusing the vegetative material/ soil if it has to be lost, and then developing a long-term conservation management commitment via a Section 106 Agreement, but this is considered a matter between Cardiff Council and the Developer.*

6.10 No further comments have been received in response to the amended plans. Any further comments will be reported as a late representation.

6.11 The **Vale of Glamorgan Council**, whilst welcoming elements of the proposal (the significant transport hub and associated sustainable transport initiatives) and noting that it is unlikely to have significant adverse impact on the Ely Valley and Ridge Slopes SLA, raise concerns on the following grounds:

- i. prematurity - the developer of this strategic site and its likely impact should be assessed at the LDP Examination, with ref to para 2.6.3 of PPW.
- ii. adverse traffic impact within the Vale of Glamorgan, with the scheme likely to place significant pressure on the primary highway leading into Cardiff from this location, the A4232, with increased traffic on this road likely to have a major adverse impact on the three main road junctions that provide access / egress from the Vale, namely, Culverhouse Cross, Leckwith Road and Grangetown Link / Cardiff Bay.
- iii. cumulative impact on traffic generation and vehicular movements within the surrounding area from adjacent strategic sites D and C
- iv. notwithstanding these concerns, it is noted that the TA would seem to have included impacts on the surrounding network as well as the likely additional developments. It is noted that the results of these assessments should be considered by highways to ascertain their appropriateness and validity, but no comments were received from Highway Development.
- v. the site has been subject to previous proposals for a strategic employment site to which the VoG Council has previously raised concerns, notably the proposals for an 'International Business Park' to which it objected to on grounds of: prematurity, unsustainable form of development contrary to approved and emerging national policy, significant adverse impact on the

strategy highway network and detrimental visual impact. Reference is also made to the conclusions of an Exploratory Meeting of the Cardiff LDP in February 2010 which considered the allocation of an IBP and raised concerns regarding the inadequate evidence based to justify its location, and demonstrate compatibility with emerging development plans, that a sequential approach had been adopted and the sustainability of the location, with concerns raised that it would threaten Cardiff's regeneration strategies. It is noted that, whilst the current proposed is for a mixed use development, many of the issues remain the same, particularly in relation to the sustainability of its location, impact on the highway network and the planning application's prematurity. Whilst noting that the VoG Council raised concerns of the inclusion of an IBP in the initial Cardiff Deposit LDP and various strategy options, it is noted that similar objections were not maintained to the inclusion of the strategic site at J33 within the current Deposit Plan.

No comments have been received in response to the amended submission.

- 6.12 The **Care and Social Services Inspectorate Wales (CSSIW)** confirm that they have no objections or interests in the application, noting that, whilst there is reference to the provision of sheltered accommodation, CSSIW does not register or inspect such accommodation, as it is exempt from registration.
- 6.13 **South Wales Police** advise that: this is a major development which could have significant impact on community safety issues, the Design and Access Statement is very brief on community safety and provides insufficient detail to demonstrate how this development will be a safe and secure development, SWP have not been consulted on the detail of any proposals and would welcome the opportunity for detailed discussion prior to decisions being made for reserved matters. SWP provide recommendations with respect to detailed design and layout, encompassing matters relating to parking, pedestrian routes, secure buildings, lighting and vehicle speeds.
- 6.14 In response to the amended application, South Wales Police advise that they are disappointed that the developers are submitting such a large application without engaging in pre-application consultations with them. Whilst noting that they welcome the commitment to increasing surveillance levels, creating well overlooked public spaces and 20mph speed limits, they advise the revised Design and Access Statement is still too brief and does not take account of their initial comments. They request clarification and more detail on rear courtyard parking, housing design, security standards on doors and windows, perimeter walls and fencing and lighting and note Welsh Housing Quality standards require Secured by Design (SBD) on all social and affordable housing in Wales, noting there is no mention of how this will be achieved and advise that they would welcome a meeting with developers at the earliest opportunity.
- 6.15 **Wales & West Utilities** advise that they have no apparatus in the area.
- 6.16 **Dwr Cymru Welsh Water (DCWW)** advise that the amended drainage strategy will ensure an effective split of flows between two Waste Water Treatment Works (WWTW) and recommend a series of conditions to ensure that the

development does not have a detrimental impact on their customers, assets or the environment. These include conditions: to control the WWTW that the development drains to and their points of communication to the public sewerage system (requiring that up to 400 dwellings drain to Creigiau WWTW, with the remainder of the development draining to Coslech WWTW), to prevent surface water and land-drainage run-off connecting to the public sewerage system, to require foul and surface water discharges to drain separately from the site and to require the developer to install a grease trap for non-residential uses. They confirm that a water supply can be made available to serve the development and provide advice in relation to connections to the public sewerage system.

- 6.17 **CADW** has **no objection**, confirming that there are no scheduled ancient monuments, historic parks and gardens or historic landscapes affected by the proposal and that they do not have any concerns to raise. In responding to the amended submission, CADW confirm they have no further comments.
- 6.18 **GGAT** has no objection, subject to a condition requiring a programme of archaeological investigation prior to commencement of development. They note the ES identifies the nature of the archaeological resource within the wider area and details the extent of the known archaeological resource within the proposed development area, notably a railway embankment, associated viaduct, former routeway and enclosure, historic hedgerows and remains of a former mill with possible medieval origins. GGAT advise that the proposed mitigation work is appropriate and recommend a condition requiring the applicant to submit a detailed written scheme of investigation for a programme of archaeological work. An advisory notice is also recommended in respect of the required standard for the work. In responding to the amended submission, GGAT note that their understanding of the archaeological resource remains unchanged and reiterate the previous advice.
- 6.19 **Natural Resources Wales** (NRW), in response to the initial submission, provide the following summarised comments:
Summary of Natural Resources Wales' Position
NRW objected to the proposed development, as originally submitted, pending the provision of acceptable and additional information from the applicant on the effects of European Protected Species, UK Protected Species and Green Infrastructure, and requested the following information and/or confirmation be sought prior to determination of this application:
- Additional survey relating to bats and results
 - A dormouse mitigation strategy, given the historic records for dormice and notwithstanding that the surveys undertaken by the Applicant did not confirm their presence
 - Opportunities to create water bodies to support a range of wider aquatic biodiversity, given the historic records for Great Crested Newts and notwithstanding that the surveys undertaken by the Applicant did not confirm their presence
 - Surveys of the site for water vole as none were undertaken or information submitted to demonstrate why these were not undertaken

- Clarification as to whether a full badger survey of the site was undertaken, noting the presence of a dis-used badger sett on site
- Confirmation of long term management (responsibilities and financing)
- The principles of a lighting strategy - whilst noting an appropriate lighting scheme could be conditioned, NRW advise that the potential impacts of inappropriate lighting are considered at the outset and how dark corridors will be maintained around and through the site, noting the need for assurance that the use of the dark areas by bats are combatable with other elements of the development
- Further details of the relative size and nature of green space across the site, and identification of opportunities taken to expand green corridors and existing habitats to enable coherent ecological connectivity within and off site and to ensure habitats are robust and can respond to new pressures arising from the built environment. Concern is noted that the Green Infrastructure Parameter Plan does not adequately demonstrate how ecological connectivity will be provided for across the built environment, particularly in an east-west direction or how robust ecological connections to the wider landscape will be maintained or managed. Concern is also noted that severance of corridors to accommodate road or other networks will form a barrier to movement and may lead to local extinctions and request further information in this regard. NRW advise that domestic gardens should not back onto green corridors as this could lead to conflict between occupants and these areas, leading to in appropriate or lack of management, and negative impacts upon species supported by these areas, such as bats and dormice. They request that buffer zones be included in the design of the development to protect green corridors.

They provide more detailed explanation of their objection and, provide the further advice should the above matters be resolved, in respect of the following:

The Water Environment

Flood Consequence Assessment

NRW agree with the details contained in the FCA, which confirms that the majority of the site is located in Zone A of the TAN 15 development advice maps (dam). Given the location of development in Zone A, surface water requirements should be assessed and we note that this aspect has been included in the ES. In addition, a small section of the site located along the Nant Henstaff is located in dam Zone B where they confirm they consider risk of flooding to be minimal. Given these constraints and their remit they request no further information to be provided by the applicant to assess the risks and consequence of flooding. Both watercourses are designated as an 'ordinary watercourse' and are under the jurisdiction of Cardiff Council. We would, therefore, suggest that you seek the advice from Welsh Water/Dwr Cymru and your local authority drainage engineers on drainage proposals.

Drainage Strategy

NRW note that the ES recognises that without mitigation, the compaction of soils during construction could give rise to increased flows into receiving watercourses - the Nant Henstaff and Nant y Glaswg. They note there is also risk of inadequate culverts to impede flows and cause localised flooding; and large areas of impermeable surfaces will increase runoff. NRW welcome the

preparation of a Sustainable Drainage Strategy and note the intention to develop this Strategy further and to inform detailed proposals. Any proposals regarding the drainage system must be agreed with the local authority and any other relevant third party to ensure that surface water discharges will not cause or exacerbate any flooding within this catchment. NRW note Cardiff Council will be the SUDs Approving Body for this development. NRW note they support the adoption of Sustainable Urban Drainage Systems and wherever possible improvements. The aim should be for new development not to create additional run-off when compared with the undeveloped situation and for redevelopment to reduce runoff where possible. NRW note that some information has been provided by the applicant's consultant in regard to Greenfield runoff rates, which will need to be agreed by the Council, along with details of adoption, management of this system over the lifetime of development and any subsequent amendments. They note the responsibility for the maintenance of all watercourses and structures thereon rests, in the first instance, with the riparian owner, and that Land Drainage legislation does not seek to remove this responsibility. Due to the transfer of ordinary watercourse regulatory powers from NRW to Local Authorities, they note they are no longer responsible for issuing flood defence consent on ordinary watercourses, noting the local authority must determine if any works that affect an ordinary watercourse require a flood defence consent and that changes to ordinary watercourse management have been made by the Flood Water Management Act 2010 (FWMA).

Water Supply

NRW note suitable water supply infrastructure will be required for the development and the requirements of Dwr Cymru/Welsh Water should be sought.

Foul Water Disposal: Operational Phase

NRW advise that Dwr Cymru/Welsh Water will need to provide you with assurance that suitable wastewater infrastructure can be provided over the lifetime of development, alongside any phasing requirements. NRW would wish to be assured that suitable foul sewerage infrastructure exists to serve the development without having an adverse impact of the environment including controlled waters. NRW note and support that during the operational phase of development sedimentation and pollution risks are to be reduced through the implementation of the SUDs Management Train throughout the Sustainable Drainage Strategy.

Potential for Contaminated Surface Water Run Off: Construction Phase

During site clearance and construction phase of development, any contaminated surface water run-off generated should be managed in order to prevent pollution of controlled waters and adverse effects on ecology. NRW agree that the Construction Environmental Management Plan (CEMP) should detail such measures, which should be agreed with the local planning authority and NRW.

Construction Environmental Management Plan (CEMP)

NRW note that for many water related features (ditches, streams and ponds) there is the potential for breaches to occur as a result of site clearance and construction, although the effects is not considered to be adversely significant. They note the ES explains that disturbance of soils and the subsequent surface water runoff from them have the potential to cause increased sediment loads in

receiving water bodies; risks of pollution from accidental spillages of hydrocarbons and cementitious materials. NRW note they expect suitable control and mitigation measures to be effectively implemented in order to ensure that potential run off from the site and discharges into these waters are of an appropriate standard; to ensure that there is no pollution of controlled waters and no adverse impact on ecological interests.

They note that details of measures to protect the environment including measures to reduce the effects on water quality (surface) and water resources during the construction of the development will be set out in a Construction Environmental Management Plan (CEMP) and associated method statements. They agree that this CEMP should include detailed measures, for example, wheel washing facilities, measures to control runoff, dust and lighting, and regular monitoring and updates. NRW request the CEMP be required by condition and provide advice on its detailed scope.

Timescales for Development

NRW request updates on the programme of works and timetable, a list of contacts (on site) and their respective responsibilities.

Contamination

NRW note the ES indicates that the existing site is generally uncontaminated to migrate from ground to the watercourses, however, this will need to be verified by intrusive investigations. They note that the application identifies areas of historical contamination within the site boundary and agree that targeted site investigation works should be undertaken to identify if contamination is present from previous use and whether remediation is needed and request a suite of contaminated land conditions to require this.

Detailed advice on contamination is provided for the LPA and Applicant.

Management of Waste and Materials

Detailed advice is provided for the Applicants.

Site Waste Management Plan

NRW note they are supportive of the preparation of a Site Waste Management Plan and would welcome further consultation on the Site Waste Management Plan.

Invasive Species

NRW note the ES identifies Rhododendron (Rhododendron Ponticum) as an invasive species, which is to be subject of further treatment in order to eradicate this species.

Ancient Woodland

NRW note areas of ancient woodland are located within and adjacent to the planning application development boundary, and welcome the woodlands being identified in the ES as a key ecological feature of the site. They agree with the commitment that the woodlands will be retained and buffered from the development during both construction and operation of the proposed scheme, and recommend that the CEMP details measures to avoid direct and indirect damage to the woodlands during construction.

Local Biodiversity

NRW note that they have not considered possible effects on all species and habitats listed in section 42 of the Natural Environment and Rural Communities (NERC) Act 2006, or on the Local Biodiversity Action Plan or other local natural heritage interests. They note to comply with the authority's duty under section 40 of the NERC Act, to have regard to conserving biodiversity, the decision

should take account of possible adverse effects on such interests.

Rights of Way

NRW understand that there is a Public Right of Way, which crosses the development area, and recommend that the advice of your Council's Public Rights of Way Officer is taken into account.

Planning Advice Note

We refer the applicant to our Planning Advice Note for further advice and guidance. This includes advice on regulatory requirements outside of the town and country planning process including environmental permits and exemptions; pollution prevention measures; and waste management matters.

Approach to Development of a Strategic Site

NRW recommend that any development takes an exemplar approach in ensuring sustainability is considered from an early stage and throughout the process.

- 6.20 In response to the amended submission, NRW note that they initially objected to the proposal due to insufficient information on European Protected Species and note that the Applicant has now provided an addendum to the Environmental Statement. They advise that planning permission should only be granted if their recommended conditions and planning obligation are attached and confirm they would not object if they are attached.

Provision of green corridors

NRW note that drawing 1348501/P/GA/003 Green Infrastructure Plan (Strategic Landscape Framework Plan) and drawing 'G101 revision B' show some of the corridors build upon existing vegetation corridors, but will require considerable enhancement in terms of new planting to reach the size and scale set out in the GI plan and considerable lead in time before they may function as green corridors. NRW advise they are planted at the outset, also noting it is important to ensure that habitat management underpinning mitigation is carried out as soon as possible. Furthermore, NRW note additional detail will be required on the composition and phasing of planting associated with the green corridors. NRW therefore advise a condition to agree in writing the habitat composition and layout of green corridors in order to ensure provision of suitable habitat for, and maintenance of, connectivity for dormouse. They note this should include details of the habitats to be retained, habitats to be created and, a planting plan and a phasing plan for green infrastructure planting.

Long term habitat management and monitoring

NRW envisage long-term management and monitoring would be best delivered through a planning obligation as detailed below. NRW also advise a condition to agree in writing, before the start of works, a long term Management Plan, to ensure the favourable management of habitats on site for dormice and bats. They note the plan should include but not be limited to; a description of habitats to be managed and their desired condition, the nature of management operations required to deliver and maintain the desired condition, appropriate scheduling and timing of activities, proposals for monitoring of habitats, on-going review of management and remedial action to be undertaken where problems are identified by the monitoring scheme.

NRW note the need to ensure the preparation, agreement and implementation of a monitoring scheme for protected species. They advise a monitoring

strategy to include the protected species themselves and assess the development of, and ongoing suitability of, the habitats present to support them. Should the monitoring show a decline in population numbers or distribution, NRW note it will be necessary to deliver remedial measures which should be agreed in writing with the LPA. They therefore recommend a condition to agree in writing, before the start of works, a monitoring scheme for protected species. They advise monitoring should include the protected species themselves and the establishment of translocated, newly planted and managed habitats, including road crossings, and the use of such habitats. Should the monitoring show a decline in population or distribution, they advise remedial measures to be agreed in writing and implemented to the satisfaction of the local planning authority.

NRW advise that the following areas are best covered by a Section 106 agreement: details of the financial measures to secure ongoing habitat management and species monitoring provisions, details of management and monitoring of ecological areas and green corridors and their implementation; They advise that details and assurances that an appropriately skilled body will be employed to implement the management provisions should be provided by the Applicant.

Delivery of ecological mitigation; Dormouse Conservation Scheme

NRW note the ES addendum sets out the Dormouse Conservation Scheme, and advise the implementation of the Dormouse strategy is secured through a planning condition. They note that there are some aspects they may wish to develop further at the time of the licence application, including clearance strategies.

Lighting

NRW consider the presence of lighting is likely to reduce dormice and 'light sensitive' bat species which utilise certain areas. They therefore welcome the provision of bespoke lighting, including dimming at locations where the road corridors cross the green infrastructure. They note they understand there will be a requirement for the submission of a site-wide lighting strategy via condition attached to any permission granted, and advise this includes existing commitments as set out in the drawings associated with the submission and also ensures the sensitive lighting of areas of the built environment which abuts green corridors to minimise light spill. NRW advise a condition to agree, before the start of works, a lighting scheme, consistent with the requirements of dormice and bats. This scheme should include details of the siting and type of lighting to be used, drawings setting out light spillage in key areas for wildlife and any operational measures necessary to ensure wildlife corridors are not illuminated. The scheme should address the construction and operational phase and include remedial action to be undertaken where problems are identified by the monitoring scheme. In terms of dimming lights, NRW advise this is undertaken 1 April to 30 September.

Bats

NRW note bat survey work identifies the intention to re-survey any of the trees and buildings to be removed at the appropriate time. They therefore advise a condition to ensure agreement in writing to the satisfaction of the local planning authority the scope and implementation of pre-construction surveys of the site for protected species, to be implemented as agreed. They advise each detailed application is accompanied by a bat survey of trees to be removed to facilitate

the development. They note they would be happy to comment on and wish to be consulted on the discharge of relevant conditions.

Legislation and policy

NRW note that where an EPS is present, and a development proposal is likely to contravene the protection afforded to it, development may only proceed under a licence issued by Natural Resources Wales (NRW) having satisfied three requirements set out in the legislation. One of these requires the development authorised will 'not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status (FCS) in their natural range.' They note these requirements are translated into planning policy through Planning Policy Wales (PPW) July 2014, sections 5.5.11 and 5.5.12, and Technical Advice Note (TAN) 5, Nature Conservation and Planning September 2009. NRW advise the planning authority should take them into account when considering development proposals where an EPS is present. NRW advise the Applicant seeks an EPS licence from NRW under Regulation 53(2)e of The Conservation of Habitats and Species Regulations 2010 before any works on site commence that may impact upon EPS. They advise the granting of planning permission does not negate the need to obtain a licence.

- 6.21 NRW provided detailed comments on a draft set of conditions and have confirmed that they are happy with the recommended conditions.
- 6.22 **Network Rail** raised a holding objection on grounds of concerns over the impact on the St Fagans Level Crossing, noting that vehicles using Llantrisant Road divert via the St Fagans Level Crossing on the Michaelston Road to avoid congestion around the Fairwater area. No comments have been received in response to the amended submission.
- 6.23 **WPD (Electricity)** have no comments to make.
- 6.24 **Cardiff and Vale University Health Board**, in responding to the initial submission, note they are responsible for the health of around 472,400 people living in Cardiff and the Vale of Glamorgan, the provision of local primary care services (GP practices, dentists, optometrists and community pharmacists) and the running of hospitals, health centres and community health teams. Together, they note they provide a full range of public health and health services for local residents and for those from further afield who use the specialist services. It is noted that the application makes reference to the provision of a community building within which a clinic or surgery may be provided, and this is welcomed. Key recommendations are set out below.

Healthcare Service Provision Recommendations

- *It is likely that significant development of an existing GP premises in the local area (Pentyrch) or a new build GP premise, potentially within a multi-purpose building within the development, will be required. Additional 3 GP's may be required to deliver services to this development and the north Llantrisant Road / south of Creigiau development.*
- *It is likely that access to building space will be required for the provision of local specialist outreach services / clinics and community health staff,*

including district nursing services, health and social care support staff, health visiting services.

- *The development at J33 will have an impact on the UHB's hospital facilities. However, it is not possible to accurately predict the level and/ or type of infrastructure requirements at this stage. Processes to quantify impact are being developed.*

Public Health Recommendations

- *Prioritise the pedestrian throughout the development, extend the 20mph zones to cover the entire development, use a variety of methods to reduce and control traffic speed, take the opportunity to implement car-free zones and design in informal outdoor active play areas*
- *Adhere to the planning guidance that identifies minimum standards for outdoor playing spaces and distances to local provision of spaces and negotiate to ensure the open spaces are well maintained*
- *Make available land near community buildings for food growing, support the selling of fruit and vegetables in the retail units and restrict the establishment of fast food / hot food takeaways, particularly near the school.*
- *Restrict the selling of alcohol at the new retail units.*
In addition the Deposit LPD recommends the undertaking of a health impact assessment of large developments (Policy C7). In advance of the adoption of the LDP, it is recommended that this application is screened using an appropriate HIA tool, engaging with key partners.

6.25 In response to the amended submission UHB provide combined comments in respect of health care service delivery across the North West area which is summarised as follows:

- (i) Strategic Sites C, D and E have the potential to significantly increase the population in North West of Cardiff - it is anticipated that the potential new homes will equate to an increased population of 22,585 (based on an estimated average of 2.3 residents per home), with the potential for further future expansion of Strategic Sites C and D noted as yet unknown;
- (ii) UHB is responsible for ensuring access to NHS primary care services in Cardiff and the Vale of Glamorgan, including GPs, Community Pharmacists, Dentists and Optometrists. The UHB works with a best practice GP to patient ratio of 1:1800 and the current rate of access to NHS dentistry is 55% of the population;
- (iii) while there is some limited capacity within existing GP practices in NW Cardiff to accept additional patients associated with the LDP growth, there is a significant shortfall;
- (iv) there will be a significant demand pressure placed on a range of existing primary care health services;
Primary Care Service
- (v) current general medical services (GP surgery provision) will be insufficient. There is sufficient GMS capacity within the Pentyrch GP practice to accommodate the needs of Site E and there is political commitment to maintain a GP practice in Pentyrch, but the practice operates out of temporary facilities and the UHB is looking to secure a longer term solution for this practice. For Sites C and D, the assessment

reveals a shortfall of provision for 11,100 patients, equivalent to 6.2WTE GPS plus associated staff;

- (vi) pharmacy provision is generally interlinked with demand for GMS, but the process for expanding provision is applicant driven and difficult to determine;
- (vii) it is anticipated that there will be an increase in demand for NHS dental services, but it is acknowledged that NHS dental practices are not geographically bound, meaning that the impact of the proposed developments is difficult to assess;
- (viii) It is anticipated that there will be an increased demand for optometric care, but it is acknowledged that service provision is managed by opticians who can accept an increase in numbers provided they have capacity.

Community Based Health Care

- (ix) The UHB is also responsible for delivering health care in people's own homes and in community clinics, with services including community midwifery, health visiting, district nursing, podiatry, services for older people, family planning, primary and community mental health services etc. There are no community clinics in the vicinity of the development. Whilst the services need to be delivered against the principle of 'home first', for a number of services it is more appropriate to deliver them from a community resource facility either in multi-functional spaces or clinical consultation / treatment rooms;

Hospital based secondary care

- (x) It is anticipated that the strategic sites will impact on hospital facilities at UHW and UH Landough, but it is not possible accurately predict infrastructure requirements at this stage. What is clear is that service delivery will change with the aim of making services more accessible, which could include the provision of a greater range of services in community based facilities;

Future Service Delivery

- (xi) In health care planning it is important to take account of critical mass and the need to provide a cohesive and integrated model of care and for this reason it would not be a practical or sustainable solution to deliver a health care facility within each of the 3 sites;
- (xii) The preferred solution to address the need is to provide permanent GP practice facilities within Pentyrch (for Site E) and to develop an integrated health and social care hub within the district centre of Site C - a large scale GP practice integrated within a shared use facility that would cater for health and wellbeing needs and provide opportunities for integration with local authority and third sector services. Options that facilitate the rental of retail units by pharmacy providers and opticians should also be pursued;
- (xiii) It is estimated that 2,233m² floorspace is needed for a standalone health facility (+ car parking) - equivalent to a 0.52 hectare site if built over 2 floors - to deliver GMS services for sites C and D, and community services for C, D and E, and 1,413m² to deliver such a facility within a shared community centre (if built over 2 floors).

- 6.26 **Radyr and Morganstown Community Council (R&MCC) object** to the proposal on grounds summarised below. These are noted to be mostly the same as those raised by the North West Cardiff Group, and therefore these objections are not repeated in Section 7.
- i. Prematurity - the LDP is not yet adopted.
 - ii. The plan does not align with the Council's vision for the city or LDP goals.
 - iii. Unsustainable scale and location, and creating a community reliant on cars. Reference to sustainability is tokenistic without the integration of the Metro.
 - iv. Inadequate and misleading statements in the submission documents, notably in the assessment of the existing situation, impacts and benefits, particularly in the Transport Assessment and the traffic impact assessment. R&MCC has demonstrated through transport appraisals by Transport Planning Associates that the existing road network in NW Cardiff can not accommodate traffic from the strategic sites.
 - v. Significant increase in traffic and congestion on roads that the Council acknowledge are at maximum capacity, exacerbating highway safety problems, and increasing journey times by bus and to local rail stations.
 - vi. Severely deficient transport strategy. Roads and public and private transport are barely adequate now and inadequate to cope with demand from this and other LDP strategic sites, and mitigation is very limited. The scheme fails to deliver a 'world class transit system' and to improve non-car accessibility. Proposals for a bus based rapid transit system is fundamentally flawed due to lack of road space on heavily congested roads, with no guarantee bus services will be delivered. Disagree that the bus hub will outweigh negative effects of increased road traffic. The 1000 space Park and Ride would need a bus every 3 minutes. Buses travelling along the A4119 won't be able to progress beyond Danescourt. The delivery of the Metro is uncertain and is not expected until the site is built out. No stations or rail line are shown on the Masterplan, and the Metro is not linked to the Park and Ride. It is not credible to retrofit the Metro. Without local employment, park and ride linked to the Metro, and concurrent delivery of community facilities with housing, there is no chance of delivering the 50:50 mode split. Delivery of the Metro prior to development is essential to avoid severe disruption to travel for huge numbers of people - without it the scheme would be premature and unsustainable. Mechanisms must be found to fund and construct the Metro, and must include a major contribution from this and other sites via s106 or CIL. Identifying the route must be a top priority.
 - vii. Inadequate accessibility by public transport, foot and bike to neighbouring communities, and misleading assessment of existing infrastructure.
 - viii. the proposed 'bus gate' onto the M4 at J33 would probably fall foul of the Equality Act 2010 and there is no indication this is supported by Welsh Government
 - ix. Poor draining site, leading to greater run-off and flooding elsewhere.
 - x. Misleading design philosophy which recognises 3 distinctive communities of Creigiau, Pentyrch and the site, but shows the 3 merging, leading to loss of community identity. Creigiau can not share its limited resources with sites D and E.

- xi. Threat to strong and proud Welsh language heritage from merger of Creigiau with new community.
- xii. Wales International Business Park was not given permission, as stated, but was called in and subsequently withdrawn. The proposal is not substantially different.
- xiii. Phasing - school excluded from phasing, leading to unacceptable and unsustainable reliance on local facilities. Supporting facilities are needed in phase 1.
- xiv. The site is spread out and disjointed.
- xv. Concerned that area to the east of the site that is in the Applicant's ownership could come forward as a future extension, even though it falls outside site D in the LDP.
- xvi. Concern the ES is incomplete, does not address all the issues raised in the Scoping Opinion and that application is being rushed and may be considered before the ES is complete.
- xvii. The application focuses on sustainability within the site but fails to address its role in the sustainable development of the wider area. Fine words about sustainability are tokenistic without integration with the Metro.
- xviii. The Parsons Brinckerhoff Transport Assessment review was commissioned and paid for by Vectos and is not independent, but confirms a number of inadequacies in the TA, which are detailed. It is noted that similar deficiencies were identified in the Council's Scoping Opinion and that the report does not question many of Vectos' omissions and unrealistic assumptions. The community council note site D is probably the least sustainable strategic site, that the LDP acknowledges that it may never reach a 50/50 mode split and that, without provision of a Metro from the outset, the target is quite unrealistic. They conclude that the report does not add to knowledge, resolve any deficiencies and is vague. The Council is urged to refuse the application unless the deficiencies are resolved and the assumptions backed with evidence.
- xix. Adverse impact on air quality and health from increased traffic flows, and need to take into consideration Cardiff Council's June 2014 report 'Further Assessment Llandaff AQMA, which notes the AQMA was declared in 2013 because of exceedances of the annual mean nitrogen oxide objective (whose principle source is road traffic) and the marginal compliance with nitrogen oxide objectives. Concern that: report doesn't address the impacts of all the strategic sites and proposed superstore at the BBC Llantrisant Rd site, the report notes annual mean nitrogen dioxide objective is consistently exceeded at the kerbside, those emissions will increase as traffic increases from future development and speeds slow, the assessment recommends that developments with the potential to adversely impact on nitrogen dioxide be controlled/ mitigated yet this does not appear to be happening, the LDP plans risk endangering Cardiff's AQMAs and that the only public transport solution for the foreseeable future is the highly polluting bus. It is noted that the EC has recently fined the UK Government for exceeding its air pollution levels.

6.27 **St Fagans Community Council** object to the initial application on grounds of the lack of infrastructure planning and consequent unsound and unsustainable nature of the LDP, submitting that this trend is continued in the TA, as

evidenced in the audit report on the TA. They highlight many of the inadequacies that the TA audit identifies. In addition to many concerns raised by R&MCC above, they note that the Council's EHO officers are concerned that traffic from this development will lead to a breach of European air quality standards in Llandaff, and that planning and facilities/ infrastructure must be in place before development. In response to the amended submission, St Fagans Community Council endorses the comments of the North West Cardiff Group and urges Planning Committee to reject the application.

- 6.28 **Pentyrch Community Council** enquire about the timing of the negotiation of the s106 agreement, noting that the Community Council expect to be consulted and that they are aware of local groups who could benefit from community gain funds.

7. REPRESENTATIONS

- 7.1 Cllr Graham Thomas raised initial queries in respect of consultation deadlines, secondary school catchments, M4 access, accommodation of the metro and road improvements (noting existing problems on Croft Y Genau, Llantrisant Rd, Michaelston Road and Cardiff Road, the challenge of a 50/50 modal shift, and the resulting increase in traffic on narrow and already congested roads).
- 7.2 Cllr Graham Thomas objects to the application, as originally submitted, on the following grounds:
- i. prematurity - given plan is in its final stages need to await the outcome of the LDP Examination before granting further permissions on greenfield sites
 - ii. Transport options in the North West corridor are extremely limited, with narrow roads, no dual carriageway, no trains. The Metro presents an opportunity to resolve many problems but the final route, costing and commitment must be in place before first
 - iii. the A4119 is a dangerous road, with bends all along its route, which was originally conceived as a minor rural road, not a major arterial road into Cardiff and can not remain in its current format. Once houses are built, this will be irreversible, with question raised as to whether consideration has been given to straightening up lengths of the road.
 - iv. advises that he would like to be present at Planning Committee and reserves the right to make further objection at that stage, with a request that as much notice as possible is provided of potential committee date.
- 7.3 In response to the amended submission, Cllr Thomas advises that he is a member of the North West Cardiff Group and that he supports their detailed objection to the application. Cllr Thomas also asked for information on s106 negotiations and put forward an example of a local project at Creigiau Recreation Ground which, he notes, is desperate for funds and would benefit the wider community. This was a submission from CRAMC (Creigiau Recreation Area Management Committee) which manages the Field and is made up of representatives of 5 clubs and residents of the village. The proposals include requests for s106 funds for a perimeter path and exercise stations, a Multi-Use Games Area and an enlarged and improved pavilion.

- 7.4 Cllr McKerlich queried the likely date for committee.
- 7.5 42 letters of objection were received response to the **initial public consultation** (21 day consultation period advertised by means of site and press notice, and letters to neighbours and other interested parties) from residents of Graig Bungalows, Pencoed House Estate, Llantrisant Road, Cardiff Road, Windway Av, Old Mill Drive, Maes-y-Nant, Parc y Fro, Parc-y-Bryn, Llys Dyfrig, Parc-y-Coed, Pen y Cwm, Bronhaul, Windsor Clive Drive, The Rise, Llantrisant Rd, Ty Rhiw and from Pontyclun Community Council, North West Cardiff Group, Cardiff Civic Society, The Radyr and Morganstown PACT, Pentyrch WI, Campaign for the Protection of Rural Wales, Moto Regional Office, Llandaff Society and WYG Environment Planning Transport consultants on behalf of owners of Henstaff Court adjoining the application site and a number of unspecified address, who raise objections on grounds summarised below. (As noted in Section 6 above, the objections of the North West Cardiff Group are similar to those by R&MCC and the identical points raised are not repeated here.)

Process / Approach / Principle of Development / Masterplanning

- i. Prematurity on grounds that the LDP has not been adopted
- ii. Confirmation that a request has been made to the Welsh Government to call in the application
- iii. The proposal constitutes 'notification development' which must be notified to the Welsh Ministers in line with the 2012 Direction
- iv. The site / additional housing is not needed
- v. Concern over scale of the development proposed in Strategic Sites C, D and E and their cumulative impact. Moderate and sensible development is needed, within the city, to retain the character of the city
- vi. Concern that the application is submitted in isolation, without co-ordination with site E, and may prejudice future development. A single masterplan for sites D and E should be submitted. Sites D and E should be planned as a 'new town' and as one community, with the uplift in development value distributed fairly. The masterplan should show how the new development will integrate with Creigiau and how new facilities would be easily accessed
- vii. The Council has a statutory obligation to consult Pontyclun Community Council
- viii. Query as to why objections from community councils do not appear on the Council's web site
- ix. The application makes a good superficial impression, but will not deliver the scheme objectives
- x. Inconsistency in the number of houses to be built - the Planning Statement notes 'up to 1500', but the Environmental Statement notes 'approximately 2000'

Masterplanning approach

- xi. WYG Environment Planning Transport consultants, acting on behalf of the owners of adjoining land at Henstaff Court provide the following comments:

- xii. the owners of adjoining land at Henstaff Court are prepared to engage positively with the Council and others in the preparation of an overarching masterplan for sites D and E, support the development of site D and have no objection, in principle, to the application
- xiii. raise concerns that the Indicative Masterplan and other documents do not adequately demonstrate the potential relationship between site D and the adjoining Henstaff Court land, noting that this is unfortunate as the application was submitted after the LDP was placed on deposit and the submitted application documents should have acknowledged and reflected the Council's intentions in respect of the Henstaff Court land
- xiv. the Council should ensure proper account is taken of the future extension of site D into the Henstaff Court land
- xv. supports the master-planning approach to site allocation and development which requires that due regard is given to neighbouring areas and matters of inter-connectivity referred to in the deposit LDP including access by drivers, pedestrians and cyclists, bus routes, alternative routes for the proposed LRT one of which traverses the Henstaff Court land, and landscape and wildlife corridors
- xvi. ask to be consulted on amended plans

Socio- economic matters

- xvii. Welcomes the fact that the proposals do not propose a large retail park
- xviii. Concern over destruction of village communities, changing from a small villages in a rural location to part of a huge estate
- xix. Impact on range of local retail, services and businesses in Creigiau
- xx. There should be a substantial park or open space between existing and new communities so existing residents can benefit
- xxi. Supporting infrastructure (transport, schools, community facilities, workplaces etc) must precede the housing to avoid further traffic chaos on A4119 and slower commuting times. If this doesn't happen, there is no chance that new occupiers will work or go to school in the development. Experience suggests that the infrastructure is promised in advance, but then shifts to provision at a later stage and quite often is not provided at all
- xxii. No mention is made of how revenue costs of community facilities are to be funded, with a concern that contributions to community facilities will not be paid. Query as to who will fund the school. Concern there is no provision for a secondary school, as local secondary schools are full to capacity. Disbelief the development will be provided at no or little cost to the public sector
- xxiii. Concern over impact on health provision, noting local surgeries are working at capacity and local hospitals are threatened with major cut backs. Query as to whether a new GP surgery will be provided and how it will be funded
- xxiv. Harm to successful wedding venue business at Pencoed House from the proximity of park and ride facility
- xxv. the development will bring many people on to the land of an old people's home and a lot of work would be required around access
- xxvi. Concern that residents of social housing may not be able to access convenient public transport and afford travel costs, and may be isolated.

- xxvii. The proposal will attract people from the valleys who want to live nearer to their workplace, but will exacerbate problems in Cardiff
- xxviii. Access to employment by those commuting from outside the county, including Pontyclun, harmed by increased congestion. The proposed development would make Pontyclun unsustainable. Communities dissected by the A4119 will be harmed unless transport links are established early on
- xxix. Commuters from outside Cardiff do not want to live in Cardiff as house prices and the cost of living is more expensive.

Design, Heritage, Countryside, Landscape, Agriculture, Ecology, Drainage

- xxx. The DAS has many good points.
- xxxi. Harm to the structure of Pencoed House, Gd II listed building and its ancient woodland
- xxxii. Loss of open countryside and suburbanisation of the area. There are more generous areas of land to the East that should be developed. Brownfield sites should be developed in favour of greenfield
- xxxiii. Impact on the environment, wildlife and their habitats - the proposed mitigation measures will not prevent species loss
- xxxiv. Loss of agricultural land and associated loss of farmer's livelihoods and stabling for horses
- xxxv. Fear of flooding

Highways, Transportation, Safety, Air Quality, Noise and Vibration

- xxxvi. The application should be refused on grounds of prematurity, in that it is submitted in the absence of any information on the Metro rapid transport system on which the development fundamentally depends. The Council should refuse to register or determine the application until details of the metro route and timetable are known and further transport and essential infrastructure is in place
- xxxvii. The TA is misleading, and underplays the scale of traffic impact and overplays travel by sustainable modes, as confirmed by submitted audit of the Vectos Transport Assessment by Parsons Brinkerhof. Misleading TA and ES, particularly in respect of the validity of traffic surveys, assessment of traffic levels and speeds, assessment of accessibility of Radyr and Pontyclun rail stations by bicycle and that cyclists feel comfortable on the local highway network. Various representors raise identical concerns in respect of the TA and TA Audit to those submitted by the R&M CC, reported above
- xxxviii. Exacerbation of existing unacceptable traffic congestion and delays. Concern that planners are aware of this, ignoring it and that the scale of development proposed demonstrates a lack of common sense
- xxxix. Existing transport infrastructure cannot cope with more housing in the west of Cardiff. The capacity of Llantrisant Road must be increased, converting it to a dual carriageway
- xl. The transport system associated with the development must be a priority; the proposed strategic transport solution is inadequate
- xli. The application refers to the rapid transit corridor linking with central Cardiff, but there is no commitment to funding. Alternative transport systems require huge investment and there is no guarantee of these

being in place before houses are built. There is no safeguarding of land for the metro which is included in emerging policy. Contribution should be sought towards the Metro route

- xlii. Early implementation of a fixed rail public transport system is necessary - without it the development will be almost 100% car dependent and unsustainable, with significant adverse impacts, which are wholly understated particularly in relation to congestion, air quality and road safety in Llandaff.
- xliii. The development is not 'metro friendly' and should be centred on the metro station, with the layout, density, park and ride and services arranged accordingly. The meandering metro route proposed would be very expensive for a fixed track option such as tram train. The layout anticipates bus-based rapid transport, rather than tram-train which is the Metro team's preference. The indicative metro route goes north east, but will need to go west of Creigiau to make the most of development opportunities in RCT. Housing density and building height need to be higher to support the metro. Some employment locations are remote from the metro. All housing, business and park and ride development should be within 800m walking distance of a metro station
- xliv. The application notes a 'world class transport hub' is an aspiration but this does not form part of the application - this must be reflected in the ES
- xlv. Public transport is not an option for everyone and will not ease congestion
- xlvi. The park and ride is a poor substitute for the Metro and it is questioned how well it will be used. Provision for 1000 space is wildly optimistic, taking into consideration the performance at Cardiff East P&R and the increased journey times and distance to the City Centre from J33. Concerns that it will create a 'rat run' through existing local villages, most notably Creigiau, which is already subject to significant volumes of traffic at peak periods
- xlvii. Access to local rail stations (Radyr and Taffs Well) is gridlocked in the morning peak
- xlviii. The topography and site location will limit journeys by foot and bicycle.
- xlix. Inadequate strategic transport infrastructure, with consequent disastrous impact on travel and journey times in the west of Cardiff, local roads and into the City Centre. Increased traffic and congestion, including on Llantrisant Rd, Heol Isaf, St Fagans lane, M4, at Junctions 33 and 34, and through Llandaff, St Fagans, Fairwater, Creigiau and Capel Llanilern. Alternative routes for those commuting into Cardiff by car (e.g. A470) are also congested. Increased rat running as drivers divert to avoid the A4119, including through Pentyrch. Access to the M4, Cardiff and Newport harmed as a result. Increase in the 'school run' traffic at peak times
- I. Failure to address the impact of traffic movement (operational and construction) through Groes Faen and to recognise that its centre is a traffic bottleneck and where two vehicles can not pass safely. The road is substandard to act within the primary road network
- li. Concern over access arrangements for private vehicles, including the lack of access to the M4 and link road from A4119, the lack of access to

the new housing from the M4 and proposal to create 3 additional access points to the A4119

- lii. Noise, disruption and pollution from construction on a massive scale over many years
- liii. Impact on highway safety and increase in fatalities - Llantrisant Road is notorious for traffic accidents
- liv. Permanent increase in existing traffic, pollution, health and road safety problems caused by HGVs travelling illegally through Radyr and Morganstown (particularly along Heol Isaf) in breach of traffic orders, from this application and all those in North West Cardiff, taking into consideration the construction period to 2026
- lv. Only 80 jobs are proposed in the scheme which suggests a non-sustainable community based on travel in/ out
- lvi. Adverse impact on air quality and health in Cardiff as a whole, Llandaff and the Llandaff Air Quality Management Area, from increased traffic flows in the absence of a realistic transport strategy and infrastructure being in place prior to occupation
- lvii. Need to consider Cardiff Council's June 2014 report 'Further Assessment Llandaff AQMA' (with further details noted in comments of R&MCC above). Inadequacy of the Parsons Brinkerhof 'Air Quality Assessment Addendum: Llandaff AQMA' in respect of modelling and under prediction of future levels of pollution, assumptions made, and being based on inadequate Transport Assessment, and a totally unrealistic assumption of achieving the 50:50 model split and an improvement in vehicle emissions
- lviii. Presentation by a Cardiff Council pollution control officer at Wales Air Quality Forum in 2011 noted worrying levels of nitrogen dioxide at 16 sites across Cardiff not in AQMAs. At the Wales Air Quality Forum 2014 a presentation by the Welsh Government Air Quality Policy Officer noted that a time extension had been granted to Cardiff Council to achieve the required limits in view of the significant challenge of reducing NO₂. Other presentations noted that Air Quality management had not delivered the necessary improvements to meet compliance as the challenge is much greater than anticipated and that AQMAs provide an evidence base to inform development control decisions
- lix. Need to avoid risk of adverse health impacts by phasing the strategic sites until the Metro is built
- lx. A request has been made to include air quality monitoring in the requirements of the LDP Annual Monitoring Report
- lxi. It is noted that the Welsh Government Health Minister, Mark Drakeford AM and Kevin Brennan MP have submitted a Statement to the LDP Hearing outlining his concerns at the health risks associated with increasing air pollution in West Cardiff, including at Llandaff and Ely Bridge
- lxii. Conditions are requested to 1) limit the amount of development on site to 500 houses, the primary school and one third of the business uses before the Metro is built 2) require air quality monitoring is undertaken at the applicant's expense in all surrounding communities including Llandaff for a period of 10 years after development commences.

Miscellaneous

- lxiii. Moto Regional Office request for contact details to explore possibility of a mains connection for gas and a mains sewage connection

- 7.6 10 letters of objection were received from residents of Llantrisant Rd, Pontyclun; Llantrisant Rd, Groesfaen; Y Parc, Groesfaen; and the Llandaff Society, North West Cardiff Group, a member of Rhondda Cynon Taf Council representing the ward of Pontyclun and a member of Pontyclun Community Council, and WYG Environment Planning Transport consultants on behalf of owners of Henstaff Court adjoining the application site, in response to the **amended submission of August 2016** (21 day consultation advertised by means of site and press notice, and letters to neighbours and other interested parties). These reflect objections previously raised, which are not re-stated. The new objections raised are summarised as follows:

Process / Approach / Principle of objection / Masterplanning

- i. The documents supporting the minor amendments do not address the serious deficiencies and adverse impacts of the development or and fails to demonstrate to meet the LDP requirements of providing fully sustainable development
- ii. accepts that the site is allocated for development in the LDP, but continues to believe the target for housing in Cardiff is not justified by data on household formation in the region and will undermine the objectives for housing development in the LDPs for RCT and other neighbouring local authorities. If Cardiff were to accept this application it would be putting its objective of increasing its population above the interests of residents and businesses of neighbouring local authorities and would undermine the objective of developing an effectively functioning South Wales economic region
- iii. welcomes the increased recognition now given to the necessity to facilitate access into the adjoining land at Henstaff Court, as required in the adopted LDP
- iv. Cardiff Council has a statutory obligation to consult Pontyclun Community Council on this application
- v. the development should not be permitted until there is a LDP in place
- vi. Requests for the site visit to include a visit to Groesfaen and through Llandaff, and for Members to be asked to note the narrow and congested Cardiff Road through the Llandaff Conservation Area and AQMA.

Socio-economic matters

- vii. the impact on medical facilities has not been considered
- viii. communities dissected by the A4119 will be put in serious jeopardy by the development unless transport links are established early on

Highways, Transportation, Safety, Air Quality, Noise & Vibration

- ix. the application fails to take into account impact on travel demand, the level and nature of public transport provision, opportunities to promote active travel journeys, environmental impact, impact on safety and convenience of other uses, as required by Planning Policy Wales

- x. the traffic problem will get worse if and when the 'flexibility' extension part of the J33 site including Henstaff Court is taken up in addition to all the other major developments proposed in Cardiff and RCT
- xi. Believes that there will be future pressure to remove the bus gate and allow new housing to access J33 directly, generating more car trips on the motorway
- xii. do not consider a P&R without a segregated bus or rail route a viable transport alternative for travel to the City Centre
- xiii. there is still no convincing proposal for transport alternatives
- xiv. there is no evidence to support the transport proposals - there is no intention to fund any form of rapid transport corridor through the development and it will not happen, dedicated cycle access is needed to the rail stations and there is no intention to provide these and it is a challenging route for the most experienced cyclist, there is no evidence to suggest that residents will use the Park and Ride. Most will commute to work by car along the A4119 through Groes Faen to J34 of the M4 and the impact of this is not assessed
- xv. the cumulative impact of this and other applications along the A4119 is to increase congestion at J34 to the detriment of residents of Groes Faen and reduce the ability of residents of Pontyclun, Talbot Green, Beddau, Tonyrefail and the Rhondda to gain access to the M4 to the detriment of their quality of life
- xvi. the application takes no account of the detrimental impact (including cumulative impact from sites C, D and E) on the village of Groes Faen with no mention of the traffic problem and no provision for mitigating the harmful effect, leading to increased congestion, journey times, accidents, difficulty parking at Pontyclun train station, adding a bus lane at peak hours would make life more difficult and Creigiau would become an extended car park for the new development and noting the A4119 is identified as a Rapid Transit Corridor and Western bus Corridor. All private traffic requiring M4 access will have to go through Groes Faen to get to J34, with the Park and Ride requiring significant car access onto the site for its success. The only long term solution to traffic problems in Groes Faen is to alter the character of the road through Groes Faen from primary through route to urban access road with safe pedestrian crossings and safe pavements similar to that proposed along the A4119 adjoining the development
- xvii. Increased congestion undermining the ability of Pontyclun residents to access employment and making the existing settlement unsustainable
- xviii. supporting infrastructure and better rail links (more regular trains and a new station) and a pedestrian crossing at Groes Faen are needed
- xix. despite the addendum, the TA is still unconvincing, makes inappropriate assumptions, contains errors and uses modelling techniques which the author admits gave 'meaningless' results in relation to traffic flow through junctions at or beyond capacity and failed to make a reasoned assessment of the traffic scenarios or 76% car use option the Council asked them to assess, does not properly assess or mitigate impact on Groesfaen, with the effect that traffic and environmental impact is underestimated and can not be relied upon with examples provided

- xx. No improvements to Llantrisant Rd are proposed in the amended application
- xxi. there is no indication of the number of cycle parking facilities to be provided in the P&R
- xxii. the developer should fund the provision of P&R bus services, with funding only provided for 4 of the 12 or 13 buses
- xxiii. existing footways along Llantrisant Rd between the site and Waterhall Road are narrow, discontinuous overgrown and difficult to use
- xxiv. conditions must be recommended to: to require all internal access roads to be subject to s38 agreement, to control highway cross sections, to require footways along Llantrisant Rd to be improved to 2m and re-surfaced as necessary, to require adequate visibility to be at each new junction; to provide right turn lanes at the new junctions and existing junction with Cardiff Rd; to control parking in line with Wales Parking Standards; to ensure J33 is accessible from the site to all vehicles not just buses and to ensure that sufficient funds are made available to improve and make safe the flow of traffic through Groes Faen, creating a pedestrian crossing and increased off-road parking;
- xxv. The following s106 contributions are required: to provide for all necessary extra bus services, to pay for monitoring of the actual mode split place total responsibility on the developer for the achievement of the 50:50 mode split; for air quality monitoring
- xxvi. It is essential that CIL is levied on the development
- xxvii. access to the Henstaff Court land must be properly safeguarded
- xxviii. the access point to Henstaff Court land should be shown on an amended Indicative Masterplan as this is likely to be tied by planning condition to the planning permission, with the access shown extended right up to the site boundary
- xxix. the access route leading up to Henstaff Court must be suitable for use as a bus route - the DAS is inconsistent in this regard (the route has status of an 'Avenue' and is capable of use as a bus route, yet the route is not shown on a bus route
- xxx. the access route to Henstaff Court should be laid out to appropriate dimensions and geometry and be constructed so as to be suitable for use by vehicles, cyclists and pedestrians
- xxxi. the DAS shows two potential access points to Henstaff Court- the northernmost is not within the Applicant's control and cannot be relied upon
- xxxii. HGV movements to and from Creigiau Quarry will add to HGV movements along Llantrisant Rd.

8. **ANALYSIS**

8.1 The key issues for consideration are:

(i) The principle of development of the site

8.2 Following the adoption of the Local Development Plan (LDP) in January 2016, the application site now falls within Cardiff's settlement boundary and forms part of Strategic Site D (North of Junction 33 on M4), allocated in the LDP under policies KP2 and KP2 (D&E) and defined on the Proposals Map. As such, the

principle of the development of this greenfield site is firmly established. The site does not constitute countryside under the LDP definition, set out in para 5.68 of the LDP ('land located outside the settlement boundaries as identified on the LDP Proposals Map'), such that objections received on grounds of loss of countryside could not be sustained.

(ii) The loss of agricultural land, including BMV land

- 8.3 The development of this site would lead to the loss of a limited amount of best and most versatile agricultural (BMV) land. National planning policy on the conservation of agricultural land is set out in PPW (July 2014) and the accompanying TAN 6: Planning for Sustainable Rural Communities (2010). Paragraph 4.10.1 states that land of grades 1, 2 and 3a in the Agricultural Land Classification (ALC) system is the best and most versatile agricultural land should be conserved as a finite resource for the future. The paragraph advises that:

'considerable weight should be given to protecting such land from development, because of its special importance. Land in grades 1, 2 and 3a should only be developed if there is an overriding need for the development, and either previously developed land or land in lower agricultural grades is unavailable, or available lower grade land has an environmental value recognised by a landscape, wildlife, historic or archaeological designation which outweighs the agricultural considerations. If land in grades 1, 2 or 3a does need to be developed, and there is a choice between sites of different grades, development should be directed to land of the lowest grade.'

- 8.4 At the development plan level, KP18: Natural Resources requires development proposals to take full account of the need to minimise impacts on the city's natural resources, which extends to the protection of the best and most versatile agricultural land.
- 8.5 The ES notes that the permanent loss of land suitable for agriculture is a major adverse effect of the development and this is accepted. However, given the site forms part of the land use allocation Strategic Site D (North of Junction 33 on M4), the principle of the loss of the agricultural land and of its use by agricultural users is firmly established.
- 8.6 The Department for Natural Resources, Welsh Government have no objection to the loss of agricultural land. In their initial response, WG noted that their records are incomplete, that the site was surveyed in 1993 and found to be majority agricultural land grade 3b. They concluded: that it is unlikely that the ALC grading of the site would alter significantly if re-surveyed, that they view the 1993 survey as the best available information and reliable at the scale, the threshold given at TAN6 Annex B2 where the Department has grounds to offer a view is 20 ha of BMV (the national agricultural interest); it is very unlikely the threshold would be reached if resurveyed and that there is a low risk of BMV loss and therefore it is very unlikely the proposal would impact on the national agricultural interest. This position is confirmed in their subsequent comments.

8.7 Notwithstanding the fact that the principle of the loss of agricultural land is firmly established through the sites allocation in the approved LDP, a condition is recommended to ensure the effective use of the valuable soil resource by requiring the submission and implementation of a Soil Resource Survey and Plan.

(iii) Impact on wildlife and habitats

8.8 PPW identifies the following Welsh Government objectives for the conservation and improvement of the natural heritage:

- promote the conservation of landscape and biodiversity, in particular the conservation of native wildlife and habitats;
- ensure that action in Wales contributes to meeting international responsibilities and obligations for the natural environment;
- ensure that statutorily designated sites are properly protected and managed;
- safeguard protected species, and to
- promote the functions and benefits of soils, and in particular their function as a carbon store (para 5.1.2).

8.9 PPW recognises the role of the planning system in creating new opportunities to enhance biodiversity, prevent biodiversity losses, or compensate for losses where damage is unavoidable. It also recognises the importance of minimising or reversing the fragmentation of habitats and improving habitat connectivity through the promotion of wildlife corridors, whilst ensuring development minimises species and habitat impact (para 5.2.8).

8.10 In respect of protected species, PPW notes that the presence of a species protected under European or UK legislation is a material consideration when a local planning authority is considering a development proposal which, if carried out, would be likely to result in disturbance or harm to the species or its habitat (para 5.1.11). It goes on to state that

‘Developments are always subject to the legislation covering European protected species regardless of whether or not they are within a designated site. New developments for which development works would contravene the protection afforded to European protected species require derogations from the provisions of the Habitats Directive. A derogation may only be authorised if there is no satisfactory alternative and if the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range. The development works to be authorised must be for the purposes of preserving ‘public health or safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment’. Derogations are granted by a licence issued by Natural Resources Wales. Local planning authorities are under a duty to have regard to the requirements of the Habitats Directive in exercising their functions. To avoid developments with planning permission subsequently not being granted derogations in relation to European protected species, planning authorities should take the above three requirements for derogation into account when considering

development proposals where a European protected species is present.'

- 8.11 At the development plan level, policy KP16 provides a framework for the protection, enhancement and management of Cardiff's natural heritage assets, including its biodiversity interests. KP4 requires major development to accord with the 'Masterplanning General Principles' including the need to ensure that *'multi-functional and connected green open spaces form strategically important links to the surrounding area to provide routes for people and wildlife and open spaces for sports, recreation and play'* and to *'sympathetically integrate existing landscape, biodiversity and historic features of the site into the development taking opportunities to protect, enhance and manage important features along with mitigation and enhancement measures to provide satisfactory compensatory measures'*. At a detailed policy level, policy EN5 provides protection for designated sites, policy EN6, protection for ecological networks and biodiversity features of importance, whilst policy EN7 provides for the protection of priority habitats and species. Policy EN8 provides for the protection of trees, woodlands and hedgerows for their amenity, natural and cultural heritage value.
- 8.12 A full site description is presented in Section 2 of this report. The key ecological sensitives informing the green infrastructure strategy for the site are set out below.
- 8.13 There are no statutory nature conservation designations within the site or surrounding 1.5km. Eight international sites are assessed by the Council's Ecologist in the Habitats Regulations Assessment, none of which are in close proximity to the site; Cardiff Beech Woods SAC (3km away), Severn Estuary SAC (9.5km away), SPA, Ramsar Site, the River Usk SAC (23km away), the River Wye SAC (47km away), Blackmill Woodlands SAC (14 km away) and Aberbargoed Grasslands SAC (14km away).
- 8.14 Six locally identified Sites of Importance for Nature Conservation lie partially or wholly within the site, including Coed Gwernybwlau, Nant Henstaff, Cadoxton and Trehafod Branch Line, M4 Junction 33 Spoil Tip, Nant-Y-Glaswg and Pencoed Wood SINC. These support a variety of priority habitats and species.
- 8.15 The assessment of the site has been informed by previous surveys undertaken between 1993 and 1995, between 2006 and 2008, with baseline surveys undertaken in 2013 in the form of an Extended Phase 1 Habitat survey and targeted protected species surveys for dormouse, bats and birds. The amended submission was informed by a Walkover Survey in 2016, further bat surveys and a reptile survey. NRW confirmed that an updated Dormouse survey was not necessary.
- 8.16 The main habitats present on the site consist of improved, poor semi-improved and marshy grassland fields, separated by hedgerows and tree lines. Areas of broad-leaved semi-natural woodland, and streams, wet ditches and ponds are also present. Additionally, the invasive species Rhododendron was noted to be present in one of the woodlands in the southwest corner of the site, to the west of Coed Gwernybwlau.

- 8.17 The habitats present on the site are noted in the ES and ESA to support or have the potential to support valued ecological species, including roosting and foraging/commuting bats, birds, amphibians, badger, otter, dormouse, reptile and invertebrate species. The ES confirms the presence of a number of European Protected Species on site including several bat species and historic records for both dormice and Great Crested Newts.
- 8.18 With regards bats, the additional June – October 2014 bat surveys, undertaken to inform the amended submission, identified a single Natterer's bat roost within a tree deemed likely to be affected by the proposed works (as it was categorised as being Category U and as such unsuitable for retention on arboricultural grounds). Moreover, the tree is located in a field to be developed for residential use, such that the ESA notes it would be unlikely to maintain its ecological function. The ESA also noted that a tree roost identified in 2008 was no longer considered to be present, based on loss of the roosting feature as a result of tree decay. The ESA also confirms that four other known bat roosts identified as part of the 2008 surveys are to be retained.
- 8.19 With regards dormice, the 2013 survey did not identify records of dormice within 1.5km of the site and the ES concluded that dormice were considered likely to be absent from the site. NRW disagreed with this conclusion, referring to previous surveys carried out in support of a 2008 application which confirmed the presence of dormice from characteristically opened hazelnuts in 2007, noting the species can be difficult to gather conclusive evidence of and that the potential exists for dormice to occur in woodlands, hedgerows and other appropriate habitats in and adjacent to the site areas. NRW advised that their view was that additional survey work would be of limited value, but given that dormice may still be present on or adjacent to the site, requested a dormouse mitigation strategy be prepared. This was duly submitted as part of the amended submission.
- 8.20 With regards Great Crested Newts, NRW advised that, whilst the GCN surveys of the ponds on site did not confirm presence, they note that the ponds on the site where this species were previously confirmed are silting up to such an extent that they may no longer be suitable for breeding in. NRW advised that the species was confirmed during previous surveys and, as a relatively long lived species, is likely to be present, at least in the terrestrial habitat phase of its lifecycle.
- 8.21 With regards UK protected species, the ES notes the record of a disused badger sett on site.
- 8.22 The 2014 reptile surveys, submitted as part of the amended submission, confirmed the presence of a low population of reptiles within the site boundary based on the observation of a single juvenile Common Lizard.
- 8.23 The ESA also provides an updated assessment of the suitability of the site to support Marsh Fritillary butterfly, which was the subject of concerns from RCT Council. The ESA identifies that surveys of the site in 1995, 2006 and 2013 did

not identify habitats on site as being suitable to support breeding populations, with its larval food plant - Devils-bit Scabious – being very localised and nowhere present in abundance. The 2016 walkover survey did not identify any habitats as being suitable to support breeding Marsh Fritillary.

- 8.24 The ecological sensitivities noted above have shaped the Green Infrastructure (GI) for the site. The proposals have sought to retain and protect the above species and habitats via a series of measures noted in para 1.12 above, which are not repeated here.
- 8.25 With regards the environmental assessment of habitats, the ES and ES Addendum conclude that, following mitigation, the proposal is unlikely to result in a significant adverse impact on the majority of features of ecological value. The ES notes that, as part of the site preparation works in advance of construction, a number of habitats including areas of SINC habitat, sections of hedgerow, small areas of woodland, marshy and semi-improved grassland will need to be cleared to allow the commencement of ground works. It notes that these works would be certain to result in a significant adverse impact from their loss at least in the short term, although a significant impact on other ecologically valuable features (remaining hedgerows, woodland, ponds and watercourses) was considered unlikely with the adoption of appropriate mitigation measures.
- 8.26 A significant adverse impact on the M4 J33 Spoilt Tip SINC is predicted due to the total loss of this SINC. Identified mitigation measures include wildflower grassland planting within soft landscaping areas to mitigate the loss of the grassland resource. Adverse impacts – but not assessed as significant as the majority of the SINC are to be retained - were also predicted in respect of Coed Gwernylwylau and Cadoxton and Trehafod Branch Line SINC within the application boundary. Significant adverse impacts would also occur due to a net loss of marshy grassland and semi-improved grassland habitats, although these impacts are noted to reduce in the long term as wildflower and other seed mix planting (including Devil's-bit Scabious within attenuation basins to support Marsh Fritillary butterfly) establishes.
- 8.27 An adverse impact on bats, birds, amphibians, invertebrates and Badger within the application boundary was considered probable in the short-medium term given the temporary loss of foraging/commuting resource, increased disturbance and the time taken for landscape and mitigation planting to mature. These impacts are noted to be likely to reduce over the long term as planting matures, with neutral long term impacts predicted in respect of bats, scrub nesting birds, amphibians, badger and reptiles and invertebrates. The ESA confirmed that the findings of the original ES with respect to reptiles, following the reptile survey, is still considered appropriate, given that a low density reptile population was originally assumed to be present, and that any adverse impact in the short term is considered likely to reduce towards neutral in the long term. With regards the proposed loss of the single Natterer's bat roost within a tree likely to be affected by the proposed works, the ESA notes that that an adverse impact is certain in the short term due to the loss of the existing roost, reducing towards neutral in the long term with provision of alternative roosting

opportunities and appropriate design of site lighting to maintain dark corridors. The ESA confirms that four other known bat roosts identified as part of the 2008 surveys are to be retained, such that no other direct impact on roosting bats is predicted to occur. On this basis, the finding of the original ES is considered appropriate in respect of roosting bats; that overall a significant adverse impact on retained bat roosts was unlikely. A significant adverse impact on ground nesting bird species was noted to be inevitable, due to the net loss of their nesting habitat as part of the development. Measures to help mitigate this particular impact include vegetation clearance outside the breeding season.

- 8.28 As noted above, dormice were considered likely to be absent from the site in the original ES, such that a neutral long term impact was predicted. The ESA notes that this assessment of impact, set out in the original ES, is still considered appropriate, with mitigation measures identified in the Dormouse Mitigation Strategy submitted as further information. (These measures comprise phased and sensitive clearance of woody vegetation and management of retained woodland and hedgerows to enhance the habitats and provide a more diverse foraging resource for dormice). Impacts on otter were considered unlikely, based on the limited suitability of habitat on site to support this species.
- 8.29 With regards the impact on Marsh Fritillary butterfly, which was the subject of concerns raised by RCT's Ecologist, the ESA confirms that the updated survey did not identify any habitats within the site as being suitable to support the breeding species, such that a neutral impact is considered likely. No specific mitigation is considered necessary in the ESA, although Devil's-bit Scabious is proposed to be included within the seed mix sown within attenuation basins at the site. The Council's Ecologist has advised that if they can be assured that habitat management techniques in and around the attenuation basins will be suitable for species-rich grassland types such as marshy grassland, then this could represent adequate habitat compensation. This can be controlled at reserved matters stage and in the discharge of the recommended conditions, notably the Strategic and Detailed Green Infrastructure Management conditions.
- 8.30 As noted above, the Council's Ecologist undertook a Habitats Regulations Appraisal, which concluded that implementation of the development will not have a likely significant effect on the international sites considered as part of the HRA screening, either alone or in combination with other plans, projects or programmes, and will not require full Appropriate Assessment under the Habitats Regulations.
- 8.31 A range of mitigation measures to avoid or minimise the impacts of the development during construction and operation, and to create and enhance habitats and biodiversity, have been incorporated into the scheme and will be secured by condition/s106. These are set out in paragraph 1.12 above and are not repeated here. Additionally conditions are recommended to: require the submission of a Construction Environmental Management Plan (CEMP), Strategic and Detailed Green Infrastructure Management Strategies (including re-survey of the disused badger sett), tree assessments (including Arboricultural

Impact Assessment, Arboricultural Method Statement and Tree Protection Plans), Soil Resource Surveys and Plans and Landscaping Schemes. A condition is also required to deliver a range of biodiversity measures, including fences/means of enclosure to allow the free passage of hedgehogs and other wildlife, to require the incorporation of new bird and bat roosting opportunities, wildflower and Devils bit Scabious planting and to require inset kerbs adjacent to gully pots to avoid trapping amphibians. Conditions are also recommended to protect SINC and nesting, and to ensure the provision of a min 15m ecotone buffer adjacent to existing and proposed woodland. Furthermore, the CEMP condition includes a requirement to include a 10m wide buffer zone alongside all watercourses within and bordering the site during the construction phase.

- 8.32 Taking into consideration the above, including PPW advice in relation to EPS and the three derogation tests, the lack of objection from the Council's Ecologist and NRW, the third party objections and notwithstanding the potential for some significant environmental effects, including long term impacts on the M4 Junction 33 Spoil Tip SINC and ground nesting birds, it is considered that the impact on ecology and biodiversity interests is acceptable, subject to the recommended conditions to both mitigate potential adverse impacts and to create and enhance biodiversity opportunities. The conclusions of the ES and ESA are accepted and the amended submission is welcomed, with the scheme demonstrating a well-considered and integrated multi-functional green infrastructure approach that goes to the heart of the scheme.

(iv) whether there would be satisfactory provision for open space

- 8.33 Recognising the importance of sport and recreation to our quality of life, PPW advises that the Welsh Government's main objectives include: the promotion of a more sustainable pattern of development by creating and maintaining networks of facilities and open spaces in places well served by sustainable means of travel; the promotion of social inclusion, improved health and well-being by ensuring easy access to the natural environment and to good quality, well-designed facilities and open space; and providing innovative, user-friendly, accessible facilities to make our urban areas more attractive places to live, work and visit (paragraph 11.1.3). PPW also places a duty on LPAs to ensure that adequate land and water resources are allocated for formal and informal sport and recreation (paragraph 11.1.10). PPW promotes the multiple-use of open space and facilities to increase their effective use, and calls for those facilities to be sited, designed and maintained as integral parts of new developments (paragraph 11.2.6).
- 8.34 At the development plan level, policy KP4 requires major development to accord with the 'Masterplanning General Principles', which include the need to ensure that *'multi-functional and connected green open spaces form strategically important links to the surrounding areas to provide routes for people and wildlife, and open spaces for sports, recreation and play'*. Policy KP5 requires all new development to *'maximise[s] the contribution of networks of multi-functional and connected open spaces to encourage healthier lifestyles'* (criterion v). Policy KP16 provides a framework for the protection, enhancement and management of Cardiff's natural heritage assets and

requires proposals to demonstrate how green infrastructure - including open space and play areas, growing spaces - has been considered and integrated into the proposals. Policy KP2(D & E) requires the provision of a minimum of 12ha open space including 6ha of formal recreation, 3 playgrounds, 1 teen facility, and 1 x 40 plot allotment site. At a more detailed policy level, policy C5 sets out the requirements in terms of provision for open space, including provision for children's play.

- 8.35 The application provides for varied outdoor opportunities for children, including private gardens, residential streets and local green spaces, in addition to the provision of 2 adult size sports pitches, a Neighbourhood Equipped Area of Play and Multi Use Games Area within a Central Park Area that sits alongside the local centre and school, and 3 no Local Equipped Areas of play. Further opportunities are provided by substantial areas of informal green space, a linear park along the former railway, woodland areas and a network of cycle and pedestrian routes providing further opportunities for informal recreation. The Operational Manager, Parks & Sports, has assessed the on-site provision and concludes that the overall quantum of useable open space would meet the requirements. Whilst the amount of formal sporting provision is below the required level, Parks Services advise that the deficit can be offset to some degree by the amount of available space for informal recreation. Notwithstanding the Applicant's clear proposal to provide 2,400m² of allotments adjacent to the sports pitches (as set out in the Multi-functional Green Infrastructure Typology plan), officers have accepted that this cannot be satisfactorily delivered by this application. Parks Services have advised that it proved difficult to find an appropriately located site of a suitable size, noting the potential for conflict arising from the proposed co-location of allotments and sports pitches, and the other on-site provision in terms of a park and ride, local centre, school and significant green infrastructure, such that they are willing to accept nil provision as part of this application. The opportunity exists for allotments to be secured in the future, as part of the development of the remainder of strategic site D and site E, and it should be noted that policy KP2 (D&E) does not require allotment provision to be made on land within this application site, such that an objection on such grounds could not be sustained. The Applicant is willing to accept a condition to secure a community orchard and this is welcomed. The 'fixing' of the Green Infrastructure parameter plan will secure the provision of the two sports pitches, NEAP and MUGA in the Central Park and the three LEAPs. A condition is also recommended to overcome concerns regarding the location of the western LEAP due to a lack of overlooking. The Applicant has also agreed to a condition to provide and safeguard land for a changing facility and car park, with funding for their construction to be secured via other means and potentially through other applications coming forward on the remainder of site D and site E. The submission also includes a commitment to a series of 'bespoke' features, which will add to the enjoyment of the open space, and a condition is recommended to secure these. These include the retention of the railway archway previously noted, the provision of an interpretation trail as an educational resource and a 360 degree viewing platform.

- 8.36 With respect to the management and maintenance of open space, the recommended Green Infrastructure Management Strategy requires the submission of details for the management and maintenance of green infrastructure to be submitted for approval, with the future management and maintenance of open space to be secured by s106 agreement (see section 9). Taking into consideration the above and the recommended conditions and s106 Heads of Terms, the provision of public open space is acceptable.

(v) Landscape and Visual Impact

- 8.37 The conservation of landscape is a key PPW objective for the conservation and improvement of the natural heritage (paragraph 5.1.2). PPW draws attention to the need to have regard to the relative significance of international, national and local designations in considering the weight to be attached to nature conservation interests and advises that LPAs should take care to avoid placing unnecessary constraints on development (paragraph 5.3.2).
- 8.38 At the development plan level, policy KP4 requires major development to accord with the 'Masterplanning General Principles', which include the need to *'sympathetically integrate existing landscape, biodiversity and historic features of the site into the development taking opportunities to protect, enhance and manage important features along with mitigation and enhancement measures to provide satisfactory compensatory measures'*. KP5 requires all new development to *'respond to the local character and context of the built and landscape setting'*. At a detailed policy level, policy EN3 provides protection for the landscape and setting of the City, with particular priority given to protecting, managing and enhancing the character and quality of five Special Landscape Areas (SLAs) present within the Cardiff Council area.
- 8.39 The ES includes an assessment of the impact of the proposed development on landscape and visual amenity within a 5km study area. There are no statutory designations within the application site or 5km study area. With regards non-statutory designations, there are 5 Special Landscape Areas (SLAs), identified for landscape protection, within the 5km study area – but none within the site itself (A: Garth Hill and Pentyrch Ridges, B: St Fagans Lowlands and Ely Valle, C: Ely Valley at Miskin, D: Llantrisant Surrounds, E: Efail Isaf, Garth and Nantgarw Western Slopes). The ES also includes an assessment of 14 Landscape Character Areas (LCAs) contained within the study area. The site falls within LCA A: South of Creigiau and Capel Llanillterm Open Rolling Fieldscape. This is described as an open, gently undulating pastoral fieldscape which adjoins the rising hillside slopes south of Garth Hill, where landform is shaped by stream valleys and with a landscape pattern typically defined by small-medium sized fields bounded by hedgerows, with blocks of woodland and bands of tree cover. The dismantled railway which crosses the LCA is noted to be a characteristic feature. The LCA is noted to border the M4 motorway, which is noted to contribute towards a suburban character in places. The combined effects of rolling landform and surface features limit potential effects of the development on the landscape and visual amenity.
- 8.40 The assessment of effects on landscape character during the operational phase is predicted to be significant from locations within the development site

boundary and from immediately adjacent areas in the Landscape Character Area, as the development becomes a dominant, long-term feature within the landscape. The extent of the effects would vary across the LCA with the level of screening within the site and surrounding fieldscape, strengthened by the proposed landscape framework, assisting in integrating the proposed development into the landscape. Effects on other LCAs are not considered to be significant as a result of integration of the scheme within the landscape and the influence of existing settlement. A beneficial effect is predicted within the M4 Transport Corridor LCA, as the landscape changes resulting from the proposed development are expected to positively contribute to the landscape character through gateway development, structural landscaping and enhanced landscape management. Significant effects on visual amenity are predicted to occur from locations within the application site and within close proximity, but will be reduced as a result of landscape mitigation and enhancement measures. In terms of views from middle-distance and long-distance locations, it is concluded that the proposed development may be absorbed within the views without having significant effects, partly as a result of the breadth of the expansive views available, and the nature of the existing rolling, mosaic landscape which is dominated by extensive tree cover.

- 8.41 Significant basic mitigation has been built into the Masterplan which retains key hedgerows, woodland and trees, and creates a network of green corridors and additional public open space provision. The retained structural landscape network of woodlands and trees will be strengthened and there will be additional site boundary buffering. This mitigation will be delivered through the recommended conditions and s106. The conclusions of the assessment are accepted and it is considered that the development would not cause unacceptable harm to the character and quality of the landscape and visual amenity, taking into consideration the above, the recommended conditions and the inevitable effects of the change in land use from agricultural/grazing that would result from the allocation of the strategic site in the LDP.

(vi) Impact on Heritage Assets

- 8.42 PPW confirms the following as Welsh Government objectives for the protection, management and conservation of the historic environment:
- conserve and enhance the historic environment, which is a finite and non-renewable resource and a vital and integral part of the historical and cultural identity of Wales;
 - recognise its contribution to economic vitality and culture, civic pride, local distinctiveness and the quality of Welsh life, and its importance as a resource to be maintained for future generations;
 - base decisions on an understanding of the significance of Wales' historic assets;
 - contribute to the knowledge and understanding of the past by making an appropriate record when parts of a historic asset are affected by a proposed change, and ensuring that this record or the results of any investigation are securely archived and made publicly available; and specifically to
 - protect the Outstanding Universal Value of the World Heritage Sites in Wales;

- conserve archaeological remains, both for their own sake and for their role in education, leisure and the economy;
- safeguard the character of historic buildings and manage change so that their special architectural and historic interest is preserved;
- preserve or enhance the character or appearance of conservation areas, while at the same time helping them remain vibrant and prosperous;
- preserve the special interest of sites on the register of historic parks and gardens in Wales; and
- conserve areas on the register of historic landscapes in Wales (6.2.1).

8.43 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Council, in considering whether to grant planning permission for development affecting a Listed Building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. PPW confirms this as the primary material consideration (paragraph 6.5.11). The 1990 Act also places a duty of LPAs to pay special attention to the desirability of preserving or enhancing the character or appearance of a Conservation Area. PPW confirms that preservation or enhancement of a Conservation Area can be achieved either by a development which either makes a positive contribution to an area's character or appearance or leaves them unharmed (6.5.21).

8.44 Paragraph 6.5.5 of PPW notes that the conservation of archaeological remains is a material consideration in determining a planning application, whether those remains are a scheduled monument or not. Where nationally important archaeological remains, whether scheduled or not, and their settings are likely to be affected by proposed development, there should be a presumption in favour of their physical preservation *in situ*. In cases involving lesser archaeological remains, local planning authorities will need to weigh the relative importance of archaeology against other factors, including the need for the proposed development. PPW also advises that the effect of proposed development on a park or garden contained in the Register of Landscapes, Parks and Gardens of Special Historic Interest in Wales, or on the setting of such a park or garden may be a material consideration in the determination of a planning application (paragraph 6.5.26). With respect to Historic Landscapes, PPW notes that information on the register of historic landscapes in Wales should be taken into account by LPAs in considering the impact of EIA development (paragraph 6.5.27).

8.45 At the development plan level, policy KP17 provides a high level framework to protect, manage and enhance Cardiff's heritage assets. Policy EN9 provides a more detailed development management policy to protect the historic environment.

8.46 An assessment of the cultural heritage and archaeology of the site has been undertaken as part of the EIA. With regards designated heritage assets, there are no Scheduled Monuments within the application site or 1km study area, the closest being Llwynda-Ddu Camp, an iron Age hillfort approximately 1.4km to the east. A Grade II* Registered Park – Craig y Parc – is located 160m to the north-east of the site and Craig y Parc Conservation Area approx. 650m to the

north-east. The park comprises an Arts-and-Crafts garden of a Grade II* house, dating to the early 20th century. There are no Listed Buildings within the application site and 16 within the study area:

- Grade II* Listed Craig y Parc and five associated listed buildings
- Grade II* Listed Pencoed House - approx 60m to the north-east and whose grounds immediately adjoin the site
- Grade II* Listed Llanfair-fach House – approx 460m to the south east
- Grade II* Listed Castell-y-mynach – approx 810m to the north west
- Grade II Listed Pant-y-gored and Barn
- Grade II Listed Parc-y-Justice and associated range
- Grade II Listed The Old Forge
- Grade II Listed Church of St Elldeyrn at Capel Llanilltern
- Grade II Listed Upper Stockland Farm house
- Grade II Listed Llandwensan Fawr Farmhouse

8.47 No previous archaeological investigations have occurred within the application site. The ES identifies the known archaeological resource within the wider area and development site, noting in particular the presence of a railway embankment, associated viaduct and archway, former route way and enclosure, a small stone bridge, historic hedgerows and the remains of a former mill – Pencoed Mill - with possible medieval origins within the site. The ES also identifies several field ponds in the western portion of the site that are illustrated on the 1880 Ordnance Survey map, with further post-medieval ponds and quarries also located within the site as slight earthwork features. These have been assessed as of low and negligible value. The ES also notes the potential for unrecorded archaeological features and suggests mitigation in the form of an archaeological programme of work and survey.

8.48 The findings of the assessment are that the impact on the heritage resource will not be significant during the construction or operational phase, and this is accepted. The application will preserve the character and appearance of the Craig y Parc Conservation Area, taking into consideration the separation distances involved and the landscape features in the area. It is also noted that the Councils Placemaking Team, in commenting on Listed Buildings, advise that subject to the scale and finish of any proposed development within the vicinity respecting its presence, it is considered that the setting of the listed building Pencoed House could be appropriately preserved. An advisory notice is recommended to remind the Applicant that future reserved matters submission will need to demonstrate that the layout of the proposed development has given due consideration to the presence and setting of Pencoed House and how the scale, form and finish of built development have been adjusted accordingly. The Team also conclude that the other listed buildings in the vicinity of the application site are considered to be sufficiently detached from it such that their setting would not be impacted upon and this is accepted. The proposal will not harm any Scheduled Monuments, Registered Park and Garden or their settings, and it is also noted that Cadw have no objection to the application. It is also noted that Glamorgan Gwent Archaeological Trust agrees that the proposed mitigation in the form of a

programme of archaeological work is appropriate and a condition is accordingly recommended to secure this.

- 8.49 Overall, the Historic Environment Assessment is welcomed and provides a robust assessment of the potential impacts of the proposal sufficient to allow the site to come forward for development, subject to the recommended archaeological condition and advisory note in respect of the listed Pencoed House and taking into consideration the policy context. It is also noted that the railway corridor archway is proposed to be retained and integrated within the path and open space network, to provide an industrial heritage focal point, and this is welcomed. A condition is recommended to secure this.

(vii) Placemaking

- 8.50 PPW notes that to create sustainable development, design must go beyond aesthetics. It sets out 5 key objectives for good design, encompassing access, character, community safety, environmental sustainability and movement (section 4.11). Paragraph 9.1.2 sets out key principles LPA's should promote in delivering new housing, of which the following are particularly pertinent to this section:

- attractive landscapes around dwellings, with usable open space and regard for biodiversity, nature conservation and flood risk;
- greater emphasis on quality, good design and the creation of places to live that are safe and attractive;
- the most efficient use of land;
- well designed living environments, where appropriate at increased densities;
- construction of housing with low environmental impact; reducing the carbon emissions generated by maximising energy efficiency and minimising the use of energy from fossil fuel sources, using local renewable and low carbon energy sources where appropriate.

- 8.51 This is reflected at the development plan level, with policy KP5 establishing the wide-ranging principles against which the design of new developments will be assessed. KP4 is also relevant, setting out wide-ranging Masterplanning General Principles that major development should accord with. This 'placemaking' section of the analysis focuses on design as it relates to density, scale, character/built form, community safety and renewable energy. Access and movement matters are addressed elsewhere.

- 8.52 The application has been subject to a positive design process with the Council's masterplanning and green infrastructure teams, which has resulted in a good solution for the site. The amended submission, with its Revised DAS, responds well to the site constraints and opportunities, and demonstrates that the site has been well considered in the context of the masterplanning of sites D and E. The Illustrative Masterplan accords with the Schematic Framework for Sites D&E identified under policy KP2(D&E) and will not prejudice the delivery of the remainder of Site D, Site E or the 'future flexibility' land to the west. It demonstrates a careful consideration of green infrastructure and urban design matters, and a welcome commitment to street tree planting.

- 8.53 A condition is recommended to require the submission of a Townscape and Built Form plan to be submitted, to guide the design of Reserved Matters and help ensure that definition and legibility is created along key routes and key focal points. The principles for the local centre, as set out in the Revised DAS, are good and a condition is recommended to capture these. There is some concern that the positioning of the supermarket and car park will require careful consideration, as they can conflict with many place making aspirations; this can be dealt with at Reserved Matters stage. A condition requiring the submission of a public art strategy is also recommended to further the creation of a quality and legible built environment, consistent with policies KP5 and KP6.
- 8.54 With respect to crime and disorder, Section 17 of the Crime and Disorder Act 1998 states *'it is the duty of the authority to exercise its various functions with due regard to the likely effect on crime and disorder in its area and the need to do all that it reasonably can to prevent crime and disorder'*. This duty has been considered in the determination of this application. At the development plan level, policy C3 provides a framework for promoting a safe and secure environment and minimising the opportunity for crime. The Revised DAS sets out key community safety objectives and principles that have been taken into consideration in the masterplan. Whilst South Wales Police has no objection and welcome the commitment to creating natural surveillance and well overlooked public spaces, they are concerned that the DAS provides insufficient detail. However, it should be noted that the requested detail is more appropriately considered at Reserved Matters stage. Conditions are recommended to require details of means of enclosure and a scheme of lighting to be submitted at reserved matters stage. It is considered that there would be no significant or unacceptable increase in crime and disorder as a result of the proposed decision. Further consideration will be given to the effect on crime and disorder at Reserved Matters stage, with South Wales Police again consulted.
- 8.55 With respect to renewable energy, policy EN12 aims to encourage developers of major and strategic sites to incorporate renewable and low carbon technologies into developments. An energy statement forms part of the submission and a condition is recommended to require the submission of an energy strategy, consistent with the approach taken with regard to applications 14/02157MJR, 14/02188MJR and 16/00106/MJR.

(viii) Socio Economic Impact Assessment and Community Benefit

- 8.56 Paragraph 4.2.2 of PPW confirms that the planning system provides for a presumption in favour of sustainable development to ensure that social, economic and environmental issues are balanced and integrated. Paragraph 9.1.2 notes that LPA's should promote sustainable residential environments, avoid large housing areas of monotonous character and make appropriate provision for affordable housing and mixed tenure communities.
- 8.57 At the development plan level, policy KP13 sets out a range of measures to develop sustainable neighbourhoods, tackle deprivation and improve the quality of life for all. These include the provision of a range of dwelling sizes, types and affordability, and the provision of a full range of health, leisure and

social facilities and community infrastructure. Policy KP4 requires that major development should accord with the Masterplanning General Principle that requires *'provision of a full range of social and community facilities will be concentrated within mixed use neighbourhood centres located along public transport corridors and easily accessed by walking and cycling'*. Policy KP5 requires all new development to provide *'a diversity of land uses to create balanced communities and add vibrancy throughout the day'*. Policy KP6 requires new development to make appropriate provision for, or contribute towards, all essential, enabling and necessary infrastructure required as a consequence of the development. The provision of affordable housing, schools and education, health and social care and community facilities (amongst other matters) are identified as 'necessary infrastructure'. At a detailed policy level, policy C1 encourages and provides the policy context for new and improved community, health and religious facilities. The policy's supporting text notes that *'new strategic housing developments allocated in policy KP2 will be required to ensure that sufficient new community facilities are provided and integrated within the development to serve the needs of future and existing residents'*. Policy C6 provides a framework for reducing health inequalities and encouraging healthy lifestyles, and policy C7, a framework for planning for schools. Policy H3 requires the Council to seek 30% affordable housing on greenfield sites, and for this to be delivered on-site unless there are exceptional circumstances.

- 8.58 An assessment of the social and economic impacts was undertaken and forms part of the ES, which considers the following matters:

Employment and Economy

- 8.59 The development will provide direct and indirect jobs in the construction industry and supply chain. Once operational, the proposed development is predicted to provide up to 500 new jobs as a result of new employment uses, the primary school, community uses and operation of the new transport hub. The development, both during construction and once operational, is considered to have a significant beneficial impact on the local economy and employment opportunities, and this is welcomed.

Housing (including the provision of Affordable Housing)

- 8.60 The proposal would deliver up to 1,500 new homes, including provision for affordable housing both on and off-site. Further details are set out in Section 9.

Local Centre

- 8.61 The development will deliver a local centre, as required by KP2(D&E), to the benefit of new residents and the existing community. The Planning Obligations SPG (approved January 2017) requires the 'in-kind' provision of the local centre on-site, including the provision of the 'core and shell' of the centre's commercial units, together the provision of associated services, parking and highway access and, for stand-alone retail, the safeguarding of land for future development by commercial operators, including connection to all services and highway access. Section 9 of this report sets out the developer's responsibilities for the delivery of the local centre.

Community Facilities

- 8.62 It should be noted that policy KP2(D&E) requires the provision of a 'multifunctional community leisure facility including library facility' within the local centre within strategic site D. The Planning Obligations SPG (approved January 2017) requires strategic sites to provide in-kind provision of on-site community facilities and/or a financial contribution towards off-site provision. Whilst a community building of up to 750m² is proposed as part of the application and is identified in the local centre in the DAS, this has not been secured through the s106 negotiations, following the viability assessment. However, the quantum of development condition allows for up to 750m² of community facilities to be provided on the site, such that this could be delivered by other means.

Education

- 8.63 The application proposes the delivery of a 2 form entry primary school, adjacent to the local centre, and financial contributions towards secondary provision to meet the need arising from the development, as required by KP2(D&E) and this is welcomed.

Health

- 8.64 Policy C6 establishes that priority in new developments will be given to reducing health inequalities and encouraging healthy lifestyles through i) identifying sites for new health facilities and ii) ensuring they provide a physical and built environment that supports interconnectivity, active travel choices, promotes healthy lifestyles and enhances road safety. The Planning Obligations SPG (approved January 2017) requires in-kind provision of primary and community health care facilities and/or a financial contribution towards off-site provision on strategic sites where the need arises as a result of the proposed development. It should be noted that KP2(D&E) does not identify a requirement for health facilities within the local centre, and that the lack of on-site provision reflects advice from UHB, whose preference is to secure a health facility as part of a shared community facility within the main district centre of strategic site C. Whilst the application description includes reference to a clinic or surgery, neither this on-site element of the application, nor the alternative SPG requirement for a contribution towards off-site provision has been secured through the s106 negotiations, taking into consideration the viability assessment.
- 8.65 With regards other health benefits, the development supports interconnectivity and active travel choices, provides access to green open space and children's play facilities and gardens which may be used for food growing and facilities to enhance road safety, in compliance with criterion (ii). Conditions are also recommended to control land contamination and noise from traffic to ensure no unacceptable harm to human health. Impact on residential amenity is considered further below.

(ix) Assessment of Retail Proposals

- 8.66 The application includes provision for a local centre and up to 2500m² of retail floorspace (Class A1, A2 and A3 uses) and the application is, accordingly, supported by a retail assessment. The evidence provided is considered to

satisfactorily address the above points raised by the Council and demonstrates policy compliance with the tests and criteria outlined in Policy R6 and Policy R7 of the adopted Local Development Plan. As such this element of the application raises no land use policy concerns. A condition is recommended to control the size of the retail units to provide a balanced a mixed planned centre.

(x) Impact on air quality, noise and vibration, light pollution and contaminated land

- 8.67 The PPW objective for the management of environmental effects and pollution is to *'maximise environmental protection for people, natural and cultural resources, property and infrastructure, and prevent or manage pollution and promote good environmental practice'* (paragraph 13.1.12). At the local level, policy EN13 seeks to protect unacceptable harm caused by air, noise, light pollution or land contamination.
- 8.68 With regards air quality, the ES includes an assessment of the likely changes in air quality from the construction and operational phases of the development. Existing air quality at the development site is noted to be good, with the exception of a corridor around 100m of the M4. Detailed modelling assessment of impacts was undertaken, including of the Mwyndy AQMA which lies 3km to the North West, with the potential operational impacts from the development noted to be limited to effects due to increased vehicular emissions on the local road network. The amended submission included an assessment of impact on air quality within the Llandaff AQMA.
- 8.69 The development is predicted to have a negligible impact on local air quality in the vicinity of the development and within the development, taking into consideration mitigation in the form of an 80m buffer zone along the southern boundary of the M4. The recommended 80m buffer zone along the M4 boundary is, accordingly, captured in the recommended conditions.
- 8.70 The ES notes that the development is considered unlikely to interfere or prevent the implementation of any future air quality strategy for Cardiff or RCT Councils, is unlikely to require a new AQMA area to be declared, unlikely to significantly adversely affect air quality along the existing road network or to have any detrimental impact on human health as a direct consequence of increased vehicle emissions or exposure to emissions. The assessment of the Llandaff AQMA concluded that the impact of the development alone will be 'not significant', provided a slight improvement in vehicle emissions occurs or if no improvement in vehicle emissions occurs provided a slight level of modal shift occurs. The impact of the development in cumulation with all the strategic development in the Cardiff LDP is noted to be 'not significant' irrespective of the level of modal shift, provided a modest (30%) improvement in vehicle emissions across the fleet occurs or if only a slight improvement in vehicle emissions occur, provided a modest level of modal shift occurs (30%). Significant impacts are seen in the sensitivity tests only when worst case assumptions are combined i.e. no improvement in vehicle emissions is combined with zero modal shift, which the ESA considered to be unrealistic and an overly conservative scenario.

- 8.71 The Air Quality assessment also considers the potential for dust generation during construction and it is noted that the risk can be acceptably managed with good site practices and appropriate mitigation measures adopted through a site-specific Dust Management Plan.
- 8.72 The findings of the assessment are accepted, and it is noted that neither the Council's Air Quality Manager nor the Operational Manager Transportation has any objection. Conditions are recommended to require a Dust Management plan to be submitted as part of a Construction Environmental Management Plan for each reserved matters application, and a financial contribution towards air quality monitoring would be secured via s106 Agreement, in line with advice from Pollution Control.
- 8.73 The ES includes a Noise and Vibration assessment to determine the potential noise and vibration effects of the development on the area around the site and the future residents of the development, which concludes that the effects following mitigation would be negligible. Following clarification of queries raised by Pollution Control in a Noise Note that formed part of the ESA, Pollution Control have confirmed that they have no objection, subject to conditions and confirm that they are happy with the recommended noise conditions. These include conditions to control road traffic noise, sound insulation, delivery times, plant noise, and to require a noise barrier adjacent to the M4 and an 80m buffer zone along the boundary with the M4, and the implementation of a Construction Environmental Management Plan to control noise during construction. Advisory notices are also recommended in respect of construction site noise and noise legislation. Conditions are also recommended to control light pollution.
- 8.74 With regards land contamination, the ES included a ground condition assessment of the construction and operational phases. This notes the varied geology of the site, including thinly interbedded limestone in the northernmost section of the site, and that the area would be expected to include mineral excavation due to the band of high purity limestone running east/west just north of the site, with three active limestone workings located within 2km of the site. Other features of the site include the presence of historic in-filled quarries; one in the north west section and the other approx 80m north of the northwest section of the site, which are noted to have potential to be gas generating with a potential risk to residential properties developed over the in-filled quarries and requiring the assessment of ground gas conditions beneath the scheme as part of site investigation works. Potential sources of contamination noted include the historic railway line/embankment, the historic quarry, an area of tipped surplus subsoil from the construction of the M4, an a former storage compound, the historic mill (Pencoed Mill) and isolated zones of fly tipping. Following mitigation, no significant effects are predicted to occur, with all being assessed as negligible or minor. The ES notes a ground investigation is to be carried out prior to construction which will include geotechnical testing, soil and groundwater chemical testing and gas monitoring, with remediation of any contamination being designed and initiated as necessary. Dust suppression and silt control measures will be undertaken during the construction phase, and the potential effect of soil erosion mitigated by minimising areas of bare soils.

The need for piled foundations will also be assessed, as is standard good practice. During the operational phase, the drainage scheme will be designed to capture run-off and sediments.

- 8.75 The above measures are captured in the recommended conditions, which include a requirement for a Construction Environmental Management Plan, ground gas assessment and mitigation, land contamination assessment and mitigation, and conditions to control unsuspected contamination, imported soil and aggregates, and advisory notices in respect of radon gas protection, and contaminated and unstable land.

(xi) Residential amenity

- 8.76 PPW provides that *'insensitive infilling, or the cumulative effects or development or redevelopment, including conversion and adaption, should not be allowed to damage an area's character or amenity. This includes any such impact on neighbouring dwellings, such as serious loss of privacy or overshadowing'* (paragraph 9.3.3). At the development plan level, policy KP5 requires all new development to ensure no undue effect on the amenity of neighbouring occupiers.

- 8.77 It should be noted that appearance, layout, scale, landscaping and access within the site are reserved matters, and that the detailed consideration of impact on residential amenity, as a consequence of overlooking, overbearing and overshadowing, can only be fully assessed and controlled at reserved matters stage. A condition is recommended to better inform this process and allow for the consideration of the impact of 'floor and ground levels', and not just separation distances and building height, on residential amenity. It is considered that any impact in respect of noise and air quality (in respect of dust) can be adequately controlled through the recommended conditions and noise legislation, as noted above. Conditions are also recommended to control lighting.

(xii) whether the proposal would make satisfactory provision for access, parking and circulation

- 8.78 PPW notes that the Welsh Government aims to extend choice in transport and secure accessibility in a way which supports sustainable development and helps to tackle the causes of climate change by: encouraging a more effective and efficient transport system, with greater use of the more sustainable and healthy forms of travel, and minimising the need to travel (8.1.1). The Welsh Government supports a transport hierarchy in relation to new development that establishes priorities in such a way that, wherever possible, they are accessible in the first instance by walking and cycling, then by public transport and then finally by private motor vehicles (8.1.4).

- 8.79 The Wales Spatial Plan (2008 update) includes guidance in respect of the 'South East Wales- Capital Region' noting its intention that this region 'will function as a networked city region, on a scale to realise its international potential, its national role and to reduce inequalities with comparable areas in the UK' and recognizing that 'a fully integrated high quality transport system is necessary for this to happen' (p. 98). In terms of achieving sustainable

accessibility, the plan importantly recognises that 'road building in general is not a sustainable solution to the pattern of traffic growth' and that 'the overall priority is to make better use of the Area's existing transport infrastructure, to deliver more sustainable access to jobs and services'.

- 8.80 The Council's transport strategy underpinning the LDP is focused on seeking to reduce car use by encouraging people to use more sustainable modes of transport. A central aim of the strategy is to achieve a 50:50 split between journeys by car and walking, cycling and public transport in respect of all trips by the end of the Plan period. Policy KP8 aims to ensure that development is properly integrated with transport infrastructure to achieve a shift away from car-based travel and sets out this 50:50 mode split as a target. The reasoned justification clarifies that achieving the 50:50 target will not be a matter of requiring all new development within the plan period to achieve a 50:50 modal split, but rather that measures will be sought to maximise the possible share of trips by sustainable modes for all sites (para 4.118). Policy T2 identifies the A4119 Llantrisant Rd as forming part of the Western Bus Corridor, one of four Rapid Transit Corridors identified as a focus for public transport enhancements that will serve the main LDP strategic sites and feed into the City Centre. KP2 (D&E) details the transport infrastructure to be provided on strategic site D, including provision of a Park and Ride site. Policy KP4 also seeks to help realise this mode split shift by ensuring major development is are planned to deliver *'dedicated sustainable transport corridors including provision for public transport, cycling and walking which will form key elements of the overall masterplan and effectively link into the wider network'*, that *'walking, cycling and public transport will be attractive, practical and convenient travel choices for all'*, that *'provision of a full range of social and community facilities will be concentrated within mixed use neighbourhood centres located along public transport corridors and easily accessed by walking and cycling'* and that *'new development ... provides good connectivity to adjoining areas...'*.
- 8.81 The proposal's transport strategy and package of mitigation measures, set out in Section 1, are soundly based, and are entirely consistent with the LDP transport strategy. The Operational Manager, Transportation has concluded that the transport impact has been adequately addressed and that the proposed mitigation is sufficient to enable the proposal to come forward and to increase the sustainable travel credentials of the site.
- 8.82 In line with policy KP2(D&E), the application will secure the following essential enabling infrastructure:
- Provision of a bus-based Rapid Transit Corridor through the site linking to the Western Bus Corridor, with a 6.3m wide carriageway proposed on the Spine and all Avenue Roads;
 - Off-site infrastructure, including an extended 200m long right hand turn lane into the site to facilitate bus movement
 - Delivery of a strategic 1000 space Park and Ride facility, linked to a Rapid Transit Corridor and public transport node and including a bus gate to limit unauthorised access by car to J33
 - A £2.25M bus subsidy to extend bus networks and pump prime the Park and Ride site

- Improvements to the Llantrisant Rd/ Cardiff Rd junction and provision of a safe crossing via a toucan crossing over Llantrisant Road within a 30mph zone
- A network of high quality, safe, attractive and convenient routes within the site, including a 3m segregated cycle way along all Spine and Avenue roads, and within the site along Llantrisant Rd
- An East –west connection between PROW (nos. 10 & 18) will be secured at Reserved Matters stage, by condition.

8.83 With regards the key masterplanning requirements of KP2(D&E) relevant to transport, the proposal:

- Provides for a range of densities
- Ensures that the potential delivery of the metro is not precluded, in line with policy T9, by safeguarding a number of corridors through the site and ensuring that uses, layouts and densities respond positively to it
- excludes vehicular access onto the M4 except for the P&R facility and business area adjacent to the junction,
- provides future vehicular, walking, cycling access to the remainder of Site D and the ‘future flexibility allowance land’ to the west
- facilitates interchange between local bus and rapid transit services
- will deliver a local centre, employment uses and a primary school reducing the need to travel
- provides sustainable access routes through the site, including enhancing the disused rail line as a walking, cycling and ecological corridor.

8.84 To ensure delivery of the transport strategy for the site, conditions are recommended to: secure the delivery of the 3 main vehicular accesses to the site and improvements, secure a landscape scheme for those highways works, secure the P&R facility and transport interchange and a management strategy, to control the use of external areas of the P&R facility, to limit access to J33, provide and safeguard access to the remainder of site D and the future flexibility land, safeguard land for the Metro, to ensure the provision of ‘safe zones’ within shared spaces to protect vulnerable users, to control car and cycle parking, the unloading of vehicles and delivery times, to secure the provision of lit roads before occupation of dwellings, to control gradients of all streets within the site to promote inclusive access, to secure a Construction Environmental Management Plan and Residential, Employment and a School Travel Plan, and appropriate phasing of infrastructure. The detailed highway works and internal site access would be subject to agreement under Section 38/278 of the Highways Act, and all footpaths in green corridors, to agreement under Section 25 to dedicate them as PROWs. The agreement and implementation of the Travel Plans, the bus subsidy, and Park and Ride facility would be secured via a Section 106 Agreement (see Section 9 for further information).

8.85 A Transport Assessment Addendum was submitted in support of the amended submission which, amongst other things, included assessment of the re-modelled junctions, sensitivity traffic analysis based on the existing mode split for Creigiau and St Fagans, and the consideration of impact at Groesfaen,

on the A4232 and Castell Mynach junction. The ESA notes that guidance suggests that significant traffic related environmental impacts may occur if traffic generated increases baseline traffic flows by more than 30%. The ESA concludes that the impact on traffic flows, highways impact/driver delay and severance will not be significant, whilst the impact on pedestrian and cyclist amenity and delay, urban real/fear and intimidation, and accidents and safety would all be moderate positive. Based on the predicted traffic increase, the ESA reports that significant traffic-related environmental impacts will not occur in Groesfaen. Responding to the Vale of Glamorgan concerns, the ESA reports a reduction in traffic on the A4232 to the north and south of the Culverhouse Roundabout as a result of the mitigation of the Park and Ride site. Responding to the RCT objection, the ESA reports that the amount of traffic added to the Castell Mynach junction is within the daily tolerance levels of traffic and the development will have no discernible adverse impact on the operation of the junction.

- 8.86 The traffic impact of the development has been the subject of significant objection, as reported in Sections 6 and 7. Members attention is drawn to the Inspector's Report on the Examination into the Cardiff LDP, which recognised this as a potential outcome, noting that *'we agree with assertions made at the examination that it would be unrealistic to expect traffic to flow unimpeded at peak times or to attempt to build sufficient road capacity to accommodate and prioritise the convenience of car users'* (para 7.10). As noted above, the Operational Manager, Transportation has no objection to the proposal. He concludes that the traffic flows and traffic modelling for this site have been adequately addressed and that the proposed mitigation is sufficient to enable the proposal to come forward and to increase the sustainable travel credentials of the site in the interim period. His detailed comments also respond to objections received from RCT, Network Rail and third parties.
- 8.87 Taking the above, the representations received and the detailed comments of the OM Transportation into consideration, together with the recommended conditions and legal agreement Heads of Terms set out in Section 9, it is considered that the development complies with planning policy in respect of highways and transportation matters, that the transport strategy proposed by the development is entirely consistent with the LDP transport strategy, and that the effects on traffic and transport can be adequately mitigated. The proposed delivery of the Park and Ride site is particularly welcomed, as it is key to the delivery of the LDP transport strategy.
- (xiii) Water Resources, Drainage and Flood Risk**
- 8.88 PPW advises that flood risk and the 'adequacy of water supply and the sewage infrastructure are material in considering planning applications and appeals' (paras 13.2.1 and 12.4.1). With respect to surface water run-off, PPW advises that *'in determining applications for development, local planning authorities should work closely with Natural Resources Wales, drainage bodies, sewerage undertakers, prospective developers and other relevant authorities to ensure that surface water run-off is to be controlled as near to the source as possible by the use of sustainable urban drainage systems. They should also ensure that development does not: increase the risk of flooding elsewhere by loss of*

flood storage or flood flow route; or increase the problem of surface water run-off" (para 13.4.2).

- 8.89 At the development plan level, policy KP5 requires all new development to be of a high quality sustainable design by, amongst other things, *'achiev[ing] a resource efficient and climate responsive design that provides sustainable water and waste management solutions....'* (criterion vii). Policy KP6 identifies flood mitigation and utility services as 'essential/enabling infrastructure'. KP15 requires development proposals to avoid areas susceptible to flood risk and prevent development that increases flood risk in order to tackle climate change. KP16 identifies strategically important river valleys (iii) and holistic integrated surface water management systems as natural heritage assets requiring protection and conservation. KP18 requires development proposals to protect the quality and quantity of water resources, including underground surface and coastal waters (ii).
- 8.90 At a detailed level, policy EN14 provides the framework for controlling flood risk, noting amongst other things, that development will not be permitted where it would increase the risk of flooding from fluvial and/or tidal flooding or from additional run-off from the development, and, where appropriate, requires the developer to demonstrate that they have considered the need to incorporate environmentally sympathetic flood risk mitigation measures such as Sustainable Urban Drainage Systems (SUDS). Policy EN10 promotes water sensitive design and integrated water cycle management to manage water locally and to reduce demands on the network, including SUDS, whilst policy EN11 seeks to prevent development that would cause unacceptable harm to the quality or quantity of underground, surface or coastal waters.
- 8.91 As noted in Section 2, the site includes Nant Henstaff and Nant y Glaswg watercourses, which flow around and through the site in various locations, and numerous watercourses originating within the site which connect with those named watercourses or drain to stand-alone culverts under the M4. The site also includes 5 ponds in the North West corner which provide ecological habitat.
- 8.92 The ES notes the majority of the site is located in Zone A of the TAN 15 development advice maps (dam) 'considered to be at little or no risk of fluvial or tidal/coastal flooding', with a small section of the site located along the Nant Henstaff is located in dam Zone B, identified as an 'area known to have been flooded in the past evidenced by sedimentary deposits' and where TAN 15 requires site levels to be checked against the extreme (0.1%) flood level. The ES notes that modelling of the Nant Henstaff has been undertaken which indicated that no vulnerable development would be situated within this flood risk area. NRW have advised that they consider risk of flooding to be minimal.
- 8.93 A Preliminary Drainage Strategy and Flood Risk Assessment have been submitted in support of the application. It is important to note that the application does not seek approval for this at this outline stage; rather a condition is recommended which would require the Applicant to undertake

further site investigations and analysis before proposing a detailed design to be agreed by condition.

- 8.94 The ES includes an assessment of the potential impact of the construction and operation of the proposed development on hydrology and drainage. The main concerns during the construction stage are expected to be of a temporary nature and relate to sedimentation in watercourses, increased flow in watercourses, reduction in water quality due to pollution and impediments to flow in watercourses. The main concerns during operation relate to increase in foul drainage loading, sedimentation in watercourses, increased flow in watercourses, reduction in water quality due to pollution and impediments to flow in watercourses. The ES concludes that, with mitigation, the long term impact will be negligible and that there will be minor adverse impacts during the construction phase which will be managed through the implementation of a Construction Environmental Management Plan (CEMP).
- 8.95 The necessary mitigation measures will be secured through the recommended conditions, which include the requirement for a CEMP, part of which include a Construction Drainage Scheme. Drainage conditions include the requirement for a Strategic Sustainable Surface Water Drainage Masterplan and a Detailed Surface Water Drainage Scheme for each reserved matters site to be submitted. The former is designed to ensure that the interaction between natural drainage catchments is taken into consideration in the design of detailed drainage schemes, given the site will be built out in phases over a number of years. The Detailed Surface Water Drainage Scheme condition requires a Hydrological Impact Assessment to be undertaken for each reserved matters site. The condition also requires details of the proposed management and maintenance of the scheme to be submitted, and is carefully worded to allow for adoption by any public authority, statutory undertaker or private management company. Those management and maintenance arrangements will be secured via s106 Agreement, as detailed in Section 9.
- 8.96 With regards foul drainage, a condition is recommended to require the approval and implementation of a foul water drainage scheme, based on comments from DCWW. A condition is also recommended to require the submission and implementation of a CEMP, which amongst other things, includes measures to prevent contamination and control flooding during the construction phase. The conditions are specifically worded to ensure that the LPA cannot approve any reserved matters application until the foul and surface water drainage schemes have been approved, and that no dwelling can be occupied until the schemes have been completed.
- 8.97 Taking the above, the representations and consultation responses received, and noting the support from DCWW and the Council's Drainage Officer, together with the recommended conditions and legal agreement Heads of Terms set out in Section 9, it is considered that the development complies with planning policy in respect of drainage and flood risk and that the effects of development can be adequately mitigated.

(xiv) Equalities Impact Assessment

- 8.98 The Public Sector Equality Duty (Section 149 of the Act 2010) requires the Council to have due regard to the need to eliminate discrimination, promote equality of opportunity and foster good relations between different communities. The Act 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. In terms of the promotion of inclusive access, equality and diversity, there will be no apparent abnormal differential impact on any people protected under the Equality Act 2010 as assessed at this outline stage, noting that detailed layout, appearance, landscaping, scale and access within the site will be considered at reserved matters stage. The revised DAS sets out principles for inclusivity, which are considered acceptable and will be promoted in the consideration of reserved matters. As noted above, a condition is recommended to enable assessment of the ground and building heights at reserved matters stage to help promote inclusive access. Conditions are also recommended to require 'safe zones' within shared spaces to protect vulnerable users and to require that refuse collection vehicles can reach within 25m of all dwellings, in order for the Council to offer an Assisted Lift collection service.

(xv) Wellbeing of Future Generations (Wales) Act 2015

- 8.99 Section 3 of the Wellbeing of Future Generations (Wales) Act 2015 imposes a duty on public bodies to carry out sustainable development in accordance with the sustainable development principle to act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs (section 5). This duty has been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the recommended decision. There is significant overlap between the well-being goals the Act puts in place and national and local planning guidance, given the central role of planning in delivering sustainable development. The key issues that have formed material considerations in the determination process are pertinent to the stated well-being goals of the Act.

(xvi) The Environment (Wales) Act 2016

- 8.100 The Environment (Wales) Act 2016 enshrines in law principles and policies for managing natural resources in a sustainable way. Amongst other things, it introduces a new biodiversity duty on public authorities to seek to maintain and enhance biodiversity when exercising their functions, and in so doing to promote the resilience of ecosystems, so far as consistent with the proper exercise of those functions. This duty and the resilience of ecosystems have been considered and discharged in the evaluation of this outline application, and has taken into consideration the following aspects of ecosystems - diversity, connections between and within ecosystems, scale, condition and adaptability. The mitigation measures sought in respect of green infrastructure, habitat connectivity, habitat compensation and protection of

species are aimed at delivering the Biodiversity and Resilience of Ecosystems Duty (BRED). It is accepted that there would be no significant long term negative effects on any known habitats, species or ecological features of value - with the exception of the M4 Spoil Tip SINC - that cannot be mitigated for, and that the development would potentially create and enhance local opportunities for wildlife, taking into consideration the recommended conditions. This duty would be further considered in the consideration of reserved matters and future discharge of condition applications.

(xvii)Response to third party objections

8.101 The objections raised are noted and have been taken into consideration. The following comments are provided in respect of matters not addressed above:

- There are legal requirements for the obligations contained in section 106 agreements, the purpose of which is to provide site specific impact mitigation to make individual developments acceptable in planning terms. A Section 106 agreement is a material planning consideration under s.70(2) of the Town and Country Planning Act 1990 in determining whether to grant permission, provided that it meets the tests set out in regulation 122 of the Community Infrastructure Regulations 2010. Regulation 122 provides that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is (a) necessary to make the development acceptable in planning terms; (b) directly related to the development; and (c) fairly and reasonably related in scale and kind to the development.
- Under the terms of the Charter Community Councils may respond to Cardiff Council on planning applications upon which they are consulted which are in or directly affect their communities. Community Councils therefore have the opportunity to identify considered local priorities for S106/CIL (when in place) through their roles in providing responses on planning applications. As S106 agreements are signed between the Council as the local planning authority by whom the obligation is enforceable and landowners, the primary negotiation will be between these two parties taking account of a wide range of factors, including all potential priorities for eligible spend and viability factors. However, the Community Councils can feed through their considered priorities for local spend as part of the Development Management process and this feedback will help inform the Council's position in terms of potential scope for local spend. The section 106 process is carefully monitored by the relevant Planning Officers and Head of Planning to ensure that whilst the precise circumstances of each case will vary, the legal tests are met and any s106 request is policy compliant. The decision on planning applications, including agreement of the Heads of Terms of S106 obligations, are made by Planning Committee or under the Council's approved scheme of delegations.
- With regards to the preparation of a Cardiff Community Infrastructure Levy (CIL), Cardiff has recently completed a public consultation on a Draft Charging Schedule (DCS). The responses to consultation are currently being considered prior to submission for Independent Examination anticipated in Spring/Summer 2017. Any development which is approved prior to the introduction of the CIL will not be liable to pay the levy. In addition, the current DCS advocates a "zero" or "nil" CIL from residential

development within Strategic sites and for developments of over 500 dwellings.

- The application will be referred to Welsh Government following the third party request for a call-in.
- The Council does not have a statutory obligation to consult Pontyclun Community Council.

9. **S106 REQUIREMENTS**

- 9.1 The Council's position reflects careful consideration of the planning policy context as set out in the Local Development Plan, together with relevant guidance contained within Supplementary Planning Guidance (SPG). It should be noted that the "Planning Obligations" Supplementary Planning Guidance was approved at the Council meeting of 26 January 2017. This guidance sets out an overarching approach to Planning Obligations and replaces previous guidance set out on a topic-by-topic basis. The S106 Heads of Terms as set out below represents the most appropriate apportionment of planning obligations having regard to the policy/guidance context as well as development viability.
- 9.2 In identifying the nature and quantum of infrastructure provision proposed, a viability assessment has been undertaken and independently verified. It is considered that the planning obligations listed below satisfy the legal tests and will, along with the recommended conditions; help mitigate any significant adverse effects of the proposed development.
- 9.3 It is noted that this application proposes 1,500 new homes of the 2,650 homes allocated under sites D&E, to which policy KP2 (D&E) relates, and that there will be opportunities for other applications coming forward on sites D and E to deliver the additional infrastructure required under LDP Policy KP2(D&E). This is considered reasonable having regard to the viability evidence submitted, and acknowledging the significant strategic infrastructure, including the Park and Ride Facility, new school, local centre and public open space being secured by this development.
- 9.4 The S106 Heads of Terms set out below have been agreed by the developers and meet the tests prescribed under the CIL Regulation 122 and Welsh Office Circular 13/97.

Affordable Housing

On-site

- 9.5 15% (up to 225 units) on-site to be delivered as 80% Intermediate Rented and 20% Low Cost Home Ownership (LCHO) at 70% OMV. The Intermediate Rented units will be built to Welsh Government DQR standards and meet WHQS. Some accommodation for Older Persons (which could include bungalows with/without assistive technology) and/or a Core & Cluster Specialist Accommodation for clients with either a Physical Disability and/or Learning Disabilities may be required. Detailed discussion will take place with the developer regarding the more specialist accommodation provision.

Financial Contribution

- 9.6 Based on a viability assessment, in addition to the on-site provision, a financial contribution of £7.9 million is sought toward the provision of affordable housing in the City, and is to be paid in phases. The timescales/triggers for the delivery of the housing and payments will be included in the s106 agreement. This has been calculated on the basis of overall development viability, where, depending upon the mix and tenure of units, the contribution could secure between 8.5% and 15% affordable housing off-site.
- 9.7 A review mechanism is sought to be incorporated into the s106 to allow the obligations to be reviewed by reference to the current SPG and viability.

Education

- 9.8 Based on an assumed 1500 dwellings and a notional split whereby 93% of dwellings are 'qualifying houses' and 7% are 'non qualifying housing/apartments', the following obligations are sought:

Primary

- Delivery of land and premises for a 2 Form Entry primary school incorporating 48 FTE nursery places to accommodate the yield of 432 primary age pupils from the proposed development.
- A land contribution of 19,000m² is sought to accommodate the primary school.
- The primary school would be required to be delivered prior to the 550th occupation of the new housing.
- The primary school building(s) must meet the requirements of Building Bulletin (BB) 99 and the relevant Employers requirements of the Council.
- Should any additional buildings be required on the school site (e.g. a community facility) the site should be enlarged by the equivalent floor area to comply with the suggested BB99 site size and separate secure entrances provided.

Secondary

- Assuming that a yield of 80 secondary age and 14 sixth form pupils would be able to access places at Radyr Comprehensive School, contributions are sought towards the building of additional English-medium secondary school and sixth form places to accommodate the remaining 119 pupils yielded by the development, calculated as **£1,906,077**
- Contributions are sought towards the building of additional Welsh-medium secondary school and sixth form places to accommodate the 53.23 pupils yielded by the development, calculated as **£853,163**
- A financial contribution of **£516,960** towards the purchase of 3,487m² of land is therefore requested, @ £600,000 per acre and calculated pro rata to a 1,500 place secondary school site, to accommodate the yield of c53 Welsh-medium secondary and sixth form age pupils. Should the Council not proceed with the purchase of land specifically to facilitate this option then the requested land contribution would be waived.
- The triggers for the delivery of the financial contributions are to be agreed in the s106 agreement.

- 9.9 Should the number and mix of dwellings vary from that assumed above, a proportionate financial contribution would be re-calculated,

- 9.10 A fall-back position would need to be written into the s106 Agreement should the provision and/or expansion of schools other than the above be identified as the appropriate way forward to meet demand from the site.

Local Centre

- 9.11 The developer will provide a fully serviced, mixed use local centre for the delivery of 2500 sq m (gross) of Class A1, A2 and A3 floorspace. Whilst there is no obligation on the developer to construct any community facilities, condition 50 allows up to 750m² of community facilities to be delivered on site by third parties/ other means.
- 9.12 To secure the delivery of the local centre the developer is required to:
- Provide and safeguard the floorspace identified for retail/commercial facilities in the local centre, which shall be identified as part of the approval of the reserved matters application for the phase in which the local centre is to be implemented,
 - Connect that identified floorspace to the services, parking facilities and highway access reasonably required for the operation of the retail facilities prior to first occupation of any retail facility
 - Prepare and agree with the LPA a marketing strategy for the local centre, at a trigger to be agreed in the s106, and market the retail units for occupation for an agreed period of time (but not preventing the developer from continuing to market the retail units voluntarily after this period expires)
 - To construct the retail units where an occupier has agreed terms for their occupation with the developer or – for standalone units - provide evidence to demonstrate that the occupier has agreed to build the retail unit
 - Include a mechanism in the s106 to discuss how the local centre is to be delivered in the event that there is no interest following the marketing of the site.

Green Infrastructure / Open Space

- 9.13 Details of future management and maintenance for green infrastructure / open space will be specified within the s106 Agreement.
- 9.14 The developer will provide and safeguard land for a changing facility and parking spaces to support the 2 no proposed sports pitches, with land to be identified at reserved matters stage.

Drainage

- 9.15 Details of the future management and maintenance arrangements will be specified within the S106 agreement, to include 'step in rights' for Cardiff Council.

Highways and Transportation

- 9.16 In addition to significant on-site highway works, the following obligations are sought:
- A bus subsidy of £2,250,000 towards the provision of 5 bus services serving the site and the Park and Ride, for a period of 3 years, with the timescale for payment to be agreed in the s106 Agreement.

- A 1000 space park and ride facility including transport interchange hub. The first 500 car parking spaces, together with the transport interchange hub and a vehicular link from Llantrisant Rd to Junction 33 for use by bus, pedestrian and cycles only, will be provided on the completion of the 500th dwelling. The remaining 500 car parking spaces will be provided on completion of the 750th dwelling.
- Travel Plans – the s106 will cover the agreement and implementation of the residential, school and employment travel plans. These will include (but not necessarily limited to) the following measures:
 - Transport Planning Co-ordinator to be provided continuously for a minimum of 10 years at the developer's expense. Following this period, the skills will be shared and passed onto local community members;
 - Annual Surveys to be undertaken for 10 years and formal commitment to achieve a 70% response rate on surveys;
 - First initial Travel Plan Survey / Baseline Survey to be undertaken within 3 months of 'meaningful' occupation;
 - Travel Plan survey undertaken within 6 months of 'meaningful' occupation;
 - Commitment to a first monitoring survey of the surrounding community, prior to first occupation;
 - Personalised Travel Planning;
 - Cycle training;
 - One cycle voucher to be used towards bike purchase for the first occupant of each new dwelling;
 - A Travel Plan reserve fund for 'fighting' failures or shortcomings through the monitoring period, this will need an amount secured for the purposes of the S106 to be held for appropriate intervention measures. The amount will be agreed in the s106 and set aside and held for appropriate intervention measures.
- The developer to provide and safeguard land to provide access to the remainder of strategic site D and to the land identified for 'potential future expansion in the plan period (KP1) for flexibility' (as identified on the Cardiff LDP Proposals Map) at the points of the proposed 'Future Access Points' shown on the 'Access & Movement Figure 3.3' parameter plan (drawing no 9602 Rev J) in order to avoid any future ransom scenario.
- The developer to provide and safeguard land to install the 'Metro' as and when required, as required to be identified under condition 7 (RAPID TRANSIT CORRIDOR/ METRO)
- Street lighting to be provided linked to a Central Management System to allow phased dimming of lighting

9.17 In addition, the highway improvement works which relate to the existing or proposed adopted highway (including any proposed shared footway/cycleways in green corridors/ open space) are to be subject to an agreement under Section 38 and / or Section 278 of the Highways Act 1980 between the developer and Local Highway Authority. All footpaths in green corridors are to be subject to an agreement under Section 25 of the Highways Act 1980 to dedicate them as a Public Right of Way, with the Landowner/Developer to

cover the costs for advertisement of the notices. The developer shall apply for a legal order for the diversion of the two Public Right of Way Footpaths that cross the site (Llaniltern No 18 and Peterstone Super Ely no 10) prior to any work being undertaken on the existing path alignments. If the legal orders are not confirmed, the existing path alignments must be retained.

Waste Management

- 9.18 A financial contribution towards the cost of bins is sought. Bins for each house will cost £60 (inc. VAT). Each flat requires storage for the following – 140 litres of general waste, 140 litres of recycling and 20 litres of food waste to be stored separately in a communal bin store. General waste and recycling need to be stored in the fewest 1100 litre or 660 litre steel bins, and food in the fewest 240 litre bins at the costs below:
- 1100 litre bin for general waste - £468
 - 660 litre bin for recycling- £390
 - 240 litre bin for food- £30
- 9.19 In addition, litterbins are required in areas of high footfall and particularly for any proposed bus stops, at a cost of £420 for the Council to install and maintain a bin on land to be adopted by the Council. The number of bins will be determined at Reserved Matters stage.

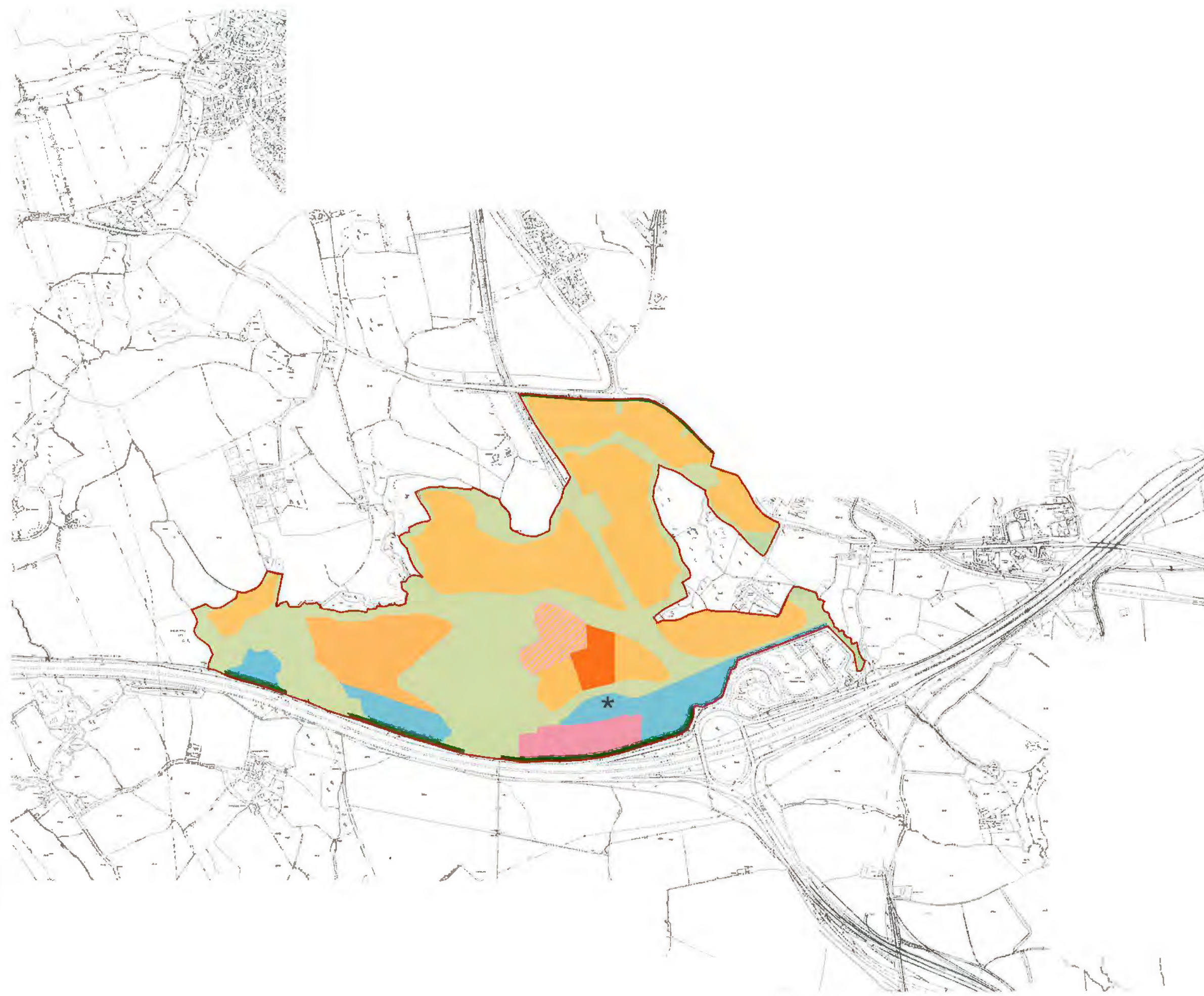
Air Quality

- 9.20 A financial contribution of £7,500 towards air quality monitoring is sought.

10. **CONCLUSION**

- 10.1 The application forms part of Strategic Site D, allocated in the LDP for a mixed-use development of approx. 2000 homes, employment, other associated community uses and a strategic Park and Ride site. As such, the principle of development has been firmly established. The application has been planned in a comprehensive and integrated manner, and subject to the recommended conditions and s106 Heads of Terms, is considered to deliver a high quality, sustainable and distinctive development. The delivery of the Park and Ride is particularly welcomed, as it is central to the delivery of the LDP transport strategy. Combined with this, the local centre, employment areas, two form entry primary school, on and off-site public transport, walking and cycling measures, and extensive green infrastructure will help deliver the Council's vision for the site, as expressed in the Schematic Framework for the site set out under policy KP2(D&E) of the Cardiff Local Development Plan.
- 10.2 The submitted Environmental Statement provides a comprehensive assessment of the potential impacts of the proposed development and this has been taken into consideration in the assessment of the application. The conclusions of the submitted ES are considered sound.
- 10.3 It is recommended that outline planning permission be granted, subject to the recommended conditions and relevant parties entering into a S106 agreement.

- Residential
- Local Centre (including mixed use and residential)
- * Employment (including interchange and infrastructure)
- Park & Ride
- / Primary School/Community Usage
- Noise Attenuation/Buffer
- Open Space (including allotments, orchard, natural play, NEAP & LEAP and road crossings)



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 AMENDED PLAN
 10/08/2016
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Project
 Westgate Park, Cardiff
 Junction 33, M4

Drawing Title
 Land Use
 Figure 3.2

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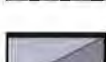
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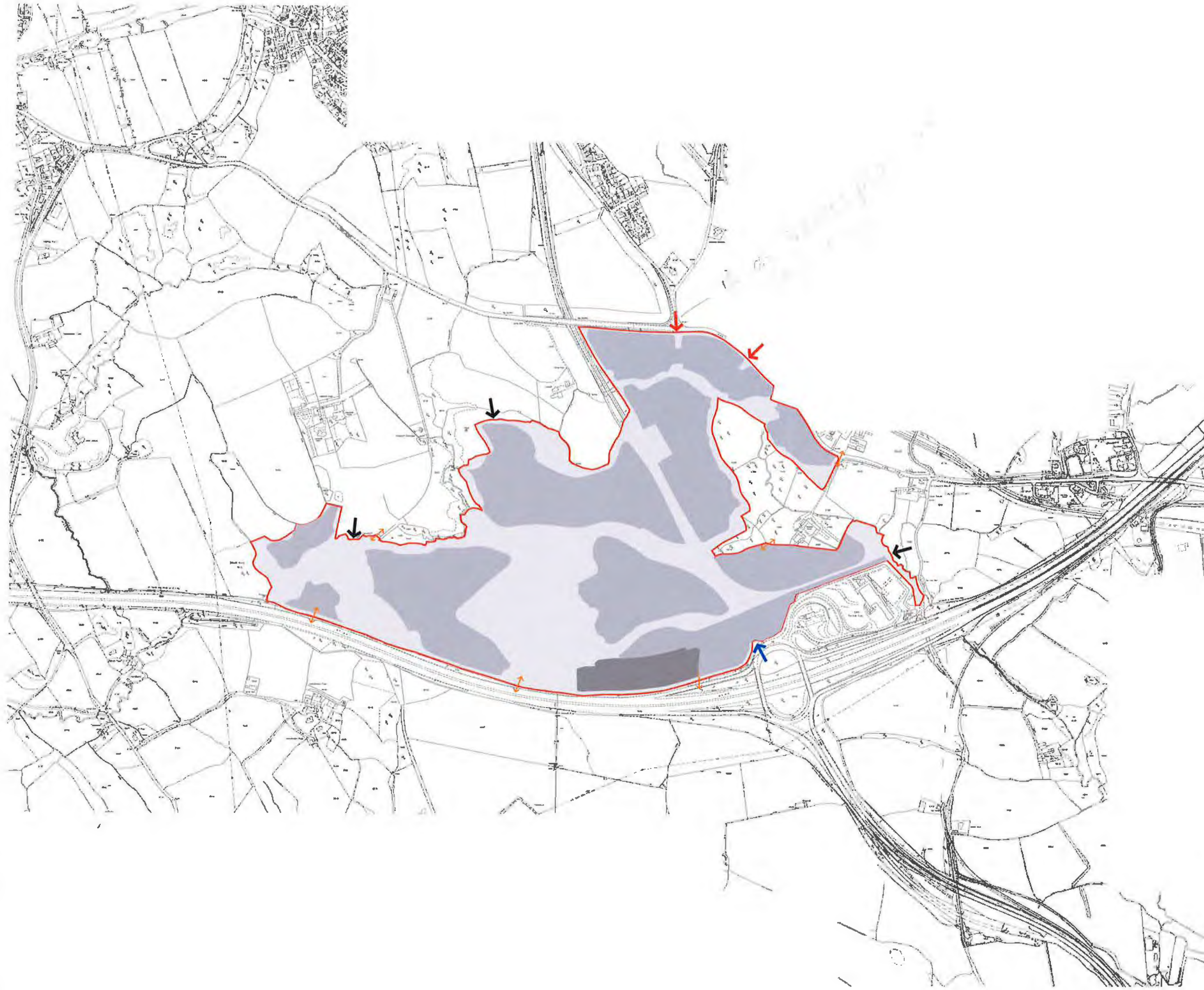
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-  Application Site Boundary
-  Primary Access
-  Limited Vehicular Access
-  Existing Pedestrian / Cycle access
-  Future Access Points
-  Areas of built development and other uses



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Project
Junction 33
WestGate, Cardiff

Drawing Title
Access & Movement
Figure 3.3

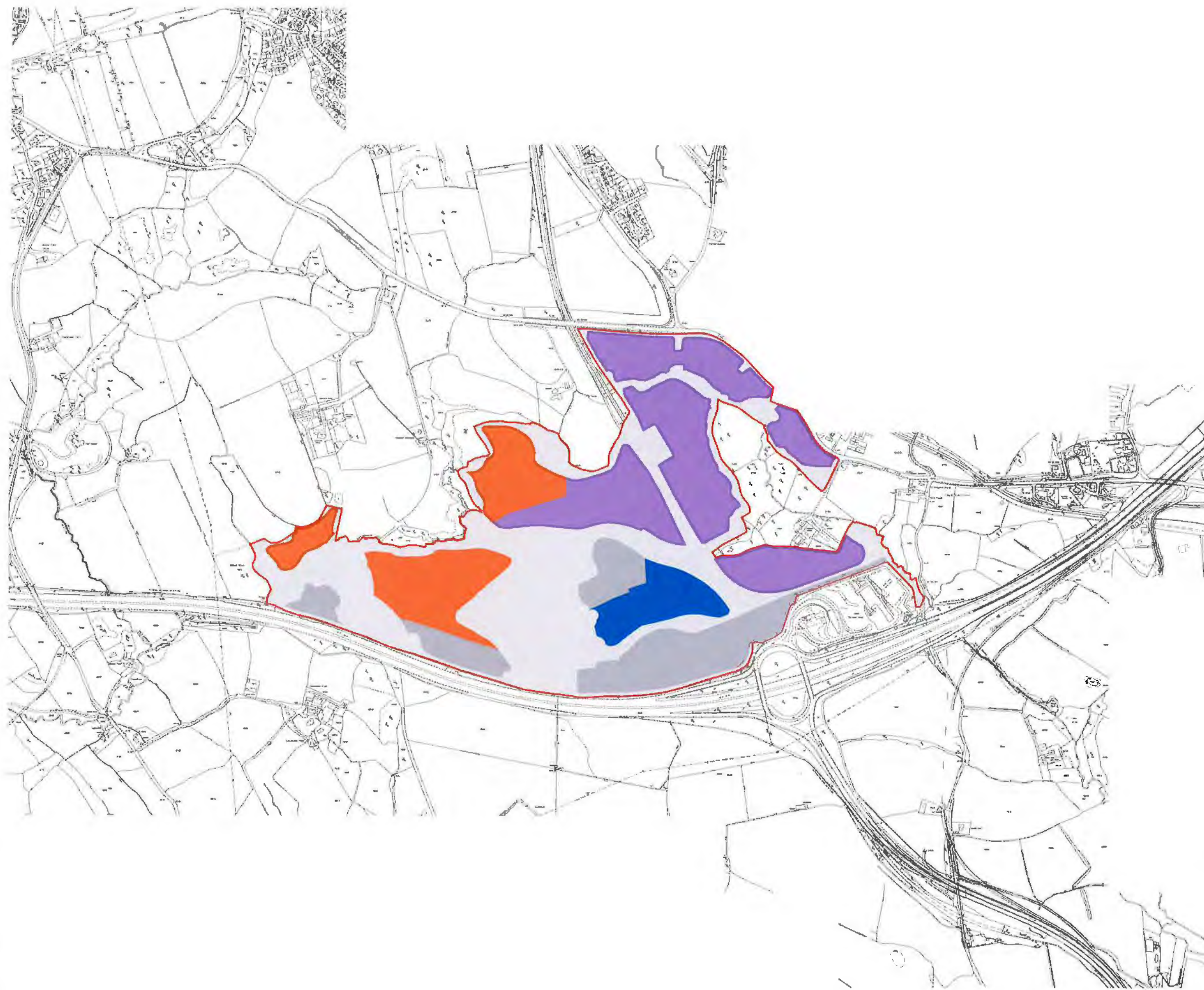
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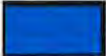


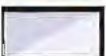
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-  Application Site Boundary
-  45 + dph Average Density
-  30 - 45 dph Average Density
-  25 - 40 dph Average Density
-  Areas of built development and other uses

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Project
 Junction 33
 WestGate, Cardiff

Drawing Title
 Density Plan
 Figure 3.4

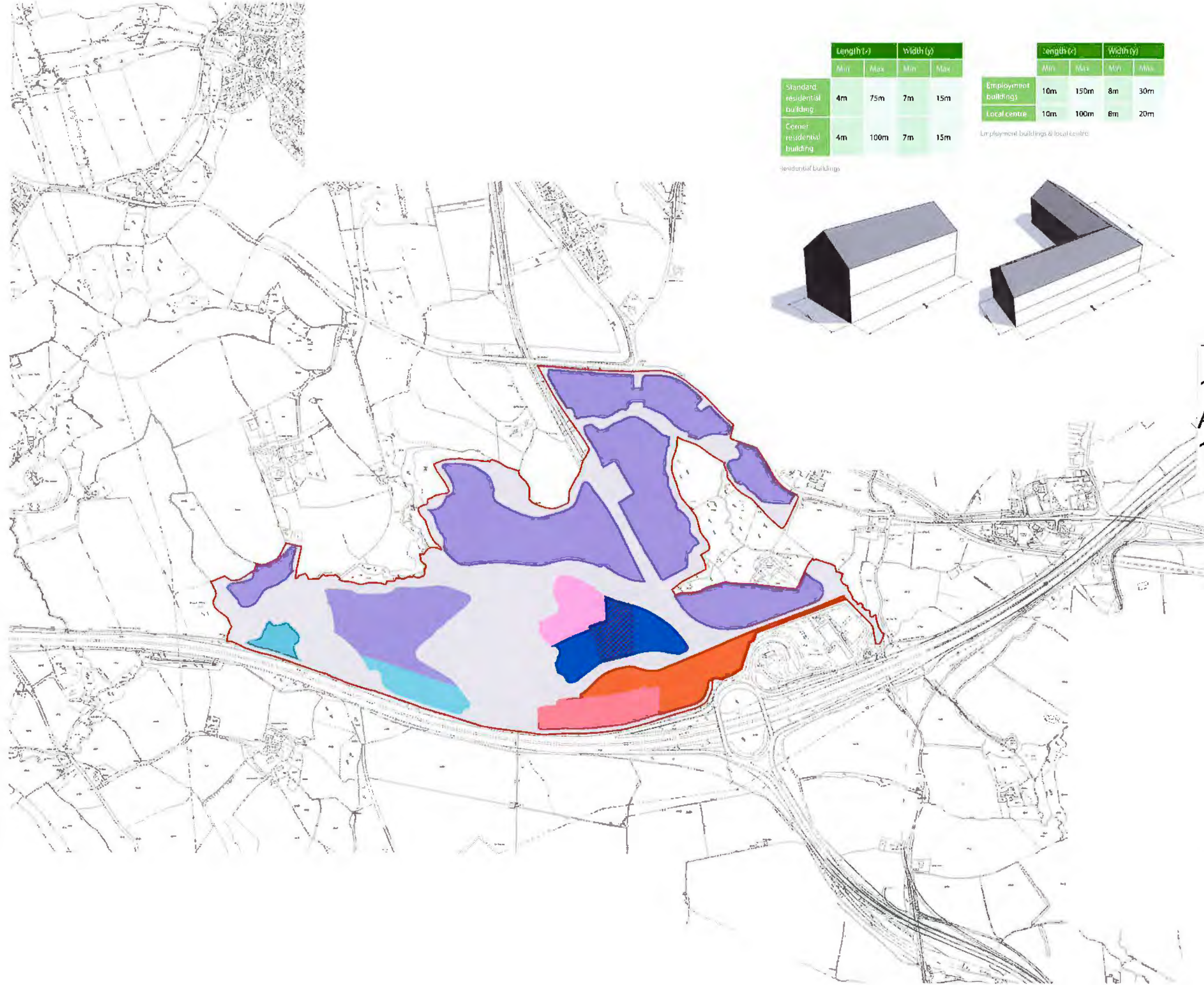
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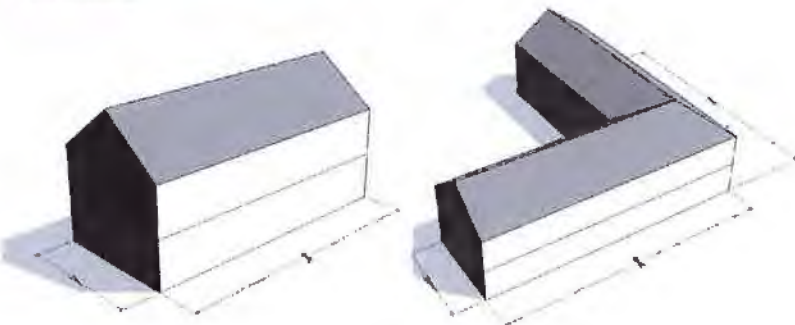


	Length (x)		Width (y)	
	Min	Max	Min	Max
Standard residential building	4m	75m	7m	15m
Corner residential building	4m	100m	7m	15m

Residential buildings

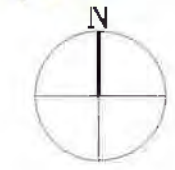
	Length (x)		Width (y)	
	Min	Max	Min	Max
Employment buildings	10m	150m	8m	30m
Local centre	10m	100m	8m	20m

Employment buildings & local centre



- Application Site Boundary
- Up to 2.0 Storey Residential (with occasional 2.5 - 3 Storey)
- Up to 3.0 Storey Residential
- Up to 4.0 Storey Local Centre / Mixed Use / Residential
- Up to 4 Storey Commercial/Employment
- Up to 2 Storey Primary School
- Up to 2 Storey Commercial / Employment
- Areas of Open Space (including allotments, orchard, natural play, NEAP & LEAP and road crossings)

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Project
Junction 33
 WestGate, Cardiff

Drawing Title
Building Heights and Scale
 Figure 3.5

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Project No 22043 Drawing No 9601 Revision L



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-  Application Site Boundary
-  Open Space
(including allotments, orchard, natural play and road crossings)
-  Trees and Hedges to be Retained
-  Trees and Hedges to be Removed
-  Areas of built development and other uses
-  Sports Pitches
-  LEAP
-  NEAP/MUGA

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Project
Junction 33
WestGate, Cardiff

Drawing Title
Green Infrastructure (Overview)
Figure 3.6

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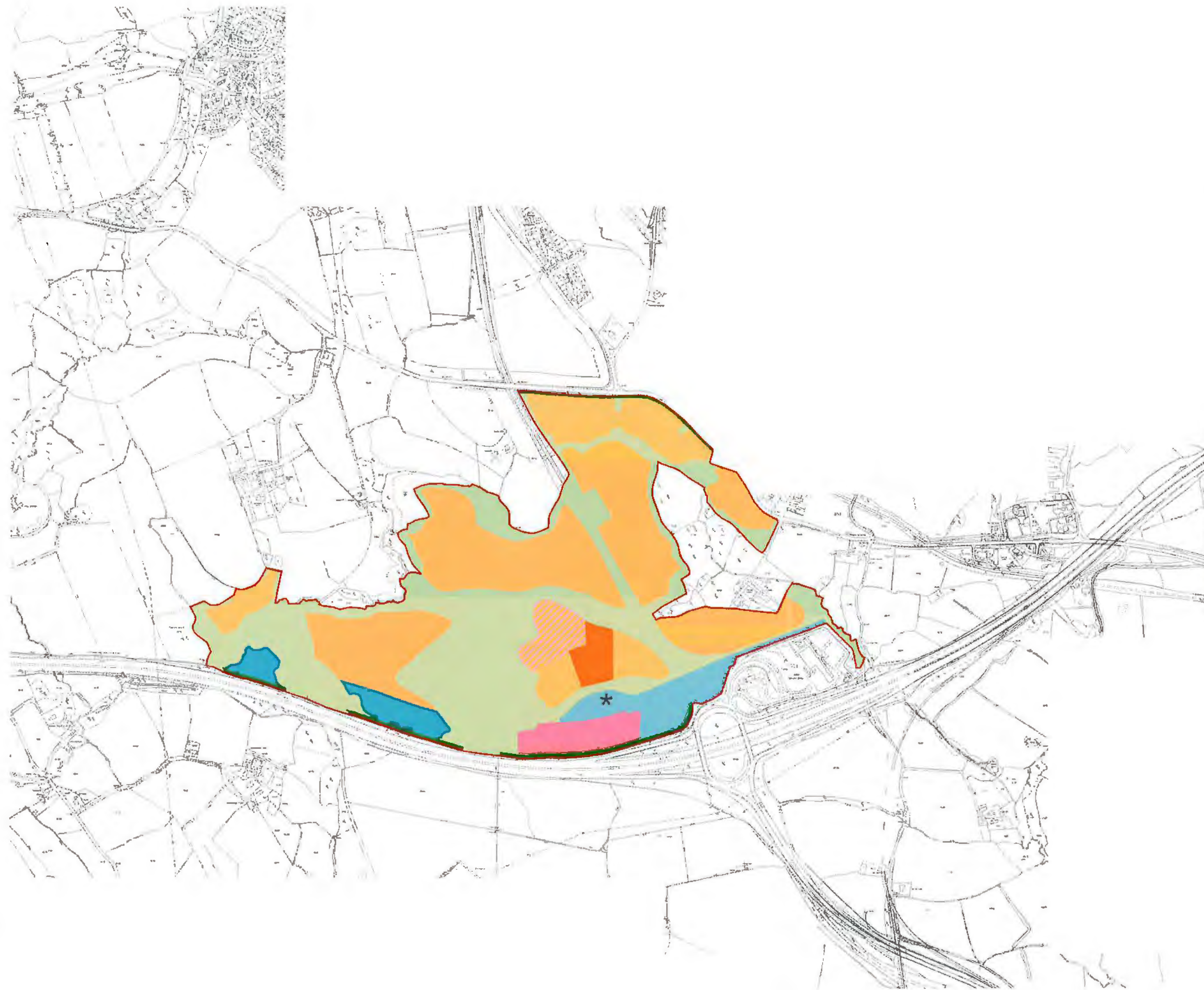
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	Residential	33.34Ha	(82.38ac)
	Local Centre (including mixed use and residential)	1.38Ha	(3.41ac)
	Employment (including interchange)	6.47Ha	(15.99ac)
	Park & Ride	2.58Ha	(6.33ac)
	Primary School/Community Usage	2.00Ha	(4.94ac)
	Noise Attenuation/Buffer	1.32Ha	(3.26ac)
	Open Space (including allotments, orchard, natural play, NEAP & LEAP and road crossings)	30.35Ha	(75.00ac)



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Project
 Westgate Park, Cardiff
 Junction 33, M4
 Drawing Title
 Amount
 Figure 3.7

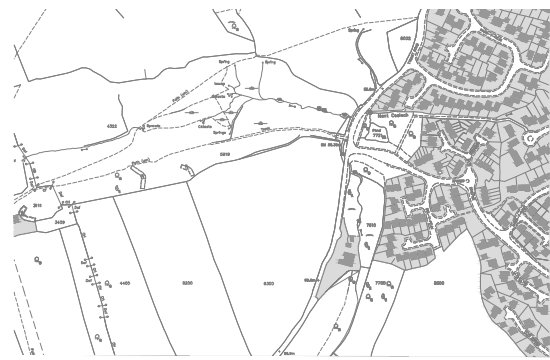
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Drainage Strategy

In accordance with the principles of surface water drainage will be attenuated to control discharge rate.

The rainwater events will be stored within the development parcels.

The rainwater events will be stored within a series of attenuation basins within development phases.

The water drainage strategy is for a series of gravity systems and pumped systems as necessitated by the topography to discharge to suitable points of discharge on the public sewerage network to be agreed with DCU.

Community Facility / School

Provision for the school and community facilities will be provided in accordance with the timescales agreed in the contract.

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Application Site Boundary

Phase 1

Phase 2

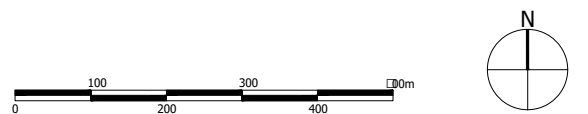
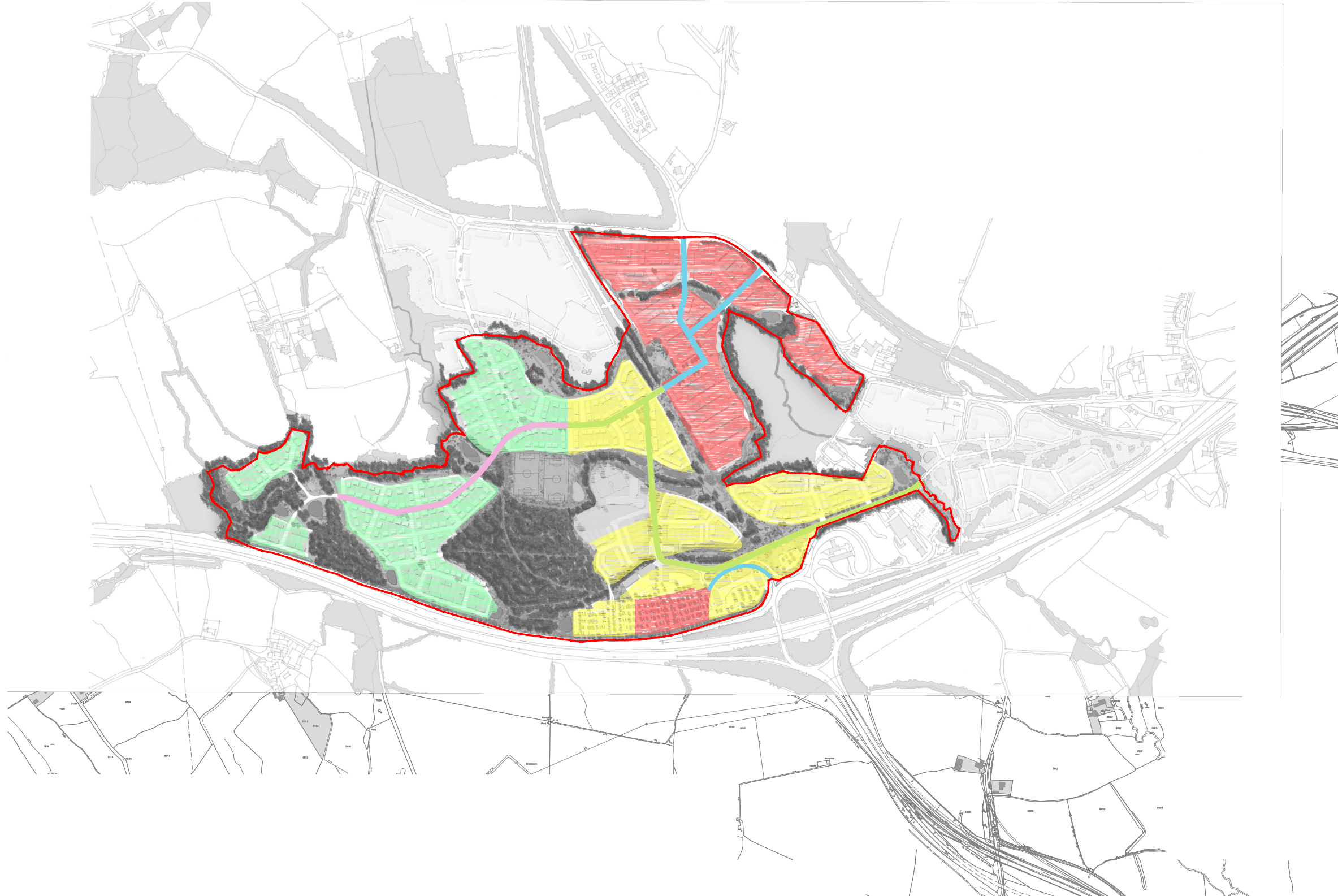
Phase 3

Infrastructure:

Phase 1

Phase 2

Phase 3



Project
Westgate Park, Cardiff
Junction 33, M4

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Phasing Plan

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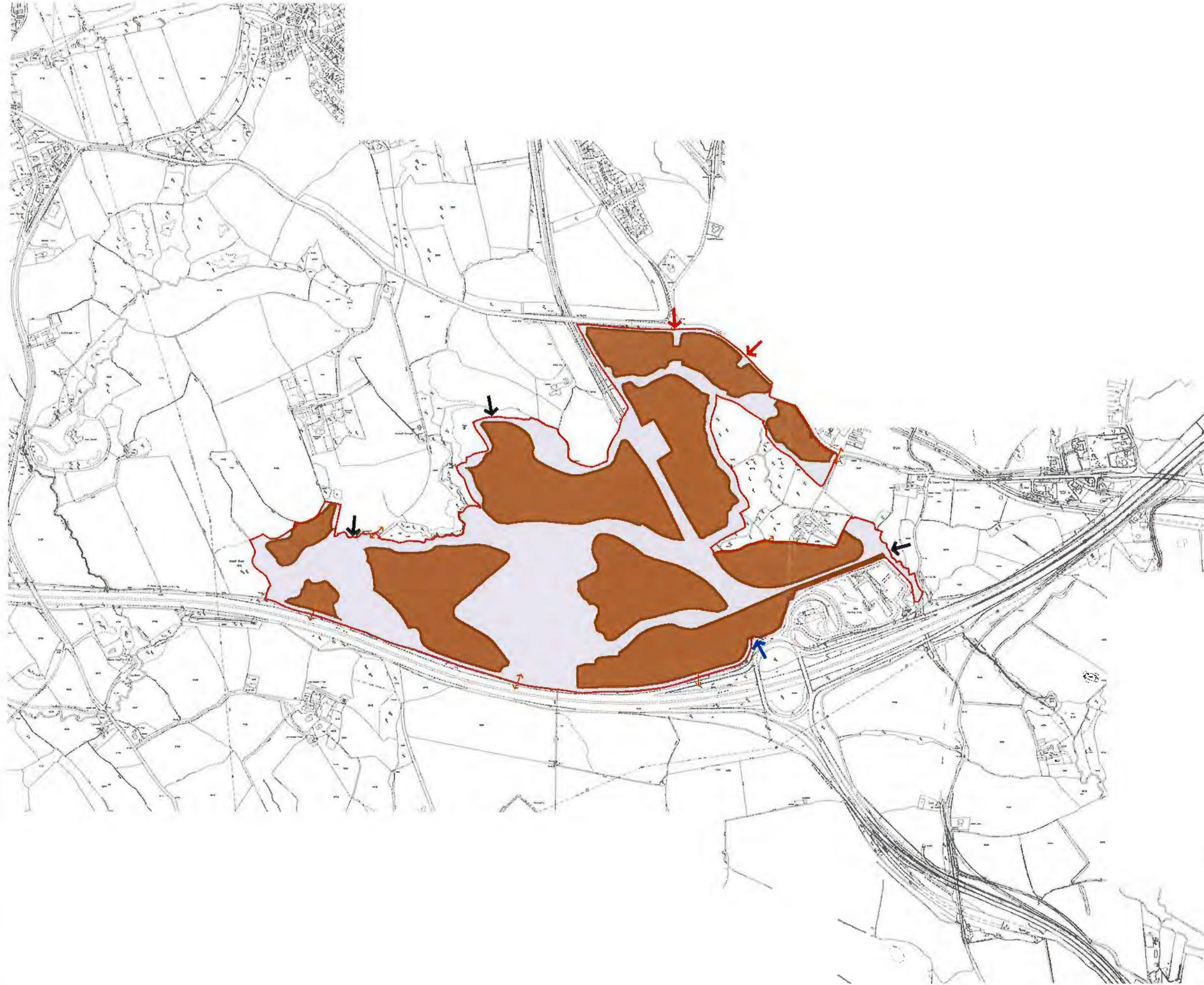
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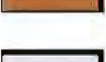
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-  Application Site Boundary
-  Vehicular Access
-  Limited Vehicular Access
-  Existing Pedestrian / Cycle access
-  Future Access Points
-  Development Areas
-  Non - Development Areas
(including open space and road crossings)

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Project
Junction 33
WestGate, Cardiff







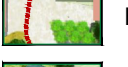
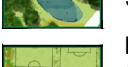
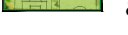

Drawing Title
Development Concept Plan
Figure 3.9

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-  Application Site Boundary
-  Residential areas
-  Indicative location of buildings
-  Employment area
-  Park & Ride facility/Transferium
-  Two form Primary School
-  Local centre/Mixed Use
-  Rapid transit route
-  Sustainable drainage measures
-  Public open space (informal open space, allotments, play areas & sports)



Object
Junction 33
 Westgate, Cardiff

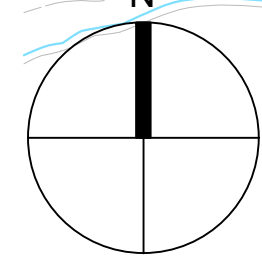
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Indicative Masterplan

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Key:

- Application Site Boundary
- Proposed Woodland (PW1 and WM6. See plant schedule)
- Proposed Development (layout subject to Reserved Matters)
- Indicative Road Infrastructure and Landscape Corridor (A combination of tree groups, avenues, hedge boundaries and gateway landscape, detail to be developed at Reserved Matters stage.)
- Indicative Proposed Footway/ Cycleway network (based on Vectus Cycling Masterplan)
- Existing Retained Structural Landscape with Root Protection Areas (RPAs) (woodland blocks and hedgerow). Extent illustrated is indicative of canopy spread, based on topographical and arboricultural surveys. RPA zones to be fenced off to allow for natural regeneration and gapping up with additional planting, as appropriate.
- Existing Retained Structural Landscape with Root Protection Areas (RPAs) (individual trees)
- Existing Structural Landscape Lost as a result of Development (excluding Category U trees)
- Proposed Hedgerow (PH1 or PH2 with HT1 and WM5. See plant schedule)
- Indicative Landscape Gateways
- Indicative Attenuation Basin Locations (with Grass Mix WM3 on slopes and WM4 on base. See plant schedule)
- Existing Retained Marshy Grassland
- Existing Scrub Vegetation Principally Retained
- Public Open Space/ Recreation Green Corridor (with Grass Mix WM2 and specimen trees and tree groups.)
- Indicative LEAP Location (See Barton Willmore Plans)
- Indicative NEAP Location (See Barton Willmore Plans)
- Indicative Allotment Locations



Meadow Grass Schedules:

WM2 - FLOWERING LAWN GRASS MIX

Based on Emergate Seeds EL1 Flowering Lawn Mixture. Sow @ 4g/m² to suppliers instructions.

%	BOTANICAL NAME	COMMON NAME	ADDITIONAL INFORMATION
20	Wild Flowers		
2.0	Gallium verum	Lady's Bedstraw	-
1.0	Leontodon alpinus	Rough Hawkbit	-
1.0	Leucanthemum vulgare	Oxeye Daisy	-
4.0	Lotus corniculatus	Birdfoot Trefoil	-
4.0	Primula veris	Cowslip	-
3.0	Prunella vulgaris	Selfheal	-
2.0	Ranunculus acris	Meadow Buttercup	-
2.0	Rumex acetosa	Common Sorrel	-
1.0	Trifolium pratense	Wild Red Clover	-
80	Grasses		
8.0	Agrostis capillaris	Common Bent	-
40.0	Cynosurus cristatus	Crested Dogtail	-
28.0	Festuca rubra	Slender-creeping Red-fescue	-
4.0	Phleum bertolonii	Smaller Cat's-tail	-

WM3 - MEADOW GRASS MIXTURE FOR ATTENUATION BASIN SLOPES

Based on Emergate Seeds EGS Meadow Grass Mixture for Wetlands. Sow @ 5g/m² to suppliers instructions. To be sown with Succisa pratensis (Devil-bit Scabious), to suppliers application rate and instructions.

%	BOTANICAL NAME	COMMON NAME	ADDITIONAL INFORMATION
15.0	Agrostis capillaris	Common Bent	-
6.25	Alphacarpus pratensis	Meadow Foxtail (w)	-
1.25	Anthriscanthum odoratum	Sweet Vernal-grass (w)	-
1.25	Bromo media	Quaking Grass (w)	-
45.0	Cynosurus cristatus	Crested Dogtail	-
1.5	Deschampsia cespitosa	Tufted Hair-grass (w)	-
30.0	Festuca rubra	Slender-creeping Red-fescue	-

WM4 - WILD FLOWER MIXTURE FOR ATTENUATION BASIN BASES

Based on Emergate Seeds EFW Wild Flowers for Ponds Edges. Sow @ 1.5g/m² to suppliers instructions.

%	BOTANICAL NAME	COMMON NAME	ADDITIONAL INFORMATION
5	Achillea ptarmica	Sneezewort	-
10	Angelica sylvestris	Wild Angelica	-
1	Callitha polstris	Marsh Marigold	-
2.5	Eupatorium cannabinum	Hemp Agrimony	-
13	Filipendula ulmaria	Meadow-sweet	-
5	Geum rivale	Water Avers	-
20	Iris pseudacorus	Yellow Iris	-
5	Lotus pedunculatus	Greater Birdfoot Trefoil	-
5	Lycopus europaeus	Cypripwort	-
2.5	Lythrum salicaria	Purple Loosestrife	-
12.5	Ranunculus acris	Meadow Buttercup	-
2.5	Scrophularia auriculata	Water Figwort	-
7.5	Silene flaccidula - (Lychnis flaccidula)	Ragged Robin	-
1	Succisa pratensis	Devil-bit Scabious	-
10.0	Vicia cracca	Tufted Vetch	-

WM5 - HEDGEROW WILDFLOWER MIX

Based on Emergate Seeds EHW Hedgerow Mixture. To be sown along 1m wide verge to both sides of all existing retained and proposed hedgerows. Sow @ 4g/m² to suppliers instructions.

%	BOTANICAL NAME	COMMON NAME	ADDITIONAL INFORMATION
20	Wild Flowers		
0.5	Achillea millefolium	Yarrow	-
1.0	Agrimonia eupatoria	Agrimony	-
1.0	Alliaria petiolata	Garlic Mustard	-
0.6	Campanula trachelium	Nettle-leaved Bellflower	-
2.0	Centaurea nigra	Common Knapsweed	-
0.5	Cinopodium vulgare	Wild Basil	-
1.5	Geum mulligo	Hedge Bedstraw	-
2.0	Geum urbanum	Wood Avers	-
1.5	Leucanthemum vulgare	Oxeye Daisy	-
0.5	Plantago lanceolata	Ribwort Plantain	-
0.5	Leucanthemum vulgare	Oxeye Daisy	-
0.5	Primula veris	Cowslip	-
2.0	Prunella vulgaris	Selfheal	-
2.0	Silene dioica	Red Campion	-
1.0	Silene latifolia	White Campion	-
2.0	Stachys sylvatica	Hedge Woundwort	-
1.0	Tortia japonica	Upright Hedge-parsley	-
1.0	Vicia cracca	Tufted Vetch	-
80	Grasses		
5.0	Agrostis capillaris	Common Bent	-
2.0	Anthriscanthum odoratum	Sweet Vernal-grass	-
6.0	Brachypodium sylvaticum	False Brome	-
30.0	Cynosurus cristatus	Crested Dogtail	-
1.0	Deschampsia cespitosa	Tufted Hair-grass	-
26.0	Festuca rubra	Slender-creeping Red-fescue	-
10.0	Poa nemoralis	Wood Meadow-grass	-

WM6 - WOODLAND WILDFLOWER MIX

Based on Emergate Seeds EW1 Woodland Mixture. Sow @ 4g/m² to suppliers instructions.

%	BOTANICAL NAME	COMMON NAME	ADDITIONAL INFORMATION
20	Wild Flowers		
3.0	Alliaria petiolata	Garlic Mustard	-
0.5	Allium ursinum	Ramsons	-
0.6	Campanula trachelium	Nettle-leaved Bellflower	-
1.0	Digitalis purpurea	Foxglove	-
1.0	Filipendula ulmaria	Meadow-sweet	-
2.0	Geum mulligo	Hedge Bedstraw	-
3.5	Geum urbanum	Wood Avers	-
1.0	Hypochaeris non-scripta	Bluebell	-
0.5	Hypericum perforatum	Perforate St John's Wort	-
0.2	Lychnis flaccidula	Ragged Robin	-
0.2	Primula vulgaris	Primrose	-
2.0	Prunella vulgaris	Selfheal	-
2.5	Silene dioica	Red Campion	-
1.0	Stachys officinalis	Betony	-
2.0	Stachys sylvatica	Hedge Woundwort	-
1.0	Teucrium scorodonia	Wood Sage	-
80	Grasses		
5.0	Agrostis capillaris	Common Bent	-
2.0	Anthriscanthum odoratum	Sweet Vernal-grass	-
6.0	Brachypodium sylvaticum	False Brome	-
30.0	Cynosurus cristatus	Crested Dogtail	-
1.0	Deschampsia cespitosa	Tufted Hair-grass	-
26.0	Festuca rubra	Slender-creeping Red-fescue	-
10.0	Poa nemoralis	Wood Meadow-grass	-

Plant Schedules:

PW1 - PROPOSED WOODLAND MIX

Planted randomly at 1 per 5m² in groups of 5 to 10 of a single species, avoid planting in grids or straight lines.

%	BOTANICAL NAME	COMMON NAME	ADDITIONAL INFORMATION
10	Acer campestre	Field Maple	1+1 Transplant
10	Corylus avellana	Common Hazel	1+2 Transplant
15	Fraxinus excelsior	Common Ash	1+1 Transplant
5	Ilex aquifolium	Common Holly	3 Litre Pot Grown
10	Prunus avium	Wild Cherry	1.4m Feathered
35	Quercus robur	Common Oak	1.4m Feathered
5	Salix caprea	Goat Willow	3 Litre Pot Grown
5	Sambucus nigra	Common Elder	1+1 Transplant
5	Taxus baccata	Common Yew	3 Litre Pot Grown

PH1 - HEDGEROW MIX 1

Planted 6 per linear metre in a double staggered row in groups of 3 or 7 of a single species. **MM3 Hedgerow Meadow Mixture** to be sown along 1m wide verge to both sides of all proposed hedgerows.

%	BOTANICAL NAME	COMMON NAME	ADDITIONAL INFORMATION
5	Cornus sanguinea	Common Dogwood	1+1 Transplant
15	Corylus avellana	Common Hazel	1+2 Transplant
50	Crataegus monogyna	Common Hawthorn	1+2 Transplant
2.5	Lonicera periclymenum	Common Honeysuckle	2 Litre Pot Grown
20	Prunus spinosa	Blackthorn	1+2 Transplant
2.5	Rosa canina	Dog Rose	1+1 Transplant
5	Viburnum opulus	Guelder Rose	1+1 Transplant

PH2 - HEDGEROW MIX 2

Planted 6 per linear metre in a double staggered row in groups of 3 or 7 of a single species. **MM3 Hedgerow Meadow Mixture** to be sown along 1m wide verge to both sides of all proposed hedgerows.

%	BOTANICAL NAME	COMMON NAME	ADDITIONAL INFORMATION
10	Cornus sanguinea	Common Dogwood	1+1 Transplant
10	Corylus avellana	Common Hazel	1+2 Transplant
60	Crataegus monogyna	Common Hawthorn	1+2 Transplant
5	Ligustrum vulgare	Common Privet	3 Litre Pot Grown
2.5	Lonicera periclymenum	Common Honeysuckle	2 Litre Pot Grown
5	Malus sylvestris	Wild Apple	1+2 Transplant
2.5	Rosa canina	Dog Rose	1+1 Transplant
5	Viburnum lantana	Guelder Rose	1+1 Transplant

HT1 - HEDGEROW TREES

Species to be planted as mixed sizes ranging from 200-250cm Feathers to 18-20cm Extra Heavy Standards, rootballed or container grown. To be planted at a typical rate of 1 tree per 10 linear metres.

BOTANICAL NAME	COMMON NAME	ADDITIONAL INFORMATION
Acer campestre	Field Maple	-
Ahies glutinosa	Alder	-
Fraxinus excelsior	Ash	-
Prunus avium	Wild Cherry	-
Malus sylvestris	Crab Apple	-
Quercus robur	Pendunculate Oak	-
Tilia cordata	Small-leaved Lime	-

ST1 - TYPICAL SPECIMEN/ AVENUE TREES

Species to be planted as mixed sizes ranging from 200-250cm Feathers to 25-30cm Extra Heavy Standards, rootballed or container grown.

BOTANICAL NAME	COMMON NAME	ADDITIONAL INFORMATION
Quercus robur	Pendunculate Oak	-
Tilia cordata	Small-leaved Lime	-
Fagus sylvatica	Beech	-
Acer campestre	Field Maple	-
Carpinus betulus	Hornbeam	-
Pinus sylvestris	Scotts Pine	-
Castanea sativa	Sweet Chestnut	-
Acer x Freemannii 'Autumn Blaze'	Maple	-
Fraxinus angustifolia var.	Ash	-
Prunus avium	Wild Cherry	-
Liquidambar styraciflua	Sweet Gum	-
Malus spp.	Crab Apple	-
Ahies spp.	Alder	-
Salix spp.	Willow	-
Populus spp.	Poplar	-

- Notes:**
- This plan illustrates the strategic retained, removed and proposed landscape features as assessed within relevant ES chapters
 - The illustrated strategic landscape excludes the landscape structure within development phases, which would be subject to Reserved Matters design and application
 - Road, cycle and footway networks and drainage/ attenuation features illustrated on this drawing are indicative and would be subject to Reserved Matters design and application.
 - Please refer to 'Illustrative Green Infrastructure Principles Diagrams' (Figure G101-G113)

L	09.08.18	Amendment to G1 Figures references	EL
K	03.08.18	Additional dimensions and key notes added. Note added re. treatment of	EL
J	22.01.18	Update to landscape strategy	EL
I	22.01.18	Amendment to landscape strategy	EL
H	12.12.17	Amendment to landscape strategy	EL
G	12.12.17	Amendment to landscape strategy	EL
F	08.12.17	Amendment to landscape strategy	EL
E	19.11.17	Amendment to landscape strategy	EL
D	23.03.17	Amendment to landscape strategy	EL
C	28.03.17	Amendment to landscape strategy	EL
B	19.02.17	Amendment to landscape strategy	EL
A	24.01.17	Amendment to landscape strategy	EL
Rev.	Date	Comment	Drawn



Client: Persimmon Homes

Project: Junction 33 Development

Drawing Title: Green Infrastructure Plan (Strategic Landscape Framework Plan)

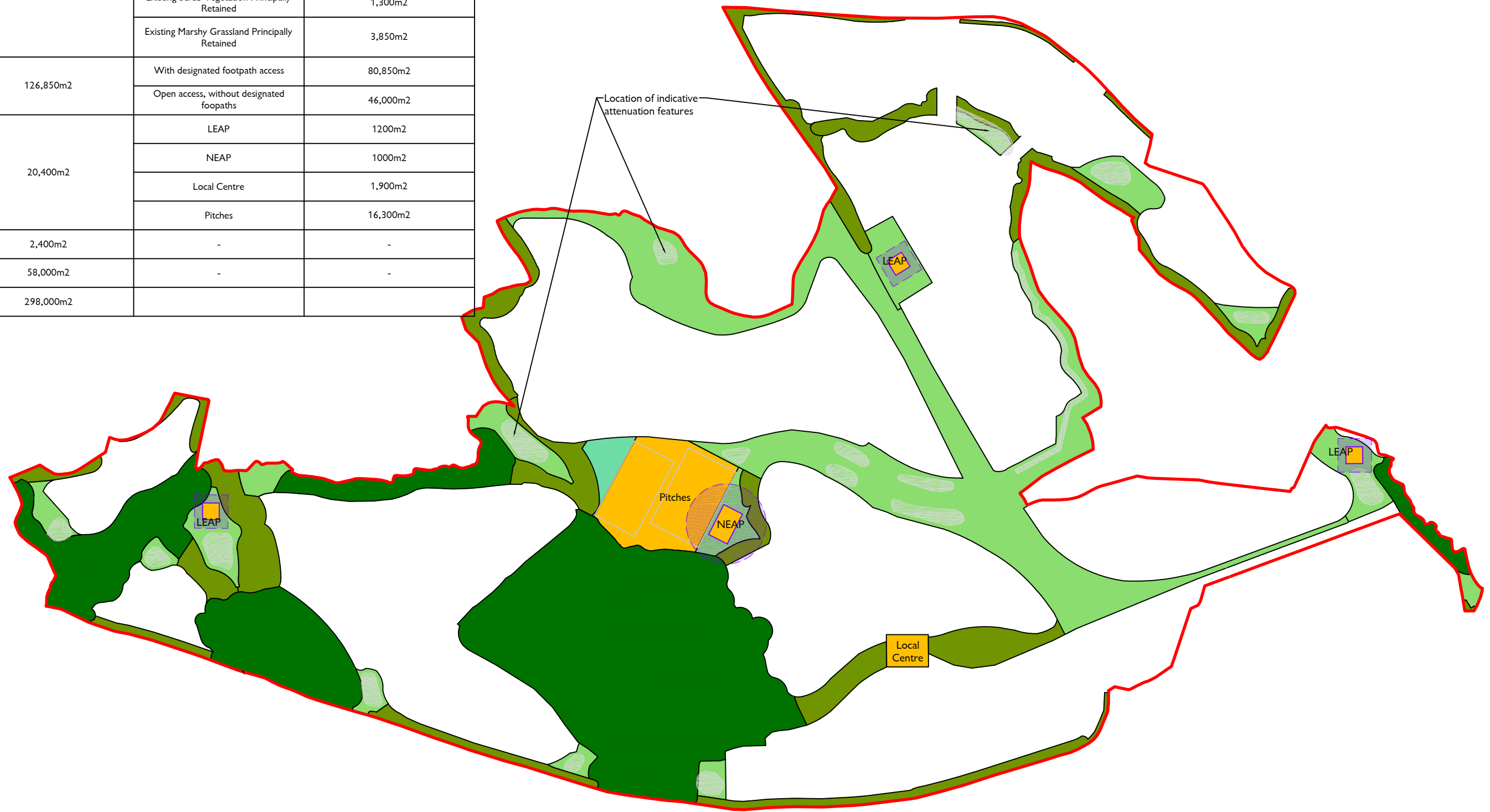
Scale: 1:2000 @ A0

Revision: L

Date: Feb 2014

Drawing No: 1348501/P/GA/003

Indicative Typology Area Measurements			
Multi-functional GreenInfrastructure Type	Total Area (approx.)	Measured Sub-type	Measured sub-type Area (approx.)
Semi natural/ multi-functional open space	90,350m ²	Accessible green spaces and corridors (including retained and proposed landscape)	68,950m ²
		Attenuation 'basins'/ run off storage (shallow, mostly dry)	15,600m ²
		Attenuation 'basins'/ run off storage (mostly wet)	650m ²
		Existing Scrub Vegetation Principally Retained	1,300m ²
		Existing Marshy Grassland Principally Retained	3,850m ²
Recreational woodland	126,850m ²	With designated footpath access	80,850m ²
		Open access, without designated footpaths	46,000m ²
Central Sports and Play	20,400m ²	LEAP	1200m ²
		NEAP	1000m ²
		Local Centre	1,900m ²
		Pitches	16,300m ²
Allotments	2,400m ²	-	-
Structural landscape framework/ visual setting	58,000m ²	-	-
APPROXIMATE TOTAL:	298,000m²		



Key:
 Application Site Boundary

Green Infrastructure Typology

The key components of the site propose a multi-functional Green Infrastructure asset itemised below. This excludes Green Infrastructure within development parcels, such as street scenes, local scale green spaces, school grounds and private gardens. The following key itemises Green Infrastructure, albeit the collective dynamic mix of elements provides the main multifunctional benefits to the overall development.

- Semi natural/ multi-functional open space
- Central Sports and Play, plus Local Centre

- Recreational Woodland (with and without designated footpath access)
- Allotments
- Structural landscape / Visual setting
- LEAP/NEAP Activity Area

B	03.08.15	Amendment to Typology Categorisation	ES
A	03.08.15	General Revisions	CL
*	22.07.15	First issue	ES
Rev.	Date	Comment	Drawn

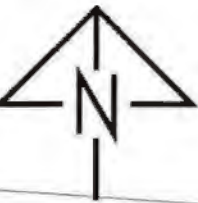
o client/project	o drawing		
Persimmon Homes	Multi-functional Green Infrastructure Typology		
Junction 33 Development			
o drawing no.	o revision	o scale	o date
1348501/P/S/005	B	NTS @ A3	July 2015
		o drawn	
		ES	

soltysbrewster
CONSULTING

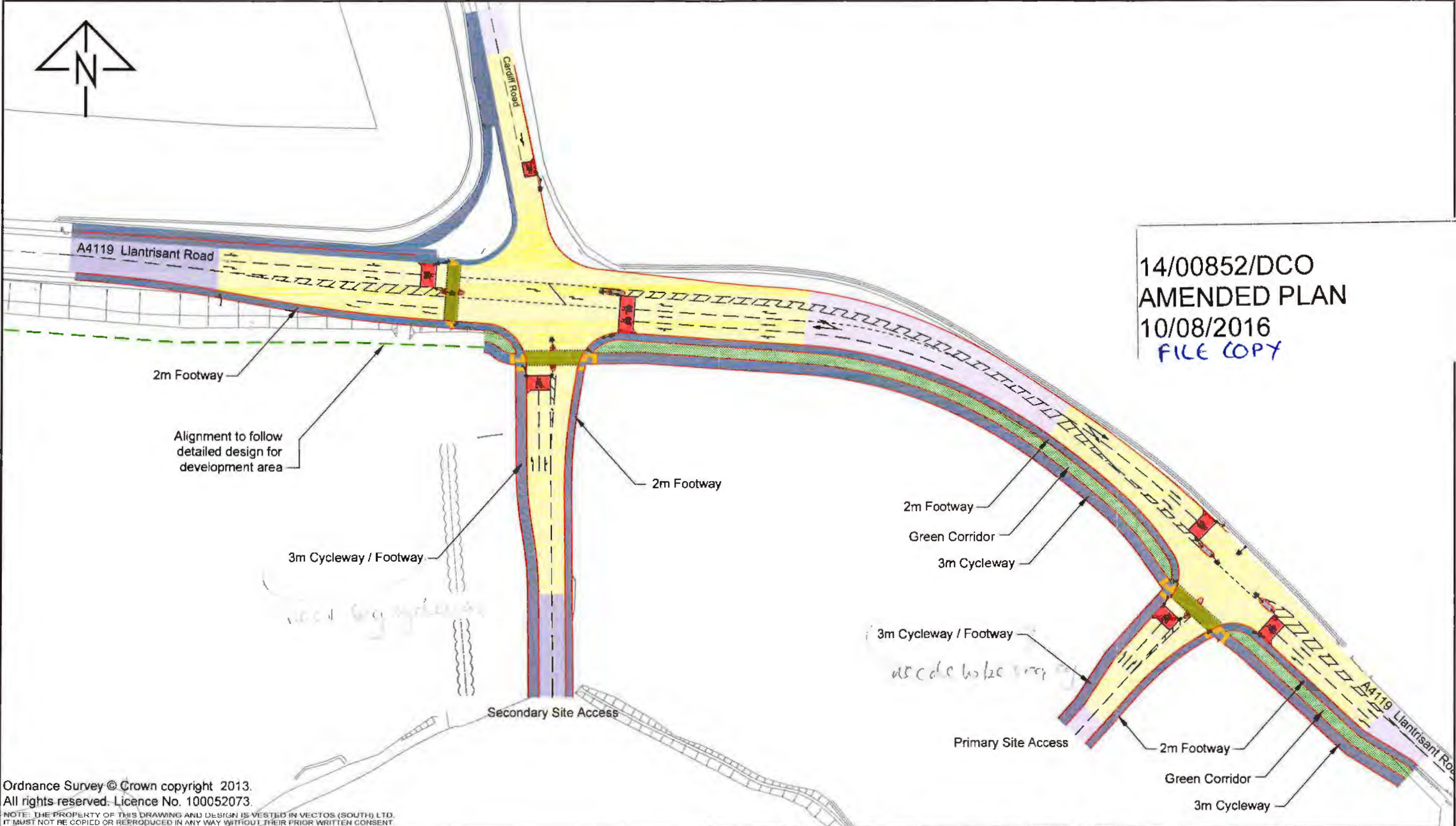
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14/00852/DCO
 AMENDED PLAN
 10/08/2016
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REV	DETAILS	DRAWN	CHECKED	DATE
A	Cycleway shown indicative	AP	CMP	08.08.16

Notes:

- This is not a construction drawing and is intended for illustrative purposes only.
- White lining and signal heads are shown as indicative only.

Legend:

--- Indicative Alignment of 3m Cycleway

M4 JUNCTION 33

A4119 Llantrisant Road
Signalised Junction Arrangement
Alternative Alignment

DRAWN: AP CHECKED: CMP DATE: 02.03.16 SCALES: 1:1000 at A3

Persimmon

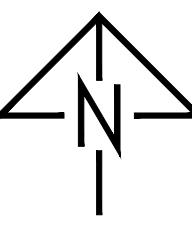
10th Floor, Helmont House, Churchill Way, Cardiff CF10 2HE
 t: 02920 720 860 e: enquiries@vectos.co.uk

DRAWING NUMBER: **W131169/SK/24** REVISION: **A**

Llantrisant Road

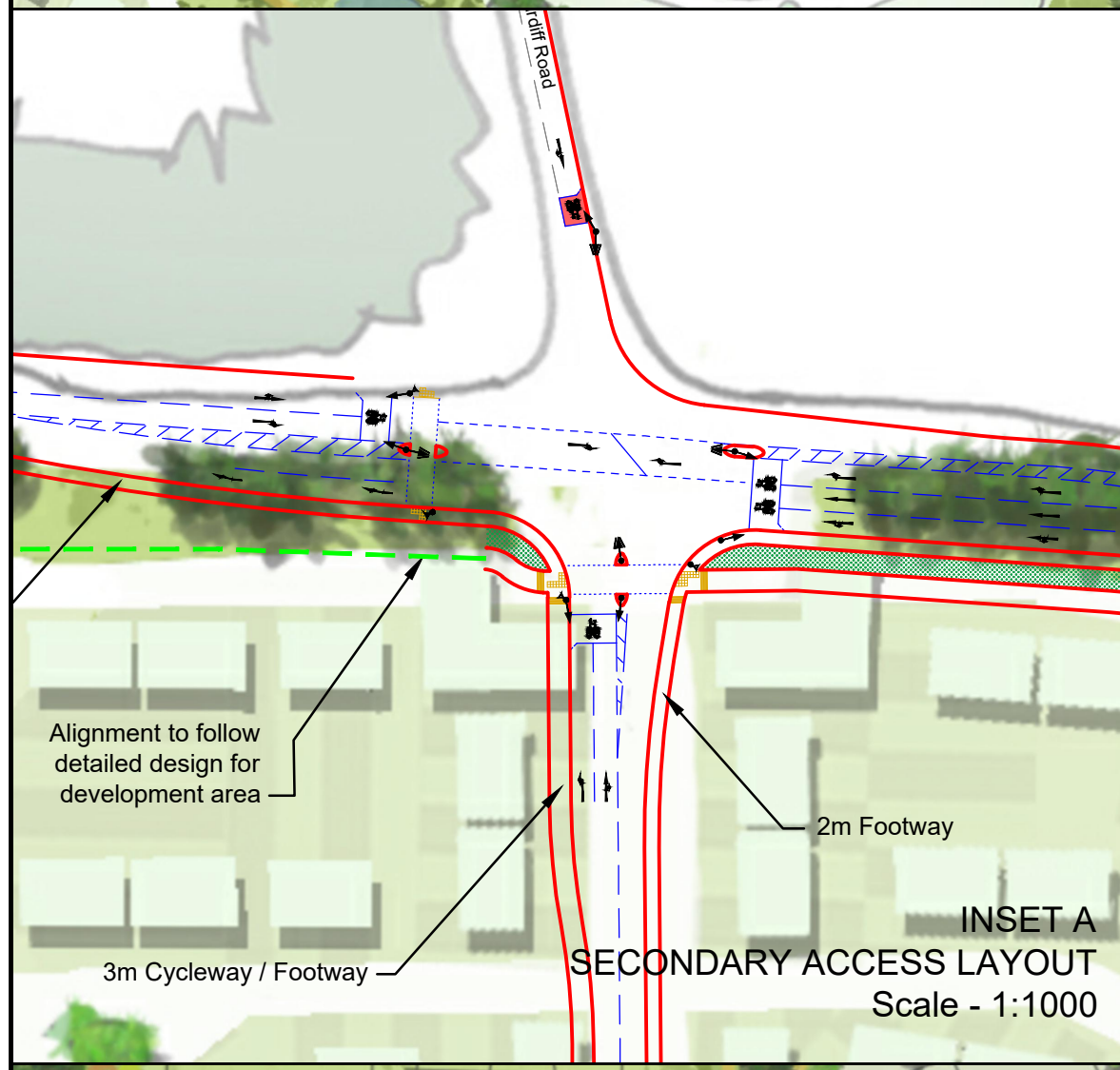
LlwynIdl

Creigiau Nurseries



SEE INSET B

SEE INSET A



Chapel Llanilltarn

M4

Service Area

BUS GATE

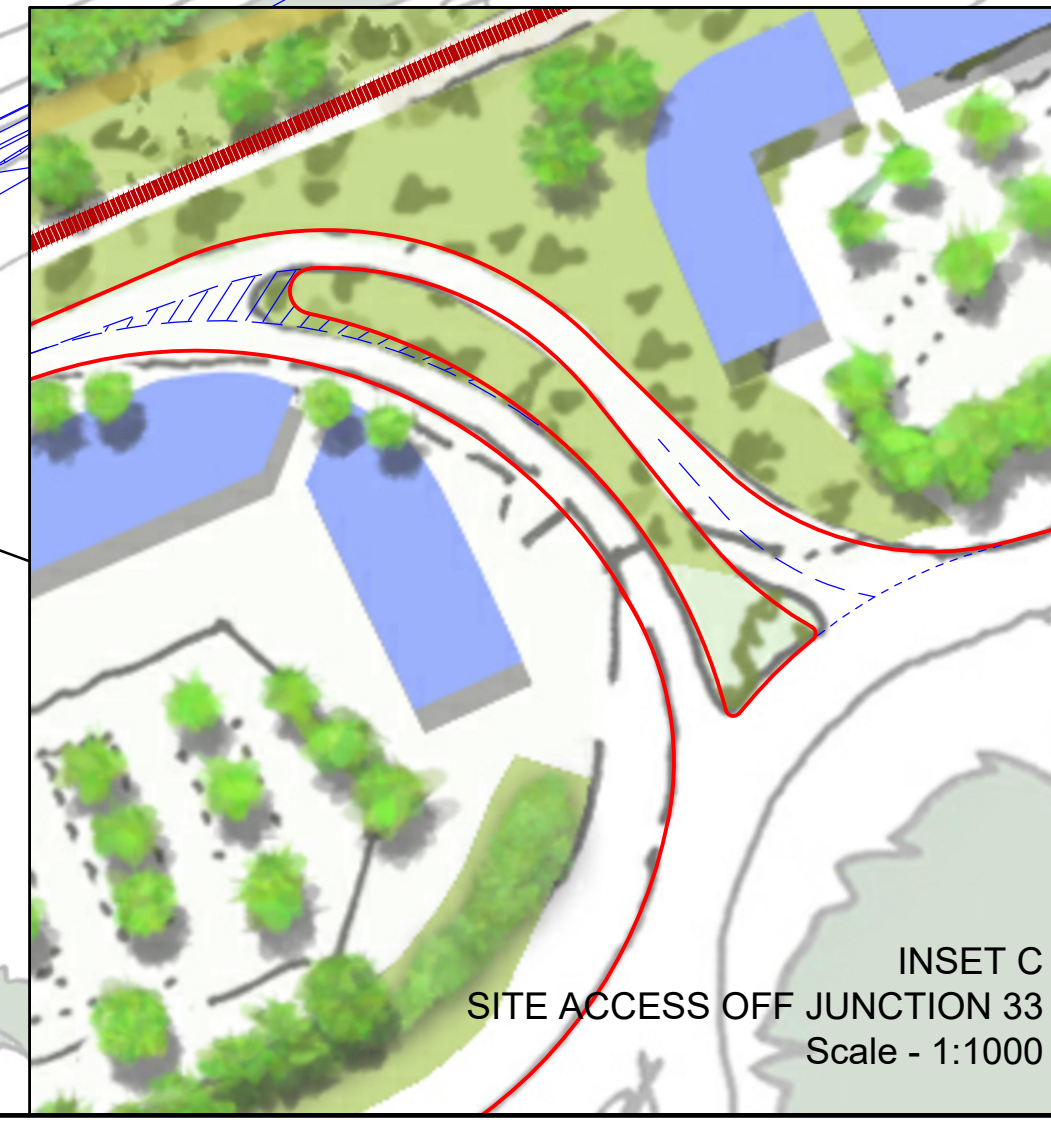
CARRIAGEWAY NARROWING

SEE INSET C

Junction 33

M4

BUS GATE



Notes:
1. This is not a construction drawing and is intended for illustrative purposes only.
2. White lining is indicative only.

I	Llantrisant Road Access Junctions Updated to SK24 Rev A	AP	CMP	9.8.16
H	Reassigned Cardiff Rd/Llantrisant Road junc and P&R changes to tie in with Masterplan.	VE	CR	3.2.15
G	Masterplan image and revised Junctions on Llantrisant Road added.	VE	CR	30.1.15
F	Inset C added.	VE	CR	1.4.14
E	Reloaded OS/Topo base with new scheme (27.3.14).	VE	CR	28.3.14
D	New scheme base.	VE	CR	27.3.14
C	Western roundabout moved to suit Masterplan (Inset A).	VE	TB	20.2.14
B	New scheme base.	VE	TB	18.2.14
A	WG/Jacobs Junction 33 layout added.	VE	TB	13.2.14

REV: DETAILS DRAWN CHECKED DATE

CLIENT: Persimmon

PROJECT: J33

DRAWING TITLE: Masterplan showing Proposed Vehicular Access Points

SCALES: 1:2000 at A1

DRAWN: HE CHECKED: TB DATE: 5.2.14



10th Floor, Helmont House, Churchill Way, Cardiff CF10 2HE
t: 02920 720 860 e: enquiries@vectoros.co.uk

DRAWING NUMBER: W131169/B/04 REVISION: 1

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COMMITTEE DATE: 08/02/2017

APPLICATION No. **15/01198/MNR** APPLICATION DATE: 21/05/2015

ED: **RIVERSIDE**

APP: TYPE: Full Planning Permission

APPLICANT: Fish at 85

LOCATION: FISH AT 85, 85 PONTCANNA STREET, PONTCANNA,
CARDIFF, CF11 9HS

PROPOSAL: RETROSPECTIVE CHANGE OF USE FROM CLASS A1
RETAIL TO A USE COMPRISING CLASS A1 RETAIL/CLASS
A3 RESTAURANT WITH ASSOCIATED EXTRACTION AND
VENTILATION EQUIPMENT

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

1. Within two months of the date of this planning approval details of the fume extraction system shall be submitted for the written approval of the Local Planning Authority. Within two months of the scheme being approved in writing the approved details shall be implemented on site and thereafter maintained and retained whilst the premises is used for the cooking of food.
Reason: To ensure the amenities of the adjoining neighbours area in accordance with policies KP5, EN13, R5 of the adopted Cardiff Local Development Plan (2006-2016).
2. Within two months of the date of this planning approval, details of a bin storage area shall be submitted for the written approval of the Local Planning Authority. Within two months of the scheme being approved in writing the approved details shall be implemented on site and shall thereafter be retained and maintained.
Reason : To ensure the amenities of the adjoining neighbours in accordance with policies KP5, EN13, R5 of the adopted Cardiff Local Development Plan (2006-2016).
3. Members of the public shall be admitted to or allowed to remain on the premises only between the hours of 07:00 and 22:00 on any day
Reason: To ensure the amenity of occupiers of other premises in the vicinity are protected area in accordance with policies KP5, EN13, R5 of the adopted Cardiff Local Development Plan (2006-2016).
4. The rating level of the noise emitted from fixed plant and equipment on the site shall not exceed -10db from the existing background noise level at the nearest noise sensitive premises, when measured and corrected in accordance with BS 4142: 2014 (or any British Standard amending or superseding that standard).

Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected in accordance with policies KP5, EN13, R5 of the adopted Cardiff Local Development Plan (2006-2016).

5. The premises shall only be used as an A1 retail unit or as a mixed use A3 (restaurant, cafe or coffee shop) / A1 (retail) and for no other purpose (including any other purpose in Use Class A3 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 amending, revoking or re-enacting that Order).

Reason : Permission is granted only because of the characteristics peculiar to this proposal. Other uses within Use Class A3 could prejudice the amenities of the area in accordance with policies KP5, EN13, R5 of the adopted Cardiff Local Development Plan (2006-2016).

6. Within six months of this approval the existing first floor kitchen shall cease its use and shall be relocated to the ground floor as shown on plan received on 24th January 2017.

Reason: To ensure the amenities of the adjoining neighbours are protected in accordance with policies KP5, EN13 of the adopted Cardiff Local Development Plan (2006-2016).

1. **DESCRIPTION OF PROPOSED DEVELOPMENT**

- 1.1 Retrospective planning permission is sought to retain a mixed use fish mongers / restaurant. Whilst the originally submitted application also included an element of wholesale sales of fish from the premises this has now been removed from the scheme (this element of the business is now undertaken from Pontyclun), and the applicant is now proposing to relocate the kitchen from the first floor.
- 1.2 The kitchen is currently located on the first floor of the premises with deliveries undertaken to the front (Pontcanna Street) and waste collected from the rear (Mortimer Road).
- 1.3 The business has been operating for a number of years

2. **DESCRIPTION OF SITE**

- 2.1 The application site is a mid-terrace commercial property within a block of other commercial properties. The commercial element of the terrace are located on the ground floor, some of which contain flats above. The commercial block is surrounded by residential properties. The application site benefits from rear lane access
- 2.2 The site is located within the Cathedral Road Local Centre and within the Cathedral Road Conservation Area.

3. **SITE HISTORY**

- 3.1 88/02233/W – Installation of flue- approved (in conjunction with the coffee use)
- 3.2 27640- Café & shop – withdrawn (1966) as it would appear that the building was already in use for that purpose.

4. **POLICY FRAMEWORK**

- 4.1 Planning Policy Wales Edition 9 (2016)
- 4.2 Technical Advice Note (TAN): 4 (Retailing and Town Centres), 23 (Economic Development)
- 4.2 The Cardiff Local Development Plan 2006-2026 provides the local planning policy framework. Relevant policies include:
 - KP5: Good Quality and Sustainable Design
 - R5: (Local Centres)

 - EN13 Air, Noise, Light Pollution and Land contamination
- 4.2 Supplementary Planning Guidance: Access, Circulation and Parking (January, 2010)
 - Supplementary Planning Guidance: Waste and Collection and Storage Facilities (2016)

5. **INTERNAL CONSULTEE RESPONSES**

- 5.1 The Operational Manager, Transportation raises no objections.
- 5.2 Pollution Control: As the proposal has now removed the retail whole sale element and the applicant is willing to relocate the kitchen to the ground floor the Council's Pollution Control now removes it objection but request conditions in relation to opening hours and for details of a suitable fume extraction.

6. **EXTERNAL CONSULTEE RESPONSES**

- 6.1 Nil

7. **REPRESENTATIONS**

- 7.1 Local members have been notified of the application and no comments have been received.
- 7.2 The application was advertised by site notice. Adjoining neighbours were notified. Representations have been received from Coach House R/O 1 Mortimer Road, CIBO Restaurant at 83 & the owner of 81 Pontcanna Street, 1 Mortimer Road, 73 Plasturton Gardens, 35 Severn Grove all object on the

following grounds:

- The noise and smell from the extraction system is unacceptable
- The smell of fish is unacceptable in this location;
- The storage and collection of waste has resulted in vermin and raw fish on the rear lane and road.
- The applicant has been washing his vans clean of raw fish on the public road;
- The parking of vans has caused traffic disruption within the area.
- No.83 had a similar planning application for a 1st floor kitchen refused on residential amenity grounds
- Early morning deliveries/operation harm the amenities of the surrounding residential properties.

7.3 A 51 signature petition has also been received which raises objection to the wholesale retail element of the application. Not all those who have signed the petition are directly affected by the proposal and therefore the lead petitioner is unable to address the Committee.

8. **ANALYSIS**

8.1 The key issues are considered to be Land Use, impact upon the adjoining neighbours, deliveries, waste.

8.2 **Land Use**

The site is located within the Cathedral Road Local Centre. Policy R5 of the adopted Local Development Plan supports applications for A1 (shops) or those that support the shopping role of the centre. The policy does state, inter alia, that Local Centres are generally more residential in nature than District Centres and do not have the scale or variety of retail and non-retail uses but the policy also states that at ground floor level, only professional and financial (A2) offices with a shop front will be acceptable, provided they do not cause unacceptable harm to the vitality, and viability of the centre. In relation to A3 uses more emphasis will be placed on closing times, and the type of premises.

The proposal relates to the retention of a mixed use which involves the produce of fish. The selling of fish to the public i.e. a fish mongers, is acceptable as it would be an A1 use that accords with policy. It should also be noted that a previous A1 use operated from the premises. The use of the premises as a restaurant A3 use is also considered acceptable, given that there are other restaurants within the Local Centre and given the mix of uses within the Local Centre, this proposal is considered to not, therefore, undermine the shopping role. The removal of the wholesale distribution of fish from the operation and relocation of the kitchen is welcomed by officers.

8.3 **Impact Upon the Adjoining Neighbours**

The adjoining properties at Pontcanna Street are commercial on the ground floor with residential above. To the rear is Mortimer Road which is outside the Local Centre and is residential in nature.

Pontcanna Street

- 8.4 Concern has been raised in relation to the noise and smell from the fume extraction flue system and the general smell of fish. In terms of the flue; officers believe that the existing system is not appropriate for this site and needs replacing. The agent and applicant are aware of this but have not provided the necessary details. However, to address this concerns a condition has been imposed, (condition 1) which will require the submission and agreement of modified details and implementation. It is considered that an acceptable fume extraction system would reduce the odour and noise to a level which could be considered consistent with the commercial nature of the centre, and should overcome the complaints received from neighbours to the Council's Pollution Control Section.
- 8.5 The general odour of fish is not a matter that can be controlled by the planning system. However, other powers do exist through Statutory Nuisance Legislation. The Council's Food Hygiene Section have made a number of visits to this site (some of which have been unannounced) and are satisfied that the odour is not a matter that requires attention.
- 8.6 The objection from the adjoining business and from Pollution Control, in relation to the first kitchen, is noted. However, as the applicant is willing to relocate the kitchen in a manner that would be acceptable to the Council's Pollution Control section and would be in line with the previous decision of the adjoining business it is considered by officers that the proposal will not harm the amenities of the adjoining properties. To ensure compliance, condition 6 has been imposed.

It should also be noted that the hours of operation, in terms of closing, match those of the adjoining restaurant at CIBO 83 Pontcanna Street.

Mortimer Road

- 8.7 Officers note the siting of the residential properties at Mortimer Road and the access of the rear lane and the bin storage facility. It is apparent from the evidence submitted that the management and storage of waste had an effect upon the residential amenities of the adjoining houses. However, following the intervention of the Council's Food Health and Hygiene section, it would appear that the concerns have been overcome. However, to ensure the bin storage would not undermine the amenities that can reasonably be expected a condition has been imposed. In forming this view officers have had regard to residential amenity and position of windows and gardens of adjoining residential properties.

8.8 Transportation

Concern has been raised by objectors that the operation of the premises results in excess parking for delivery vehicles or that they are delivering at unsociable hours.

- 8.9 The site is located within a Local Centre, where there is a reasonable expectation of commercial traffic, delivering to the commercial premises. The

adjoining units do not have any limitations on their delivery times therefore given that the use now before the Council is for an A1/A3 operation imposing delivery hours is considered to be unreasonable. Any obstruction of the public highway is a matter controlled by the Police but it is considered that as the wholesale element of the operation no longer operates from these premises the issues of parking should be improved. It is also noted that the Council's Transportation section raise no objection to this scheme.

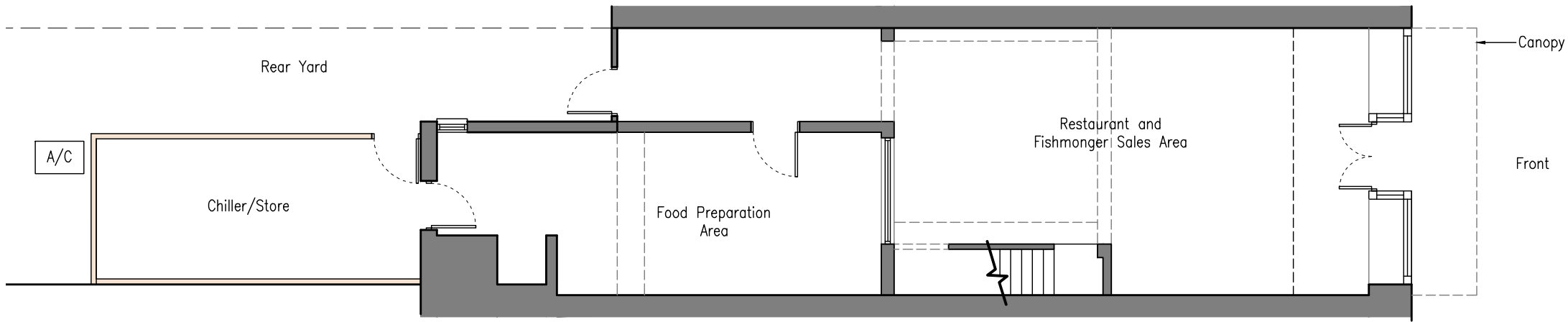
8.10 **Waste**

As mentioned above concern has been raised over the storage and collection of waste. The disposal of raw fish is a controlled material that has to be stored and disposed of in a prescribed manner. The enforcement of these regulations is by the Council's Food Health and Hygiene Section, who have visited the site and have made a number of recommendations to the owner, which included that the waste is stored within a cold storage unit and is collected by a specialised collector. These points have been undertaken by the owner to the satisfaction of the Council's Food Health and Hygiene Section. The only viable access point for the collection of waste is via the rear lane, which is in close proximity to the adjoining resident properties, but it is considered, on balance, acceptable.

The storage of waste can be stored within the rear yard but to ensure the amenities of the adjoining neighbours are protected a condition has been imposed requiring details of waste storage to be submitted and approved by the Local Planning Authority.

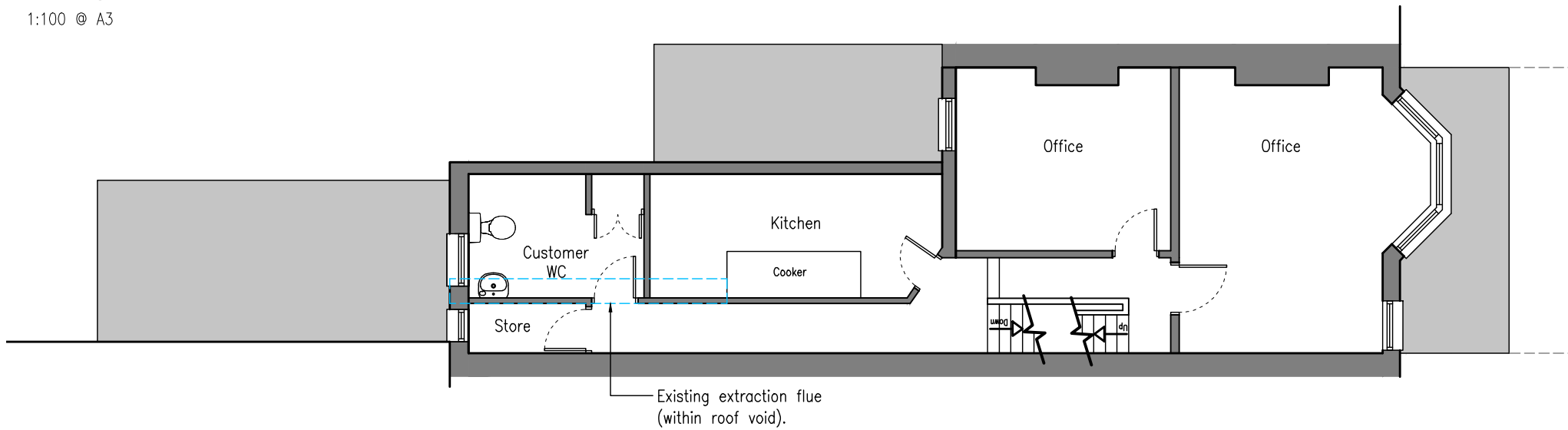
9. **Conclusion**

Having regard to material matters raised and the policy context outlined above, the proposal is considered acceptable and planning permission is recommended for APPROVAL subject to conditions.



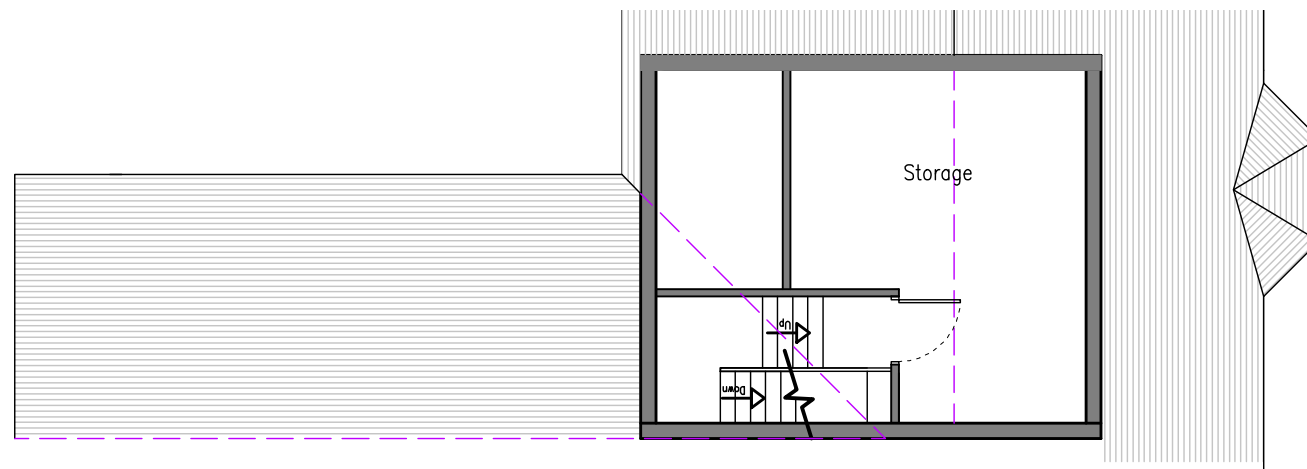
Existing Ground Floor Plan

1:100 @ A3



Existing First Floor Plan

1:100 @ A3



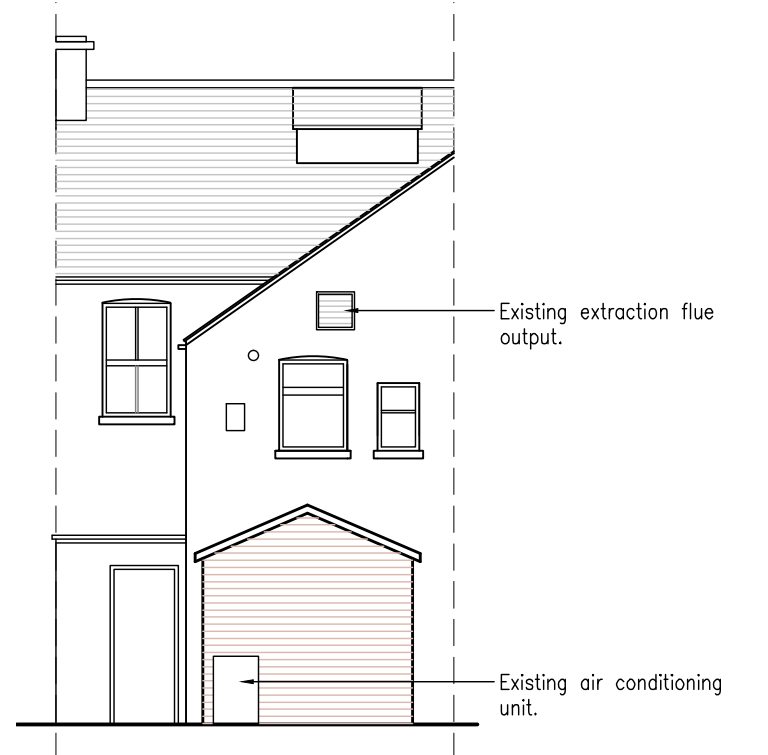
Existing Loft Plan

1:100 @ A3



Site Location Plan

1:2500 @ A3

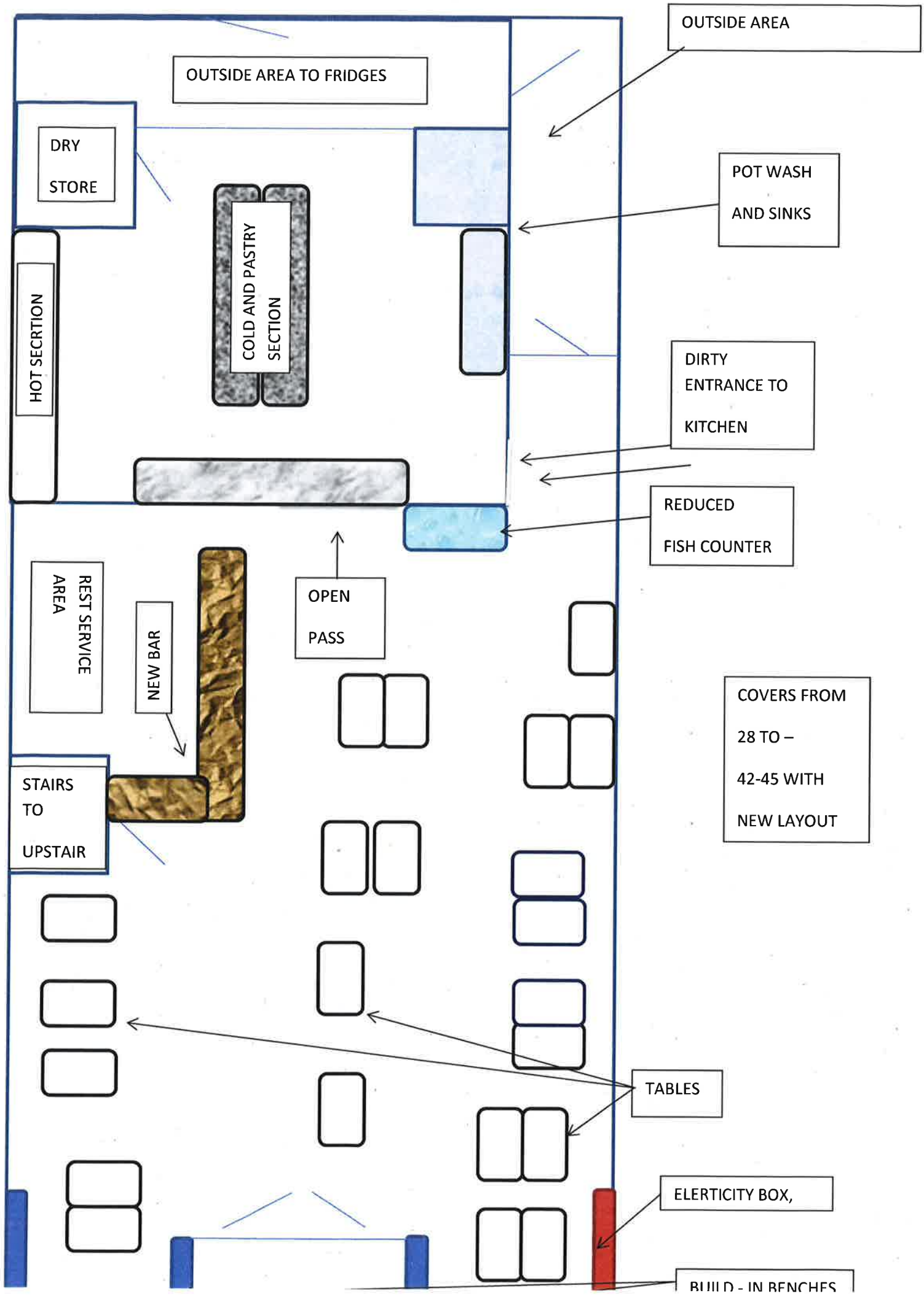


Existing Rear Elevation

1:100 @ A3

<p>Notes:</p> <p>A3 original sheet size</p> <p>Contact HLN regarding terms & conditions, copyrights, CDM, etc. Check printed scale, responsibility is not accepted for reproduction of digital media or measuring from this document. Only figured dimensions to be used for construction. Report doubts/discrepancies to project Architect.</p>	<p>Notes:</p> <p>This feasibility drawing has been produced using an ordnance survey drawing. All boundaries and built locations are subject to full measured topographical survey. All service routes and locations are subject to confirmation by approved statutory body/subscon survey. All proposed design work is subject to full consultation with LA planning and Highways.</p> <p>This original drawing is issued for the purpose indicated and contains confidential information. Further copies and circulation will be strictly in accordance with the confidentiality agreement with hirarchitects.</p> <p>Safety Health & Environmental (SHE) Notes are for informing competent persons of significant risks or design issues, relevant to their area of work, which may be unusual or not obvious, or which might be difficult to manage</p>
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<p>Client Mr Kevin Coleman</p>	<p>Project Fish at 85 85 Pontcanna Street, Cardiff CF11 9HS.</p>	<p>Drawing Title Existing Floor Plans.</p>
<p>Drawing Status PLANNING</p>	<p>Scale 1:100 @ A3</p>	<p>Date 10-03-15</p>
<p>HLN Architects Ltd 3rd Floor, 14 Cathedral Road, Cardiff, CF11 9LJ</p>	<p>Drawn By TF</p>	<p>Checked XXX</p>
<p>Tel:0845 375 3298 architecture@hingroup.co.uk www.hingroup.co.uk</p>	<p>Job No: XXXX</p>	<p>Drawing No. (20) 100</p>
<p>RIBA Chartered Practice</p>	<p>CARDIFF <input type="checkbox"/> REDDITCH <input type="checkbox"/> LONDON <input type="checkbox"/></p>	<p>HLN ARCHITECTURE + ENGINEERING</p>



OUTSIDE AREA

OUTSIDE AREA TO FRIDGES

DRY STORE

POT WASH AND SINKS

HOT SECTION

COLD AND PASTRY SECTION

DIRTY ENTRANCE TO KITCHEN

OPEN PASS

REDUCED FISH COUNTER

REST SERVICE AREA

NEW BAR

OPEN PASS

COVERS FROM 28 TO - 42-45 WITH NEW LAYOUT

STAIRS TO UPSTAIR

TABLES

ELECTRICITY BOX,

BUILD-IN BENCHES

PETITION & AM CONCERN

COMMITTEE DATE: 08/02/2017

APPLICATION No. **16/00711/MJR** APPLICATION DATE: 30/03/2016ED: **LLANISHEN**

APP: TYPE: Full Planning Permission

APPLICANT: Waterstone Homes Ltd

LOCATION: LAND AT LLANISHEN RUGBY CLUB, USK ROAD,
LLANISHEN, CARDIFF, CF14 0NNPROPOSAL: DEVELOPMENT OF 25 HOUSES AND ASSOCIATED
INFRASTRUCTURE

RECOMMENDATION 1 : That, subject to relevant parties agreeing with the Council to provide a 3G floodlit sports pitch and changing rooms at Llanishen Highschool; and 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 section 9 of this report, that planning permission be **GRANTED** subject to the following conditions:

1. C01 Statutory Time Limit
2. Permission is granted for the development detailed on drawing references:
 - 2174/100 Rev A Site Plan
 - 2174/101 Rev E Site Layout
 - 2174 – 205 – 01 House Type AF 2B
 - 2174 – 205 – 02 House Type AF 4P2V,AF5P3B, AF64B
 - 2174 – 200 – 01 Rev B House Type A
 - 2174 – 200 – 01 Rev A House Type B
 - 2174 – 202 – 01 Rev A House Type C
 - 2174 – 203 – 01 Rev A House Type D
 - 2174 – 206 – 01 Rev A House Type F
 - 2174 – 207 – 01 Rev A House Type G
 - 2174 – 208 – 01 Garage

Reason: The drawing form part of the application and for the avoidance of doubt.

3. The develop shall be finished in accordance with a palette of external finishing materials, samples of which having first been submitted to and approved by the Local Planning Authority in writing.

Reason: To ensure for an appropriate finished appearance to the development.

4. No development shall take place until details of facilities for the storage of refuse containers have been submitted to and approved by the Local Planning Authority and the development shall not be put into beneficial use until the approved facilities are provided and thereafter refuse shall only be stored in accordance with the approved details.

Each property will require facilities to accommodate the following recycling and waste containers:

- 1 x 140 litre bin for general waste
- 1 x 25 litre kerbside caddy for food waste
- Green bags for mixed recycling (equivalent to 140 litres)

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

5. No development shall take place until detailed plans showing the position and form of construction of all roads and footpaths within the site and the method of disposal of all surface water drainage therefrom, and final finishes have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure an orderly form of development and to make provision for the satisfactory access to any dwelling by the future occupants.

6. The development shall be provided with a scheme of site enclosure in accordance with details which shall first have been submitted to and approved by the Local Planning Authority in writing the means of site enclosure shall be constructed in accordance with the approved details prior to the development being put into beneficial use.

Reason: To ensure that the amenities of the area are protected.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order amending, revoking, or re-enacting that Order) No hard surfaces, buildings, or enclosures, structures, platforms, swimming or other pools, or excavations required for any purpose incidental to the enjoyment of any dwelling house as such, shall be erected, constructed or placed under the canopy spread of any trees located within the Gwern y Bendy woodland which over sale the garden area of the dwelling houses hereby approved without first obtaining planning permission from the Local Planning Authority.

Reason: The Woodland is of Nature Conservation Importance and such otherwise permitted developments may by virtue of design, loading or physical interference with the root structures of trees compromise the health and longevity of the trees which form the woodland.

8. No dwelling shall be occupied until that part of the road and footpath which provides access to it and all surface water drainage works for the said road have been laid out, constructed and completed in accordance with the approved plans.
Reason: To ensure an orderly form of development and to make provision for satisfactory access to the dwelling by the future occupants.
9. Prior to first beneficial occupation of any dwelling, the footpath link from the site to Rheidol Close, shall be provided in accordance with a scheme of detail which shall first have been submitted to and approved in writing by the local planning authority.
Reason: To maintain and improve pedestrian access to the site and linkages with Llanishen train station.
10. Prior to first beneficial occupation of any dwelling, the footpath link from the site to Rhyd y penau park shall be provided in accordance with a scheme of detail which shall first have been submitted to and approved in writing by the local planning authority.
Reason: To maintain and improve pedestrian access to public open space in the locality.
11. Prior to first beneficial occupation, the development and footpath linkages shall be provided with a scheme of lighting, details of which shall first have been submitted to and approved in writing by the local planning authority.
Reason To ensure for a safe and environment.
12. No trees shall be pruned, lopped or felled between the months of March and September unless specifically authorised by the local planning authority Ecologist.
Reason: To ensure that such works would not affect nesting birds.
13. The car parking spaces and garage provision shall be laid out / completed prior to the beneficial occupation of the dwelling houses which they serve and shall thereafter be retained and maintained for the parking of vehicles.
Reason: To allow sufficient provision for the parking of vehicles clear of the highway and to provide appropriate facilities for the safe, covered storage of cycles.
14. Prior to the commencement of development, a construction management plan providing full details of construction traffic routes, contractor parking, delivery protocols, dust suppressions, noise mitigation, wheel washing facilities, site enclosures, site security and other such features as are proposed to minimise interference with, and maintenance of the safe and convenient free flow of traffic along the highway and protection of neighbouring amenity, and addressing fully, recognised site access constraints, shall be submitted to and approved

by the local planning authority in writing.

Reason: To ensure for an orderly form of development with least impact on existing residents in the area.

15. No development shall be commenced until such time as an Arboricultural Method Statement, Tree Protection Plan, and finalised Landscaping Scheme have been submitted to and approved in writing by the local planning authority. The landscaping specification should be informed by a Soil Resource Survey and Plan prepared in accordance with the latest approved DEFRA Code of Practice and Guidance Notes The Landscaping plan shall provide full details of both hard and soft landscape works including proposed finished levels, hard surfacing materials, permeable paving and other permeable surfaces, loose finishes, proposed and existing functional services above and below ground, planting plans (noting schedules of plants, species, plant sizes and proposed numbers/densities) topsoil and subsoil specification, tree pit sections and plan views, planting methodology and aftercare methodology. The aftercare methodology should include details of long-term management for the proposed buffer zones.

These works shall be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme agreed in writing by the Local Planning Authority.

Reason : To maintain and improve the appearance of the area and in the interests of visual amenity and to ensure for best practice in respect of tree preservation and landscaping of the site in a manner which will have best potential to secure the establishment and longevity of the scheme.

16. All trees shown for retention shall be preserved and maintained and in the event of any such tree dying, being removed, becoming seriously damaged or diseased within 5 years of the completion of the development a replacement tree of a similar species shall be planted and maintained unless the Local Planning Authority gives written consent to any variation.

Reason: The trees are of value in the local environment and should be protected and maintained in the interests of visual amenity, development screening and to maintain and enhance opportunity for biodiversity in the immediate area.

17. Notwithstanding the approved layout plan, the landscaping proposals shall include for the incorporation of the miscellaneous verges currently shown outside of the boundary walls of properties, to be included within the curtilage boundaries.

Reason: To ensure such areas fall within the obvious ownership and responsibility of home owners or tenants.

18. No development shall commence until a drainage scheme for the site has been submitted to and approved in writing by the local planning

authority in writing. The scheme shall provide for the disposal of foul, surface and land water, and include an assessment of the potential to dispose of surface and land water by sustainable means. Thereafter the scheme shall be implemented in full in accordance with the approved details prior to the occupation of the development and no further foul water, surface water and land drainage shall be allowed to connect directly or indirectly with the public sewerage system.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

19. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order amending, revoking, or re-enacting that Order) no gate, fence, wall or other means of enclosure or access shall be erected, constructed or made along the northern and eastern boundaries of the site with the Gwern y bendy Woodland or Llanishen Reservoir without first obtaining planning permission from the local planning authority.

Reason: The formation of an access or unregulated means of enclosure along those boundaries would likely adversely affect the nature conservation value of adjacent land and visual appearance of the development .

20. 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.

21. 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.

22. 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.

23. 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 : 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;
- (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 3 : 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 4 : Works to adopted highways would need to be approved by means of section 278/38 agreement as appropriate. The technical specification of the proposed shared surface access road will require detailed consideration.

RECOMMENDATION 5 : The applicant be advised that they 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

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.

Only foul water from the development site shall be allowed discharge to the public sewerage system and this discharge shall be made between manhole reference number ST18814601 and ST18814501 as indicated on the extract of the Sewerage Network Plan attached to this decision notice.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

A water supply can be made available to serve this proposed development. The developer may be required to contribute, under Sections 40 - 41 of the Water Industry Act 1991, towards the provision of new off-site and/or on-site water mains and associated infrastructure. The level of contribution can be calculated upon receipt of detailed site layout plans which should be sent to the address above.

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

To prevent pollution of the SSSI and the water environment, we recommend relevant Pollution Prevention Guidelines are followed during construction. Pollution Prevention Guidelines are available from NetRegs.

RECOMMENDATION 6 : On first beneficial occupation, the applicant is encouraged to provide new residents with a sustainable travel pack, including details of all local public transport services, walking and cycling routes and local shopping and community facilities in order to promote travel by sustainable transport modes.

RECOMMENDATION 7 : Prior to the commencement of development, the developer shall notify the local planning authority of the commencement of development , and shall display a site notice and plan on, or near the site, in accordance with the requirements of Article 12 of the Town & Country Planning (Development Management Procedure)(Wales)(Amendment) Order 2016.

1. **DESCRIPTION OF DEVELOPMENT**

- 1.1 Planning Permission is sought for the redevelopment of the site of the Llanishen Rugby Club ground (A private members sports ground) accessed

from the Corner of Usk Road and Towy Road. In Llanishen for housing.

- 1.2 The scheme has been developed over the course of the application and plans and amended to revision 'E' which now indicate proposals for 25 units in total; comprising 14 detached, 8 semi-detached and one terrace of 3 properties, including 5 No. 'affordable' houses in accordance with Council Policy.
- 1.3 The scheme would also include for the provision of an extension to the Usk Grove highway and for the provision of a shared space access road to serve the new houses.

2. **DESCRIPTION OF THE SITE**

- 2.1 The site of the existing pitch is roughly rectangular but the site also includes for a lesser irregular plot of land to the NW. The site is approximately 1.2 hectares and is accessed from a SW corner position at the junction of Usk Road and Towy Road. It is currently maintained and used as a rugby pitch and the irregular area to the NW for ancillary car parking.
- 2.2 To the western boundary, the irregular area of land is defined by the rear garden boundaries of properties in Rheidol Close, the rear of a large garage building with flatted accommodation at upper level in Usk Grove, and the rear boundary of No 43 Usk Road, being one of 12 houses built by Waterstone Homes, on the grounds of the rugby club's former practice pitch, which are accessed from Usk Grove, a new highway serving the development and the rugby pitch car park. Planning Approval for this development was granted on appeal.
- 2.3 The site is enclosed with a wooded area to the north (designated TPO) (designated SINIC), a belt of trees along its eastern boundary which along with a metal palisade fence separates it from the Llanishen Reservoir (designated SINIC), Further to the east, the reservoir embankments are designated as a Listed Building and a SSSI; but the application site itself has no designated status. To the south, the side and rear garden of No. 14 Towy Road is currently being developed to provide for three additional dwellings.
- 2.4 The rugby pitch is included within the boundary of the Nant Fawr River Corridor within the Adopted LDP, However it is physically separated from it by the aforementioned palisade fence and the Nant Fawr in this location is in the demise of Welsh Water; Canalised where it parallels the Llanishen reservoir and is not discernable above ground for the length of the application site because it has additionally been culverted in this area.
- 2.5 As a maintained sports pitch, the land is relatively flat and manicured. The adjacent irregular piece of land is maintained as a hard surface for car and coach parking. The pitch and car park are privately owned and are not ordinarily accessible to members of the general public. The site is enclosed with a weldmesh fence and gates.

- 2.6 The very extreme NE and SE corners of the site are indicated within the C2 Flood Zone on the NRW Development Advice Map.
- 2.7 A Sewer runs approximately 4m parallel to the Northern boundary of the site.
- 2.8 An attenuating sewer is located under the Usk Grove Carraigeway.
- 2.9 A proposed footpath link is indicated to the NE and SW corners of the site.

3. **SITE HISTORY**

- 3.1 There have been no previous proposals made in respect of the development of the land.

Planning Permission 10/01768 approved six floodlights to the rugby pitch in November 2010.

- 3.2 Related History

The existing and adjacent Waterstone Homes development was considered under planning application 08/00849/E and was recommended for approval by the planning officer in March 2008, but was refused by planning committee in October 2008 who considered that the development resulted in a loss of open space, however the application was subsequently allowed on appeal in Sept 2009.

Planning Permission 13/02699/DCO approved 3x No. Dwelling houses in the rear garden of 14 Towy Road in August 2014.

- 3.3 Other Material Considerations

16/01209/MJR Planning Permission for an Artificial Pitch and changing room facility at Llanishen High school. Granted January 2017

4. **POLICY FRAMEWORK**

Planning Policy Wales Edition 8, January 2016

WG Technical Advice Notes

TAN 1:	Joint Housing Land Availability Studies (2006)
TAN 2:	Planning and Affordable Housing (2006)
TAN 5:	Nature Conservation and Planning (2009)
TAN 10:	Tree Preservation Orders (1997)
TAN 11:	Noise (1997)
TAN 12:	Design (2009)
TAN 15:	Development and Flood Risk (2004)
TAN 16:	Sport, Recreation and Open Space (2009)
TAN 18:	Transport (2007)
TAN 21:	Waste (2001)

Welsh Office Circular

11/99: Environmental Impact Assessment 30/06/99
16/94: Planning Out Crime 25/02/94

Cardiff Local Development Plan 2006-2026 (Adopted January 2016)

KP5: GOOD QUALITY AND SUSTAINABLE DESIGN
KP6: NEW INFRASTRUCTURE
KP7: PLANNING OBLIGATIONS
KP8: SUSTAINABLE TRANSPORT
KP9: RESPONDING TO EVIDENCED ECONOMIC NEEDS
KP12: WASTE
KP13: RESPONDING TO EVIDENCED SOCIAL NEEDS
KP14: HEALTHY LIVING
KP15: CLIMATE CHANGE
KP16: GREEN INFRASTRUCTURE
H3: AFFORDABLE HOUSING
EN3: LANDSCAPE PROTECTION
EN4: RIVER CORRIDORS
EN5: DESIGNATED SITES
EN6: ECOLOGICAL NETWORKS AND FEATURES OF IMPORTANCE FOR BIODIVERSITY
EN7: PRIORITY HABITATS AND SPECIES
EN8: TREES, WOODLANDS AND HEDGEROWS
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
T8: STRATEGIC RECREATIONAL ROUTES
C1: COMMUNITY FACILITIES
C4: PROTECTION OF OPEN SPACE
C5: PROVISION FOR OPEN SPACE, OUTDOOR RECREATION, CHILDREN'S PLAY AND SPORT
C6: HEALTH
W2: PROVISION FOR WASTE MANAGEMENT FACILITIES IN DEVELOPMENT

Other Material Considerations

Section 149 Equality Act 2010

Supplementary Planning Guidance [Supplementary to former Development Plans but also National Planning Guidance]

Access, Circulation and Parking Standards Jan 2010

Affordable Housing Mar 07

Biodiversity Part 1 - Approved June 2011

Biodiversity Part 2 - Approved June 2011
Community Facilities and Residential Development Mar 07
Developer Contributions for Transport Jan 2010
Householder Design Guide Mar 07
Infill Sites Design Guide April 2011
Open Space Mar 08 including May 2011 update to Section 106 Baseline
Contribution Figure
Residential Design Guide Mar 08
Trees and Development Mar 07
Waste Collection & Storage Facilities Mar 07

Supplementary Planning Guidance [Supplementary to LDP]
Waste January 2017

Note Supplementary Planning Guidance relating to Planning Obligations and Residential Design Guide 2017 may be adopted and replace previously adopted SPG on these topics by the time planning committee debate this item.

Other Material Considerations

16/01209/MJR Planning Permission for an Artificial Pitch and changing room facility at Llanishen High school. Granted January 2017

5. **INTERNAL CONSULTEE RESPONSES**

5.1 **Placemaking**

The garages and parking spaces associated with Plots 20, 22, 23 and 25 would be better relocated to the other side of the dwellings in order that the dwellings themselves form the dominant features within the street scene

The parking provision associated with plots 15, 16 and 17 would be highly prominent within the street scene. A reduction in the amount of parking associated with these dwelling might therefore be considered.

The provision of high quality and robust landscaping in this area would be expected in order to soften the aesthetic of the area.

A change in the finishing materials within the parking bays should also be considered in order to break up the extent of tarmac.

Details should be provided of the landscaping treatment proposed within the open space opposite plot 21. It is important that this space would be useable and not just left over space after planning. The future management and maintenance of the space should also be considered.

The provision of a footpath link between the site and what appears to be Rheidol Close (to the west of Plot 14) is welcomed as this would allow more direct pedestrian access to Llanishen railway station and therefore improve the sustainability credentials of the scheme.

It is unclear where the footpath link indicated between the dwellings proposed in plots 3 and 4 would lead. If this allows access to the recreational open space to the south of the site it would be supported provided it would be overlooked by the dwellings in plots 3 and 4.

Consideration would be expected to be given to ensuring that both of the above mentioned footpath links are appropriately lit.

5.2 Traffic and Transportation

The Transport Officer's observations will be reported at Committee.

The Transport officer has previously confirmed that there is no objection to the principle of the residential development of the land, subject to the following provisos, conditions and S106 undertakings:

The development is confirmed to be in easy reach of a number of sustainable transport modes in respect of a principal bus route on Fidas Road; Train services accessed via Llanishen railway station; and walking and cycling routes through local parkland and should therefore accord with the approved parking guidelines in terms of minimum/maximum off street car parking provision.

Convenience shopping and services are also noted in Llanishen Village and at Rhyd y penau crossroads a short distance away, and supermarket provision exists within approximately 1 mile of the site. As such there should be no need to access local services by car.

In support of a sustainable transport agenda, It would be an expectation that the development would provide for a new shelter and bus border at the City inbound stop on Fidas Road near the junction of Usk Road. This could be achieved via a number of alternative mechanisms ranging from a financial transport contribution, to installation of the shelter and border by the developer and would be a matter controlled by condition or legal agreement.

The junctions of Fidas Road as an arterial route, and Usk Road and Ewenny Road as lesser roads are noted to be right angled, and although subject to a short double yellow line traffic order, are noted to realise manoeuvring difficulties for drivers accessing or egressing the roads. Given that the new development will increase car usage at these junctions it is considered appropriate to require the applicant to reimburse the Council for any necessary modification of the traffic orders considered necessary to reduce the potential for vehicle conflict.

It is considered that a financial contribution of a maximum of £40,000 would cover the cost of such works and that this, or the undertaking of the works themselves to the satisfaction of the highway officer, should be secured by S106 agreement.

Standard conditions would apply in respect of the housing development to

secure cycle and car parking provision; a construction management plan with particular reference to site access constraints; provision of a sustainable travel pack for new residents; and for post development repair of any carriageway surfaces or adopted kerbing as might be damaged as a result of construction traffic.

Works to adopted highways would need to be approved by means of section 278/38 agreement as appropriate. The technical specification of the proposed shared surface access road will require detailed consideration.

5.3 **Housing**

This scheme would generate a need for 20% on site affordable housing (5 units), and all of the units delivered as affordable rented tenure. The developer has identified a mix of units below, and this is acceptable on the basis of transfer to a Registered Social Landlord (RSL) at currently agreed transfer costs :

3 x 2 bed houses
1 x 3 bed house
1 x 4 bed house

All of the units would need to be built to Welsh Government DQR standards, and units will be allocated from the Common Waiting List.

For clarification, if there are any roads or public open space/realm/green infrastructure within the site that will not be adopted (ie privately managed), then neither the RSL nor their tenants will be able to make additional contributions to the management of these aspects of the scheme. The price to be paid by an RSL to acquire the properties relates solely to the purchase of the completed affordable units, including finishes to the external garden/communal space within property curtilages.

Low cost home ownership will not be accepted on this site.

5.4 **Trees**

The amended scheme represents a marginal improvement on the previous in that fence lines will be offset from the site boundary and the gap between the fence line and site boundary will be planted with native species, to provide a 'buffer'.

Substantive changes have not been made to the layout to allow for a full ecotone, and as such I fear that nuisance problems will be an issue at this site and result in requests for unsuitable pruning and felling of trees, and a reduced quality of life for residents.

Should you be minded to recommend approval of this development, I recommend attachment of conditions requiring the submission of an

Arboricultural Method Statement and Tree Protection Plan, and finalised landscaping scheme comprising scaled planting plan, plant schedule, topsoil and subsoil specification, tree pit section and plan views, planting methodology and aftercare methodology. The aftercare methodology should include details of long-term management for buffer zones. The landscaping specification should be informed by a Soil Resource Survey and Plan prepared in accordance with the 2009 DEFRA Code. C4R or similar should be applied to require replacement of any failed planting.

5.5 Pollution Control Noise Air and Light Pollution

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.

5.6 Pollution Control Contaminated Land

Should there be any importation of soils to develop the garden/landscaped areas of the development, or any site won recycled material, or materials imported as part of the construction of the development, then it must be demonstrated that they are suitable for the end use. This is to prevent the introduction or recycling of materials containing chemical or other potential contaminants which may give rise to potential risks to human health and the environment for the proposed end use.

No objection is raised to the proposals subject to the imposition of conditions relating to contaminated land measures – unforeseen contamination; imported soils; imported aggregates and use of site won materials together with a contamination and unstable land advisory notice.

5.7 Parks

Design Comments

My main concern on the scheme relates to the proximity of houses to the woodland along the northern boundary and the line of trees along the eastern boundary. Experience from many years of maintenance has shown that siting houses too close to mature trees, whether in woodland or individual trees, leads to ongoing problems with shading, complaints about trees growing over gardens, and the need for frequent pruning. Plot no 8 looks to have a particular issue with trees overgrowing on two sides and in some cases directly adjacent to the house.

On most sites with woodland the Council look to avoid this by creating a 15m wide ecotone. It is clear from the DAS that attempts have been made to reduce the impact by lengthening gardens and creating a wide flower margin, although I'm not clear of the width of this and what protection it will receive if within gardens. The woodland and trees don't appear to be in Council ownership.

The other query relates to the proposed footpath in the North West and south east corners and land adjacent to it. It's not clear from the plan who would be responsible for maintaining it. There also seem to be a number of other areas of miscellaneous verge outside the boundary walls of properties eg adjacent 1, 22 and 23, 20 and 25, and 18 / 19 where ownership and responsibility for maintenance also needs to be clearly designated as these areas outside gardens often become unkempt, with nobody knowing who has responsibility.

Open Space Provision

These comments relate to the Supplementary Planning Guidance for Open Space 2008

The Council's Supplementary Planning Guidance - Open Space requires provision of a satisfactory level and standard of open space on all new housing/student developments, or an off-site contribution towards existing open space for smaller scale developments where new on-site provision is not applicable.

Based on the information provided on the number and type of units, I have calculated an open space requirement of **0.154 ha** based on the criteria set for Housing accommodation.

As very little public open space is being provided on-site, the developers will be required to make a financial contribution towards the provision of open space off-site, or the improvement (including design and maintenance) of existing open space in the locality. Based on the above assessment the contribution payable will be **£64,752**.

In the event that the Council is minded to approve the application, I assume it will be necessary for the applicant and the Council to enter into a Section 106 Agreement to secure payment of the contribution.

Information on the open space projects reasonably related to the development, to which the contribution will be allocated, will be provided for inclusion within the Section 106 Agreement. This would involve local consultation with various parties and be subject to Member approval.

5.8 **Regeneration**

The proposals would need to accord with Supplementary Planning Guidance on the provision of Community Facilities.

Contributions are sought from proposed residential developments containing

25 or more new dwellings. It is considered that a development of this size would increase the demand on local community facilities beyond their existing or planned capacity and / or where existing facilities are of an unsatisfactory standard and would require further investment to make suitable for use.

The current SPG calculator would require a financial contribution of **£29,007** toward the provision or enhancement of community facilities in the area

5.9 Waste

Each property will require the following for recycling and waste collections:

- 1 x 140 litre bin for general waste
- 1 x 25 litre kerbside caddy for food waste
- Green bags for mixed recycling (equivalent to 140 litres)

The storage of which must be sensitively integrated into the design. Current site plans give no details with respect to the proposed storage location for waste. Please amend site plans to show the proposed storage areas.

It is preferable for the bins to be stored within the rear gardens. If this is not possible, the bins can be stored at the front of the property, but must be screened from view of the highway.

Please advise the owner/applicant that since 27th July 2015, 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.

The kitchens 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.

Please ensure the road surfacing is strong enough to withstand the weight of the refuse collection vehicles. Surfaces such as block paving, are not suitable as they are prone to subsidence.

Please refer the agent/architect to the Waste Collection and Storage Facilities Supplementary Planning Guidance for further relevant information.

6. **EXTERNAL CONSULTEE RESPONSES**

6.1 **Welsh Water**

We refer to your planning consultation relating to the above site, and we can provide the following comments in respect to the proposed development.

We would request that if you are minded to grant Planning Consent for the above development that the Conditions and Advisory Notes provided below are included within the consent to ensure no detriment to existing residents or the environment and to Dwr Cymru Welsh Water's assets.

SEWERAGE

Conditions

No development shall commence until a drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The scheme shall provide for the disposal of foul, surface and land water, and include an assessment of the potential to dispose of surface and land water by sustainable means. Thereafter the scheme shall be implemented in accordance with the approved details prior to the occupation of the development and no further foul water, surface water and land drainage shall be allowed to connect directly or indirectly with the public sewerage system.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

Advisory

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

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.

Only foul water from the development site shall be allowed discharge to the public sewerage system and this discharge shall be made between manhole reference number ST18814601 and ST18814501 as indicated on the extract of the Sewerage Network Plan attached to this decision notice.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

WATER SUPPLY

Dwr Cymru Welsh Water has no objection to the proposed development.

A water supply can be made available to serve this proposed development. The developer may be required to contribute, under Sections 40 - 41 of the Water Industry Act 1991, towards the provision of new off-site and/or on-site water mains and associated infrastructure. The level of contribution can be

calculated upon receipt of detailed site layout plans which should be sent to the address above.

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

6.2 **Natural Resources Wales**

We do not object to the application as submitted. We provide the following advice in relation to proposal; flood risk management; protected sites and European protected species.

Flood Risk Management

The application site lies partially within Zone C2, as defined by the Development Advice Map (DAM) referred to under Technical Advice Note 15: Development and Flood Risk (TAN15) (July 2004). Our Flood Map information, which is updated on a quarterly basis, confirms the site to be within the 1% (1 in 100 years) and 0.1% (1 in 1000 year) fluvial flood outlines of the Nant Fawr, a designated main river.

The submitted site layout plan prepared by Spring Design, Ref: 2174/101, Rev: C, dated Feb 2016, shows there is no built development located within the flood zones. In consideration of this, we have no adverse comments to make from a flood risk perspective.

Please consult us again if the site layout changes and any built development is located within the flood zones.

We recommend you consult your drainage department in their capacity as Lead Local Flood Authority in relation to surface water flooding and drainage.

Protected Sites

The application site is adjacent to Llanishen and Lisvane Reservoir Embankments Site of Special Scientific Interest (SSSI). This SSSI is designated for its grassland fungi feature. Furthermore, the application site is approximately 500m to the south west Lisvane Reservoir SSSI. This SSSI is designated for its overwintering bird feature.

The effect of trampling and dog fouling from unauthorised access to the open space at Llanishen and Lisvane Reservoirs is having a detrimental effect on the grassland fungi features of the Llanishen and Lisvane Reservoir Embankments SSSI.

Discussions between NRW and Welsh Water are underway to consider the potential for managed public access to the site in the future.

We note the majority of the proposed development site is allocated as river corridor (EN4) within your LDP. The SSSIs also form part of the allocated river

corridor. The loss of open recreational space arising from the proposed development, coupled with the likely increase in the number of householders likely to access the open space at Llanishen and Lisvane Reservoirs, has the potential to increase the pressure on the grassland embankments and fungi interest of the Llanishen and Lisvane Reservoirs Embankments SSSI. We consider it would be beneficial to restrict direct access from the development to the SSSI, for example, through fencing.

Advice to Applicant

To prevent pollution of the SSSI and the water environment, we recommend relevant Pollution Prevention Guidelines are followed during construction. Pollution Prevention Guidelines are available from NetRegs.

European Protected Species

We recommend you seek the advice of your in-house ecologist to determine if there is a reasonable likelihood of bats, a European protected species, being present within the application site. If so, in accordance with Technical Advice Note 5: Nature Conservation and Planning (paragraph 6.2.2) a bat survey may be required. The survey should be carried out in accordance with 'Bat Surveys; Good Practice Guidelines 3rd Edition' published by the Bat Conservation Trust 2016. Please consult us again if any survey undertaken finds that bats are present at the site and you require further advice from us.

Other Matters

Our comments above only relate specifically to matters included on our checklist Natural Resources Wales and Planning Consultations (March 2015) which is published on our website. We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests, including environmental interests of local importance. We advise the applicant that, in addition to planning permission, it is their responsibility to ensure they secure all other permits/consents relevant to their development. Please refer to our website for further details.

6.3 Sports Wales

Thank you for sending the consultation letter. I am responding on behalf of Sport Wales and have discussed the plans with Rhodri Edwards from Fields in Trust.

Reference is made to the relevant planning policy in Planning Policy Wales. Paragraph 11.1.12 states that playing fields should be protected except where:

- facilities can best be retained and enhanced through the redevelopment of a small part of the site;
- alternative provision of equivalent community benefit is made available;
- Or
- there is an excess of such provision in the area

We understand from the Design and Access Statement that “A key principle of the proposal is that the loss of the rugby pitch will be compensated for by the provision of a 3G pitch at Llanishen High School”.

We have given consideration to whether the proposal meets the second exception by providing alternative provision of equivalent community benefit.

While no further information about the 3G is included in application 16/00711/MUR, the WRU has provided us with a set of slides from their strategic plan for the clubhouse relocation and artificial pitch, with Option 2 setting out details for the development at Llanishen High School.

In respect of Planning Policy Wales, Sport Wales believes that a new 3G pitch at Llanishen High School would provide equivalent provision and an increased benefit to the school as well as the rugby club and community sports groups, through improved quality facilities. We understand this would include changing rooms, artificial pitch and floodlighting that would serve the club, the school and wider community needs.

Therefore on the condition that the 3G development is able to go ahead, Sport Wales has no objections to application 16/00711/MUR.

7. **REPRESENTATIONS**

- 7.1 The application has been advertised in the press and extensively on site. Neighbours have been notified of the proposals and advised of amendments. Ward Members have also been advised of the proposals.
- 7.2 Two Petitions of Objection have been received, one of 110 signatures; one of 5 signatures.
- 7.3 Objections have been received from 30 properties in Rheidol Close, Gelligaer Gardens; Llandennis Road; Everest Ave; Old Vicarage Close; Clos Tecwyn; Rhyd y Penau Road; Beatty Avenue; Usk Road; St Frances Road; Mill Road; Station Road; Llyswen Road; Cyncoed Place; Towy Road; Sherbourne Ave; Chartwell Drive; Dan y Heol; Cheriton Drive; West Rise; Tanglewood Drive; Fidas Road; ‘The woodlands’ in Lisvane; and from two local residents of undisclosed address.

The reasons for objection are summarised as follows:

- Traffic Congestion
- Out of accord with LDP, Contrary to policies EN4 [River Corridors]; C4 (Protection of open space), C5 (Provision of open space), C6 (Health), EN5 (Designated Sites); EN6 (Ecological networks); EN14 (Flooding); T5 (Managing Transport Impacts); T6 (Impact on Transport Networks); and KP5 (Good Quality and Sustainable Design) and KP16 (Green Infrastructure).
- Destruction of trees to East of the site

- Invasion of Landscape Buffer of the Reservoirs
- Proximity and relationship of affordable housing on Rheidol Close
- Construction nuisance
- Proximity and relationship of dwellings to 43 Usk Road
- Drainage capacity
- Hard surfacing will exacerbate potential for Flooding
- Traffic Hazard at Junctions of Fidas road
- Loss of recreational open space
- Lack of Public Open Space within the development
- Clustering of Affordable Housing
- Loss of Privacy and overlooking (21 Usk Road)
- Impact on Trees
- Impact on Wildlife
- Footpath proposals
- Destruction of a playing field
- Loss of a Natural Heritage Asset
- Affordable Housing Design
- Reduction in the quality of life of Local Residents
- No overriding need for housing on this site given the strategic allocations confirmed by the LDP
- Lack of obligation to provide the 3G pitch at Llanishen High School as a compensatory community facility.
- Inability to maintain Wildlife Margins / Potential for fly tipping
- Cumulative impact on Highway network with Churchlands development.
- Impact on SINC (Gwern y Bendy wood)
- Impact on SSSI (Llanishen Reservoir)

7.4 **Julie Morgan AM** expresses her concern

“I understand the need for more houses in Cardiff but do not think these should be built on the River Corridor. There will be a large number of homes built in Cardiff North as a result of the growing population and the decisions of the Local Development Plan, which will of course change the nature of the area. One of the compensations for more house building and to preserve the unique nature of the Cardiff landscape has been the identification of the land as a River Corridor which will be protected and enhanced. I believe there should be a presumption against development on this land.

The LDP has only recently been passed and it would be disappointing if the Council agreed to development on this particular piece of land”.

7.5 **Cardiff Civic Society**

I am writing to object to planning application: 16/00711/MJR. This planning application affects the Nant Fawr River Corridor. Cardiff Council’s recently adopted Local Development Plan included both a policy to protect the river corridors and a map that, for the first time, clearly shows which land is included in the river corridor designation. The policy, EN4 says: The Natural Heritage, character and other key features of Cardiff’s river corridors will be protected,

promoted and enhanced, together with facilitating sustainable access and recreation.

This planning application is adjacent to the Llanishen and Lisvane Reservoir Embankments Site of Special Scientific Interest (SSSI) and Gwern-y-Bendy wood which is a Site of Importance for Nature Conservation (SINC). The land affected by the planning application is also clearly shown in the LDP as being an integral part of the Nant Fawr River Corridor.

Cardiff Civic Society firmly believes that Cardiff Council should adhere to its own planning policies and should reject this planning application. We are also concerned that if planning permission is granted this will be used as a precedent, and will encourage developers to submit further applications that will erode the Nant Fawr and other river corridors in Cardiff.

8. **ANALYSIS**

8.1 **Environmental Impact Assessment**

The Environmental Impact Assessment Regulations require all developments to be screened to consider if an Environmental Statement would be required to fully assess their environmental Impact. Such Statements are normally only required if a development is considered likely to have a significant environmental Impact in terms of its scale, context, resource uptake or hazardous nature of outputs.

Current thresholds indicated in the EIA Regulations suggest that an Environmental Statement will be more likely to be required for residential developments on more than 5 hectares of land, or exceeding 150 houses.

The site is Circa 1.2 hectares in area, and comprises only 25 houses, and would provide housing in the context of existing residential development of very similar character and density. The quantum or character of development is therefore not considered likely to result in any significant environmental effect.

Neither would the proposal require any significant resource needs for construction, or to result in any unusual or hazardous outputs in terms of its use. The site is not in a 'sensitive' area as defined by the regulations, and although designated as part of the Nant Fawr River Corridor, the site comprises land currently developed as a playing field and car park, which offer little ecological value in themselves.

Such impacts and mitigation as may be required to offset any impact of the development on the adjacent but enclosed watercourse, SSSI reservoir and SINC woodland (all outside of the development site) would ordinary be considered as part of the planning application assessment under local development plan policies.

The works are therefore concluded not to be EIA development for the purposes of assessment under the Environmental Impact Assessment Regulations and

are not considered likely to have such significant environmental effects as to warrant the submission of an Environmental Statement to allow the Local Planning Authority to understand the environmental impacts of the proposals.

8.2 Land Use

It is noted that part of the site is identified as open space in the most recent open space survey. In view of this, Policy C4 of the adopted Local Development Plan (LDP) and approved Supplementary Planning Guidance (SPG) on Open Space (March 2008) are relevant.

Although it is noted that the Open Space SPG was approved in connection with the now superseded City of Cardiff Local Plan, pending approval of new SPG it is considered material to the development management process as it is consistent with the new policy framework set out in the adopted LDP.

Policy C4 seeks to protect open space that has significant functional (including land that can accommodate formal/or informal recreational uses), conservation, environmental or amenity value through only allowing proposals where:

- they would not cause or exacerbate a deficiency of open space in
- accordance with the most recent open space study; and
- the open space has no significant functional or amenity value; and
- the open space is of no significant quality; or
- the developers make satisfactory compensatory provision;

and in all cases

- the open space has no significant nature or historic conservation importance.

This policy reflects national planning policy relating to open space set out in Planning Policy Wales and Technical Advice Note 16 relating to Sport, Recreation and Open Space (January 2009).

8.3 The most recent survey of open space classifies the majority (0.94 hectares) of this site as formal recreational open space. Therefore, in order to accord fully with Policy C4 the application needs to be assessed against the following as set out in section 3 of the Open Space SPG:

- the level of existing provision of recreational open space assessed
- against the standard.
- the amenity value - the SPG states that there should be an objection
- to proposals which would adversely affect the appearance of open
- spaces which significantly contribute to the visual appearance of an
- area.
- The nature conservation value of the open space.
- The acceptability of compensatory facilities.

8.4 In terms of existing provision of recreational open space the Open Space SPG (Page 25) sets out the amount of recreational open space relative to the standard for each ward within the city. This shows that the Llanishen ward overall has a deficit of 7.78 hectares of recreational open space (based on the 2.43 ha per 1,000 population standard) and therefore this proposal will exacerbate a local and city wide deficiency of recreational open space. In order to address this matter satisfactory compensatory provision will be required and further guidance on this is provided in paragraphs 3.19 to 3.21 of the Open Space SPG (as follows).

8.5 **Compensatory Facilities**

3.19 Where a development proposal involving the loss of open space would cause or exacerbate a local or city-wide deficiency of recreational open space, compensatory open space or an alternative provision of equivalent community benefit may be acceptable.

3.20 Compensatory open space/replacement facilities will be assessed having regard to the importance of the resource to be lost and the needs of the locality. The quantity, size and community benefit of the compensatory area should normally be at least equal to the area being lost. Replacement facilities should always be reasonably related to the original site, to serve the catchment population affected by the loss. Offers of compensatory open space/replacement facilities outside the threshold distances identified in figure 1 will not normally be acceptable.

3.21 However, in some circumstances it may be more appropriate not to exactly replace existing provision and provide an alternative form of provision more appropriate to the needs of the local population. For example, the loss of a site which is deemed of poor quality and low value to the local community may be better compensated for by investment in qualitative improvements to other open spaces in the locality or by consolidating an area of open space to provide a better quality facility of more value to the local community

8.6 In this respect it is noted that the landowner is proposing to provide a replacement all-purpose 3G pitch on the Llanishen High School site which is located near the site and therefore it could be argued that these qualitative gains outweigh the proposed quantitative loss of recreational open space. In terms of amenity value. it is also noted that the proposal will be accompanied by a landscaping scheme which will ensure there is no unacceptable impact on visual amenity. Given this, subject to no adverse impact on nature conservation value the proposal does not raise any land use planning policy concerns.

In addition Policy C5 of the adopted LDP requires developers of new housing to provide public open space for future occupiers commensurate with their needs and this site would also qualify on this basis.

8.7 **Good Quality and Sustainable Design**

Policy KP5 promotes good quality and sustainable design which responds to the local character and context of the built and landscape setting so that layout, scale, form, massing, height, density, colour, materials, detailing and impact on the built and natural heritage are all addressed within development proposals; which provide legible development which is easy to get around and which ensures a sense of continuity and enclosure; which create interconnected streets and spaces as distinctive places, which are safe, and accessible; and which provide a healthy and convenient environment for all users that supports the principles of community safety, encourages walking and cycling, and which enable essential services and community facilities to be accessible by sustainable means and which maximise the contribution networks of open spaces make to encourage healthier lifestyles; whilst ensuring no undue effect on the amenity of neighbouring occupiers and connecting positively to surrounding communities.

8.8 **Scale and Layout**

The proposal offers a perimeter layout and central core of housing on a close arrangement with vehicular access extending from and returning to Usk Grove via shared surface carriageway. The return highway would be staggered a short distance to the south of Usk Grove.

The house types are typically akin to those in Usk Grove and at two and two and a half storey (room in attic) height. There is no objection to this scale of development in the given context.

The amended layout attempts to address the tree officer's comments, in increasing the undeveloped area near the North and East perimeter of the site. The applicant accepts that the trees on the eastern boundary will result in a shadow cast over the gardens of units 3 through 8, but has positioned the units as far forward of the trees as possible.

A similar exercise has been undertaken with properties closest to the Northern woodland, which although they would not cast a shadow fall onto the site, would extend over the property boundaries and so properties are positioned to allow for maximum uninterrupted garden space away from the trees considerably.

The comments of the placemaking team regarding the relocation of the garages and parking spaces associated with Plots 20, 22, 23 and 25 are noted, however the movement of such structures would potentially adversely affect instances of overlooking, and the street scene impact of the garages is not considered so detrimental as to warrant the refusal of planning permission.

8.9 **Access and Parking**

The site is sustainably located and easily accessible by foot, unpowered and powered two wheelers, bus and train as well as by car.

The level of off street parking has been reduced since the original submission to accord with current SPG. The scheme provides for a maximum of 2 off street car parking spaces for a 2 bed house; 2 spaces for a three bed house; and 3 spaces for 4 bed and above. This is considered appropriate.

8.10 Privacy

The layout provides for a minimum privacy distance of 10.5 between habitable rooms and boundaries, and 21m between habitable rooms on adjacent plots. This is the recommended minimum indicated with supplementary planning guidance.

8.11 Amenity space

All properties have generous enclosed gardens. Amended plans increase the depth of gardens, and the position of properties on the Eastern side of the site which would otherwise be more significantly affected by the shadowfall of trees. The amount of private usable amenity space for all dwellings is considered more than adequate.

8.12 Aesthetic

The Waterstones Homes house styles are considered acceptable in the context of Usk Grove and the area generally. It will be a requirement that the affordable housing units would share a common materials palette with adjacent market housing to provide for a continuity of aesthetic. Submitted plans indicate the dwellings to be finished in facing brick and slate tile, and to be similar to other residences in Usk Grove, The exact palette of building materials can be controlled by condition

8.13 Equalities

Section 149 Equality Act 2010 requires that due regard be given to any actual or potential differential impact of the development on the needs of those with protected characteristics.

It is not apparent that the proposals would result in any abnormal differential impact in respect of the requirements of the Equality Act.

8.14 Infrastructure

Policy KP6 attempts to ensure that new development will make appropriate provision for, or contribute towards, all essential infrastructure required as a consequence of the development, and that this will include transportation and highways access, circulation, parking, public transport provision, walking and cycling; utility services; flood mitigation; affordable housing; community buildings and facilities; open space, waste and recycling facilities; and appropriately address the natural and built environment. These are considered below.

8.15 Drainage

No response has been received from the Council's drainage section, however it would be an expectation that Surface water drainage from the site could be managed by way of Sustainable Drainage Techniques. The planning officer notes the adjacent watercourse and would suggest that the developer investigate access to that facility. The comments of Welsh Water are also noted and a condition requiring the submission of a comprehensive drainage system is recommended.

8.16 Flood Risk

Policies KP 15 and EN14 seek to ensure that development will not be subject to flooding or contribute to flooding elsewhere.

The very NW and SE corners of the site are within the C2 Flood Zone C2, as defined by the Development Advice Map (DAM) referred to under Technical Advice Note 15. and to be within the 1% (1 in 100 year) and 0.1% (1 in 1000 year) fluvial flood outlines of the Nant Fawr. However proposed layout of dwellings shows there is no built development located within the flood zone. As such the Planning Officer is satisfied that the consequences of flooding have been adequately considered by the developer and that it is justifiable to allow residential development in this location.

The consequence of providing housing on an otherwise free draining application site will be to increase the amount of non-permeable surface, and consequently surface water run-off. To ensure that this will not increase the potential for flooding the developer will be required to investigate and provide as appropriate, a Sustainable Urban Drainage System (SUDS) and permeable surfaces where appropriate.

8.17 AIR, NOISE, LIGHT POLLUTION AND LAND CONTAMINATION

Policy EN13 provides that development will not be permitted where it would cause or result in unacceptable harm to health, local amenity, interests of nature conservation, landscape or built heritage importance because of air, noise, light pollution or the presence of unacceptable levels of land contamination.

It is not envisaged that the scheme would result in any abnormal light, air or noise pollution for existing nearby residents, or wildlife, especially in the context of the existing use of the site as a floodlit sports pitch.

The comments of the contaminated land officer are also noted and concurred with in terms of the likelihood of contaminants on the site, but the suggested conditions regarding unforeseen contamination and imported materials also considered appropriate, and recommended.

8.18 PROTECTION OF OPEN SPACE

LDP Policy C4 states that development will not be permitted on areas of open space unless:

- i. It would not cause or exacerbate a deficiency of open space in accordance with the most recent open space study; and
- ii. The open space has no significant functional or amenity value; and
- iii. The open space is of no significant quality; or
- iv. The developers make satisfactory compensatory provision; and, in all cases;
- v. The open space has no significant nature or historic conservation importance.

The site has no significant nature or conservation value; the pitch is of significance as a piece of recreational open space, but is proposed to be replaced by a superior facility; the pitch has little or no amenity open space value as it is a private facility not available to the general public other than as invited spectators. Its loss would contribute to the overall deficit of open space within the ward, but this is proposed to be compensated against by the applicant.

The land use policy position identifies that the acceptability of the development of the site must include for the weighing of the merit of any alternative recreational open space provision against the merit of that lost under the proposal.

In isolation, without any alternative open space provision, the proposals would not be supported.

However, If considered alongside the provision of a 3G pitch and changing room facility at Llanishen Highschool, as is proposed by the land owner of the site, and which obtained planning permission at January planning committee, the planning officer concludes that the value of the current private recreational open space would not be lost, and arguably if provided to the quality envisaged, to be of enhanced amenity benefit to an increased number of the local community, in the form of pupils at the school, their parents, other visiting schools, as well as to members of the Llanishen Rugby Club, and other teams.

Provided that a mechanism can be agreed to guarantee the provision of such a facility, the Planning Officer concludes that this would be an acceptable compensatory provision and would enable the development to achieve policy compliance with policy C4

8.19 PROVISION FOR OPEN SPACE, OUTDOOR RECREATION, CHILDREN'S PLAY AND SPORT

LDP Policy C5 requires that new residential developments of over 8 units make provision for functional open space for outdoor recreation, children's play and sport at a ratio of 2.43 hectares per 1000 projected population.

The development results in a loss of approximately 9800m² of private open space, and provides for only a very small area (approximately 172m²) of meaningful on site public open space.

Whilst the acceptability of the development in principle will be dependent on the provision of satisfactory compensatory open space provision; the development would properly need to retain or provide for on-site open space to serve the new residential occupiers.

As the development is deficient in this respect, the Parks officer's request for a commuted payment of **£64,752** is therefore noted, considered appropriate, and considered to meet planning tests.

Given the proximity of the development to the nearby park, the planning officer does not consider that new residents would be at a dis-benefit in respect of there being limited on site provision of public open space, and that the maintenance and enhancement of nearby existing facilities is appropriate in this instance and will also serve the wider community.

8.20 **SUSTAINABLE TRANSPORT/MANAGING TRANSPORT IMPACTS**

LDP Policy KP8 seeks to promote development properly integrated with transport infrastructure and Policies T1, T5 and T6 seek to ensure sustainable transport opportunities and appropriate enhancement of the highway network as required by new development proposals. The Policies seek to promote a 50:50 modal split between journeys by car and journeys by walking, cycling and public transport; reduce travel demand and dependence on the car; enable and maximise use of sustainable and active modes of transport and promote a modal hierarchy in favour of the most sustainable modes.;

The development is confirmed to be in easy reach of a number of sustainable public transport options in respect of a principal bus route on Fidas Road; and train services accessed via Llanishen; Ty Glas and Heath Halt railway stations, The site is also offers easy access to walking and cycling routes through local parkland.

Comments regarding the capacity of the junctions at Usk Road and Ewenny Road are acknowledged, but should be able to be overcome with minor amendments to traffic orders at those junctions.

Convenience shopping and services are noted in Llanishen Village and at Rhyd y penau crossroads a short distance away, and supermarket provision exists within approximately 1 mile of the site. As such there should be no need to access local services by car.

Off street parking proposals accord with the adopted parking guidelines and this is welcomed.

Comments regarding the foot path linkages to the NW and SE corners of the

site and the local park and Gwern y bendy wood/Rheidol Close respectively are noted. Members of the rugby club are noted to use the southern link from the 'B' pitches located in the Local Park to the current 'A' pitch which is the subject of this application at present, and this route, although informal would appear to have been established for some time. The route to the north appears originally to have been connected to pathway connecting back to Rheidol Close from which a more formal pathway allows foot passage north to Llanishen Railway station via West Rise and The Rise.

Both paths are shown on current Ordnance bases but are of unknown status. There would however be no objection to increasing the pedestrian permeability of the site by means of the linkages proposed.

The Transportation Officer has noted that an existing bus stop on Fidas Road near the junction with Usk Road is lacking a shelter. The applicant has been asked to contribute, or provide such a shelter to the maximum value of £40,000

8.21 RIVER CORRIDORS

LDP Policy EN4 states that the Natural Heritage, character and other key features of Cardiff's river corridors will be protected, promoted and enhanced, together with facilitating sustainable access and recreation.

The very many objections received which suggest that the development is contrary to Policy ENV4 are noted, however each proposal must be viewed on its merit in terms of impact and policy compliance.

The site is located within the designated Nant Fawr River Corridor where Policy ENV4 applies.

However Policy ENV4 does not preclude development within the river corridor, rather more to protect its natural heritage, character and other key features.

The application site is a piece of land developed as a flood lit rugby pitch and car park, and its development for housing would therefore not impact on the natural heritage of the Nant Fawr. In respect of any potential change in character, the managed and manicured appearance of the pitch also seen against the existing backdrop of Usk Grove, is already considered to have an urban character, the development of which for housing would have a not dissimilar relationship to housing adjacent to the river corridor further north or south.

Policy EN4 also states that the river corridors will be promoted and enhanced, and sustainable access and recreation facilitated.

It is noted that the Nant Fawr in this area is not located on the application site, but on adjacent land owned by Welsh Water, and enclosed from the application site by a 2m high palisade fence, It is also noted that the Nant Fawr in this area is canalised where it parallels the reservoir, and additionally culverted where it parallels the application site boundary. Improvements to access in this location

are therefore not within the applicant's gift, nor is the current access permitted by Welsh Water compromised in any way by the development of the rugby pitch.

It is concluded that the development, subject to appropriate boundary treatment and landscape buffer to the northern and eastern perimeter of the site will have a neutral impact on the character of the River corridor in this location.

The comments of NRW are also noted in respect of ensuring that no unauthorised access to the woodland and reservoirs is achieved through opening up relevant boundary enclosures, this can be achieved by condition

8.22 TREES, WOODLANDS AND HEDGEROWS

LDP policy KP16 indicates that the protection and conservation of natural heritage network needs to be reconciled with the benefits of development proposed; and that development should therefore demonstrate how green infrastructure has been considered and integrated into the proposals.

Policy EN8 states that Development will not be permitted that would cause unacceptable harm to trees, woodlands and hedgerows of significant public amenity, natural or cultural heritage value, or that contribute significantly to mitigating the effects of climate change.

- 8.23 Submitted Layout revision 'E' indicates that the development would only require the felling of two trees (T1 and T2) within the application site. Both are located at the NW corner of the pitch, and reported as being Category 'C' trees (Low quality and value) which are in poor physical and structural condition. The loss of these trees is regrettable, but replacement planting is proposed and would have more potential to be effectively managed and enjoy greater longevity than those specimens to be removed. On this basis the tree loss is accepted.

All trees to the N of the application site are considered to be of high quality and value (Category A trees). These trees are protected by a Tree Preservation Order. All trees to the E of the application site are categorised as being of moderate quality and value (Category B trees) but are not of protected status; - In any event all of these trees to be retained, with recommendations relating only to Ivy removal, coppicing of the existing understorey of trees; and minimal interventions including the removal of deadwood..

- 8.24 In terms of potential overshadowing, and consequent amenity implications, the revised layout E seeks to position houses and garages which are parallel to the Eastern Boundary in a manner which will reduce the impact of shadow fall of trees to areas affecting garages as opposed to principal garden areas or properties for most of the day and this is considered appropriate.

The development proposals in themselves are therefore concluded not to present any adverse implications for trees.

However the comments of the Council's Tree Officer are noted in respect of the potential to receive future applications for the removal of overhanging branches; and his disappointment that the applicant has elected not to provide an ecotone to effect a smoother transition between residential gardens and unmanaged woodland.

In respect of the trees to the north, the trees are protected by Tree Preservation Orders and any proposals for lopping or crown lifting will fall to be considered under those protection arrangements.

In respect of the trees to the east of the site however, it is acknowledged that works to these trees are less able to be controlled, as the trees are not protected by a TPO; or located in a conservation area which would require notification to the local authority of any proposals to fell or lop or prune.

- 8.25 The retention of these trees as proposed within the application submission, is welcomed, and can be protected by condition for the duration of any construction works, and potentially for a limited time thereafter as part of a 'retained' landscaping condition (Normally 5 years) . However Planning Committee should be aware that the ultimate future longevity of the trees would effectively be within the hands of the home owners if planning permission were to be approved.

The absence of an ecotone to northern woodland, is disappointing, but the presence of a sewer located within the application site, approximately 4m from the woodland boundary is accepted as limiting the capacity for any large scale planting within that area.

The applicant was however asked to enlarge the area between the proposed housing development and the outer canopy of trees in the woodland, but has not done so substantially. The applicant instead has proposed a woodland buffer of between 1-2m width between the rear boundary enclosure of the site and gardens to the north, and the eastern boundary parallel to Llanishen reservoir.

Practically this may better serve reptiles or grass snakes to the east, and may provide some scrub protection to the north. However the planning officer shares the concerns of the Council's tree officer that the very limited buffer proposed, is more likely to represent a maintenance nuisance, than be of any practical benefit and most likely would be adopted into the garden areas of the dwellings proposed.

As proposed, the amended Layout provides for an estimated distance of approximately 6m minimum distance from existing canopies to the rear of the proposed dwellings to the north, and slightly greater distances between the canopies of trees and the residential properties to the east.

- 8.26 The layout arrangement is therefore concluded to be far from ideal, but unlikely to be sustainable as a reason for the refusal of planning permission if tested at appeal, as the trees to the east are not considered of sufficient amenity value to

be protected, and because the development in itself would not harm the trees in the woodland to the north.

As this is the case it is considered appropriate to safeguard the health and longevity of the trees within the designated woodland to the north, by using planning powers to remove otherwise 'permitted development rights' for structures and pools as may be proposed within domestic garden curtilages, under the canopy spreads of the trees. This would not realise an absolute response to such proposals, but would require the approval of planning permission for such structures in order that their impact and design can be assessed.

8.26 ECOLOGICAL NETWORKS AND FEATURES OF IMPORTANCE FOR BIODIVERSITY / DESIGNATED SITES

LDP Policies EN5 and EN6 indicates that Development will only be permitted if it does not cause unacceptable harm to landscape features of importance for wild flora and fauna, including wildlife corridors and 'stepping stones' which enable the dispersal and functioning of protected and priority species or Networks of importance for landscape or nature conservation.

The policy text continues: Particular priority will be given to the protection, enlargement, connectivity and management of the overall nature of semi natural habitats. Where this is not the case and the need for the development outweighs the nature conservation importance of the site, it should be demonstrated that there is no satisfactory alternative location for the development and compensatory provision will be made of comparable ecological value to that lost as a result of the development.

The site itself is confirmed as having very low to no ecological value, neither does it have any designated status. The hard surfaced car park and manicured and flat open nature of the Rugby pitch make it unavailable for flora, and uninviting for mammals which would be vulnerable to predators on such an exposed landscape.

The adjacent SINC in the Gwern y bendy wood; and Reservoir SINC of grassland scrub environment appropriate for Grass Snakes and Glow worms to the East of the application site boundary are both located outside of the application site, and although such designated boundaries are somewhat artificial, the planning officer notes that they are also manifested on the ground by physical fences.

The development is therefore concluded to have little impact on the biodiversity interests of the surrounding land which exist despite the pitch rather than it being critical to their interests.

The comments of NRW are noted in respect of the restriction of access to adjacent designated sites for fear of damage to fungi on the adjacent SSSI. The planning officer notes that these are in the ownership of other parties and therefore access to those sites would in any event need to be agreed with the

owners. However a planning condition to prevent the establishment of means of access to adjacent land can be controlled by condition.

8.27 Community Facilities

Policies C1 and C2 of the LDP seek to provide and protect new and existing community facilities; and in isolation this application would require the provision of a community facility or a contribution toward Community facilities provision in the area in line with the Council's SPG.

The comments of the Regeneration Officer are noted as is the requested financial contribution of £29,007.

However if acceptable in all other respects, the Planning Officer considers that if the proposed 3G pitch and changing rooms offered by the applicant were to be provided at Llanishen High School, that it is appropriate to weigh this provision against this policy requirement.

As the compensatory facility would be accessible by a much larger cross section of the community than the private members pitch, this is considered acceptable, and members are advised that it is considered to waive the financial contribution in this instance subject to the delivery of the pitch and changing rooms.

8.28 Contaminated and Unstable Land

The Pollution Control Officer has not made any request for site survey in respect of contamination, and has suggested conditions only relating to the management of any unexpected contamination. Given the developed nature of the land as a sports pitch this is understandable. However the applicant should satisfy themselves as to the likelihood of any contamination on the land. Standard conditions can be applied to any resolution to grant planning permission in respect of the discovery of any unexpected contamination.

Further conditions can be applied to control the quality of any imported materials necessary to construct/ landscape the development.

8.29 Provision for Waste Management Facilities in Development

LDP Policy W2 seeks to ensure the provision of appropriate waste management facilities in development. All of the development plots are considered capable of accommodating adequate refuse storage.

The waste manager has raised no objection to the development subject to satisfactory bin store positioning, highway layout and materials being agreed to allow proper access by refuse vehicles. This can be achieved by condition.

8.30 Affordable Housing

Policy KP13: responding to evidenced social needs, Indicates that a key part of the successful progression of the city will be to develop sustainable neighbourhoods, tackle deprivation, and improve the quality of life for all; and that this will be achieved through providing a range of dwelling size, type and affordability (including seeking to provide a target of 6,646 affordable dwellings over the remaining life of the development plan period).

Policy H3 of the LDP indicates that the Council will seek 20% affordable housing provision on Brownfield sites of 5 or more dwellings and that affordable housing will be sought to be delivered on-site in all instances unless there are exceptional circumstances.

The provision of 3 two bed houses; 1 three bed house; and 1 four bed house for transfer to a Registered Social Landlord for low cost rental tenure in perpetuity accords with LDP policy and is acceptable to the housing manager.

The Planning Officer concurs with on-site provision, and would seek to ensure for a matching finish to the buildings in line with the market housing stock.

This can be secured by condition.

A Housing Association (RSL) will be required to purchase and manage the affordable housing stock at currently agreed transfer rates.

8.31 Other Matters raised in Representations

- *Invasion of Landscape Buffer of the Reservoirs*
The trees adjacent to reservoir land are not within the application site
- *Proximity and relationship of affordable housing on Rheidol Close*
The position of these units has been amended to further offset their proximity and impact.
- *Construction nuisance*
The development of the land is acknowledged to be disruptive, but no more so than any other development project. The development can be controlled by means of a construction management condition and will fall within the statutory provisions of the Pollution Control Act in respect of the duration of construction activities.
- *Proximity and relationship of dwellings to 43 Usk Road*
The position of these units has been amended and the original relationship, which was also unacceptable to the planning officer has been revised. The proposed relationship now places the new buildings some 13m away from the existing residence at an acute angle, forward of the building line of the property, A bedroom window would be positioned within the rear elevation which would offer sight of the rear garden of 43 Usk Road but would realise a relationship not dissimilar to the overlooking of gardens by neighbours in properties sharing a

common rear building line. This is considered an acceptable relationship.

- *Clustering of Affordable Housing*
Given the very limited number of units proposed (5) there would be no rationale to disperse them around the site and more logic in combining them as semi-detached or terraced units.
- *Loss of Privacy and overlooking (21 Usk Road)*
Plot 1 overlooks a substation to the rear of 21 Usk Road at a distance of some 18m from the opposite side of the Usk Grove Carriageway. Plot 22 would overlook the side elevation of 21 Usk Road at a distance of 16m at an acute angle and again from the opposite side of the Usk Road Carriageway. This is considered acceptable as neither building directly faces the existing house or its garden.
- *Loss of a Natural Heritage Asset*
Not concurred with.
- *Reduction in the quality of life of Local Residents*
There is no reason to suggest that the development of the site would reduce the quality of life of existing occupiers. Other than to more intensively utilise a piece of land which is currently vacant for a large proportion of the time. The development very similar to that existing at Usk Grove which is high quality low density development and which in no way would constitute an incompatible or conflicting use.
- *No overriding need for housing on this site given the strategic allocations confirmed by the LDP*
The pursuance of a 5 year housing land supply is a constantly changing dynamic and the allocation of strategic housing sites within the LDP does not preclude the development of land for residential purposes outside of those areas provided that such developments accord with planning policy.
- *Lack of obligation to provide the 3G pitch at Llanishen High School as a compensatory community facility.*
This will need to be guaranteed by legal undertaking/contract with the Council to make the development acceptable in planning policy terms, but this is quite possible and usual.
- *Inability to maintain Wildlife Margins / Potential for fly tipping*
No wildlife margins have been requested within the application site, but may be a consequence of the buffers proposed to soften the edges of the development aesthetically. Issues of fly tipping or deposit of items including garden waste over garden fences can be problematic, but there is nothing to suggest that residents of the proposed houses would be minded to undertake such activities if appropriate garden waste collections are implemented.

- *Cumulative impact on Highway network with Churchlands development.* The cumulative impact of an additional twenty five houses in combination with a proportion of traffic from the proposed Churchlands development is not considered likely to have any significant effect on traffic flows on the Fidlas Road Carraigeway.

The traffic impact of the proposal in isolation is considered acceptable and addressed within the report.

9.0 Section 106 / Legal Matters

In order to achieve policy compliance, the applicant or relevant interested parties are required to:

- Provide the 5 affordable housing units of for purchase by a Registered Social Landlord at agreed transfer fee for low cost rental tenure.
- Make a financial contribution of £64,752 toward the provision, maintenance or enhancement of existing Public Open Space in the locality.
- To Make a financial contribution toward the provision of a bus shelter and highway build-out at the bus stop near the junction of Usk Road and Fidlas road, and such modification of traffic orders at the junction of Usk Road and Fidlas Road, and the junction of Eweny Road and Fidlas Road as may be deemed appropriate by the Local Highway Authority, to a maximum sum of £40,000 [or] to provide such facilities to the approval of the Local Highway Authority prior to first occupation of any dwelling hereby approved.

The loss of open space resulting from the development necessitates a requirement for compensatory provision in accordance with approved Planning Policy and Supplementary Planning Guidance.

It is confirmed to Planning Committee that the provision of a 3G pitch and changing room facility offered by the land owner and as now approved by planning permission 16/01209/MJR is considered an acceptable compensatory provision from a planning perspective.

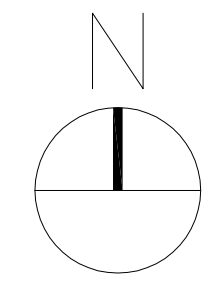
The Council's Legal Officers confirm that if members of planning committee are minded to grant permission for the housing development at Usk Road then the delivery of the pitch and changing room facilities at Llanishen High school will need to be guaranteed by means of a binding legal undertaking.

Such guarantee may be in the form of a legal agreement under S106 of the Town and Country Planning Act; or could be secured by alternative contractual means or undertakings outside of planning provisions.

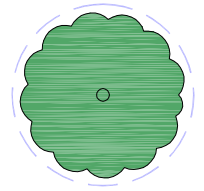
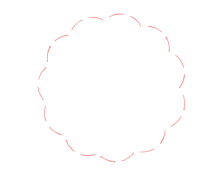
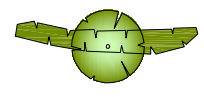
The precise mechanism for securing the facility is a matter for the applicant and the Council's lawyers, but members are asked to consider the development applied for here, on the basis of such provision.

Recommendation

That subject to the guarantee of the provision of a 3G pitch and changing room as approved by planning permission 16/01209/MJR; and such other obligations as detailed at Section 9 of this report, that Planning Permission be Granted.






Tree Strategy Key

-  Trees to be retained root protection zone shown dashed
-  Trees to be removed
-  Indicative landscaping to Landscape Architect's recommendations

Refer to TDA Tree Constraints Plan, Method Statement and landscape design.

Enclosures Key

-  1800mm high close board fence
-  1800mm high screen wall
-  1100mm ball top railings

Accommodation Schedule

Unit	Area	No
Type A	1761 sqft	6
Type B	2442sqft	2
Type C	2050sqft	3
Type D	2162sqft	5
Type F	2464sqft	1
Type G	1684sqft	3
Affordable Housing		
2B		3
3B		1
4B		1

Total **25**

 Site Area 1.2 Ha (Gross)

Status: **PLANNING**

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rev	date	description	by
A	25.2.16	Red line amended (plot 1)	CW
B	1.3.16	Plots 3-7 amended to tree officer comments	CW
C	21.3.16	Housetype A revised, Htype E swapped with G	CW
D	03.6.16	Affordable housing amended following consultation with neighbours.	CW
E	26.7.16	Plots 3-8 & 15-17 moved following discussions with LPA. Boundary to north and east amended.	CW

Drawn: CTW
 Checked: CTW
 Date: Feb 2016
 Scale: 1:500@A2

Client: Waterstone Homes
 Project: Usk Road, Llanishen
 Title: Site Layout
 Ref: 2174/101

Rev: E



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LOCAL MEMBER OBJECTION

COMMITTEE DATE: 08/02/2017

APPLICATION No. **16/01477/MNR** APPLICATION DATE: 11/07/2016ED: **PENYLAN**

APP: TYPE: Full Planning Permission

APPLICANT: Mr James

LOCATION: 50 BRONWYDD AVENUE, PENYLAN, CARDIFF, CF23 5JQ

PROPOSAL: DEMOLITION OF EXISTING BUILDING AND ERECTION OF NEW BUILDING FOR 3 NO THREE BEDROOM FLATS

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

1. C01 Statutory Time Limit
2. The development hereby permitted shall be carried out in accordance with the following approved plans:

P528 L_003 A, P528 L_214, P528 L_215, P528 L_216, P528 L_210 A, P528 L_211 A, , P528 L_212 A, P528 L_200 A, P528 L_201 A, P528 L_202 A, P528 L_001, P528 L_001

Scoping Survey for Presence of Bat Roosts: Spectrum Ecology, dated 10th August, 2016 (as amended by the version attached to the agent's e-mail communication dated 4th October, 2016).

Reason: To ensure satisfactory completion of the development and in line with the aims of Planning Policy Wales to promote an efficient and effective planning system.

3. The cycle parking spaces shown on the approved plans shall be provided prior to the development being brought into beneficial use and thereafter shall be maintained and shall not be used for any purpose other than the parking of vehicles.

Reason: To provide for cyclists in accordance with Policy T5: Managing Transport Impacts of the Cardiff Local Development Plan.

4. Prior to the construction of the building above foundation level, details of the external finishing materials shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the finished appearance of the development is in keeping with the area in accordance with Policy KP5: Good Quality and Sustainable Design of the Cardiff Local Development Plan.

5. Notwithstanding the submitted information, further details of the means of site enclosure shall be submitted to and approved by the Local Planning Authority. The means of site enclosure shall be constructed in accordance with the approved details prior to the development being put into beneficial use.

Reason: In the interests of visual and residential amenity, in accordance with Policy KP5: Good Quality and Sustainable Design of the Cardiff Local Development Plan.
6. No equipment, plant or materials shall be brought onto the site for the purpose of development until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include proposed finished levels, hard surfacing materials, planting plans (including schedules of plant species, sizes, numbers or densities, and in the case of trees, planting, staking, mulching, soil protection and after care methods) and an implementation programme. The landscaping shall be carried out in accordance with the approved design and implementation programme.

Reason: To maintain and improve the appearance of the area in the interests of visual amenity, in accordance with Policy KP5: Good Quality and Sustainable Design of the Cardiff Local Development Plan.
7. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it shall be reported in writing within 2 days to the Local Planning Authority, all associated works shall 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 shall 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 Local Planning Authority 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 off-site receptors, in accordance with Policy EN13: Air, Noise, Light Pollution and Land Contamination of the Cardiff Local Development Plan.
8. 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 Local Planning Authority.

Reason: To ensure that the safety of future occupiers is not prejudiced, in accordance with Policy EN13: Air, Noise, Light Pollution and Land Contamination of the Cardiff Local Development Plan.

9. 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 Local Planning Authority.

Reason: To ensure that the safety of future occupiers is not prejudiced, in accordance with Policy EN13: Air, Noise, Light Pollution and Land Contamination of the Cardiff Local Development Plan.

10. 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: Air, Noise, Light Pollution and Land Contamination of the Cardiff Local Development Plan.

11. Prior to the erection of the flats hereby approved, a scheme for the drainage of the site and any connection to the existing drainage system shall be submitted to and approved in writing to the local planning authority. Prior to the submission of the drainage details, ground permeability tests shall be undertaken to ascertain whether sustainable drainage techniques can be utilised and the results of the tests shall be incorporated in the submitted scheme. No part of the development shall be occupied until the scheme is carried out and completed as approved.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure

no pollution of or detriment to the environment and in accordance with Policy EN10: Water Sensitive Design of the Cardiff Local Development Plan.

12. The development shall not be put into beneficial use until the approved refuse facilities are provided and thereafter the facilities shall be retained for the use the occupiers of the development.

Reason: In the interests of visual and residential amenity, in accordance with Policy KP5: Good Quality and Sustainable Design of the Cardiff Local Development Plan.

13. The following windows shall be non-opening below a height of 1.7 metres above internal floor level, glazed with obscure glass and thereafter be so retained:

The first floor windows on the side elevations of the building.

The roof lights in the side roof planes facing towards 48 Bronwydd Avenue and nos. 37 and 39 Cyncoed Road shall be constructed such that their lower sill level is a minimum of 1.7 metres above internal floor level.

Reason: To ensure that the privacy of adjoining occupiers is protected in accordance with Policy KP5: Good Quality and Sustainable Design of the Cardiff Local Development Plan.

14. The shared amenity area shown on the approved plans shall be provided before the development hereby permitted is occupied and thereafter the amenity areas shall be retained for the benefit of existing and future occupiers of the site.

Reason: To provide adequate amenity space for future residents of the development in accordance with Policy KP5: Good Quality and Sustainable Design of the Cardiff Local Development Plan.

15. The car parking spaces shown on the approved plans shall be provided prior to the development being brought into beneficial use and thereafter shall be maintained and shall not be used for any purpose other than the parking of vehicles.

Reason : To ensure that the use of the proposed development does not interfere with the safety and free flow of traffic passing along the highway, in accordance with Policy T5: Managing Transport Impacts of the Cardiff Local Development Plan.

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

Reason: In the interests of highway safety and public amenity in accordance with Policy T5: Managing Transport Impacts of the Cardiff Local Development Plan.

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 licence. 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: The Waste Strategy and Minimisation Officer advises

that developers of all new residential units are required to purchase the bin provision 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 on 029 20717500.

RECOMMENDATION 5: The applicant is recommended to undertake the proposed development in accordance with the proposed precautionary mitigation measures set out in Spectrum Ecology's Scoping Survey for Presence of Bat Roosts dated 10th August, 2016 attached to the agent's e-mail communication dated 4th October, 2016.

RECOMMENDATION 6: The applicant is advised to contact highways@cardiff.gov.uk prior to undertaking the works associated with the access in order to obtain the necessary licence.

1. **DESCRIPTION OF PROPOSED DEVELOPMENT**

- 1.1 This planning application relates to the site of 50 Bronwydd Avenue where permission is sought to demolish the existing two storey dwelling and redevelop the site with a building containing 2 no. three bedroom flats and a two bedroom flat. Details of the siting and appearance of the development are shown on the attached plans. Accommodation would be provided on three floors with the second floor partly contained within the roof space. Three of street parking spaces are provided at the front of the site.
- 1.2 The proposed building would rise to a height of between 5.5 metres and 5.7 metres at eaves level and approximately 9.0 metres to the ridge line of a pitched roof.
- 1.3 Following discussions with the agent concerning the effects of the proposed development on the character and appearance of the street scene and the general amenities of the neighbouring occupiers, the scheme has been amended in a number of respects. The principal amendments are as follows:
 - i) The footprint of the building has been reduced with a corresponding increase in the size of the front parking area. Although the number of parking spaces has not changed, the reconfiguration of this area permits improved manoeuvring of vehicles and the opportunity to provide a degree of soft landscaping at the front of the site.
 - ii) The overall massing of the block has been reduced, primarily by amending the roof design from a gable to a hip arrangement.
 - iii) The front and rear elevations are shown to be articulated with projecting bay elements. As originally proposed, the building contained extensive areas of glazing and balconies on the rear elevation overlooking the proposed shared external amenity area. The revised proposals reduce the extent of glazing and balcony areas on this elevation.
- 1.4 Proposed materials comprise primarily red/orange brickwork, anthracite grey

cladding panel elements together with a grey slate roof.

- 1.5 The building is shown to be set back between 6.0 metres and 9.0 metres from the back edge of footway along Bronwydd Avenue. This compares to between 5.0 metres and 6.0 metres as originally submitted. The front of the site is shown to be enclosed with a 1.0 metres high brick wall and a sliding gate. A modest unprotected tree would be removed from the site frontage to facilitate the development.
- 1.6 The south western (side) elevation of the proposed building is shown to be located approximately 1.5 metres from the side of the neighbouring dwelling at 48 Bronwydd Avenue. That property comprises a two storey hipped roof dwelling with a 1 ½ storey element located next to the application site. The submitted plans show the rear elevation of the proposed building extending a distance of approximately 0.4 metres beyond the rear elevation of no. 48.
- 1.7 The north eastern (side) elevation of the proposed building is shown to be sited next to the garage at the rear of 39 Cyncoed Road and between 4.4 metres and 7.8 metres from the rear garden boundary with 37 Cyncoed Road.
- 1.8 The layout provides for bin and cycle storage.

2. **DESCRIPTION OF SITE**

- 2.1 50 Bronwydd Avenue comprises a two storey hipped roof property occupying a site on the eastern side of the street, approximately 40.0 metres from its junction with Cyncoed Road. Ground levels rise along the Avenue from south to north such that adjacent properties generally have a 'stepped' relationship.
- 2.2 The neighbouring property to the south west at 48 Bronwydd Avenue, comprises a two storey hipped roof dwelling with a 1 ½ storey element located next to the application site. The property occupies a ground level which is approximately 1.0 metre below that of no. 50. To the north east, the application site adjoins the rear garden boundaries of nos. 35, 37 and 39 Cyncoed Road which comprise two storey semi-detached houses. The rear boundary of the application site adjoins the rear garden of no. 10 Greenlawns; a detached house which occupies a lower ground level than the application site.
- 2.3 The side and rear of site is enclosed by a mix of brickwork walls and hedges. The front of the site is partly enclosed by a stone boundary wall. A footway crossover provides access to hard surfaced drive and an attached garage.
- 2.4 Although this part of Bronwydd Avenue generally comprised two storey detached dwellings of varying designs and external appearance, there are flats nearby at Green Lanes, Ty Gwyn Crescent and a contemporary three storey flat development has been built at 'The Stafford' next to the road bridge over Eastern Avenue to the south.

3. **SITE HISTORY**

- 3.1 92/00119/N: Proposal: Dormer to rear for bedroom Decision: 27/02/1992
- 3.2 08/02800/E: Proposal: Two storey extensions and alterations to roof including increased ridge height: Decision: 19/03/2009

4. **POLICY FRAMEWORK**

- 4.1 The Cardiff Local Development Plan 2006-2026 provides the local planning policy framework. Relevant policies include:

KP5: Good Quality and Sustainable Design
EN13: Air, Noise, Light Pollution and Land Contamination
T5: Managing Transport Impacts
EN11: Water Sensitive Design
EN8: Trees, Woodlands and Hedgerows

- 4.2 Supplementary Planning Guidance: Design Guidance for Infill Development (2011)
Supplementary Planning Guidance: Access, Circulation and Parking (January, 2010)
Supplementary Planning Guidance: Waste and Collection and Storage Facilities (2016)

- 4.3 *Planning Policy Wales Edition 9 (2016):*

1.2.5 Provided that a consideration is material in planning terms it must be taken into account in dealing with a planning application even though other machinery may exist for its regulation. Even where consent is needed under other legislation, the planning system may have an important part to play, for example in deciding whether the development is appropriate for the particular location. The grant of planning permission does not remove the need to obtain any other consent that may be necessary, nor does it imply that such consents will be forthcoming.

4.4.3: In contributing to the Well-being of Future Generations Act goals, planning policies, decisions and proposals should (inter alia):

- 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
- Minimise the risks posed by, or to, development on or adjacent to unstable or contaminated land and land liable to flooding. This includes managing and seeking to mitigate the consequences of climate change by building resilience into the natural and built environment.
- Locate developments so as to minimise the demand for travel, especially by private car
- Ensure that all local communities – both urban and rural – have sufficient good quality housing for their needs, including affordable housing for local needs and for special needs where appropriate, in safe neighbourhoods

4.7.4: Local planning authorities should assess the extent to which developments are consistent with minimising the need to travel and increasing accessibility by modes other than the private car. Higher density development, including residential development, should be encouraged near public transport nodes or near corridors well served by public transport (or with the potential to be so served).

4.11.9: Visual appearance, scale and relationship to surroundings and context are material planning considerations. Local planning authorities should reject poor building and contextual designs. However, they should not attempt to impose a particular architectural taste or style arbitrarily and should avoid inhibiting opportunities for innovative design solutions.

4.11.11: Local planning authorities and developers should consider the issue of accessibility for all.

4.11.12: Local Authorities are under a legal obligation to consider the need to prevent and reduce crime and disorder in all decisions that they take.

5.2.9: Local planning authorities should seek to protect trees, groups of trees and areas of woodland where they have natural heritage value or contribute to the character or amenity of a particular locality.

5.5.11 The presence of a species protected under European or UK legislation is a material consideration when a local planning authority is considering a development proposal which, if carried out, would be likely to result in disturbance or harm to the species or its habitat.

9.1.2 Local planning authorities should promote sustainable residential environments, avoid large housing areas of monotonous character and make appropriate provision for affordable housing. Local planning authorities should promote, inter alia, development that is easily accessible by public transport, cycling and walking, attractive landscapes around dwellings with usable open space and regard for biodiversity, nature conservation and flood risk; greater emphasis on quality, good design and the creation of places to live that are safe and attractive, well designed living environments, where appropriate at increased densities.

9.2.13: Sensitive design and good landscaping are particularly important if new buildings are successfully to be fitted into small vacant sites in established residential areas.

9.3.3: Insensitive infilling or the cumulative effects of development or redevelopment should not be allowed to damage an area's character and amenity. This includes such impact on neighbouring dwellings such as serious loss of privacy or overshadowing.

12.4.1: The adequacy of water supply and the sewerage infrastructure are material considerations in planning applications and appeals.

12.7.3: Adequate facilities and space for the collection, composting and recycling of waste materials should be incorporated into the design of any development and waste prevention efforts at the design stage, construction and demolition stage should be made by developers.

13.2.1: Flood risk is a material planning consideration.

- 4.4 TAN *Technical Advice Note 12 (Design)*: provides further WAG guidance on design issues. Paragraph 4.9 advises that '*opportunities for innovative design will depend on the existing context of development and the degree to which the*

historic, architectural, social or environmental characteristics of an area may demand or inhibit a particular design solution. A contextual approach should not necessarily prohibit contemporary design

5. INTERNAL CONSULTEE RESPONSES

- 5.1 The Operational Manager, Transportation advises that he has no objection on parking or highway safety grounds subject to appropriate conditions. He comments that the Traffic Regulation Order Team are unaware of any complaints regarding the issues outlined by the residents and have advised that the road is of sufficient width for vehicles to manoeuvre past parked cars.

The Officer advises that there are currently no current traffic orders on Bronwydd Avenue and comments that from previous traffic surveys there are less than a 100 vehicles using the road in a peak hour (which is the busiest), the 85% average speed is 25mph and that the proposal will not result in a significant increase in traffic. The Officer states that he has visited the site and whilst acknowledging there were parked vehicles on the pavement, these were located on either side of the bridge above the A48.

- 5.2 Pollution Control (Noise & Air): Standard recommendation on construction site noise.

- 5.3 Pollution Control (Contaminated Land):

Shared Regulatory Services requests conditions and informative statements in accordance with CIEH best practice and to ensure that the safety of future occupiers is not prejudiced in accordance with policy EN 13 of the Cardiff Local Development Plan.

- 5.4 Operational Manager, Drainage Management: No representations have been received.

- 5.5 The Operational Manager, Waste Management advises that plans detailing refuse storage are acceptable.

6. EXTERNAL CONSULTEE RESPONSES

- 6.1 Welsh Water/Dwr Cymru notes the information submitted with the application and, in particular, the drainage arrangement shown on dwg P5 12L-003 showing surface water connecting to a soakaway. The Company advises that no surface water and/or land drainage should be allowed to connect with the public sewerage network.

7. REPRESENTATIONS

- 7.1 The following objection has been received from Councillor J Boyle and Councillor B Kelloway:

We note the many objections raised by residents in relation to the following

potential breaches of the Council's supplementary planning guidance on residential alterations and extensions:

- *6.3: understanding the character of your area*
- *7.24: siting, scale and & impact on the street scene*
- *7.25 overlooking*
- *7.27 avoiding overbearing design*
- *7.49 highway safety and parking*

We choose not to repeat each of the points made in those submissions but associate ourselves with them. In particular, we have serious concerns in relation to 6.3: Understanding the character of your area.

The development of a three floor block of flats, of a resolutely modern design, would not sit comfortably within the context of the detached properties of Bronwydd Avenue, Greenlawns and the western side of Cyncoed Road, onto which the site backs.

The risk of allowing this development, not least a three-floor property in a street of two-floor properties, is that it would create a precedent for other similar developments in future. Such a piecemeal approach to planning and development would over time erode the unique character of these streets, which are a distinct part of Cardiff.

While the design is modern, it is not sufficiently daring or innovative to merit its siting on the grounds of architectural interest.

In relation to the supplementary planning guidelines on infill development, we have concerns in relation to the following paragraph:

2.15 The intensification of a site often means that additional car parking needs to be accommodated within the site boundary. Parking design is an important consideration with all infill development but the increased unit densities can specifically create problems for site redevelopment. Front gardens are important for biodiversity, amenity, drainage, street character and therefore parking should not intrude on these areas where they contribute to the character of the area. Parking should be designed and sited to encourage the use of street frontage to access dwellings. Proposals which create car-dominated frontages that harm the street scene, and/or create blank frontages at the ground floor will not be accepted.

The proposals by necessity create a car-dominated frontage, out of context with how parking is managed in neighbouring properties and therefore damaging the street-scene. We do not see how the plans can be modified to prevent this breach of the guidelines.

Finally, although supplanted by the recently adopted Local Development Plan, it is our understanding that the tenets of the formerly deposited Cardiff UDP, particularly in relation to Policy 2.20 (Good Design), still stands.

Policy 2.20 carries a requirement that good design will be sought in all development and that all development will be required to demonstrate good design by:

- a) Satisfactorily responding to local character and context;*
- b) Achieving a legible development which relates well to adjoining spaces and the public realm;*
- c) Providing a safe and accessible environment for everyone who might use or visit it;*
- d) Providing for the efficient use of resources and adaptability to changing requirements; and*
- e) Satisfactorily addressing issues of layout, density, scale, massing, height, detailing and landscaping*

We do not believe that a), b) and e) have been met. As argued above, the proposals run counter to local character, do not relate well to adjoining spaces, creating an illegible street scene, and by dint of being a three-floor development break guidelines relation to scale, massing and height.

- 7.2 The Occupier of 27 Bronwydd Avenue objects to the application for the following reasons (summary):

Bronwydd Avenue is a residential housing street of detached high quality housing. The addition of 3no.three bedroom apartments will undoubtedly increase the traffic and parking problems which already exist as it is already extremely difficult to exit either driveway entrance of No. 27 due to the volume of cars parked opposite or pass other cars in the street. The occupier believes that there is an accident waiting to happen.

The height of the building is out of proportion to the rest of the houses (No. 27 had a flat roof and lower levels imposed on it so as not to overshadow neighbouring properties and is only 2 stories high). The houses on either of No. 50 would be overshadowed by a 3 story block of apartments taking light from their gardens. The occupier refers to other flat developments in the vicinity and the potential for other similar scheme which would upset the balance between apartments and quality detached houses in the area and lower the value of the properties in the street.

- 7.3 The occupier of 35 Cyncoed Road states that he is pleased to see that the rear balconies at first and second floor levels are deeply recessed and will have obscure glazed screens which will restrict the opportunity for overlooking of neighbouring gardens and would expect the obscure glazed screens to be made a condition of any approval.

The occupier requests the retention of the mature boundary hedge between his property and the application. He states that he and his neighbour (37 Cyncoed Road) only have dwarf walls behind the hedge and if it were to be removed, they would be left with unsatisfactorily open rear boundaries that would compromise both the privacy and security of our properties. He notes from the scheme drawings that it appears to be the intention to retain the hedge, but request that

its retention be made a condition of any approval.

7.4 The occupier of 9 Greenlawns objects to the application for the following reasons (summary):

Bronwydd Avenue is a well-established quiet residential area; a tree lined avenue, lovely gardens with a mix of 'old and new' housing styles but which complement each other well. A 3-storey apartment block is out of context in this environment in relation to its scale, style and positioning. It will appear 'unbalanced' situated between smaller detached older houses and will not fit in with the wider street style.

The plans show that this 3-storey apartment block is not at all subservient to the existing building nor in keeping with its setting in Bronwydd Avenue. Although some of the houses have had extensions into the loft, none are purpose built 3-storey.

The apartments will result in adverse loss of privacy not only to the immediate neighbours but also to the neighbours in Greenlawns and Cyncoed Road. The height of the building, the planned balconies and the living space of the proposed apartments are all now facing Greenlawns and the houses on Cyncoed Rd. This will impinge on the existing private nature of the houses in this area.

The proposed 3-storey design will 'swamp' and over shadow its neighbours. The height, width, sheer depth and numerous balconies will appear overbearing in relation to the surrounding houses. There will be significant reduction in the size of a mature garden. The proposal plan will have an adverse impact on highway safety. There appears to be insufficient provision for car parking at the apartments. This will invariably lead to more cars being parked on an already congested avenue, which leads onto a busy junction with Cyncoed Road.

7.5 The occupier of 48 Cyncoed Road objects to the application for the following reasons (summary):

(i) Serious loss of privacy. The proposed building has on its south-east (rear) elevation three sets of stainless steel glazed balconies with balustrades with access respectively from the kitchen and two of the three bedrooms. While the balconies on the ground and first floor are recessed, and the longer one on the top floor incorporates a 1.8m high opaque glazed side screen, the occupants of these flats, especially the top one, will be able to see straight into the garden of no. 48. The current building has windows – two on the first floor and one a dormer window. The windows in the existing dwelling offer a much more limited view than a balcony running along most of the back of the proposed development and flats will inevitably be much more regularly occupied during the day than are the current bedrooms.

Furthermore the proposed development, especially the part furthest from no. 48, would extend further "backwards" (i.e. to the south-east) than the current building which will put even more of the garden into view. Overall, the proposed

development would seriously reduce privacy.

(ii) It is likely to affect the flow of traffic in this part of Bronwydd Avenue and the safety of those who live there. The plans incorporate no garages, and provide only one parking space per flat. It seems extremely likely that the occupants of each flat will have (at least) two cars each. Currently there are only 8 buildings between the Cyncoed Road junction and the Ty Gwyn Avenue/Ty Gwyn Crescent junction, all of which have garages and/or adequate provision for off-road parking. The parking space provided by the proposed development is clearly inadequate and will exacerbate the existing problems for traffic flow, parking availability and road safety at the top end of Bronwydd Avenue. The upper part of Bronwydd Ave is a well-known "rat-run" because it provides a convenient short cut between the A48 and central and north Cardiff and is free of both traffic lights (unlike Penylan Hill) and speed bumps (unlike Ty Gwyn Road). An increasing number of people appear to be using it as a car park from which they catch a bus into town. As a consequence the road often becomes "narrow" and busy, creating the possibility of accidents. This is particularly so at the Ty Gwyn Avenue/Crescent junction, but the occupiers have also found that left-hand turns onto Bronwydd Avenue from Penylan Hill almost always now have to be made without being able to see what is coming up Bronwydd Avenue. Frequently therefore we have to brake sharply and stop and even reverse, and this can feed the congestion back onto a very busy Cyncoed Road.

(iii) The occupiers also state that they regularly have cars parked both sides of their house's driveway meaning that they have to exit with very little sight of what is coming up or (especially) down Bronwydd Avenue. The proposed development, by very probably increasing on-road parking, can again only make this particular problem worse.

iv) The development is out of character with the other buildings in the vicinity, and overbearing. There is not a single 3-storey building in Bronwydd Avenue. Both the existing apartment buildings in the road (4 flats each) are only two storeys high. Having 3 storeys would make the proposed building overbearing, an effect added to by the fact that number 50 is right at the top of the hill.

7.6 The occupier of 4 Green Lanes objects to the application for the following reasons:

The proposed development is for a 3 storey apartment complex significantly different in appearance from the 2 storey detached house which it will replace and would be at variance with the surrounding properties all of which are of 2 storeys. There are major parking problems at this part of Bronwydd Avenue which is used for parking by residents and visitors. Vehicle access to and from nearby properties is already difficult and is particularly hazardous at times when the Bronwydd Avenue/Ty Gwyn Avenue route is used as a rat run by commuter traffic avoiding Penylan Hill. The development would seriously exacerbate these problems.

7.7 The occupier of 42 Bronwydd Avenue objects to the application for the following reasons (summary):

Parking and Traffic issues: Bronwydd Avenue is already congested especially at rush hour. The top junction with Cyncoed Road is especially busy and Bronwydd Avenue and Cyncoed Road residents parking here making the road single track. People use this road as a cut through and drive over the speed limit. Residents struggle to park and are unable to get out of their driveways safely. If there are 1 to 2 cars per apartment plus visitors, this will exacerbate the parking issues and with the road being so narrow will be extremely dangerous. An increased volume of traffic in such a crowded area is of major concern. Residents of the flats further down Bronwydd Avenue's already tend to street park. Our own car when parked on the road has already been hit overnight with no contact details left.

Bronwydd Avenue consists of mainly detached housing. Two multi flat developments have already been built affecting the residential nature of the street, considerably increasing traffic and creating parking problems. The proposed three story design is out of keeping with the rest of the dwellings in the street with all other houses being two storey. Residents have major concerns that the development will significantly damage the character of the residential street and overshadow neighbouring properties.

There are concerns regarding the impact of water on no. 42, with flooding/water logging of the garden which appears to be contributed to by run off from the houses uphill. There is concern that the larger building and increased paved/concrete area will exacerbate this problem.

7.8 The occupier of 10 Greenlawns objects to the application for the following reasons (summary):

It is considered that the proposal represents overdevelopment of the site in this context and that it will have a significant material impact upon the character of the area and diminish residential amenity of adjoining properties.

The proposal fails to provide details of the ridge height, only the height of the eaves above the first floor of development. This is misleading since unlike the existing building, the roof has been designed to include an entire level of living accommodation only marginally smaller than that of the ground and first floors. The proposed ridge height must be significantly higher than that of the existing, especially to the street front. Furthermore, the proposal shows gable ends to the side boundaries which both significantly increase the building mass and is out of character of the area. The majority of homes in the neighbourhood have roofs hipped to the side boundaries which create a sense of spaciousness and separation between buildings, and effectively a 'step down' at the meeting point between two buildings. The SPG that deals with infill development states that 'roofs should remain in proportion with those in surrounding buildings to create a successful transition between buildings' (point 3.25). The proposal also steps up to the boundary thus increasing the height change between it.

The other buildings along Bronwydd Avenue are limited to two storeys (with one instance of undercroft parking cut into the slope). There are some instances of

dormer windows to the rear of properties, however, the roof pitch and form when viewed from the street is unchanged. This proposal is for 3 storeys of living accommodation and the building reads as a 3 storey apartment block within the context of a much lower density residential environment. There is precedent for this sort of intensity of development along arterial routes, for example, Cyncoed Road. However, in this instance the additional scale is offset by being adjacent to open space or a wider road corridor.

The building would be very prominent in the street scene, and significantly increase the degree of street enclosure and continuity of frontage, both elements more appropriate to an urban context or corner site.

The proposed net density is over 50 dwellings per Hectare, significantly higher than that found locally, or in other suburban locations in Cardiff. It is a key objective of the adopted Cardiff Local Development plan to ensure development is of an 'appropriate density' (4.a.9 p.32), and to ensure the development respects local context.

The increased footprint of the buildings and lack of soft landscape at the boundary or within the front curtilage will create an extremely 'hard' frontage to the street which will have a negative impact upon the existing street scene. The increased height along with the proposed roofline will mean that the gap between properties will appear less, and the frontage will appear much more continuous than is characteristic of the area. Therefore, overall the proposed development will fail to maintain the appearance of the established spacing between buildings on Bronwydd Avenue and creates a pattern and layout that is more urban and dense than that found in the vicinity of the site.

The removal of the stone boundary wall to be replaced with a standard brick wall will deteriorate local distinctiveness and the quality of the street scene. The front curtilage is proposed to be used solely for car parking and circulation thus creating a totally car dominated frontage. The loss of any front garden or landscape zone has a detrimental impact upon amenity, local biodiversity, drainage and street character.

It seems that there is insufficient space for manoeuvring cars, pedestrians, bins and bicycles. The route from the bin and bicycle store to the street appears particularly convoluted and likely to be obstructed by cars.

Residential Amenity -Three storey development, including kitchen/living/dining areas and balconies on the third storey would create an unacceptable level of intrusion to existing residents in terms of privacy, overbearing and overlooking. The principle objection is to the third storey living accommodation which will directly overlook adjacent properties and gardens. At present there is a single room, presumably a bedroom in the roof facing the southern boundary. The proposal will create direct views from primary living spaces and outdoor spaces into the adjacent properties internal and external spaces, particularly in winter. The existing Leylandii Cypress at the shared rear boundary is overgrown, becoming precarious and is therefore due to be removed so will no longer offer the visual screen between the properties. Furthermore, since the application site is approaching the top of the ridge, the development will tower over

adjacent properties down the hill, rather than stepping up the slope in an appropriate manner as is currently the case. The slope between Bronwydd Avenue and Greenlawns (approximately 5m) will increase the relative scale of the building by up to two storeys. The occupiers state that the impact upon the quiet enjoyment of rear gardens and interior space will be severely compromised. It is the addition of a third storey living space and related increased building height that will have a significant and unacceptable impact on neighbouring amenity, including their own property.

The increased height and mass of the building will have a particular overshadowing effect upon the gardens of houses to the east of the property along Cyncoed Road.

The drawings do not show if the proposed shared garden is secure, but if public access is possible the security of their rear boundary would be of concern.

The proposals do not show how the development intends to respond to Cardiff Council's sustainability objectives, especially related to energy, water and waste. It is not clear how the proposal will ensure that all surface water will be managed on site.

Green Infrastructure and Ecology KP16 states that new development should seek to enhance on site Green Infrastructure, and that natural heritage assets are key to Cardiff's character, distinctiveness and sense of place. As previously noted, there is an absence of soft landscaping to the front and side of the property and it is not clear how the development intends to enhance on site Green Infrastructure.

7.9 The occupier of 39 Cyncoed Road objects to the application for the following reasons:

The proposed development is not sympathetic in its context in terms of scale, positioning, detailing and materials. It would not fit comfortably into the wider street scene of traditional detached houses, resulting in an unbalanced appearance.

The application indicates that there are no trees or hedges on site. This is not true and the occupier requests that any approved development should secure by condition the retention of the mature hedging (2.7m. high) including that in the area of the proposed bin and cycle storage. The occupier comments that the existing garage is attached to the garage of 39 Cyncoed Road and has been partly demolished leaving the adjoining garage exposed. The occupier requests that any approved development should secure by condition the agreement of acceptable construction details to secure the integrity of the adjoining garage.

7.10 The Occupier of 3 Green Lanes objects to the application for the following reasons:

The proposed development is not in keeping with the surrounding properties. This is particularly with reference to its height but also with regard to the rest of

the design. The traffic situation on the upper part of Bronwydd Avenue is giving serious concern. It is used regularly as a cut through by rush hour traffic and also suffers as a result of parked cars (presumably left by commuters who have transferred to the bus). The off-road parking facilities as depicted look wholly inadequate and the number of cars associated with three flats will compound an already dangerously busy road.

7.11 The occupier of 1 Green Lanes objects to the application on traffic/parking grounds stating that there are already cars parked on both sides of Bronwydd Avenue which was not intended for the amount of traffic now experienced. The occupier states that getting in and out of the Avenue sometimes proves very difficult and to add additional congestion would not be advisable or safe.

7.12 The occupier of 40 Bronwydd Avenue raises the following concern:

(i) The occupiers state they have experienced for a number of years water that has tracked to the rear and side of their house which they say has caused flooding and damage to a boundary wall between No 40 & No 42. They comment that it is quite likely a number of houses above their level on Bronwydd Ave have water soak away systems in their gardens. They would strongly object to any further soak away system in the rear garden as this could compound our on-going problem.

(ii) A development of 3 flats, even allowing for a small parking area to the front of the development, is sure to require further roadside parking. The upper part of Bronwydd Ave narrows considerably and is frequently congested. Adjacent properties and those opposite the proposed development already have difficulty parking, as you can only park on one side of the road.

(iii) The height of the development would also be of some concern especially if the building is out of proportion with the height of the surrounding houses.

7.13 The occupier of 2 Green Lanes objects on grounds relating to the safety of road users and pedestrians stating that the number of additional vehicles parked on the road from the proposed development will only add significantly to the difficulties and danger that already exists.

7.14 Local members and neighbouring occupiers have been consulted on amended plans. The following additional representations have been received:

7.15 The following additional objection has been received from Councillor J Boyle and Councillor B Kelloway (summary):

Having reconsidered the comments we submitted in response to the original plans, we think there has been no serious effort made by the applicant to meet the concerns that were raised either by ward members or a significant number of local residents.

In particular, we are unhappy that no effort has been made to address the following issues:

- *The impact of an inevitable increase in on-road parking so close to the*

junction with the busy Cyncoed Road;

- *A failure in the designs to pay heed to the character of the area;*
- *The proposal's siting, scale and its impact on the street scene.*

In addition to points made in our original objection, we are disappointed that the plans show such little architectural panache. This proposal displays none of the design flair currently evident elsewhere on Bronwydd Avenue and the roads that run off it. It is, to use the words officers recently used in relation to a controversial application in Penylan, a 'poor pastiche' of what passes for contemporary design. As Cardiff's Local Development Plan notes:

'The city has a particularly rich Victorian and Edwardian legacy that is reflected in the city centre, its inner suburbs and in the civic centre and religious building. Churches and chapels, schools and public houses remain prominent and often create focal points on streets and junctions. As Cardiff continues to grow, high quality design will be required which takes this local distinctiveness into consideration.'

We do not believe these proposals meet this test of distinctiveness. As Cardiff develops, it is incumbent on the city's planners and its planning committee to demand originality and innovation from our architects.

A design that met that LDP's test of distinctiveness would not have resulted in a proposal that ignores the character of the area, rides roughshod over the existing street scene and breaks the existing uniformity of scale that makes Bronwydd Avenue a significant part of Cardiff's architectural heritage.

- 7.16 The occupiers of 27 Bronwydd Avenue advise that their previous objections remain more or less the same as previously submitted, and, specifically, as outlined by Councillors Kelloway and Boyle in their written objection, viz. changing in the character of the street (and area), the overbearing design of the property, the intrusiveness of the building vis a vis other properties surrounding it and the very real problem and danger of highway safety due to overcrowding of parked cars in this already very narrow street. The occupiers state that they can only exit their driveway with great difficulty due to the amount of parked cars. They state that putting up apartments in the middle of a street full of high quality two story detached houses would be incongruous and affect the character and balance of the neighbourhood and is intrusive to neighbouring houses. They comment that the difference between the existing height of the current property and the proposed apartment block is unacceptable and that the application appears to be an opportunistic financial venture disregarding neighbours privacy, the surrounding environment and the impact on the street itself.
- 7.17 The occupier of 4 Green Lanes comments that the development would not be sympathetic to its context as all existing structures are 2 storeys. He also considers that the frontage is of inadequate size to accommodate a **6 flat** complex and would impact adversely on the street scene. He considers that the development would be overbearing in relation to other properties and that the proposed parking provision is inadequate resulting in traffic flow being impeded

and residents being seriously inconvenienced.

- 7.18 The occupiers of 48 Bronwydd Avenue comment that whilst the revisions have gone some way towards meeting some of their original objections they feel they do not go far enough and that the proposed development still represents a serious incursion on their privacy with windows/balconies directly overlook their garden. If the proposed development were to go ahead they would still feel overlooked in their garden.

The occupiers comment that the proposed development continues to have inadequate provision for off-road parking. They state that there is a tendency for cars to be parked at the top of Bronwydd Avenue and the use of Bronwydd Avenue as a rat-run regularly produces dangerous congestion at the junction with Cyncoed Road. They comment that the natural curve of the road makes a left turn into it from Cyncoed Road blind with drivers frequently having to brake suddenly which can lead to a dangerous feed-back of suddenly stationary traffic into the even busier Cyncoed Road. They believe that the extra cars parked on Bronwydd Avenue as a result of the proposed development would be likely to exacerbate this problem.

They comment that the proposed development would still overbearing, being higher than the existing building and a dominant feature in the road which would be of character.

- 7.19 The occupier of 1 Green Lanes reiterates her objections stating that the development will be out of keeping with the surrounding homes in the area and would increase parking difficulties in the street.
- 7.20 The occupiers of 10 Greenlawns state that their previous objections remain, commenting as follows (summary):

The proposal changes the character of the area; will have a negative impact on their privacy and amenity and create a dangerous parking situation at the junction of Bronwydd Avenue and Cyncoed Road.

The building's height and mass is significantly larger and more dominant than is appropriate.

Despite changes to the proposed roof form, the drawings still show an increased ridge height and roof pitch which along with the increased bulk will mean that the development will not remain in proportion with the surrounding buildings.

Although the revised proposal now shows a hipped rather than gable end roof, the proposal is still overbearing, of inappropriate bulk and mass, and thus out of character with the area.

The revised proposal does not address concerns about the lack of landscaping, particularly at the front (and rear) boundary. The increased width of the driveway crossover to include a parking space alongside the drive changes the

character of the street, reducing enclosure and amenity and also creates an unsafe environment for both drivers and pedestrians.

Increasing the quantum of cars parking on the street in the area will create a road safety problem as parked cars encroach on the junction with Cyncoed Road and also park on the pavement obstructing pedestrian movement.

It can be expected that a development of this nature could introduce anywhere between say 6 and 10 additional cars to the site and the immediately surrounding roads. This would be quite out of keeping with the local area and the safe use of the local street network.

The occupiers remain very concerned about the impact of the proposed development upon their amenity. They comment that the proposed development moves the proposed building some distance down the garden and continues to propose 3 storey living accommodation with windows and balconies directly overlooking them.

The landscape proposals for the rear garden do not include sufficient screening along the rear boundary adjacent to their property. Any development of the subject site should include a significant planted buffer at the line of boundary of at least 3m in height.

7.21 The occupier of 23 Bronwydd Avenue objects for the following reasons:

i) Insufficient off road parking is being provided. The occupier states that when she turns left into Bronwydd Avenue from Cyncoed Road, most of the time she has to drive over to the 'wrong' side of the road into the incoming traffic due to the amount of parked cars on the left side of the road. Additional cars parked on the road will exacerbate the situation.

ii) Bronwydd Avenue consists mainly of 2 storey detached houses. The proposed development will change the character of the street and look imposing.

7.22 The occupier of 39 Cyncoed Road comments that the amended plans area big improvement but that his previous concerns still stand.

7.23 The occupiers of 19 Bronwydd Avenue object on the following grounds:

i) Inadequate parking provision which will result in increased on street parking obstructing traffic flow through the upper part of Bronwydd Avenue;

ii) The adverse effect of the development of three-storey flats on the character of the neighbourhood.

7.24 The occupiers of 9 Greenlawns, having reviewed the amended plans, advise that they still have strong objections which, in summary, are as follows:

A 3-storey apartment block is out of context in Bronwydd Ave in relation to its scale, style and positioning. It will not fit in with the wider street style and is not

at all subservient to the existing building nor in keeping with its' setting in Bronwydd Avenue.

The apartments will result in adverse loss of privacy not only to the immediate neighbours but also to the neighbours in Greenlawns and Cyncoed Road.

There appears to be insufficient provision for car parking at the 3 apartments. This will invariably lead to more cars being parked on an already congested avenue.

The plans for the apartments do look good and the adjustments that have been made do try to avoid an overbearing design but the proposed building will be inappropriate for the above reasons.

7.25 The occupier of 40 Bronwydd Avenue reiterate their previous concerns/objections (refer to paragraph 7.12).

8. **ANALYSIS**

8.1 Planning permission is sought to demolish the existing two storey dwelling at 50 Bronwydd Avenue and redevelop the site with a building containing 2 no. three bedroom flats and a two bedroom flat. The site is located within a residential area and there is no objection, in principle, to the development of flats in this location; There are flats nearby at Green Lanes, on the opposite side of the street and a development has been built at 'The Stafford' next to the road bridge over Eastern Avenue to the south.

8.2 The main planning issues are considered to relate to:

- (i) the effects of the proposed development on the character and appearance of the street scene and the general amenities of neighbouring occupiers.
- (ii) whether the proposed development will provide an acceptable living environment for prospective occupiers.
- (iii) parking/transportation.

8.3 Policy KP5: Good Quality and Sustainable Design of the Cardiff Local Development Plan states that... *all new development will be required to be of a high quality, sustainable design and make a positive contribution to the creation of distinctive communities, places and spaces by* (inter alia):

(i) responding to the local character and context of the built and landscape setting so that layout, scale, form, massing, height, density, colour, materials, detailing and impact on the built and natural heritage are all addressed within development proposals;

(x) ensuring no undue effect on the amenity of neighbouring occupiers and connecting positively to surrounding communities;

8.4 Planning Policy Wales at paragraph 4.11.9 states that '*visual appearance, scale and relationship to surroundings and context are material planning*

considerations.'

8.5 Further guidance on residential infill development is provided in the Council's Supplementary Planning Guidance: *Design Guidance for Infill Development (2011)*. Although the SPG was approved as supplementary guidance to the City of Cardiff Local Plan, the advice contained within it is consistent with the aims of LDP Policy KP5 and guidance in Planning Policy Wales and therefore remains pertinent to the consideration of the current application, assisting in informing the assessment of relevant matters.

8.6 At paragraph 3.8, the SPG states that:

Infill, backland and site redevelopment must result in the creation of good places to live. This needs to be demonstrated through the quality of internal living space; private amenity space; and through adherence to principles relating to access, security, and legibility.

8.7 At paragraph 3.12, the SPG states that:

Infill development needs to be sensitive to its immediate surroundings and respond well to the built context. It is important that in residential areas where there is a clear existing pattern and form of development, new buildings, landscaping and boundary treatment complement the character of the surroundings.

8.9 At paragraph 4.3, the SPG states that:

'It should be demonstrated that the size and type of external amenity space is appropriate to the type of development and to the urban grain of the area.'

8.10 At paragraph 4.11, the SPG states that:

'To safeguard the amenity of existing residents, proposals must not result in unacceptable harm regarding the level of overbearing, overshadowing or overlooking of neighbouring properties.'

8.9 With respect to the effect of the development on the character and appearance of the street scene, there is no objection to the proposed building, as amended, on design grounds. There is evident variety in the scale, form, architecture and finish of the properties along Bronwydd Avenue. Whilst the proposed building would have a larger footprint and would be bulkier than the existing dwelling, it is considered that its scale is appropriate within the context of the site and street having regard to the following factors:

i) The proposed building would be no wider than that of the existing dwelling and garage and whilst it would project back deeper into the site, its principal rear elevation would be broadly consistent with that of the neighbouring dwellings (No. 48).

ii) The height of the building at eaves level would be broadly consistent with that of

the existing dwelling and its overall ridge height would marginally taller than the roof ridge of the existing house (by approximately 0.6 metres).

iii) The overall massing of the block has been reduced with the roof design amended from a gable to a hip arrangement which reflects the roof form of its neighbours.

iv) The reduction in the footprint of the block footprint of the building allows for a degree of soft landscaping at the front of the site and a less vehicular dominated frontage.

- 8.10 The likely impact of the proposed development on the living conditions of neighbouring occupiers has been carefully considered.
- 8.11 The south western (side) elevation of the proposed building is shown to be located approximately 1.5 metres from the side of the neighbouring dwelling at 48 Bronwydd Avenue. That property, which occupies a lower ground level than the application site, comprises a two storey hipped roof dwelling with a 1 ½ storey element located next to the application site. The submitted plans show the rear elevation of the proposed building extending a distance of approximately 0.4 metres beyond the rear elevation of no. 48. As indicated in paragraph 8.9, the height of the building at eaves level would be broadly consistent with that of the existing dwelling and its overall ridge height would be marginally taller (approximately 0.6 metres) than the roof ridge of the existing house.
- 8.12 The north eastern (side) elevation of the proposed building is shown to be sited next to the garage at the rear of 39 Cyncoed Road and between 4.4 metres and 7.8 metres from the rear garden boundary with 37 Cyncoed Road. The neighbouring properties at nos. 35, 37 and 39 Cyncoed Road have relatively long rear gardens such that the proposed building would be sited between 14.0 metres and 25.0 metres from the their rear elevations. The existing high hedge along the boundary is shown to be retained.
- 8.13 A distance of approximately 16.0 metres would be retained between the rear elevation of the proposed block and the garden boundary with 10 Greenlawns which adjoins the site to the south east.
- 8.14 As originally submitted, the proposed building contained a bulky pitched roof design with extensive areas of glazing and balconies over three floors on the rear elevation. The revised proposals have reduced the mass of the block by hipping the roof and the extent of glazing and balcony areas on this elevation have also been reduced. Whilst some concern has been raised regarding upper floor windows overlooking neighbouring gardens, especially as a number would serve habitable rooms, a degree mutual overlooking is inevitable in such residential areas and it is not considered that the impact of the revised proposal on the privacy of the neighbouring occupiers would be so significant as to justify refusal of the application on this ground or that the proposed building, as amended, would have an unduly overbearing effect on the adjoining neighbours.

- 8.15 With regard to the prospective living environment for future occupiers, the proposed flats have acceptable internal living space and outlook. The shared amenity space (some 290 sq metres) is considered to be of an appropriate size for three flats.
- 8.16 Appropriate landscaping of the site can be satisfactorily addressed by condition. The submitted bat survey has not identified issues that cannot be addressed by mitigation.
- 8.17 The Transportation Officer advised that he has no objections to application in terms of off street parking provision confirming that the proposal accords with the Council's Parking Guidelines. He comments that the Traffic Regulation Order Team are unaware of any complaints regarding the parking issues outlined by the residents and advises that the road is of sufficient width for vehicles to manoeuvre past parked cars.
- 8.18 No technical objections have been raised by Welsh Water/Dwr Cymru or by the Council's Drainage Officer to the approval of the application on drainage grounds. An appropriate drainage condition is recommended.
- 8.15 On balance, the proposal, as amended, is considered acceptable on planning grounds and approval is recommended subject to the attached conditions.

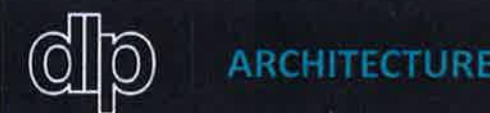


Location Plan
1 : 1250

16/01477

Planning Issue

date	rev	name	chk	note
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Architectural Design - Feasibility - Planning - Building Control - Construction Details - Sustainable Design
Systems House 89 Heol Don Cardiff CF14 2AT
T 02920316857 M 07785582007 info@dlparchitecture.co.uk

PROJECT
Demolition of existing building and erection 3
No three bedroom flats at
50 Bronwydd Avenue, Cardiff CF23 5JQ

DRAWING TITLE
Location Plan

SCALE	DATE	DRAWN BY	CHECKED BY
1 : 1250	17/06/16	PL	AJ

DRAWING NUMBER	REVISION
P528 L_001	



Front Elevation



Side Elevation

16/01477



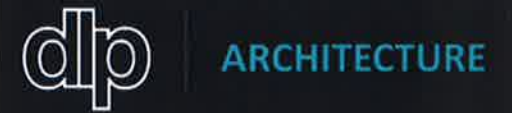
Rear Elevation



Side Elevation

Planning Issue

date rev name chk note



Architectural Design - Feasibility - Planning - Building Control - Construction Details - Sustainable Design
Systems House 89 Heol Don Cardiff CF14 2AT
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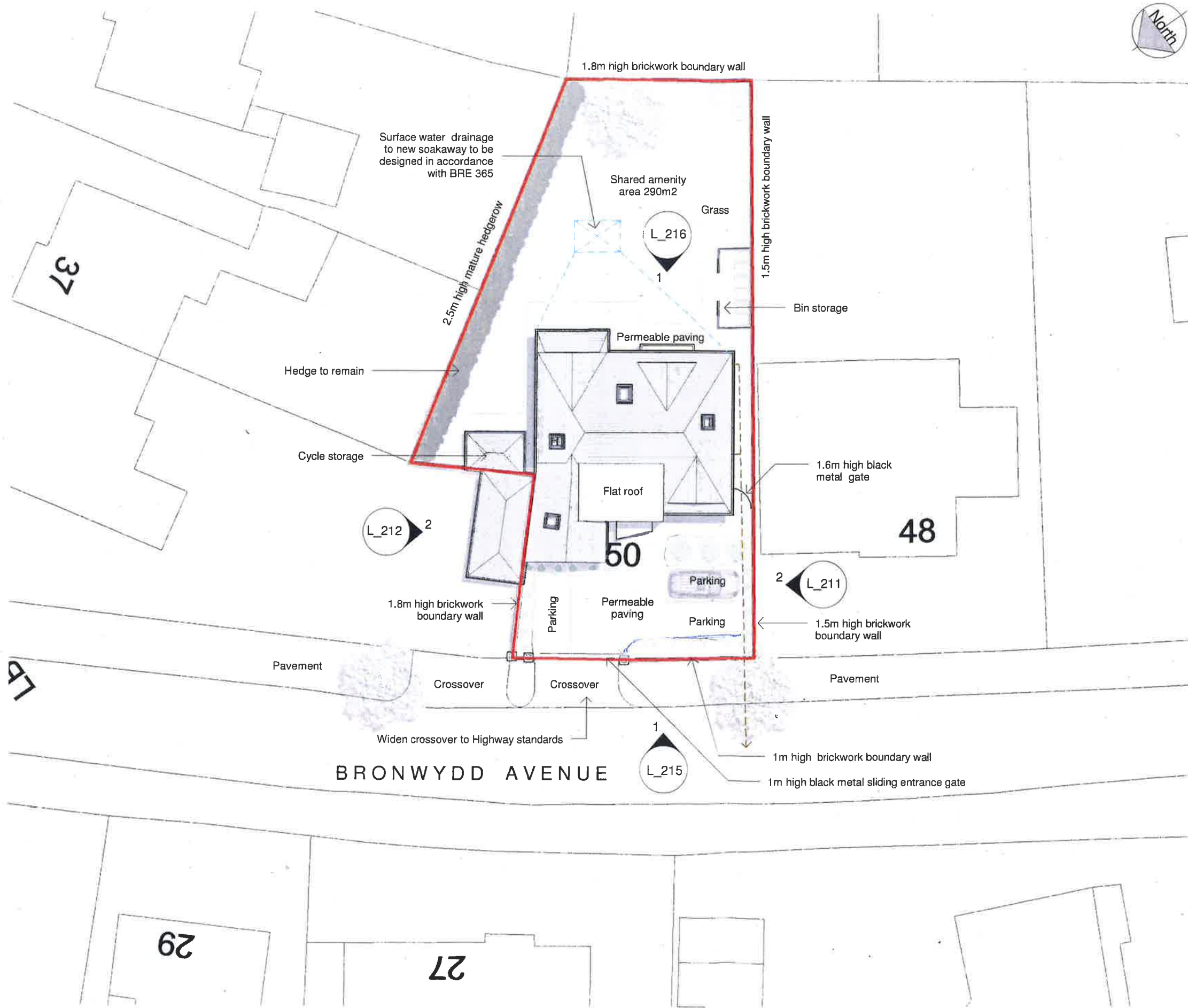
PROJECT
Demolition of existing building and erection 3
No three bedroom flats at
50 Bronwydd Avenue, Cardiff CF23 5JQ

DRAWING TITLE
Photographs as Existing

SCALE DATE DRAWN BY CHECKED BY
17/06/16 PL AJ

DRAWING NUMBER REVISION
P528 L_100

A3



AREAS:
Proposed site area:
 595m²
Private amenity areas:
 Flat 1: 4m²
 Flat 2: 4m²
Shared amenity area:
 290m²

DRAINAGE NOTES:
 Surface water drainage to new soakaway to be designed in accordance with BRE 365

DRAINAGE LEGEND:
 -FOUL DRAINAGE RUN - EXISTING
 -FOUL DRAINAGE RUN - PROPOSED
 -SURFACE WATER DRAINAGE RUN

HARDSTANDING FINISHES KEY:
 - GRASS
 - PERMEABLE PAVIOURS

Planning Issue

14/12/16 A PL AJ Scheme amended in line with planners feedback
 date rev name chk note



Architectural Design - Feasibility - Planning - Building Control - Construction Details - Sustainable Design
 Systems House 89 Heol Don Cardiff CF14 2AT
 T 02920316857 M 07785582007 info@dlparchitecture.co.uk

PROJECT
 Demolition of existing building and erection 3 No flats at
 50 Bronwydd Avenue, Cardiff CF23 5JQ

DRAWING TITLE
 Site Plan as Proposed

SCALE	DATE	DRAWN BY	CHECKED BY
As indicated	17/06/16	PL	AJ
DRAWING NUMBER	REVISION		
P528	L_003		A

Site Plan as Proposed
 1 : 250

14/12/16

Responsibility is not accepted for errors made by others in scaling from this drawing. All construction information should be taken from figured dimensions only.

- FINISHES KEY:**
- A : SLATE ROOFING & RIDGE TILES
 - B : GREY ALUMINIUM WINDOWS & DOORS
 - C : BLACK UPVC RAINWATER GOODS ON BLACK FASCIA
 - D : ANTRACITE GREY TRESPA CLADDING PANELS
 - E : RED / ORANGE BRICKWORK EXTERNAL WALLS
 - F : STAINLESS STEEL & GLAZED BALUSTRADE

A3 General Sheet Size



Street View - Bronwydd Avenue
1 : 100



-North East Elevation
1 : 100

Planning Issue

14/12/16	A	PL	AJ	Scheme amended in line with planners feedback
date	rev	name	chk	note

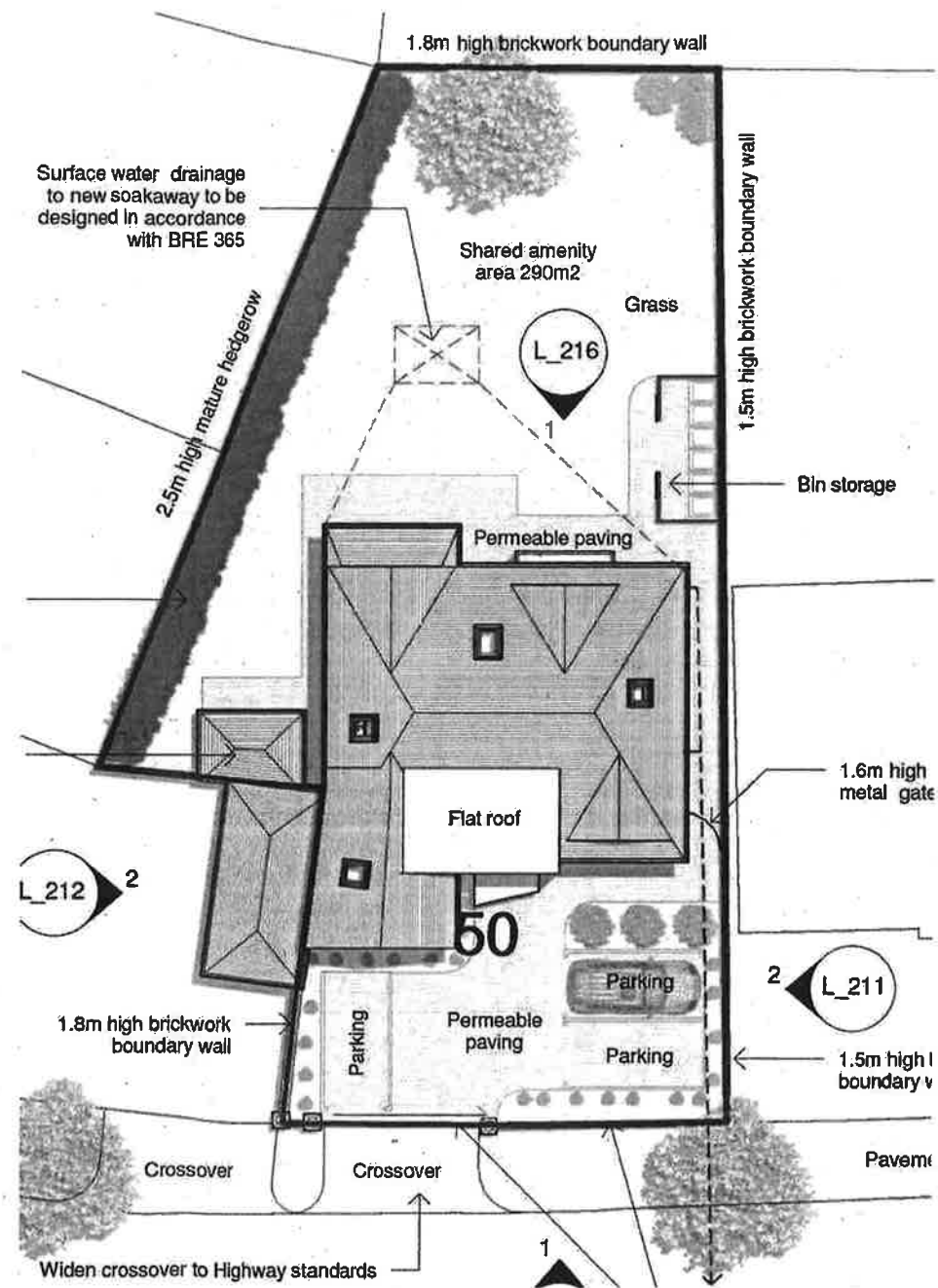
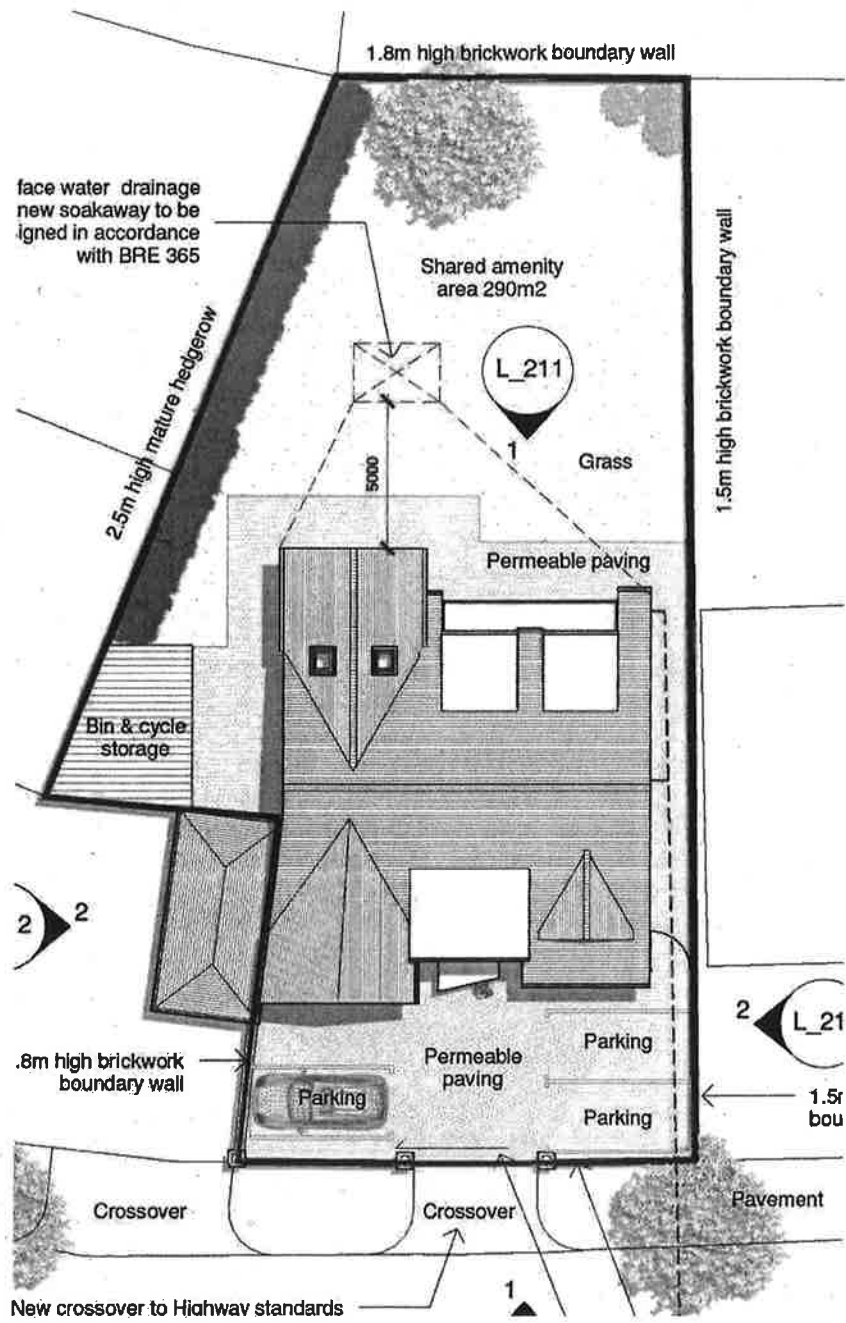


Architectural Design - Feasibility - Planning - Building Control - Construction Details - Sustainable Design
Systems House 89 Heol Don Cardiff CF14 2AT
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PROJECT
Demolition of existing building and erection 3
No flats at
50 Bronwydd Avenue, Cardiff CF23 5JQ

DRAWING TITLE
Street View as Proposed

SCALE	DATE	DRAWN BY	CHECKED BY
1 : 100	16/06/16	PL	AJ
DRAWING NUMBER	REVISION		
P528	L_212	A	



Planning Issue

date	rev	name	chk	note
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Architectural Design - Feasibility - Planning - Building Control - Construction Details - Sustainable Design
 Systems House 89 Heol Don Cardiff CF14 2AT
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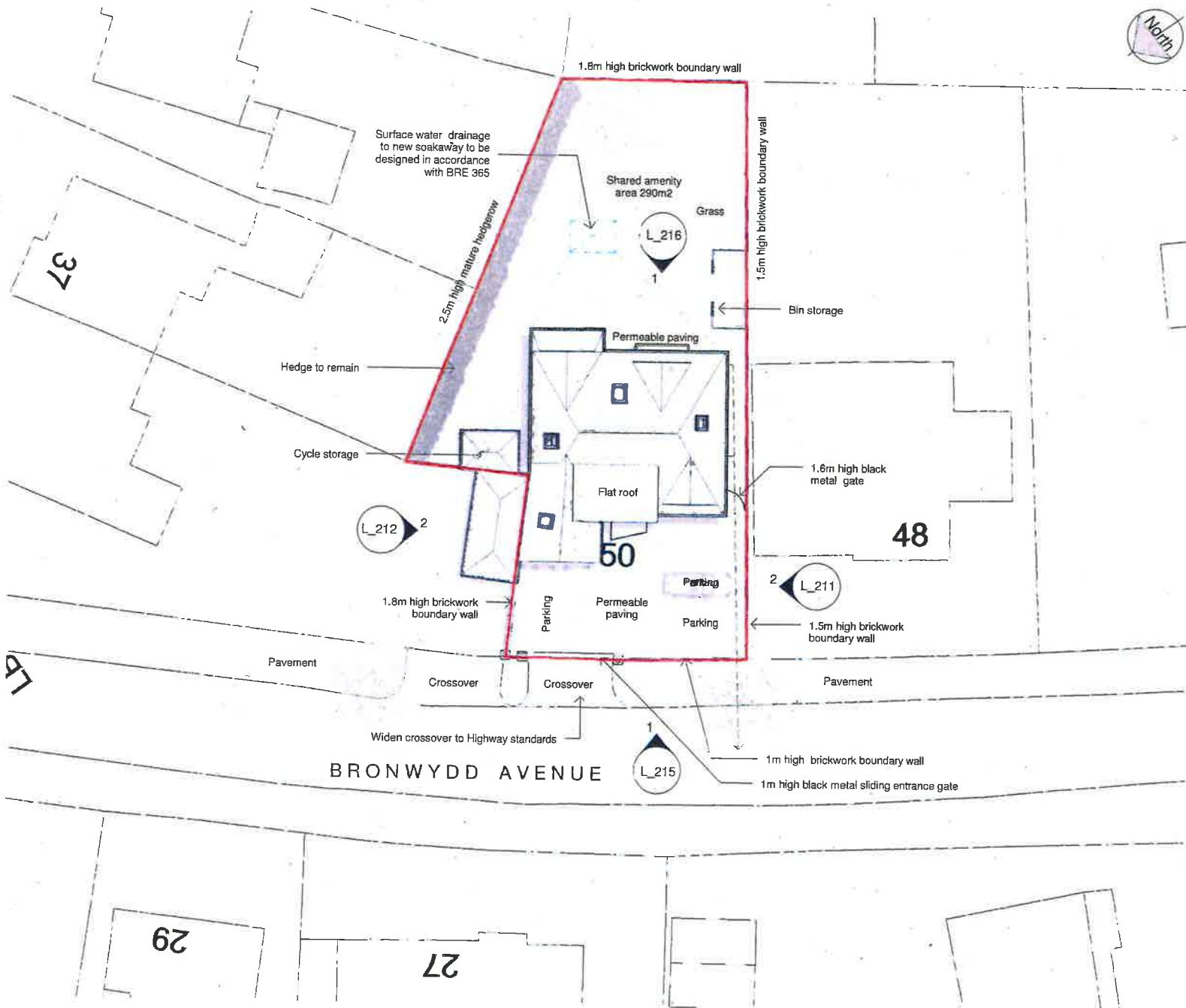
PROJECT
Demolition of existing building and erection 3 No flats at 50 Bronwydd Avenue, Cardiff CF23 5JQ

DRAWING TITLE
Site Plan comparison

SCALE	DATE	DRAWN BY	CHECKED BY
	24/01/17	PL	PL
DRAWING NUMBER	REVISION		
P528 L_004			

Amended layout

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AREAS:

Proposed site area:
595m²

Private amenity areas:
Flat 1: 4m²
Flat 2: 4m²

Shared amenity area:
290m²

DRAINAGE NOTES:

Surface water drainage to new soakaway to be designed in accordance with BRE 365

DRAINAGE LEGEND:

- - - - - FOUL DRAINAGE RUN - EXISTING
- - - - - FOUL DRAINAGE RUN - PROPOSED
- - - - - SURFACE WATER DRAINAGE RUN

HARDSTANDING FINISHES KEY:

- GRASS
- PERMEABLE PAVIOURS

Planning Issue

14/12/16 A PL AJ Scheme amended in line with planners feedback



Architectural Design - Feasibility - Planning - Building Control - Construction Details - Sustainable Design
Systems House 89 Heol Don Cardiff CF14 2AT
T 02920316857 M 07785582007 info@ddparchitecture.co.uk

PROJECT:
Demolition of existing building and erection 3 No flats at 50 Bronwydd Avenue, Cardiff CF23 5JQ

DRAWING TITLE:
Site Plan as Proposed

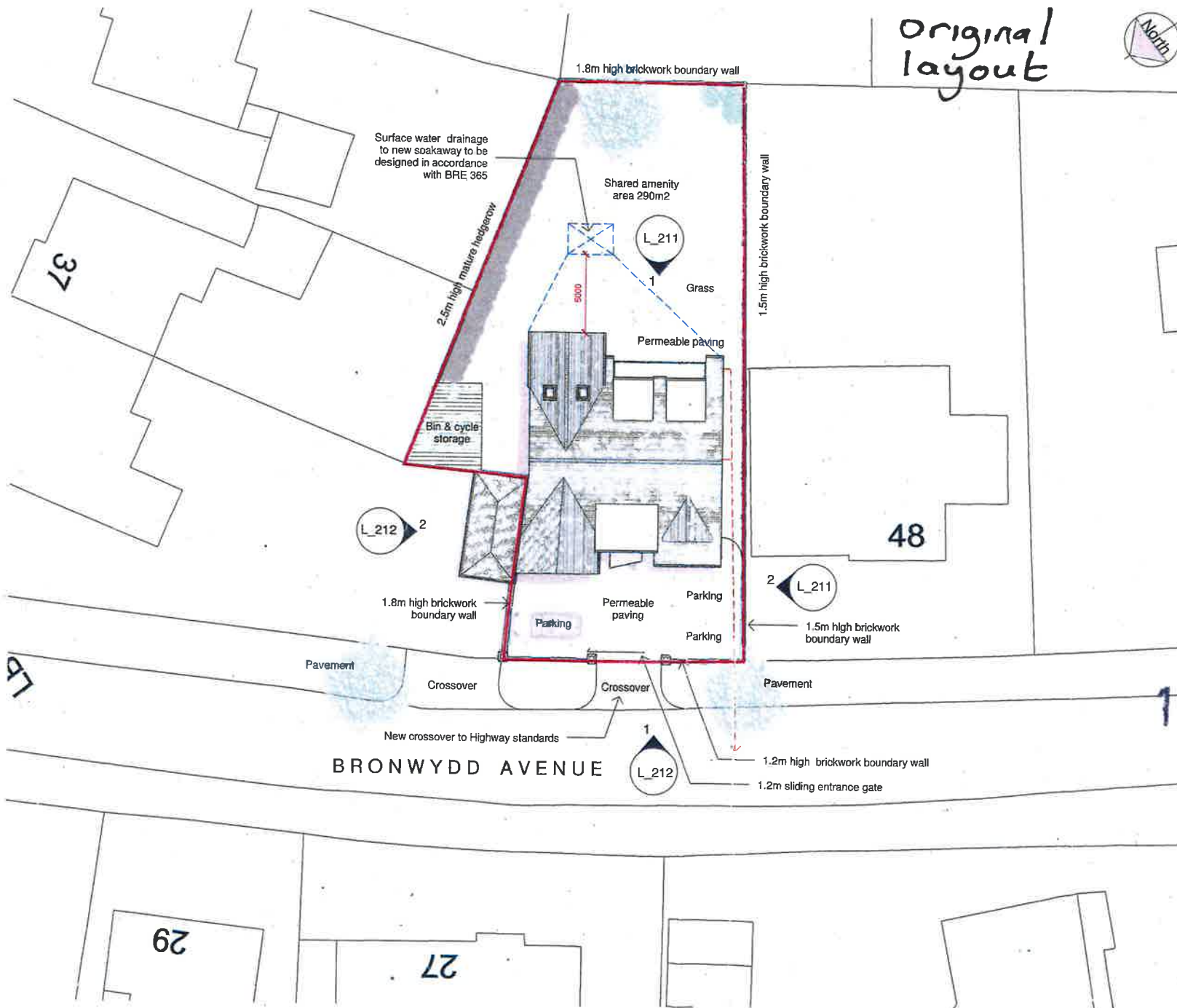
SCALE	DATE	DRAWN BY	CHECKED BY
As indicated	17/05/16	PL	AJ
DRAWING NUMBER	REVISION		
P528	L_003		A

Site Plan as Proposed

1:250

Original layout

Responsibility is not accepted for errors made by others in scaling from this drawing. All construction information should be taken from figured dimensions only.



AREAS:

Proposed site area:
595m²

Private amenity areas:
Flat 1: 14m²
Flat 2: 14m²
Flat 3: 13m²

Shared amenity area:
Flat 1: 290m²

DRAINAGE NOTES:

Surface water drainage to new soakaway to be designed in accordance with BRE 365

DRAINAGE LEGEND:

- - - - - FOUL DRAINAGE RUN - EXISTING
- - - - - FOUL DRAINAGE RUN - PROPOSED
- - - - - SURFACE WATER DRAINAGE RUN

HARDSTANDING FINISHES KEY:

- GRASS
- PERMEABLE PAVIOURS

Planning Issue

16/01477



Architectural Design - Feasibility - Planning - Building Control - Construction Details - Sustainable Design
Systems House 89 Heol Don Cardiff CF14 2AT
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PROJECT:
Demolition of existing building and erection 3 No three bedroom flats at 50 Bronwydd Avenue, Cardiff CF23 5JQ

DRAWING TITLE:
Site Plan as Proposed

SCALE	DATE	DRAWN BY	CHECKED BY
As indicated	17/08/16	PL	AJ
DRAWING NUMBER	REVISION		
P528	L_003		

Site Plan as Proposed

1:250

14/12/16

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A3



North West (Front) Elevation
1 : 100

FINISHES KEY:

- A : SLATE ROOFING & RIDGE TILES
- B : GREY ALUMINIUM WINDOWS & DOORS
- C : BLACK UPVC RAINWATER GOODS ON BLACK FASCIA
- D : ANTRACITE GREY TRESPA CLADDING PANELS
- E : RED / ORANGE BRICKWORK EXTERNAL WALLS
- F : STAINLESS STEEL & GLAZED BALUSTRADE



North West Elevation - Rev A
1 : 100

Planning Issue

date	rev	name	chk	note
				
<small>Architectural Design - Feasibility - Planning - Building Control - Construction Details - Sustainable Design Systems House 89 Heol Don Cardiff CF14 2AT T 02920316857 M 07785582007 info@dlparchitecture.co.uk</small>				

PROJECT
Demolition of existing building and erection 3
No flats at
50 Bronwydd Avenue, Cardiff CF23 5JQ

DRAWING TITLE
Elevation comparison 2 of 3

SCALE	DATE	DRAWN BY	CHECKED BY
1 : 100	14/12/16	PL	AJ
DRAWING NUMBER	REVISION		
P528	L_215		

A3

FINISHES KEY:

- A : SLATE ROOFING & RIDGE TILES
- B : GREY ALUMINIUM WINDOWS & DOORS
- C : BLACK UPVC RAINWATER GOODS ON BLACK FASCIA
- D : ANTRACITE GREY TRESPA CLADDING PANELS
- E : RED / ORANGE BRICKWORK EXTERNAL WALLS
- F : STAINLESS STEEL & GLAZED BALUSTRADE



South East (Rear) Elevation
 1 : 100

Planning Issue

date	rev	name	chk	note
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Architectural Design - Feasibility - Planning - Building Control - Construction Details - Sustainable Design
 Systems House 89 Heol Don Cardiff CF14 2AT
 T 02920316857 M 07785562007 info@dlparchitecture.co.uk

PROJECT
 Demolition of existing building and erection 3
 No flats at
 50 Bronwydd Avenue, Cardiff CF23 5JQ

DRAWING TITLE
 Elevation comparison 3 of 3

SCALE	DATE	DRAWN BY	CHECKED BY
1 : 100	14/12/16	PL	AJ

DRAWING NUMBER	REVISION
P528	L_216



South East Elevation - Rev A
 1 : 100



West Perspective View



East Perspective View



0mm 50mm

A3 Original Sheet Size

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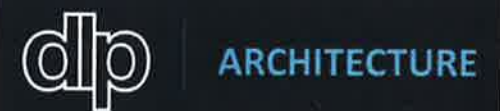
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- B : GREY ALUMINIUM WINDOWS & DOORS
- C : BLACK UPVC RAINWATER GOODS ON BLACK FASCIA
- D : ANTRACITE GREY TRESPA CLADDING PANELS
- E : RED / ORANGE BRICKWORK EXTERNAL WALLS
- F : STAINLESS STEEL & GLAZED BALUSTRADE

HARDSTANDING FINISHES KEY:

-  - GRASS
-  - PERMEABLE PAVIOURS

Planning Issue

14/12/16	A	PL	AJ	Scheme amended in line with planners feedback
date	rev	name	chk	nole



Architectural Design - Feasibility - Planning - Building Control - Construction Details - Sustainable Design
Systems House 89 Heol Don Cardiff CF14 2AT
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PROJECT
Demolition of existing building and erection 3 No flats at
50 Bronwydd Avenue, Cardiff CF23 5JQ

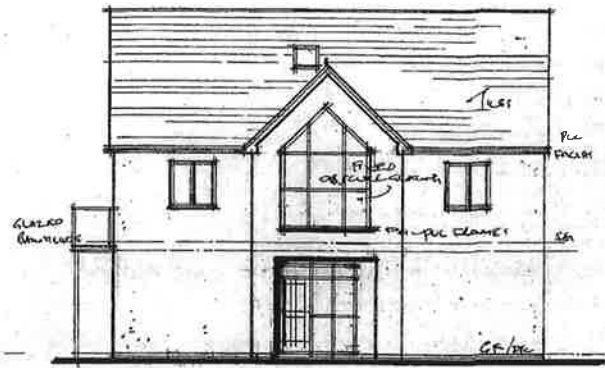
DRAWING TITLE
Perspective Views as Proposed

SCALE	DATE	DRAWN BY	CHECKED BY
1 : 100	17/06/16	Pete Legg	AJ

DRAWING NUMBER	REVISION
P528	L_220



FRONT




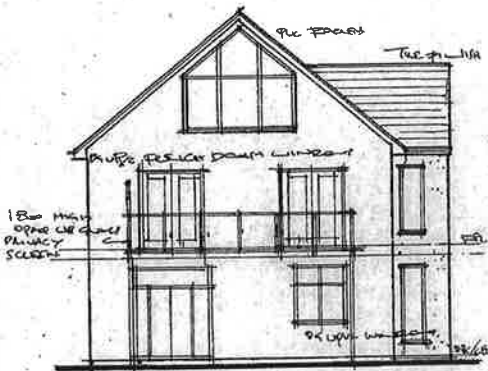
SIDE FACING REAR OF 39 CYNCOED ROAD.

FRONT ELEVATION PROPOSED 1:100 SIDE ELEVATION PROPOSED

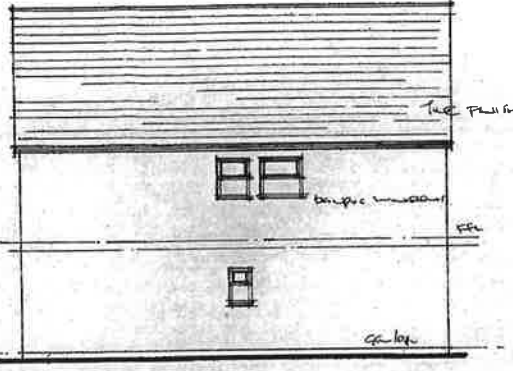
AMENDED PLAN
CARDIFF COUNTY COUNCIL
RESUBMITTED
DATE 08/2800

PROPOSED

DTB DESIGN 285 NORTH ROAD CARDIFF CF14 3BN TEL 029 2069 4100 FAX 029 2069 4101			
			
REVISIONS	DATE	REVISIONS	DATE
TP CORRECTION	1/08		
DESCRIPTION			
ALTERATIONS			
50 BRONWYDD AVENUE			
CARDIFF			
SCALE 1:50-1:100		DATE SEPT 2008 PLAN NO AWB3/A7/A	



REAR




SIDE FACING 48 BRONWYDD AVE

REAR ELEVATION PROPOSED 1:100 SIDE ELEVATION PROPOSED

AMENDED PLAN
CARDIFF COUNTY COUNCIL
RESUBMITTED
DATE 08/2800

PROPOSED

DTB DESIGN 285 NORTH ROAD CARDIFF CF14 3BN TEL 029 2069 4100 FAX 029 2069 4101			
			
REVISIONS	DATE	REVISIONS	DATE
TP CORRECTION	1/08		
DESCRIPTION			
ALTERATIONS			
50 BRONWYDD AVENUE			
CARDIFF			
SCALE 1:50-1:100		DATE SEPT 2008 PLAN NO AWB3/A8/A	

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LOCAL MEMBER & MP OBJECTION & PETITION

COMMITTEE DATE: 08/02/2017

APPLICATION No. **16/01760/MJR** APPLICATION DATE: 20/07/2016

ED: **CYNCOED**

APP: TYPE: Full Planning Permission

APPLICANT: Cardiff Metropolitan University
 LOCATION: CARDIFF METROPOLITAN UNIVERSITY CYNCOED
 CAMPUS, CYNCOED ROAD, CYNCOED, CARDIFF, CF23
 6XD

PROPOSAL: DEMOLITION OF FORMER CARETAKERS BUNGALOW AND
 CONSTRUCTION OF A 7 STOREY STUDENT
 ACCOMMODATION BLOCK INCORPORATING 56 CLUSTER
 FLATS (TOTALLING 518 BED SPACES), DETACHED TWO
 STOREY 'FORUM' BUILDING INCORPORATING GROUND
 FLOOR ANCILLARY USES AND FIRST FLOOR
 CONFERENCE FACILITIES, TOGETHER WITH ASSOCIATED
 SITE ENGINEERING, LANDSCAPING AND CIRCULATION
 WORKS

RECOMMENDATION 1: That, subject to relevant parties entering into a binding legal agreement with the Council under the provisions of **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 Section 9 of this report, 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 and documents:
 - 01001 Revision P22.0 – Location Plan
 - 01002 Revision P22.0 – Existing Site Plan
 - 01005 Revision P22.0 – Proposed Site Masterplan;
 - 02100 Revision P29.0 – All Blocks – Proposed Floor Plans Ground & First (Sheet 01)
 - 02101 Revision P22.0 – The Forum – Proposed Floor and Roof Plans
 - 02102 Revision P29.0 – All Blocks – Proposed Floor Plan Second & Third (Sheet 02)
 - 02104 Revision P29.0 – All Blocks – Proposed Floor Plans Fourth & Fifth (Sheet 03)
 - 02106 Revision P29.0 – All Blocks – Proposed Floor Sixth & Roof

Plans (Sheet 04)

- 02110 Revision P22.0 – All Blocks – Proposed Area Plans (GIFA)
- 02110 Revision P22.0 – The Forum – Proposed Area Plan (GIFA & GEFA)
- 02111 Revision P22.0 – All Blocks – Proposed Area Plans (GEFA)
- 03001 Revision P22.0 – Proposed Site Elevations Sheet 1
- 03002 Revision P29.0 – Proposed Site Elevations Sheet 2
- 03100 Revision P29.0 – All Blocks – Proposed Flat Elevations
- 03101 Revision P22.0 – The Forum – Proposed Elevations
- 04001 Revision P22.0 – Proposed Site Sections Sheet 1
- 04002 Revision P29.0 – Proposed Site Sections Sheet 2
- 04003 Revision P29.0 – Proposed Site Sections Sheet 3
- 04004 Revision P29.0 – Proposed Site Sections Sheet 4
- 90001 Revision P22.0 – Landscape General Arrangement
- 91040 Revision P28.0 – Soft Landscape Plan
- 91060 Revision P22.0 – Hard Landscape & Furniture Plan – The Forum
- 91061 Revision P22.0 – Hard Landscape & Furniture Plan – Courtyard 1
- 91062 Revision P22.0 – Hard Landscape & Furniture Plan – Courtyard 2
- 94001 Revision P22.0 – Proposed Bin Store – Design Intent Drawing
- 94002 Revision P22.0 – Proposed Cycle Store – Design Intent Drawing
- 94003 Revision P22.0 – Combined Cycle and Bin Store – Design Intent Drawing
- 21101 Revision P29.0 – Block 1 – Proposed Elevation Detail
- Planning Massing and Materials Supplement, Stride Treglown, 29 November 2016
- Revised Tree Survey Report, Broadway Tree Consultancy, September 2016
- Reptile Survey, Thomson Ecology, May 2016
- Bat Inspection Survey, Thomson Ecology, May 2016
- Ecological Survey, Just Mammals Consultancy, July 2016
- Dormice Survey, Thomson Ecology, September 2016
- Transport Statement, Asbri Transport, June 2016

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

3. No part of the demolition of the former caretaker's bungalow shall take place until a demolition management plan (DMP) has been submitted to and approved in writing by the Local Planning Authority. The DMP shall include, but not be limited to, details of dust control measures, noise management, proposed temporary means of site enclosure, and the future arrangements for the cleared site. The management plan shall take account of the 'worst case' scenario for demolition activities and the Cardiff Council Pollution Control's "Construction site handbook". The demolition shall proceed in accordance with the approved plan.

Reason: To protect the amenities of neighbouring occupiers and the visual amenities of the surrounding area.

4. No development shall take place, including any works of demolition, until a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority. The approved CMP shall be adhered to throughout the construction period. The plan shall provide for:
- (i) access;
 - (ii) the parking of vehicles of site operatives and visitors;
 - (iii) loading and unloading of plant and materials;
 - (iv) storage of plant and materials used in constructing the development;
 - (v) the erection and maintenance of security hoarding;
 - (vi) wheel washing facilities;
 - (vii) measures to control the emission of dust and dirt during construction;
 - (viii) a scheme for recycling/disposing of waste resulting from demolition and construction works.

Reason: In the interests of highway safety, public amenity and to avoid any conflict situations with students and/or staff attending/working on this site.

5. No construction of the Forum building shall take place until details of facilities for the storage of refuse containers have been submitted to and approved in writing by the Local Planning Authority. The facilities approved shall be provided before the development is brought into beneficial use and shall be thereafter retained.

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

6. The refuse storage facilities for the accommodation blocks 1-4 hereby approved shall be provided before the development is brought into beneficial use and shall be thereafter retained.

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

7. No development shall take place until a scheme for the drainage of the foul and surface water from the site and any connection to the existing drainage system has been submitted to and approved in writing by the Local Planning Authority. The scheme shall avoid disturbance to existing trees including root protection areas. No part of the development shall be occupied until the scheme is carried out and completed as approved.

Reason: To ensure an orderly form of development and to protect trees and woodland.

8. The proposed car parking and manoeuvring areas shall be laid out in accordance with the approved details before the development is brought into beneficial use and be thereafter maintained and retained at all times for those purposes in association with the development.

Reason: to make provision for the parking of vehicles clear of the roads so as not to prejudice the safety, convenience and free flow of traffic.

9. The cycle parking spaces hereby approved on drawings numbered 70218-STL-00-ZZ-DR-L-ZZ- 94002 and 94003 shall be implemented prior to the development being put into beneficial use. Thereafter the cycle parking spaces shall be maintained and shall not be used for any other purpose.

Reason: To ensure that adequate provision is made for the sheltered and secure parking of cycles.

10. No part of the development hereby approved shall be occupied until a Traffic Management Plan (TMP) has been submitted to and approved in writing by the Local Planning Authority. The plan shall set out proposals and targets to manage traffic from the development at the start and end of each semester, the control of vehicular access to the site including access from Circle Way West, and the exclusion and control of student resident car parking within the site and surrounding area. The TMP shall be implemented in accordance with the timetable set out in the plan. Reports demonstrating progress in promoting the measures detailed in the TMP shall be submitted annually to the Local Planning Authority, commencing from the first anniversary of beneficial occupation of the development and continuing for five consecutive years thereafter.

Reason: in the interest of highway safety and to regulate the impact of the development on use of the adjacent highway.

11. No development shall take place until a comprehensive construction phasing plan has been submitted to and approved in writing by the Local Planning Authority. The phasing plan shall identify phases of construction of development and shall ensure safe and convenient pedestrian, cycle and vehicular access around and through those areas not under construction or where construction is complete. The development shall be carried out in accordance with the provision of the approved phasing plan.

Reason: To ensure an orderly form of development and safe access through and within the site.

12. Prior to the beneficial use of the Forum building or the occupation of any accommodation that part of the road and footpath which provides access to it and all surface water drainage works for the said road shall be laid out, constructed and completed (except for the final surfacing) in accordance with the approved plans.

Reason: To ensure an orderly form of development and to make provision for satisfactory access to the development.

13. No member of the public shall be admitted to or allowed to remain on the premises of the Forum Building as shown on the Proposed Site Masterplan (drawing no. 70218-STL-00-GF-DR-A-ZZ-01005) between the hours of 23:00 and 07:30 on any day.

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

14. Deliveries shall not be taken at or dispatched from the Forum Building as shown on the Proposed Site Masterplan (drawing no. 70218-STL-00-GF-DR-A-ZZ-01005) outside the hours of 08:00 – 20:00 Monday to Saturday.

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

15. No development shall take place until a plant noise assessment has been carried out and submitted to the Local Planning Authority. The assessment shall ensure that the noise emitted from fixed plant and equipment on the site achieves a rating noise level of background -10dB at the nearest noise sensitive premises when measured and corrected in accordance with BS 4142: 2014 (or any British Standard amending or superseding that standard).

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

16. The extraction of all fumes from the food preparation areas in the Forum Building shall be mechanically extracted to a point to be approved in writing by the Local Planning Authority, and the extraction system shall be provided with a de-odorising filter. All equipment shall be so mounted and installed so as not to give rise to any noise nuisance. Details of the above equipment including the chimney shall be submitted to and approved in writing by the Local Planning Authority and the equipment shall be installed prior to the commencement of use for the cooking of food. The equipment shall thereafter be maintained in accordance with the manufacturers' guidelines, such guidelines having previously been approved in writing by the Local Planning Authority.

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

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 shall be undertaken and where remediation is necessary a remediation scheme and verification plan shall be submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report shall be submitted to and approved in writing by the Local Planning Authority. The timescale for the above actions shall be approved in writing by the Local Planning Authority 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.

18. 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 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 approved in writing by the Local Planning Authority.
Reason: To ensure that the safety of future occupiers is not prejudiced in accordance with policy EN13 of the Cardiff Local Development Plan.
19. 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 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 approved in writing by the Local Planning Authority.
Reason: To ensure that the safety of future occupiers is not prejudiced in accordance with policy EN13 of the Cardiff Local Development Plan.
20. 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 in writing 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.
21. No equipment, plant or materials shall be brought onto the site for the purpose of development until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include proposed finished levels, earthworks, hard surfacing materials, proposed and existing services above and below ground level, planting plans (including schedules of

plant species, sizes, numbers or densities, and in the case of trees, planting, staking, mulching, protection, soil protection and after care methods) and an implementation programme. The details shall be consistent with other plans submitted in support of the application and the landscaping shall be carried out in accordance with the approved design and implementation programme.

Reason: To enable the Local Planning Authority, to determine that the proposals will maintain and improve the amenity of the area, and to monitor compliance.

22. Any trees, plants, or hedgerows which within a period of five years from the completion of the development die, are removed, become seriously damaged or diseased, or become (in the opinion of the Local Planning Authority) otherwise defective, shall be replaced in the current planting season or the first two months of the next planting season, whichever is the sooner, unless the Local Planning Authority gives written consent to any variation.

Reason: To maintain and improve the amenity of the area.

23. Details submitted in pursuance of condition 21 shall ensure that, where trees which are part of the Llanedeyrn Woodland Complex SINC are removed in order to facilitate the development and its associated infrastructure, two replacement trees shall be planted for every mature or semi-mature tree that is lost.

Reason: To maintain the overall nature conservation value of the Llanedeyrn Woodland Complex SINC.

24. No equipment, plant or materials shall be brought onto the site for the purpose of development until full details of the following have been submitted to and approved in writing by the Local Planning Authority, in accordance with the current British Standard for trees in relation to construction.

An Arboricultural Method Statement (AMS), setting out the methodology that will be used to prevent loss of or damage to retained trees. It shall include details of on-site monitoring of tree protection and tree condition that shall be carried out throughout the development and for at least two years after its completion.

A Tree Protection Plan (TPP) in the form of a scale drawing showing the finalised layout and the tree and landscaping protection methods detailed in the AMS that can be shown graphically.

Unless written consent is obtained from the Local Planning Authority, the development shall be carried out in full conformity with the approved AMS and TPP.

Reason : To enable the Local Planning Authority to assess: the effects of the proposals on existing trees and landscape; the measures for their protection; to monitor compliance and to make good losses.

25. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a Soil Resource Survey (SRS) and Soil Resource Plan (SRP). The information submitted shall accord with the 'Construction Code of Practice for the Sustainable Use of Soils on Construction Sites' (DEFRA 2009). The development shall be carried out in full conformity with the approved SRP.
Reason: To ensure the successful delivery of landscaping proposals.
26. No development shall take place until a Woodland Management Strategy (WMS) has been submitted to and approved in writing by the Local Planning Authority. The WMS shall be based upon the recommendations in Section 7 of the Veteran Tree Assessment and Botanical Survey by Thomson Ecology dated May 2016. The approved WMS shall be implemented and carried out strictly in accordance with the approved programme for implementation of the works.
Reason: To ensure for the protection of the woodland.
27. No development shall take place until a Bat Mitigation Strategy (BMS) has been submitted to and approved in writing by the Local Planning Authority. The BMS shall be based upon the recommendations in Section 10 of the Ecological Survey Report by Just Mammals Consultancy dated July 2016. The approved EMS shall be implemented and carried out strictly in accordance with the approved programme for implementation of the works.
Reason: To ensure for the protection of European Protected Species.
28. No development shall take place until a Dormice Mitigation Strategy (DMS) has been submitted to and approved in writing by the Local Planning Authority. The DMS shall include, but not be limited to:
- (i) The provision of 10 no. wooden dormouse boxes in suitable locations in Queens Wood;
 - (ii) Clearance of suitable above-ground dormouse habitat, such as scrub, understorey or woodland edge trees (but not isolated trees) to take place in winter whilst the dormice are hibernating at ground level, with the roots, stumps etc. removed in spring when dormice would have woken from hibernation and moved to remaining vegetation nearby.
- The approved DMS shall be implemented and carried out strictly in accordance with the approved programme for implementation of the works.
Reason: To ensure for the protection of European Protected Species.
29. No site clearance/demolition of trees or bushes shall take place between 1st March and 15th August unless otherwise approved in writing by the Local Planning Authority. This approval will be granted if a consultant ecologist can evidence that there are no birds nesting in these features immediately (48 hrs) before their removal. Reason: To avoid disturbance to nesting birds which are protected under the Wildlife and Countryside Act 1981: Part 1, 1(1)(b), it is an offence to intentionally take, damage or

destroy the nest of any wild bird while that nest is in use or being built.

30. If the development hereby approved does not commence (or, having commenced, is suspended for more than 12 months) within 2 years from the dates of the surveys, the ecological measures secured through Conditions 27 and 28 shall be reviewed and, where necessary, amended and updated. The review shall be informed by further ecological surveys commissioned to i) establish if there have been any changes in the presence and/or abundance of bats and dormice 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, the original approved ecological measures will be revised and new or amended measures, and a timetable for their implementation, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. Works shall then be carried out in accordance with the proposed new approved ecological mitigation measures and timetable. Reason: To ensure for the protection of European Protected Species.
31. No development shall take place until a range of measures to encourage biodiversity have been submitted to and approved in writing by the Local Planning Authority. Such measures may include, but not be limited to, bat bricks, bat tiles/ridge tiles, bat soffit boxes, bat roosting boxes, bug boxes, wildflower meadows, sparrow terraces and swift boxes, and living roofs or walls. The measures shall be implemented in accordance with the approved details prior to beneficial occupation, unless otherwise agreed in writing with the Local Planning Authority. Reason: To encourage new wildlife habitats and biodiversity.
32. Prior to their installation on site samples of the external finishing materials to the buildings and the retaining wall to the rear of the student accommodation (Blocks 1-4) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
Reason: To ensure that the finished appearance of the development is in keeping with the area.
33. No development shall take place until plans showing details of the proposed floor levels of any building in relation to the existing ground level and the finished levels of the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed and completed in accordance with the approved details.
Reason: These details are not included with the application and are required to ensure an orderly form of development.

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 licence. 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 : Prior to the commencement of development, the developer shall notify the Local Planning Authority of the commencement of development, and shall display a site notice and plan on, or near the site, in accordance with the requirements of Article 12 of the Town & Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016.

RECOMMENDATION 5: That the developer be advised to have regard to the advice of the Chief Fire Officer, South Wales Fire and Rescue Service, in his

letter dated 29 July 2016, which has been forwarded to the agent.

RECOMMENDATION 6: That the developer be advised to have regard to the advice of Dwr Cymru Welsh Water in their letter dated 24 August 2016, which has been forwarded to the agent.

RECOMMENDATION 7: That the developer be advised to have regard to the advice of Wales & West Utilities in their letter dated 7 September 2016, which has been forwarded to the agent.

1. **DESCRIPTION OF PROPOSED DEVELOPMENT**

- 1.1 Planning permission is sought for the demolition of the former caretaker's bungalow and the construction of a seven storey student accommodation block incorporating 56 no. cluster flats (21 no. 8 bed flats and 35 no. 10 bed flats totalling 518 no. bed spaces), detached two-storey 'Forum' building including ground floor ancillary uses including student support services, social space, and coffee shop plus first floor conference facilities (150 no. capacity) together with associated site engineering, landscaping, and circulation works at Cardiff Metropolitan University, Cyncoed Campus, Cyncoed Road, Cyncoed.
- 1.2 The proposed seven-storey accommodation blocks are sited to the north of the re-aligned access road and are arranged to create 2 no. south-facing communal courtyard garden areas. Service access (refuse and cycle stores) would be to the rear (north) of the block. No car parking is proposed to be provided, although a lay-by for pick-up/drop-off would be created south of blocks 2-4.
- 1.3 Amended plans have been submitted following discussions with officers to introduce variation and interest in the roofline by stepping the building down and reducing the height (although it remains 7 storeys). The elevational treatment has also been amended following further discussion on use of materials and fenestration detail.
- 1.4 The proposed accommodation has been sited to limit tree loss. 10 no. trees near the woodland edge will be removed to accommodate the re-aligned access road.
- 1.5 A further 9 no. trees would be removed to accommodate the Forum building, a two-storey facility comprising conferencing and student accommodation facilities at around 1,700 square metres. Catering for up to 100 students, a laundrette and offices would be sited at ground floor with conferencing facilities and meeting rooms at first floor.
- 1.6 32 no. replacement trees are proposed as mitigation to compensate for the trees to be removed.
- 1.7 The buildings are proposed to be finished in ROCKPANEL timber effect cladding and a rustic buff/cream brick as well as brick panels plus feature cladding.

2. **DESCRIPTION OF SITE**

- 2.1 The site comprises approximately 1.2 hectares in the southeast corner of Cardiff Metropolitan University's Cyncoed Campus. The land falls to the south and east by approximately 13.5 metres across the application site (60.3 AOD in the northwest corner to 46.8m AOD in the southeast corner).
- 2.2 Land to the north is occupied by an existing sports pitch and swimming pool and other existing campus buildings.
- 2.3 Circle Way West adjoins the east site boundary, with the Ael-y-Bryn estate and the residential area of Llanedeyrn further to the east. The existing maintenance access has a gated access/egress onto Circle Way West.
- 2.4 The south and southwest boundaries adjoin Queens Wood, an ancient woodland which is part of the Llanedeyrn Woodlands Complex, a Site of Importance for Nature Conservation (SINC). The residential area of Penylan is situated beyond Queens Wood.

3. **SITE HISTORY**

- 3.1 07/00399/E: Permission granted in September 2007 for the erection of 3 no. three-storey blocks containing student bedrooms plus conference centre, car parking, cycle parking, landscaping, and associated engineering works (comprising minor amendments to the previously approved full planning permission ref 03/00221/N).
- 3.2 03/00221/N: Permission granted in January 2005 for the erection of 3 no. 3 storey blocks containing 143 no. student bedrooms plus conference centre.

4. **POLICY FRAMEWORK**

- 4.1 Planning Policy Wales, Edition 9 (November 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*
- *Ensure that all communities have sufficient good quality housing – including affordable housing – in safe neighbourhoods*
- *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.*
- *Ensure that all local communities – both urban and rural – have sufficient good quality housing for their needs, including affordable housing for local needs and for special needs where appropriate, in safe neighbourhoods.*

- *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):

5	Nature Conservation and Planning
11	Noise
12	Design
18	Transport
21	Waste

4.3 Local Development Plan (January 2016):

KP5	Good Quality and Sustainable Design
KP6	New Infrastructure
KP7	Planning Obligations
KP8	Sustainable Transport
KP12	Waste
KP13	Responding to Evidenced Social Needs
KP14	Healthy Living
KP15	Climate Change
KP16	Green Infrastructure
EN5	Designated Sites
EN6	Ecological Networks and Features of Importance for Biodiversity
EN7	Priority Habitats and Species
EN8	Trees, Woodlands and Hedgerows
EN10	Water Sensitive Design
EN11	Protection of Water Resources
EN12	Renewable Energy and Low Carbon Technologies
EN13	Air, Noise, Light Pollution and Land Contamination
T1	Walking and Cycling
T5	Managing Transport Impacts
T6	Impact on Transport Networks and Services
C5	Provision for Open Space, Outdoor Recreation, Children's Play and Sport
C6	Health
W2	Provision for Waste Management Facilities in Development

4.4 The following guidance documents were supplementary to the City of Cardiff Local Plan (1996), now superseded by the Local Development Plan (LDP). They remain a material consideration insofar as they are consistent with LDP policy:

Biodiversity (2011)
Developer Contributions for Transport (January 2010)
Access, Circulation and Parking Standards (January 2010)
Trees and Development (March 2007)
Residential Design Guide (March 2008)
Open Space (March 2008)

4.5 Supplementary Planning Guidance:

Waste Collection and Storage Facilities (October 2016)

5. INTERNAL CONSULTEES RESPONSES

5.1 The **Operational Manager, Transportation**, notes that a Transport Statement (TS) has been submitted in support of the application which identifies that the site can be safely and conveniently accessed via means of travel other than the private car. The proposals also include a conference facility which would hold events outside of term time.

5.2 The Cardiff Metropolitan University already benefits from a Travel Plan (TP) which is an overarching document for transport to and between the various campuses around the City. This document covers all modes of transport and sets out the strategy for encouraging more sustainable modes of travel for staff, students and visitors. The TP sets out a range of new and existing initiatives in order to achieve this and has recently been updated to include the following (which specifically relate to the Cyncoed Campus):

- (i) Residential accommodation for 554 first year students reducing travel movements;
- (ii) Secure sheltered storage for bicycles;
- (iii) Shower and storage facilities for cyclists and walkers in the Tennis Centre and Gym;
- (iv) Five bus services an hour calling on campus through combined Cardiff Bus and Met Rider Services;
- (v) Walkable proximity to the preferred residential locations for second and third year students, as well as local shops, bars and amenities;
- (vi) Carshare2CardiffMet car parking spaces in favoured location at the front of the campus;
- (vii) Student Union minibus fleet and dedicated free buses for evening events;
- (viii) Campus night time managed Taxi rank.

5.3 The above in combination with the rationalisation of campus locations, should contribute effectively towards improving those transport impacts associated with the University. It would also be expected that the University would work closely with Council officers in order to improve the cycling infrastructure within/adjacent to the site, for example through the introduction of a cycle hire scheme/facilities, to make cycling more accessible to staff, students and visitors.

- 5.4 An existing access links the site to Circle Way West which is used for the purpose of servicing and is not used by students in order to access the site. It is considered that there could be an opportunity to utilise this access at the start and end of term such that vehicles can gain access to the site on a controlled basis and thereby reduce any impact on residents living in close proximity to the site.
- 5.5 The campus already benefits from 689 car parking spaces (including 26 disabled and 17 operational) together with 2 dedicated bus parking spaces. There are no proposals to increase the level of on-site car parking provision and this is accepted by officers.
- 5.6 The TS concludes that the new student accommodation and ancillary building will not result in an intensification of vehicle movements. It is stated that the application will result in a reduction in vehicle movements overall, due to a greater number of students being able to be accommodated on site. This will ultimately reduce the number of student cars travelling to/from the campus.
- 5.7 She notes that a large number of objections have been received relating to the application and they have cited overspill car parking by students on adjacent streets as the main reason. In response to those objections raised she would comment that those students residing within the site would largely be attending the Cyncoed Campus and therefore would unlikely require a car in order to make this trip. In line with both Local and National Policy the Council aims to restrict car parking provision associated with such developments and instead seeks to promote measures to encourage and promote alternative modes of travel to the private car. As stated above, Cardiff Met has an existing Travel Plan in place which is a comprehensive document and the principles and measures contained within are operated across all of its facilities in Cardiff.
- 5.8 Notwithstanding the above, the Council is mindful of the concerns that have been expressed regarding the overspill parking that may occur at this location and in other parts of the city. The Cardiff Parking Strategy (September 2016) seeks pragmatic solutions to such problems as and when they arise. This can involve strengthening the 'stick' element of current policy by introducing parking controls to restrict kerbside parking to resident permit holders only on nearby streets. Initially such a scheme would be introduced on a trial basis and if successful would then be extended to other areas. Funding of such schemes would generally be sought in association with future developments proposals.
- 5.9 On the basis of the above, she therefore confirms that she has no objection to the application, subject to conditions regarding car parking, cycle parking, travel/management plan, phasing plan and construction management plan and a financial contribution of £80,560 towards the Council's Parking Strategy (£59,360) for the review and implementation of necessary Parking Schemes/Traffic Regulation Orders, should the relevant criteria be met, and towards the provision of Cycle Hire Facilities/Infrastructure (£21,200) within/adjacent to the site. This financial contribution would be secured via a Section 106 Agreement.

5.10 In response to concerns expressed by residents regarding the adequacy of the Transport Statement, she advises:

- (i) The Welsh Government is to be consulted when a development will result in a material increase in the volume or material change in the character of traffic..."She does not consider that this is the case for this application;
- (ii) Trip rates in TRICS for out of town student accommodation reveal that the number of vehicle trips generated by these during peak times is very low (around 0.06 trips per resident, each during the morning and evening peak). Based on the proposed additional 518 residents, this would equate to 32 and 31 2-way additional vehicle movements during the AM and PM peak, respectively.
- (iii) However, as these students that will now be resident in the new accommodation on-site previously would have had to travel to the university, these would be deducted from those of above. On this basis, applying the trip rate from TRICS for a university of 0.09 trips per student in the AM and 0.07 trips per student in the PM, then based on 518 students, this would equate to 46 and 35 trips required to be deducted during the AM and PM peak, respectively.
- (iv) The additional trip generation of the new 150-delegate Conference Centre would also need to be considered. Calculating the trip rates for a Community Education facility as being the closest comparable within TRICS to the new centre, would yield 0.60 and 0.87 trips per 100sqm during the AM and PM peak, respectively. Applying this to the 1,685sqm GFA for the new centre, provides a predicted trip rate of 10 trips during the AM peak and 15 during the PM peak to be added on.
- (v) Accounting for all of the above, this would make the net additional trips from the proposed development to be nil during the AM peak ($32 - 46 + 10 = -4$) and 11 during the PM peak ($31 - 35 + 15 = 11$). Based on these still utilising the main entrance on to Cyncoed Road as their main point of access as the TS states, then based on existing traffic levels on Cyncoed Road of between 850 and 1,200 vehicles per hour during peak periods, then these would equate to only a 1% increase in traffic, which for a road of the nature of Cyncoed Road probably isn't of significance and is well within natural daily variation.
- (vi) With regards the concern over the wider impact on the strategic and trunk road network, this very small number of vehicles would be totally inconsequential relative to the hourly flows on these roads, and many of these trips wouldn't even feature on the wider network anyway, but would rather disperse within northeast and northwest Cardiff. She considers that there would have been no merit in having consulted with WG on this.
- (vii) The road collision data for the last 5 years confirms that there have been no pedestrian casualties on either Cyncoed Road or Circle Way West within nearby proximity to the University and its accesses, and the overall collision rate for nearby junctions is within that expected for a location of this type.

5.11 The **Operational Manager, Environment (Contaminated Land)**, has considered the Geotechnical and Geo-Environmental Report accompanying the application and notes that no potential contamination issues have been identified. He notes that the development will include earthworks and landscaping. Should there be any importation of soils to develop the garden/landscaped areas of the development, or any site won recycled material, or materials imported as part of the construction of the development, then it must be demonstrated that they are suitable for the end use. This is to prevent the introduction or recycling of materials containing chemical or other potential contaminants which may give rise to potential risks to human health and the environment for the proposed end use. He therefore requests the inclusion of the conditions and informative statement regarding contamination in accordance with CIEH best practice and to ensure that the safety of future occupiers is not prejudiced in accordance with policy EN13 of the Local Development Plan.

5.12 The Council's **Tree Officer** makes the following comments:

- (i) x8 'B' (moderate quality and value) category trees will be lost to development. All comprise amenity plantings, including x4 non-native lodge pole pines, x1 non-native Norway maple and x1 non-native Lawson's cypress, rather than integral or remnant components of the ancient woodland, 'Queens Wood'.
- (ii) x2 'A' (high quality and value) category trees will be lost to development. These comprise a weeping beech (1044), which is a distinctive amenity planting, and an oak (1048). The latter is a particularly significant loss and a likely remnant of the ancient woodland. Such oaks are not uncommon generally in Cyncoed/Penylan, and undoubtedly represent remnants of the climax woodland that once covered the landscape before development. He would support amendments to design that allow for its retention, but if overriding design considerations make this impossible, provision should be made to mitigate its loss, and the loss of the other significant 'A' and 'B' category trees.
- (iii) Considerable earth movements are likely to be required to implement development, with the potential to damage a valuable soil resource and affect its capacity to be re-used for landscaping purposes. As such, a Soil Resource Survey and Plan should be prepared in accordance with the 2009 DEFRA Code and used to inform construction and landscaping specifications. Casual observation suggests there has been considerable disturbance of soils, particularly on the south side of the existing road, where subsoils may have been thrown up as part of road construction – some soil appears to have been built up around the trunks of mature trees, and requires removing at the earliest opportunity to restore original site levels. He is content for the requirement for a Soil Resource Survey and Soil Resource Plan to be conditioned
- (iv) x32 new trees are proposed, which more than doubles the number of significant ('A' and 'B' category) trees to be lost, and therefore at least nominally, represents acceptable mitigation. A large proportion of this planting will be on the verge to the south of the existing and proposed road, and will comprise small to medium size native trees that have

significant value to wildlife and are appropriate in a woodland edge context. They will help enhance the ancient woodland and help to protect it from encroachment. If the Soil Resource Survey shows up particular problems with any of the species proposed, due to local soil characteristics, then amendments to the palette should be proposed. Casual observation suggests the presence of some heavy ground and disturbed soil profiles, possibly with local areas of impeded drainage and oxygen depleted soils below the surface layers.

- (v) He is content with the revised landscaping plan which has taken on board his recommendations for revisions to the planting schedule;
- (vi) He is content with the revised drainage plan which shows services avoiding root protection areas. However, he seeks confirmation that the associated works e.g. re-grading of soil will not cause unacceptable harm to trees.

5.13 The **Operational Manager, Waste Management**, advises that the waste collection and storage arrangements are acceptable. However, further details of the waste arrangements for The Forum building are required.

5.14 The **Council's Ecologist** has considered the application and advises that the development site and its likely construction area is likely to encroach upon the Queens Wood section of the Llanedeyrn Woodlands Complex **Site of Importance for Nature Conservation (SINC)**, which is designated for its woodland features. In accordance with Section 5.5.3 of Technical Advice Note 5, development should avoid harm to these sites as far as possible. Where harm is unavoidable it should be minimised by mitigation measures and offset as far as possible by compensation measures designed to ensure there is no reduction in the overall nature conservation value of the area or feature.

5.15 Amendments to the layout of the proposed development in the early design stages have led to a substantial reduction in the likely impact upon this woodland. Where impact remains, it is largely the northern fringe of the woodland which would be affected. Although much, but not all, of this area is categorised as Ancient Semi Natural Woodland (ASNW), it has evidently been substantially modified in the past. For example, mature trees which were probably one part of the ASNW are now isolated specimen trees sitting in mown amenity grassland. Other non-native ornamental trees and shrubs have been planted in the area which would be affected. Earthworks have taken place which are likely to have substantially altered the ground flora and fauna, and soil has been piled up around the bases of some trees.

5.16 One could not say that a significant area of untouched Ancient Semi Natural Woodland would be affected by these proposals. Even if this area amounted to the 0.2 Ha that is set out in the Preliminary Ecological Appraisal (PEA), this is not a significant proportion of Queens Wood (4.57 Ha) or the SINC as a whole (28.9 Ha). More importantly, the area of woodland lost does not form part of any strategically important habitat connectivity; a small strip along the edge of the woodland would be lost, but the woodland itself would not be bisected or fragmented in any way.

- 5.17 Nonetheless, there are likely to be diffuse impacts such as light spillage, noise, vandalism and traffic pollution which may affect the woodland and the flora and fauna that it supports. This being the case he would support the mitigation measures set out in section 7.1.2, and others, of the PEA. If it should be the case that more trees than the ten suggested are to be lost, then the compensatory planting should be increased accordingly.
- 5.18 He notes that no **dormice** were found during the survey. Whilst the survey methodology conforms to the guidelines in the Dormouse Conservation Handbook, it should be noted that the absolute minimum survey effort was employed. This being the case, he does have some concerns about the results of this survey. Firstly, he notes that only dormouse nest tubes were used in the survey, but there are situations in Cardiff where nest tubes have failed to detect dormice but nest boxes and/or hazelnut searching have confirmed presence. Normally, he would expect at least two of these three survey methods (nest tubes, nest boxes, and hazelnut search) to be employed. Secondly, from previous surveys we know that October is the peak month for detection of dormice using nest tubes and boxes, but the present survey ended in September, so may have missed a vital survey period. Finally, it can be that case that in Ancient Semi Natural Woodland there are sufficient naturally occurring hiding places and nesting opportunities such that dormice are not attracted to man-made plastic nest tubes, and so are not easy to detect even where they are present, giving a false negative result.
- 5.19 Whilst he does not have grounds to dispute the survey methodology itself, he would advocate some precautionary mitigation measures to take account of the small possibility that some dormice were undetected. Firstly, he would support the proposal in the Dormouse Survey Report to repeat the survey after two years if site clearance hasn't taken place during that time. Secondly, ten wooden dormouse boxes should be erected in suitable locations in Queens Wood. Thirdly, any clearance of suitable above-ground dormouse habitat, such as scrub, understorey or woodland edge trees (but not isolated trees) should take place in winter whilst the dormice are hibernating at ground level, with the roots, stumps etc. removed in spring when dormice would have woken from hibernation and moved to remaining vegetation nearby.
- 5.20 He supports the recommendations set out in the **bat** survey reports and in particular those in section 10 of the Ecological Survey Report provided by Just Mammals ecological consultants dated July 2016. These recommendations, which should be secured by planning condition include:
- (i) Soft-stripping of the building, in particular the roof tiles, soffits, fascias and barge-boards so as to avoid harm to any bats that may be present.
 - (ii) Soft-felling of trees identified as having any bat roost potential
 - (iii) Supervision of demolition and tree fellings by an Ecological Clerk of Works in case protected species are discovered during these operations
 - (iv) Contacting NRW for advice if bats or dormice are found during works
 - (v) Installation of bat boxes to compensate for loss of potential roosting habitat

- (vi) A lighting scheme for the site to ensure that light spillage onto woodland and other semi-natural habitats is minimised.

5.21 He notes that no **reptiles** were detected during surveys. He is content with the scope of the report and accepts the result.

5.22 Although no survey for **badgers** has taken place, from his own observations of the woodland during a site visit, he did not see any evidence of badger setts in the area which would be affected by these proposals. He is content that the applicant has provided sufficient justification for not surveying for badgers as follows:

- (i) They did not recommend surveys of badgers following the initial PEA as there were no records of badgers returned in the data search and no evidence of badgers was recorded during the extended Phase 1 habitat survey.
- (ii) The habitat quality for badgers within the woodland was low to moderate, with limited potential locations for sett building.
- (iii) Taking in to consideration the high level of human disturbance in the woodland, badger presence was considered unlikely.
- (iv) Following the PEA the site was extensively surveyed for bats (tree inspections), dormice (which included several visits over a period of five months) and botanical surveys. During all of these surveys, no evidence of badger was seen by the surveyors.

5.23 As **nesting birds** are present, he recommends the following condition in the event that permission is granted:

No site clearance/demolition of trees or bushes shall take place between 1st March and 15th August unless otherwise approved in writing by the Local Planning Authority. This approval will be granted if a consultant ecologist can evidence that there are no birds nesting in these features immediately (48 hrs) before their removal. Reason: To avoid disturbance to nesting birds which are protected under the Wildlife and Countryside Act 1981: Part 1, 1(1)(b), it is an offence to intentionally take, damage or destroy the nest of any wild bird while that nest is in use or being built.

5.24 **Bird species** which nest in or on buildings, such as Swifts, Swallows and House Martins are priority species in Cardiff, so he supports the proposal in section 7.1.4 of the PEA to introduce features such as Sparrow terraces and Swift Boxes to the new buildings.

5.25 In accordance with the **Pollinator** Action Plan for Wales, every effort should be made to allow wildflowers to develop on roadside verges, parks, attenuation basins, and any other greenspaces. The design of these areas should allow wherever possible for access for 'cut and lift' machinery, as cutting wildflower areas at an appropriate time of year, and removing the arisings, can be important in maintaining these areas. Consideration should also be given to the use of green walls and roofs, as suggested by section 7.2.1 of the PEA.

- 5.26 As a general principle, **survey work** which is more than 2 years old will be regarded with caution, as certain species may colonise or leave an area in the interim period. This is particularly the case with mobile species such as bats. Section D.5.2 of BS42020, the British Standard for Biodiversity and Planning (2012) recommends the following condition:

If the development hereby approved does not commence (or, having commenced, is suspended for more than 12 months) within 2 years from the date of the planning consent, the approved ecological measures secured through Condition X shall be reviewed and, where necessary, amended and updated. The review shall be informed by further ecological surveys commissioned to i) establish if there have been any changes in the presence and/or abundance of bats, dormice and reptiles 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, the 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 mitigation measures and timetable. (Where 'Condition X' refers to any condition used to secure mitigation of impacts upon bats, dormice or reptiles).

- 5.27 These comments contribute to this Authority's discharge of its duties under Section 6 of the Environment (Wales) Act 2016. This duty is that the Authority must seek to maintain and enhance biodiversity in the exercise of its functions, and in so doing promote the resilience of ecosystems, so far as is consistent with the proper exercise of those functions. In complying with this duty the Authority will have to take account of the resilience of ecosystems, in particular the diversity between and within ecosystems; the connections between and within ecosystems; the scale of ecosystems; the condition of ecosystems and the adaptability of ecosystems.
- 5.28 The **Operational Manager, Environment (Noise & Air)**, has no objection to the application, subject to relevant conditions.
- 5.29 The Council's **Access Officer** has been consulted and any comments received will be reported to Committee.
- 5.30 The **Operational Manager, Drainage Division**, advised that there should be consideration of surface water attenuation, in order to enhance the ecology of the area. As the SI reports have highlighted, the clay soil is not suitable for soakaways but would be suitable for a ponding attenuation system. It could well be for only extreme rainfall events, but this would avoid the needlessly large sub-surface attenuation structure. The micro-drainage model shall be forwarded to the Lead Local Flood Authority (LLFA), so that the simulation can be checked. Also, any proposals to construct a new outfall to the watercourse shall require consent from the LLFA. Finally, details of how the highway pollutants shall be removed from the highway and car parking areas is required by the LLFA.

- 5.31 The agent has submitted additional drainage information in response to his comments. Any further comments from the Drainage Engineer will be reported to Committee.
- 5.32 The **Operational Manager, Parks and Sport** has considered the application and notes that the plans show areas of central social spaces and a central lawn. Although unlikely to be accessible to the general public, he accepts that these spaces will provide the residents with some recreational and amenity space, thereby reducing impact on nearby public open spaces. He also notes that the application is located on an existing campus which contains significant sporting facilities and other areas of informal recreation and amenity space. Despite this existing and proposed on-site provision, he considers that students from Cardiff Met are likely to use some off-site sporting facilities (although much less than would normally be expected) and are highly likely to use local areas of open space, particularly Roath Park. He therefore has calculated the off-site contribution in a simplified way to omit all sporting provision and included just the informal recreational element, which results in a request for £35,909 towards improvements to the upgrading of footpath surfacing and site furniture in Roath Park. This designation for the contribution would require ward member approval.

6. **EXTERNAL CONSULTEES RESPONSES**

- 6.1 **Dwr Cymru Welsh Water** has no objection and recommends that a condition be attached to ensure that no occupation of any building occurs until the drainage system shown on drawing on. C6472 SK010 has been constructed. They also offer further advisory notes regarding public sewer connections, sewer records, and new infrastructure to ensure an adequate mains water supply, the costs and maintenance of the latter will be the developer's responsibility.
- 6.2 **Glamorgan Gwent Archaeological Trust** confirms that the Historic Environment Record (HER) indicates no known archaeological features or finds within the proposed application area, neither is it located in any archaeologically sensitive area or historic landscape. A review of historic Ordnance Survey mapping of the area indicates the presence of Queens Wood, as well as several field boundaries and footpaths, of limited archaeological significance. Furthermore, the Site Investigation report by Terra Firma (Report no. 13540, dated March 2016) indicates the site contains re-deposited material and has undergone significant levelling to create a level platform. Such activities are very likely to have an adverse effect on any potential remains that may have been present. The former caretakers bungalow does not appear on any historic mapping and is again of limited archaeological significance. As a result, there is unlikely to be an archaeological restraint to this proposed development and, consequently, they have no objections to the positive determination of this application. The record is not definitive, however, and in the event that features are disturbed during the course of the work the developer should contact them.

6.3 The **South Wales Police Design Out Crime Officer** has no objections but does make the following comments:

- (i) Welcomes the general layout and design which provides good surveillance, lighting and general security of bin and bike stores;
- (ii) Pleased that any new buildings will be built to Secured by Design standards;
- (iii) The siting of the development within the existing grounds will assist with general security;
- (iv) The accommodation is set between 8 and 10 units per cluster or pod. Best practice is that these should not exceed 6 per pod as this is the optimum number to achieve self- policing and minimise any negative aspects of shared use age of communal facilities. Only students living on particular floors and in particular pods or clusters should be able to access those areas so there is a need for access control to restrict entry to these areas along with individual student bedrooms. This will significantly reduce the opportunities for crime and increase safety for student residents. CCTV provision should also be included to prevent crime assist in management of the site.
- (v) He notes that there would be 518 no. new accommodation places, but with no additional parking provided and would seek clarification on whether these are for existing or additional students? They are aware of local concerns regarding parking and the clarification as to the intended occupants could either help alleviate some of the local concerns by reducing travelling to and from the site, or potentially aggravate them by leading to more students with more vehicles.
- (vi) They are happy to work with developers to ensure that Secured by Design is achieved which has been shown to reduce crime risk by up to 75% and would welcome a formal application if development is approved.

6.4 The **Chief Fire Officer of the South Wales Fire and Rescue Service** advises the developer to consider the provision of adequate water supplies on the site for firefighting purposes and access for emergency firefighting appliances. The applicant is advised to contact the fire safety officer for further information.

6.5 **CADW** advise that the proposed development is located within the vicinity of the scheduled monument known as Pen y Lan Roman Site (GM296) and within the vicinity of the registered historic park and garden known as Roath Park PGW (Gm) 24(CDF). The application area is some 660m north of scheduled monument Pen y Lan Roman Site (GM296); however, the views between the scheduled monument and the proposed development are blocked by the existing trees along the A48 Eastern Avenue and Queens Wood along with the extant buildings. Consequently the proposed development will not have an impact on the setting of GM296. The application area is some 840m to the east of the Registered Roath Park historic park and garden. The topography, extant buildings and exiting trees block views between the proposed development and the registered historic park and garden. Consequently the proposed development will not have an impact on the setting of the Registered historic park and garden.

- 6.6 **Wales and West Utilities** note the intention to demolish the existing caretaker's bungalow. They have carried out preliminary checks and cannot determine if there is live gas feeding it. They recommend a thorough visual check of the building is carried out to determine if there are any gas supplies to the property. They also advise that there are live gas mains in the vicinity and caution should be exercised when working in the vicinity of the mains.
- 6.7 **Natural Resources Wales** have been consulted on the application and any comments received will be reported to Committee.

7. **REPRESENTATIONS**

7.1 **Councillor J Carter, on behalf of the Councillors for Cyncoed and Pentwyn**, objects to this huge project for the following reasons:

- (i) Visual Impact – Both the halls of residence and sports hall are large buildings that will tower over other nearby houses. Existing student flats are 2 or 3 storeys, whilst much of the site is not much taller than 4 storeys. Although it is further down the hill the 7 storey block of flats will be significantly taller than the vast majority of buildings in Cyncoed, Llanedeyrn and Penylan, towering over the flats and visible from a long way. The existing sports hall approved last year towers over trees on Circle Way West. The new hall will be as equally large and impact on surrounding houses.
- (ii) Woodland – The halls of residence plans will see ancient trees removed and change the ecology of the area. This area is relatively quiet and undisturbed. The layout of the site appears to encourage the 500+ students to use the woods for their leisure space. This will destroy habitat and scare wildlife. The university and their architects are keen to point to the small number of trees that will be immediately affected, but we are concerned about the long term damage to the trees and wildlife during construction and beyond.
- (iii) Noise – The noise caused by the construction and of all 3 buildings, combined with the noise of 518 students in a close proximity will have a negative impact on the residents living directly around the site. On the Llanedeyrn side students do not currently live near houses so the only noise comes from late night sporting events, when the noise from cheering and shouting can be heard 200 metres away. 518 students in a close proximity are going to make a lot of noise and this will have a negative impact on the residents as well as the wildlife.
- (iv) Parking – He and his ward colleagues were shocked that the planning application has not included additional parking spaces around it. Whilst they don't expect every student to have a car, a significant percentage will have a vehicle and want to park it somewhere. Without parking on site, they will instead park around the surrounding streets in Llanedeyrn. Students halls of residences can be built in the city centre without parking as there is nowhere for anyone (student or non-student) to park for free. This is not the case in Llanedeyrn, Penylan and Cyncoed, and this will lead to residents suffering.

- (v) Consultation – In June the applicant held their own consultation event and asked people to give their views. Seeing how negative the feedback from the community was, they had expected the university to listen to the concerns of residents and councillors. Instead they ignored everyone around them and proceeded with virtually identical plans to the ones they presented in June.
- (vi) Safety – his final concern is that of public safety. This development is very close to All Saints Primary School and he is concerned for the safety of children going to and from the school. The large construction vehicles entering the site via Circle Way West and the increased volume of cars using spaces outside the school once the halls of residence is open, will increase the prospect of a child being hit. He feels this development presents too many risks to children.
- (vii) In conclusion, this is a huge development that will negatively impact on residents and wildlife around it. The university has failed to listen to any concerns of local residents and councillors, and this development is simply too large for the site. He asks that these comments be drawn to the attention of the members of the planning committee when they consider this application.

7.2 Councillor J Woodman objects to the application for the following reasons:

- (i) The University is operating as a bad neighbour to the surrounding community, both Llanedeyrn side and Cyncoed side. They refuse to address the ongoing parking problems which arise from their students, visitors and staff. Because they charge for parking on site, many will not pay the charge but instead park on roads outside the campus causing real and dangerous situations to occur. Whilst the university has a good travel plan in place, it is disregarded by the majority. Removal of the parking charge would be a significant help in ensuring no issues, but alas, despite representation from local members, it falls on deaf ears.
- (ii) To now propose to build a 7 storey building to house at least 500 extra students, and have no dedicated parking for them will greatly exacerbate the problems. It will not help the fact that visiting families for the students, students themselves and non-student users and events audiences will also not have sufficient parking and will disperse into neighbouring estates causing significant and real health and safety issues. Students do bring cars with them, as proven in every university and college throughout the UK. The council has already incurred significant expenditure in installing double yellow lines and/or bollards to deter grass verge parking within estates. This cost will significantly increase as ward members will have no option to request these following pressure from local residents. She believes it will only be a matter of time before a serious accident occurs which may result in a death. Police can provide road traffic incidents data for Llanedeyrn side. She has had such in the past.
- (iii) She understands a few trees from the ancient woodland will be removed under these application and it is proposed to do some replacement replanting of new trees. She has requested details of exactly which trees, their type/genus, and how many. She awaits these details.

However, from the application she sees no works at all to ensure the remaining ancient woodland will be protected. With a building so close to the woodland, it is concerning that students/visitors etc will actually venture into the woodland for recreational purposes. This will potentially result in trees being damaged, litter dispersal and ground flora and fauna being damaged. Whilst our woodland is for our enjoyment, I see no restrictions, fencing or punitive actions being proposed to ensure the University take proactive measures to offer substantial protection to the woodland. Or, like parking measures, are they expecting the council to pay?

- (iv) The new opening onto Circle Way for emergency vehicles and construction traffic will be hazardous. There is a nearby primary school (All Saints) with a large volume of traffic to and fro and located on a hill. Students from the proposed 7 storey build will use the off-road parking area in place for school parent parking, due to its nearest location and laziness, rather than considering health and safety. The volume of traffic using the existing entrance will also increase due to extra staffing. Students, visitors. The access and egress of building contractors vehicles also has to be accommodated. The road Circle Way West is also a bus route. The fumes generated will increase and be detrimental to the local community and particularly children within the nearby school.
- (v) When works to signalise Llanedeyrn interchange were done, this was classed as phase one. When Labour took control of the council in 2012, phase two was made a shelf scheme by the then Cabinet member Ralph Cook. Subsequent questions raised by resulted in being told as there have been no major accidents since, phase two will remain on the shelf. These development proposals will increase traffic numbers at this interchange. She sees nothing from officers to say surveys will be carried out in relation to usage of the interchange. This is of concern as vehicles going to the campus use the interchange whether they come through Cyncoed or Llanedeyrn. Why is there nothing on this from officers who would have been in discussion with the University in regard to traffic impact please;
- (vi) Residents within my ward are very unhappy about the proposals. The University has not taken into account the views of residents or local councillors and their genuine concerns. This application is a step too far, being too large for a residential area. She formally requests that planning committee make the decision on these applications due to the amount of objections not by delegation.

7.3 **Councillor P Chaundy** considers that recent years have seen significant increase of vehicular activity by students and visitors to Cyncoed Campus. This has resulted in considerable numbers of dangerously and illegally parked vehicles within their community. Both Police and Council resources are increasingly stretched to manage enforcement and the continuous danger this creates. The application 16/01760/MJR will attract additional parked motor vehicles that will further exacerbate an already dangerous situation.

7.4 He refers to paragraph 3.7.4 of the Transport Statement accompanying the application which states "*The proposed development will not result in a*

requirement for additional parking provision on campus as it is a car free establishment.” This ‘car free’ establishment is created by increasing numbers of cars parking in surrounding residential community! Referring to good ‘Travel Planning’ just as it did some years ago before the existing (forecast) crisis of dangerous parking became reality, the repeated anthem of this same ‘Travel Planning’ is a work of fiction if the plan can neither be enforced or regulated.

- 7.5 The simple truth is that this application will significantly increase the number of motor vehicles and associated dangers. This proposal impacts directly on the community and the environment endangering residents’ health. Most significantly impacting the vulnerable, the elderly, families and children, having the additional risks to their travel to and from nearby services, school, home etc. Additional health dangers of increasing air pollution and noise; physical dangers or hazards to visibility, access of homes along with increased volume of highway traffic and increased dangerous, illegal parking. In summary as it stands this current proposal is a dangerous proposal and should not be permitted.
- 7.6 **Councillors J Boyle and B Kelloway** object to the application on access, parking and circulation, and the impact of the tall building. In respect of access, parking and circulation, he states:
- (i) The council’s recently adopted LDP is unequivocal in its section on managing the transport impact of new developments (T5, p. 174). All new developments for which planning permission is required, it states, will have to have ‘satisfactory provision for access, parking and circulation.’
 - (ii) For residents in the upper part of Penylan, this development is the first test of whether the LDP has been developed to serve them or to serve the commercial interests of private organisations. If this major application is granted without any credible attempt to deal with the impact it will have on parking, an early precedent will be set that undermines the aim of this section of the LDP.
 - (iii) T5 of the LDP goes on to state that developments will need to ‘avoid unacceptable harm to safe and efficient use and operation of the road, public transport and other movement networks and routes.’ By way of a recent example, local councillors have had a long-running problem, well-known to the council, regarding parking orders for Ffordd Bodlyn. These orders were needed to deal with the impact of Cardiff Met students parking on Ffordd Bodlyn to avoid the charges they would otherwise have to pay if they parked on site. Now that Ffordd Bodlyn has its orders, they are already receiving first notice of increased parking pressures on nearby Ffordd Cwellyn. It is illogical to argue that this new development will not increase these pressures further. What is being seen, before a single new room has been built, is the adverse impact Cardiff Met is having on nearby movement networks and routes. A development of this size can only add to those worsening pressures.
 - (iv) The costs of dealing with these traffic orders falls on the council and council tax payers. If Cardiff Met is allowed to develop as proposed, the burden for dealing with the costs of the associated traffic problems will

further fall on the city's stretched resources. The applicant's refusal in its plans to acknowledge residents' concerns shows a casual disregard for the effect they have on residents.

- (v) Finally within section T5, the LDP notes that 'parking... will be provided, where appropriate in accordance with the Council's adopted standards.'
- (vi) These standards are long established and are referenced in the council's 'Access, Circulation and Parking Standards' supplementary planning guidance, section 2.2 (pp 8-9). These variously place the following requirements on developers:
 - 'New development shall include adequate provision for car parking according to the adopted parking guidelines.'
 - 'Development proposals will be required to provide parking and servicing facilities.'
 - '... all new development, redevelopment or changes of use should include appropriate operational and non-operational parking provisions according to the land use, density and location proposed.'
- (vii) While the rightful drift of planning policy is to discourage car use, the SPG makes clear that the standards are also intended to 'limit over-subscription of on-street parking and, in turn, congestion, hazards, visual intrusion.'
- (viii) There is therefore a clear legislative framework to which the council must adhere in relation to the impact a development will have on parking beyond that development. The pressures that have been identified in numerous letters of objection make it clear that the impact on parking of this proposal are a matter of enormous concern to residents. The standards against which the council is obliged to assess planning applications place a requirement on the developer to put in place plans for parking. That they have chosen not to do so and that they are inflexible in terms of the charges they currently impose on students attending the site shows the applicants have little heed for the impact their plans will have on their neighbours.

7.7 Regarding the impact of the tall building:

- (i) They have significant concerns in relation to the Council's 'Tall Buildings' SPG. As the development would be more than double the height of nearby residential buildings, it is clear the requirements of this SPG would apply. As a result, the application fails in relation to the following guidance: 'Tall buildings will not be permitted in locations where they would overshadow or overlook adjacent properties to the significant detriment of the amenity of neighbouring occupiers.'
- (ii) The council has received a large amount of correspondence from residents demonstrating precisely how their amenity will be negatively affected. Furthermore, the claim in the application that tree screening will protect the amenity of residents may be the case during summer when trees are in full leaf but will not be the case for the other half of the year. The use of architectural drawings that do not make this distinction are therefore misleading and should be discounted.
- (iii) 'Proposals for tall buildings should generally be located within an existing cluster or form part of a proposal to create a new cluster.' This

application does not meet either of these criteria, especially as none of the existing buildings on the site could be described as a tall building.

- (iv) Bulky tall buildings with a strong horizontal massing should be avoided, with the emphasis being on creating vertically slender buildings with a clear base, middle and top. It will require an elastic interpretation of the words 'horizontal' and 'vertical' to present this development as being within these guidelines. If the council's own advice is that a development should avoid horizontal massing (which is what this proposal amounts to), it is impossible to see how the proposal can be granted in its current state.
- (v) All the above objections are not a selective use of the finer details of the SPG. They are based on fundamental elements of tall building design in the city: over-shadowing, clustering and massing. On these three fundamental principles, the design fails. The council, if it is to act in good faith, therefore has no option other than to reject these proposals.

7.8 **Councillors D Rees and M Jones** object to the loss of amenity for local residents that would result from the development. The applicant is considered to be a bad neighbour due to years of inconsiderate and dangerous parking by students. Building a seven storey block for accommodation for up to 500 more students without parking is inconceivable as it would exacerbate the problem considerably. The Travel Plan in place at present is clearly not adhered to and is unlikely to work in the future.

7.9 **Jo Stevens MP** objects to the application on the following key grounds:

- (i) No additional parking will be provided. Local residents are already faced with problems due to Cardiff Met site users parking in residential areas. Parking charges on campus results in parking on local streets causing frustration and access problems. Without further parking provision on site, these problems will be exacerbated;
- (ii) Proposed building is significantly higher than any other campus building. It is more likely that noise will travel at this height, particularly at night, resulting in loss of amenity for residents to the south;
- (iii) Knock on effect on protected woodland which is home to a vast amount of wildlife;
- (iv) Concerned about the consultation process conducted by the applicant where resident's views have been ignored.

7.10 The application was publicised by **press and site notice** on 11 August 2016 as a major development in accordance with Article 12 of The Town and Country Planning (Development Management Procedure) (Wales) Order 2012.

7.11 176 no. **objections** to the application were received from residents of Carisbrooke Way, Lothian Crescent, Woodland Crescent, Wellwood, Pen-y-Bryn Road, Awel Mor, Cyncoed Road, Cyncoed Place, Cyncoed Avenue, Coed Edeyrn, Springwood, Queen Wood Close, Ael-y-Bryn, Grafton Close, Caer Cady Close, Brynderwen Close, Glenwood, Hill Rise, Wern Goch West, Ormonde Close, Ty Gwyn Crescent, Lonsdale Road, Dynevor Road and the Chairman of Bryn Mor Management. The objections raised are summarised

as follows:

- (i) No car parking provision. Approximately 500 additional cars will cause additional traffic congestion, safety and parking problems on local roads. It is not realistic to expect students to rely on cycling and public transport;
- (ii) Parking charges on site leads to parking on local road network;
- (iii) Campus entrance on Cyncoed Road is already dangerous and causes congestion;
- (iv) Access problems for emergency vehicles;
- (v) Property values will suffer;
- (vi) Invasion of privacy through overlooking and trees will only be in leaf for half the year – houses on Carisbrooke Way are lower than the site, maximising the impact;
- (vii) Destruction of trees and ancient woodland. Removed trees must be replaced;
- (viii) Harmful effect on birdlife and wildlife, including European Protected Species (bats and dormice) and their habitats due to construction and light pollution;
- (ix) 7 storey building is overdevelopment and out of character for the area. It is unattractive, poorly designed, out of scale, too high, and too bulky;
- (x) Noise pollution during construction and from future users and associated plant;
- (xi) Increased litter pollution;
- (xii) Anti-social behaviour from students and users of the Forum building will increase at unsociable hours;
- (xiii) Questions the need for the development and whether alternative locations exist on the campus;
- (xiv) Security concerns for residents on Carisbrooke Way and Lothian Crescent;
- (xv) The applicant has ignored the views given by residents at consultation events;
- (xvi) Construction traffic, noise and dust will have a harmful effect on children at Al Saints Primary School;
- (xvii) Students should be located in the city centre where new developments are;
- (xviii) Drainage and flooding problems resulting from tree removal;
- (xix) Queries whether there is provision to increase bus service provision;
- (xx) Development will create a precedent;
- (xxi) Consultation with neighbours has been minimal and their feedback has been ignored;
- (xxii) Harmful effect on health and wellbeing of neighbouring residents;
- (xxiii) Air pollution from increased traffic;
- (xxiv) Development is contrary to Cardiff's 'liveable city' vision and the aims that Cardiff is clean and sustainable and its people are safe and feel safe;
- (xxv) Will deprive residents of the enjoyment of their homes and gardens;
- (xxvi) Questions whether the development needs an Environmental

- Impact Assessment;
- (xxvii) Request a Committee site visit;
- (xxviii) The applicant should move to an out of town site;
- (xxix) Application documents had to be updated to correct mistakes;
- (xxx) Disturbance during construction;
- (xxxi) Doubts existing utilities have sufficient capacity to accommodate the development;
- (xxxii) Lack of integrated disabled access between buildings;
- (xxxiii) No noise assessment for 'The Forum' building;
- (xxxiv) Challenges accuracy of submitted photo montages indicating building height;
- (xxxv) Contrary to guidance in the Tall Buildings SPG;
- (xxxvi) Questions whether drainage strategy calculations include the entire development i.e. service road, bin/bike store and landscaped areas and whether outfalls in woods require upgrading.

7.12 The **Governing body of All Saints Church in Wales Primary School**, Ael-y-Bryn, opposes the application on the following grounds:

- (i) 7 storey building is overdevelopment, out of scale, and overbearing;
- (ii) Use of access onto Circle Way West would be dangerous school users;
- (iii) Existing on-site parking arrangements have insufficient capacity and the development will exacerbate local parking problems.

7.13 The **Woodland Trust (Coed Cadw)** considers that Ancient Woodland (land that has been continually wooded since at least AD1600) is one of the UK's richest habitats, supporting at least 256 species. Ancient woods form a unique link to the primeval wildwood habitat that covered lowland Britain following the last ice age. Ancient woodland sites are irreplaceable – the interactions between plants, animals, soils, climate and people are unique and have developed over hundreds of years. These ecosystems cannot be re-created and with only 2% of the land area in the UK covered by ancient woodland we cannot afford to lose any more. The Trust objects to this planning application on the basis of damage and loss to Queens Wood, an area of ancient semi-natural woodland (ASNW) designated as such on Natural Resources Wales' Ancient Woodland Inventory (AWI).

7.14 The Welsh Assembly has recognised that areas of ancient woodland are declining and becoming increasingly fragmented and emphasises the importance of conserving ancient woodland and its value as a biodiversity resource through the publication of Planning Policy Wales (2014). The following paragraphs highlight ancient woodland's importance:

- (i) Paragraph 5.2.9: *"Trees, woodlands and hedgerows are of great importance, both as wildlife habitats and in terms of their contribution to landscape character and beauty. They also play a role in tackling climate change by trapping carbon and can provide a sustainable energy source. Local planning authorities should seek to protect trees, groups*

of trees and areas of woodland where they have natural heritage value or contribute to the character or amenity of a particular locality. Ancient and semi-natural woodlands are irreplaceable habitats of high biodiversity value which should be protected from development that would result in significant damage.”

- (ii) Paragraph 5.2.10: *“Local planning authorities should, as appropriate, make full use of their powers to protect and plant trees to maintain and improve the appearance of the countryside and built up areas.”*
- (iii) Paragraph 5.5.15: *“In the case of a site recorded on the inventory of ancient woodland (1) produced by the former Countryside Council for Wales, authorities should consult with the Natural Resources Wales before authorising potentially damaging operations.”*

7.15 Paragraph 5.2.4 of the UK Biodiversity Action Plan (UKBAP) includes objectives to conserve, and, where practicable, enhance:

- (i) the quality and range of wildlife habitats and ecosystems;
- (ii) the overall populations and natural ranges of native species;
- (iii) internationally important and threatened species, habitats and ecosystems;
- (iv) species, habitats and natural and managed ecosystems characteristic of local areas; and
- (v) biodiversity of natural and semi-natural habitats where this has been diminished over recent decades.

7.16 Section 40 of the Natural Environment and Rural Communities Act 2006 requires all public authorities (including LPAs), in exercising their functions to have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity.

7.17 Paragraph 5.137 of the Cardiff Local Development Plan states the following: *“Ancient woodlands are irreplaceable habitats of high biodiversity value which will be protected from development that would result in significant damage. Veteran trees and ancient hedgerows cannot be recreated and developments will be expected to retain them. Where appropriate, Tree Preservation Orders will be served to protect important amenity trees from removal or harm. The amenity value of trees will be assessed in accordance with government guidance and nationally recognised systems of amenity evaluation.”*

7.18 The proposed development consists of a new student accommodation facility and accommodating infrastructure, such as a new road, for Cardiff Metropolitan University’s Cyncoed Campus. It is apparent that the proposed development will encroach on Queens Wood, resulting in the loss of 0.2 hectares of ancient woodland. The Woodland Trust is concerned about the following:

- (i) Direct loss and damage to an area of ancient woodland.
- (ii) Intensification of the recreational activity of humans causes: disturbance to the habitats of breeding birds, vegetation damage, litter, and fire damage.
- (iii) Fragmentation as a result of the separation of adjacent semi-natural

habitats, such as small wooded areas, hedgerows, individual trees and wetland habitats.

- (iv) Development provides a source of non-native plants and aids their colonisation.
- (v) Noise and light pollution occurring from adjacent development, during both construction and operational phases.
- (vi) Where the wood edge overhangs public areas, branches and even whole trees can be indiscriminately lopped/felled, causing reduction of the woodland canopy.
- (vii) There will inevitably be safety issues in respect of trees adjoining public areas and buildings, which will be threatening to the longer-term retention of such trees.
- (viii) There can be changes to the hydrology altering ground water and surface water quantities. Also the introduction of water run offs from urban development will result in changes to the characteristics and quality of the surface water as a result of pollution/contamination etc.
- (ix) Any effect of development can impact cumulatively on ancient woodland - this is much more damaging than individual effects.

7.19 Development in ancient woodland can lead to long-term changes in species composition, particularly ground flora and sensitive fauna, i.e. nesting birds, mammals and reptiles. Majorly adverse impacts would occur as a result of the removal of areas of ancient woodland habitat, to make way for the construction of this proposal. Although the applicant claims that the area of ancient woodland to be lost is of low value and shouldn't constitute ancient woodland it appears that they have not considered the impacts of the development on the ancient woodland soil, one of the most important features of ancient woodland. Ancient woodland soil has often taken centuries to develop, with microorganisms and bacteria forming important relationships and an important seed bank forming. If the applicants believe that the area to be lost does not constitute ancient woodland then clearly they need to contact Natural Resources Wales about the matter and ask that they remove this section from the Ancient Woodland Inventory.

7.20 The proposed development will not only encroach on ancient woodland, it will also be located in close proximity to the remaining area of ancient woodland. Considering the size, scale and the large number of persons likely inhabiting the development it is apparent that the development will also have a considerable impact on the ancient woodland through intensification of recreational activity and impacts associated with adjacent development.

7.21 When land use is changed to a more intensive use such as in this situation plant and animal populations are exposed to environmental impacts from outside of the woodland. In particular, the habitats will become more vulnerable to the outside influences, or edge effects, that result from the adjacent land's change of use. These detrimental edge effects can result in changes to the environmental conditions within the woodland, consequently affecting the wood's stable conditions. Detrimental edge effects have been shown to penetrate woodland causing changes in ancient woodland characteristics that extend up to three times the canopy height in from the forest edges.

- 7.22 One such impact is light pollution. Light pollution in residential areas such as this is generated from buildings, streetlights, vehicle lights and security lights and includes chronic or periodically increased illumination, unexpected changes in illumination, and direct glare. Artificial illumination reduces the visibility of the moon and the stars, affects species orientation differentially and may serve to attract or repulse particular species. This affects foraging, reproduction, communication, and other behaviour. It consequently disrupts natural interactions between species. Light pollution near to ancient woodland is, therefore, likely to substantially affect the behaviour of species active during dawn and dusk twilight or nocturnal species, such as moths, bats, and certain species of birds, resulting in the decline of some species.
- 7.23 Noise pollution is also associated with residential areas, arising from a range of sources, including pedestrian and low-level traffic activity. Noise levels in residential areas are elevated but vary spatially and over time. They are likely to limit the distributions of animal species that are intolerant of noise and negatively affect their reproductive success near to woodland edges. This may be beneficial at some sites if, as a result, deer pressure is reduced but bird diversity has been found to be lower in noisier sites.
- 7.24 Ancient woodland is irreplaceable; once lost it cannot be re-created. The Trust believes that any damage and/or loss to ancient woodland is unacceptable and every step should be taken to ensure that the ancient woodland is avoided by the proposed development. In summary, the Trust objects to this planning application on the basis of damage and loss to ancient woodland. It is apparent that the proposed development will result in the loss and fragmentation of ancient woodland habitat that will open up the wooded environment and lead to significant damage to ancient woodland. In its current form the proposed development is highly inappropriate and in direct contravention of both local and national planning policies.
- 7.25 A **petition** objecting to the application was received on 25th July 2016 on the grounds that it will devalue properties, lead to noise pollution, loss of trees, devastate wildlife, 18 months of building work, invade privacy, and increase parking problems.
- 7.26 A **second petition** objecting to the application was received 31st July 2016 on the grounds the application is overdevelopment, lack of parking provision, and traffic congestion.
- 7.27 A **third petition** with no signatures, only printed names, was received on 31st August 2016.
- 7.28 Following a re-consultation on amended plans and additional information in December 2016, 89 no. further objections were received from occupiers of Cefn Coed Crescent, Ael-y-Bryn, Lothian Crescent, Awel Mor, Carisbrooke Way, Hampton Crescent West, Farm Drive, Woodland Crescent, Hillrise, Cefn Coed Avenue, Cyncoed Road, Springwood, Queenwood, Ffordd Bodlyn, Alltmawr Road, Cefn-Coed Road, Cefn-Coed Gardens Grafton Close,

Brynderwen Close, Glenwood, Ty Gwyn Road and Justin Close:

- (i) Increased volumes of traffic to dangerous levels;
- (ii) Increased anti-social behaviour;
- (iii) Increased litter;
- (iv) Increased parking and congestion problems on the local highway network;
- (v) 7 storey building will be an eye sore; it is overdevelopment which is out of scale and out-of-keeping with the area;
- (vi) Destruction of ancient woodland and wildlife habitat resulting in harm to European Protected Species (Bates and Newts);
- (vii) Unacceptable levels of noise pollution (particularly from The Forum building) and anti-social behaviour;
- (viii) Drainage system will not cope;
- (ix) Poor consultation process with local community;
- (x) Changes to roof height does not address the issue;
- (xi) Noise and disruption during construction;
- (xii) Depreciation in property values;
- (xiii) Residents' concerns have been ignored by applicant;
- (xiv) Loss of privacy through overlooking;
- (xv) Inaccessible to emergency vehicles;
- (xvi) Contrary to Tall Buildings SPG (points 2-5);
- (xvii) Artist's impressions are misleading;
- (xviii) Timescale for responding to consultation is unreasonable;
- (xix) Overbearing unneighbourly development;
- (xx) Light pollution;
- (xxi) Development is unnecessary and unwanted;
- (xxii) Security concerns from increased people numbers;
- (xxiii) Transport Assessment is poor, fails to refer to local resident dissatisfaction with traffic levels;
- (xxiv) A 15m buffer zone to the woodland is insufficient protection;
- (xxv) Council's attempts to address on-street parking problems have displaced not solved the problem;
- (xxvi) Campus parking should be free to students as this will solve the parking problem;
- (xxvii) Drainage problems from development on clay soil;
- (xxviii) Parking should be provided underground;
- (xxix) Applicant has not complied with restrictions on other developments;
- (xxx) Applicant's visual impact views are inaccurate;
- (xxxi) No existing or proposed levels are shown on the drawings;
- (xxxii) Transport Statement significantly underestimates the potential traffic impact. The campus is not a car-free establishment; it generates trips. No detailed traffic impact assessment has been undertaken. The Welsh Government has not been consulted despite the development materially increasing the volume or character of traffic entering or leaving the A48. There is considerable congestion at this junction currently;
- (xxxiii) Access to the campus is hazardous for pedestrians with no footway adjacent to the site on Circle Way West nor at the site entrance.

7.29 Following a further re-consultation on additional information (reptile survey) in

January 2017, further objections were received from residents of Carisbrooke Way, Cyncoed Place and Ael-y-Bryn who object for the following reasons:

- (i) Nothing has been done to improve the on-site provision of parking, which will result in congestion on the local highway network;
- (ii) Loss of peace and quiet;
- (iii) Damage to woodland;
- (iv) Loss of wildlife;
- (v) It is unclear what is being proposed for the existing road that was being re-aligned;
- (vi) There seems to be a new path nearer the woodland, parallel to the road;
- (vii) Original objections not included

8. **ANALYSIS**

- 8.1 The key issues for consideration of this application are the principle of the development, its design and appearance, the likely impact on the woodland and wildlife, access and the reliance upon existing parking, and the impact upon the amenities of nearby residential properties.

Principle of Development

- 8.2 The principle of constructing student accommodation and a conference centre on the site has been established through previous permissions for similar development (Section 3). There is therefore no objection in principle to the application.

Design and Appearance

- 8.3 The amended proposal has been submitted following extensive discussions with officers and aims to provide high quality new accommodation whilst respecting its setting adjacent to the ancient woodland.
- 8.4 The arrangement of a series of accommodation blocks varying in height in response to existing ground levels, and arranged around south-facing courtyards and amenity space is considered to be an appropriate solution. The scale of seven storeys is considered to be appropriate, mindful of the characteristics of the site and its surroundings, being well-screened from public views and nearby residential development by extensive woodland and vegetation. The application is accompanied by supporting information which demonstrates that the building can be accommodated within the site and will be largely screened by existing woodland and vegetation.
- 8.5 The amendments included a lowering of the roof height to reduce the massing of the building as far as practically possible. These amendments are considered to add interest and variety to the massing.
- 8.6 The proposed external finishes have been selected by the applicant to sensitively blend the building into the woodland context. Proposed finishes include timber effect cladding and a rustic cream/buff brick. It is considered that

the proposed use of materials is appropriate and will result in a high quality development. A relevant condition is recommended.

- 8.7 The proposed Forum building is considered to be of an appropriate height and scale, with a similar use of external finishes to tie in with the student accommodation. The building is orientated to maximise views of the woodland to the south which is considered to be acceptable. Again, it is intended materials/finishes are considered to be acceptable.

Trees, Woodland & Nature Conservation

- 8.8 The application has been subject to a number of amendments to ensure that the ancient woodland is preserved and tree loss only occurs in exceptional circumstances – the Tree Officer advises, with the exception of 1 no. A category oak situated north of the access road, the trees to be removed did not originally form part of the ancient woodland. The amendments show the removal of 10 no. isolated trees (including 5 no. 'B' category trees) to accommodate the re-aligned access road and student accommodation. A further 9 no. trees would be removed to accommodate the 'Forum' building, including 2 no. 'A' category and 3 no. 'B' category trees. The amended landscaping plan shows the provision of a total of 32 no. new trees, 19 no. of which would be planted south of the re-aligned access road along the woodland edge. The species have been amended to reflect the wishes of the Tree Officer and are considered to be appropriate mitigation.
- 8.9 Although the loss of 2 no. 'A' category trees and 8 no. 'B' category trees is regretted, this should be balanced against the provision of a substantial number of replacement trees and the avoidance of any tree loss within the ancient woodland to the south.
- 8.10 It is recognised that significant earth movements will be necessary as part of the development. In addition, the provision of services will also be necessary. Both have the potential to cause harm to retained trees and therefore relevant conditions are attached, as advised by the tree officer, to ensure that retained trees receive appropriate protection during the course of construction (It should be noted that the drainage strategy has been amended to avoid root protection areas on the advice of the Tree Officer).
- 8.11 Regarding nature conservation interests, the replacement tree planting to the woodland edge will provide replacement planting at a 2:1 ratio to the edge of this Site of Importance for Nature Conservation (SINC). The Ecologist is satisfied that this provision would comprise appropriate mitigation consistent with national guidance. The ecologist is satisfied that the impact upon the ancient woodland SINC would not be unacceptable, noting that the development avoids the SINC as far as possible and the development will not sever or result in the fragmentation of the woodland; moreover although the woodland is part of the Llanedeyrn woodland complex, it does not form part of any strategically connected habitat.

- 8.12 The ecology surveys did not confirm the presence of dormice or reptiles, and the reports have been accepted by the Ecologist, subject to relevant conditions to ensure that appropriate mitigation occurs.

Access and Parking

- 8.13 The wider campus, of which the application forms part, benefits from 689 car parking spaces (including 26 disabled and 17 operational) together with 2 dedicated bus parking spaces. The application does not include any new car parking provision as it would be a car-free development.
- 8.14 The application is accompanied by a Transport Statement (TS) which has been assessed by the Operational Manager, Transportation (paragraph 5.1). The TS concludes that that the new student accommodation and Forum building will not result in an intensification of vehicle movements. Rather, the application will result in a reduction in vehicle movements overall, due to a greater number of students being accommodated on site. This will ultimately reduce the number of student cars travelling to/from the campus.
- 8.15 In commenting on the application, the Operational Manager, Transportation drew attention to the existing Travel Plan produced by the applicant setting out their strategy for encouraging more sustainable modes of travel between campus locations. This plan includes the aims to reduce travel movements, improve cycle facilities (including storage provision and changing), improved bus service provision, car share parking spaces, minibus provision and management of taxis.
- 8.16 The application is considered to be consistent with national and local policy in that car parking provision is restricted and the alternative sustainable modes of transport are being promoted. The applicant and Council are working closely to improve the cycling infrastructure within/adjacent to the site, for example through the introduction of a cycle hire scheme/facilities, to make cycling more accessible to staff, students and visitors.
- 8.17 Officers are mindful of the concerns that have been expressed regarding the overspill parking that may occur at this location and in other parts of the city. Cardiff's Cardiff Parking Strategy (September 2016) seeks pragmatic solutions to such problems as and when they arise. E.g. introducing parking controls to restrict kerbside parking to resident permit holders only on nearby streets.
- 8.18 A financial contribution of £80,560 has been negotiated towards the Council's Parking Strategy (£59,360) for the review and implementation of necessary Parking Schemes/Traffic Regulation Orders, should the relevant criteria be met, and towards the provision of Cycle Hire Facilities/Infrastructure (£21,200) within/adjacent to the site. This financial contribution would be secured via a Section 106 Agreement and is considered to be comply with the tests for contributions.
- 8.19 An existing access links the site to Circle Way West. The applicant has confirmed that this access is a maintenance/service access only and is not

currently used by students for day-to-day access nor is it proposed to be so used. However, it is recognised that the access could be utilised at the start and end of semesters for pick-up and drop-off.

- 8.20 Having considered the submitted information, the Operational Manager, Transportation has no objection subject to relevant conditions and the completion of a legal agreement to secure the financial contribution.

Residential Amenity

- 8.21 The proposed accommodation would be sited a minimum distance of 65 metres from the rear garden boundaries on Carisbrooke Way to the south, and would be largely screened from the neighbouring dwellings by Queens Wood. The accommodation would also be sited a minimum of 35 metres from the front garden boundaries of properties on Ael-y-Bryn and would be separated from this residential estate by existing tree planting and Circle Way West. Noting the levels on the section drawings, it is considered that these distances are sufficient to ensure that the privacy and amenities of neighbouring occupiers will not be adversely affected nor will there be any overbearing impact.
- 8.22 The first floor conference centre in the Forum Building will be available for hire by external groups until 11pm, although the applicant anticipates that the majority of business will occur during normal working hours (08:30 – 17:00 Monday to Friday). The management plan accompanying the application confirms that the venue will not be marketed for parties or other events requiring amplified music and a cash bar. It is recommended that the hours of use be conditioned to prevent any use of the building after 11pm.

Third Party Objections

- 8.23 In respect of the objections received from third parties, summarised in Section 7, which have not already been addressed in this report:
- (i) It is not considered that the application will generate levels of noise to an extent that the amenities of residential occupiers will be adversely affected. No objection has been received from the Operational Manager, Environment (Pollution Control);
 - (ii) Any consultation undertaken by the applicant in advance of submitting the application is not a matter for the Local Planning Authority. There is a statutory consultation process which has taken place as part of the application process;
 - (iii) It is not considered that the safety of children at All Saints Primary School will be threatened by the application. A condition is recommended to require a Construction Management Plan to be submitted for approval before development commences;
 - (iv) The application is not considered to be contrary to the guidance contained within the Tall Buildings Supplementary Planning Guidance (SPG) as, in the view of officers, it will not cause significant detriment to amenity through overshadowing or overlooking. The amended scheme has reduced the massing and the building is sensitively located far from

neighbouring occupiers and well screened from public views. The building would also be sited in a sustainable location i.e. on an existing university campus;

- (v) Property values are not a material planning consideration;
- (vi) The site is accessible to emergency vehicles;
- (vii) Relevant conditions are attached to control plant noise;
- (viii) Litter will be a management issue for the university;
- (ix) The application is for student accommodation within an existing student campus therefore it is not considered that the application will result in an unacceptable increase in anti-social behaviour;
- (x) Alternative locations within the campus have not been explored by the Council. This application must be determined on its own planning merits;
- (xi) It is not considered that the development will increase security concerns for residents on Carisbrooke Way and Lothian Crescent;
- (xii) This application must be determined on its own merits;
- (xiii) It is not envisaged that bus service provision will need to increase;
- (xiv) It is not considered that the health and wellbeing of neighbouring residents will be prejudiced;
- (xv) As no vehicles will be permitted on the application site, it is not considered that air pollution will be unacceptable;
- (xvi) The application is considered to be consistent with Cardiff's 'liveable city' vision as the development is within the existing campus and therefore sustainable as it reduces the need to travel. The campus is managed by staff and therefore will provide a safe and secure environment;
- (xvii) It is not considered that the development will deprive residents of the enjoyment of their homes and gardens;
- (xviii) The development does not require Environmental Impact Assessment as the application does not exceed the thresholds for screening in Schedule 2 of the 2016 Regulations. It is therefore considered that the application is unlikely to have any significant environmental effects;
- (xix) A Committee site visit took place on 1st February 2017;
- (xx) It is considered appropriate and reasonable to seek to improve facilities on the campus rather than develop an alternative site;
- (xxi) An advisory note reminds the applicant of the permitted hours of construction, which are controlled under separate legislation;
- (xxii) A relevant condition is attached to secure full drainage details;
- (xxiii) The development will be designed to ensure suitable access for disabled people, in accordance with Building Regulations;
- (xxiv) Underground parking would not be a viable option due to levels and existing tree and ecology constraints;
- (xxv) The applicant's compliance with other permissions is not relevant for this application;
- (xxvi) A condition is proposed to agree finished floor levels across the development;
- (xxvii) The Operational Manager, Transportation, has provided comments on the impact of the development upon the A48 (see paragraph 5.10);
- (xxviii) The adequacy of the pedestrian access to the site via Circle Way West is noted, however the main pedestrian entrance is via Cyncoed Road which is served by a satisfactory access.

Other Considerations

- 8.24 *Crime and Disorder Act 1998* – 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.
- 8.25 *Equality Act 2010* – 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
- 8.26 *Well-Being of Future Generations Act 2016* – Section 3 of this Act imposes a duty on public bodies to carry out sustainable development in accordance with the sustainable development principle to act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs (Section 5). This duty has been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the recommended decision.

9. SECTION 106 AGREEMENT

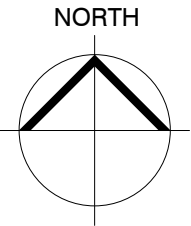
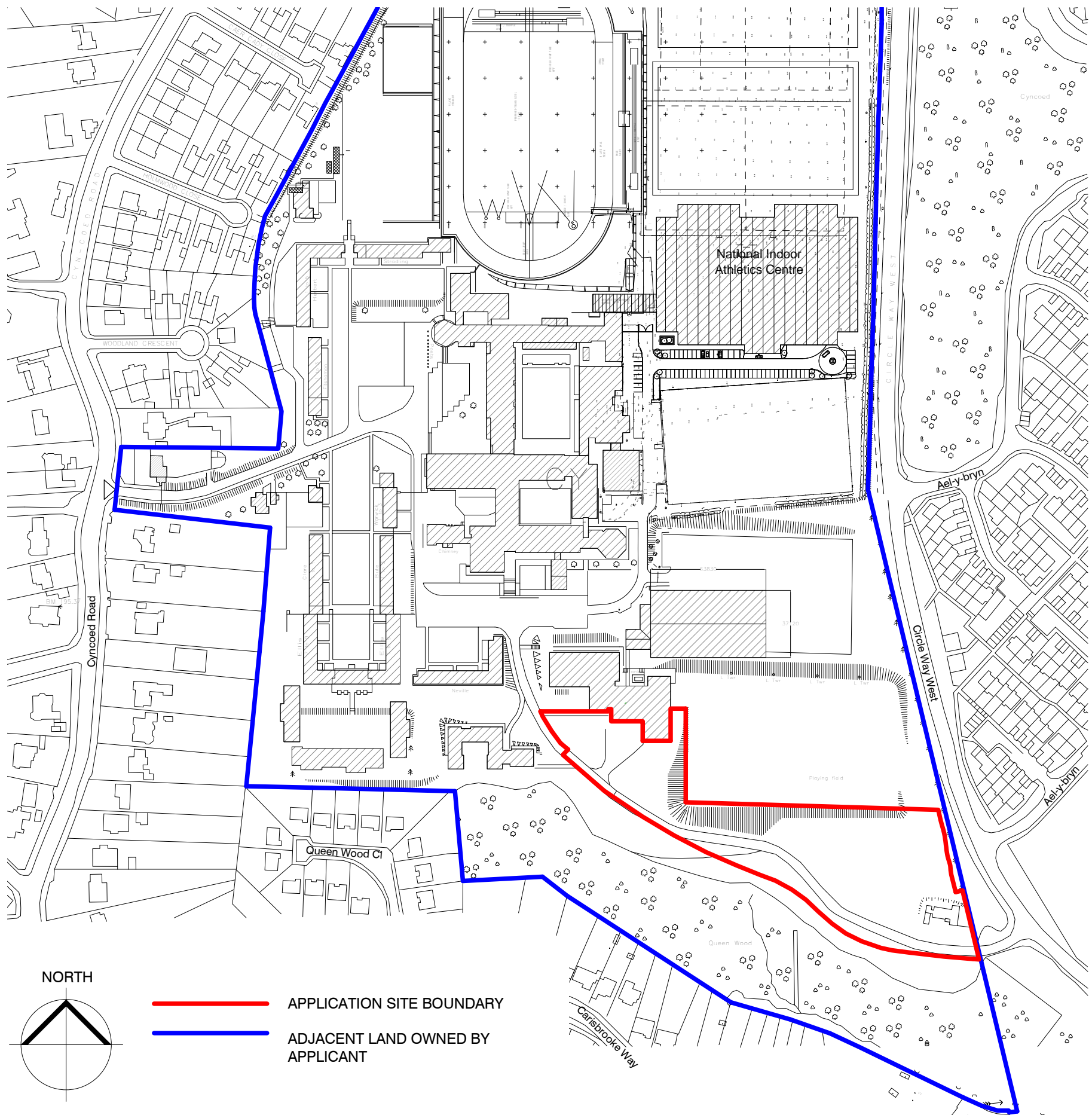
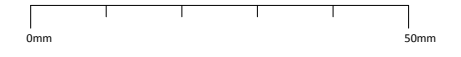
- 9.1 The following planning obligations have been agreed with the applicant to mitigate any significant adverse impacts of the proposed development as defined within LDP Policy KP7.
- 9.2 Highways and Transportation – £80,560 towards the Council’s Parking Strategy (£59,360) for the review and implementation of necessary Parking Schemes/Traffic Regulation Orders, should the relevant criteria be met, and towards the provision of Cycle Hire Facilities/Infrastructure (£21,200) within/adjacent to the site.
- 9.3 Public Open Space - £35,909 towards improvements to the upgrading of footpath surfacing and site furniture in Roath Park.
- 9.4 It is considered that the Section 106 Heads of Terms satisfy the requirements of Circular 13/97 Planning Obligations and the statutory tests set out in Regulation 122 of the Community Infrastructure Levy Regulations.

10. CONCLUSIONS

- 10.1 It is considered that the amended proposals will result in high quality accommodation and student facilities on the university campus, which have

been subject to design improvements that will ensure the continued protection of the Queens Wood, an ancient woodland and Site of Importance for Nature Conservation.

- 10.2 Although 10 no. A & B Category trees will be removed to facilitate the development, it is considered that these are adequately compensated for through the replacement planting of 32 no. new trees and other landscaping improvements.
- 10.3 The concerns of local residents regarding building height and scale and impact upon their amenities are noted however it is considered that the development will be largely screened by existing woodland and vegetation and will be sited significant distances from residential properties (a minimum of 65 metres) such that neighbouring occupiers will not be adversely affected.
- 10.4 The absence of any car parking within the development is accepted by officers mindful of existing parking provision within the campus and the commitment by the applicant to provide financial contributions towards addressing parking problems in the vicinity of the application site and improvements to cycle facilities to encourage this mode of travel.
- 10.5 The application is therefore recommended for approval, subject to relevant conditions and the completion of a Section 106 Agreement to secure the financial contributions summarised in Section 9.



— APPLICATION SITE BOUNDARY
— ADJACENT LAND OWNED BY APPLICANT

PL	P22.0	11/07/16	PLANNING ISSUE
SO	P20.0	29/06/16	ISSUED FOR DRAFT PLANNING

STATUS	REV	DATE	DESCRIPTION
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CLIENT

Cardiff Metropolitan University

REVISED BY

ALW

CHECKED BY

RW

ORIGINATOR NO

70218

CONSULTANT

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PROJECT

CMU Student Accommodation
 Cyncoed Campus
 Cyncoed
 Cardiff

DRAWING TITLE

Location Plan

SUITABILITY STATUS	SCALE
PL : PLANNING	1 : 2500 @ A3

PROJECT ORIGINATOR ZONE LEVEL TYPE ROLE CLASSIFICATION NUMBER	REVISION
70218-STL-00-ZZ-DR-A-ZZ-01001	P22.0



PL	P22.0	11/07/16	PLANNING ISSUE
SO	P20.0	29/06/16	ISSUED FOR DRAFT PLANNING

STATUS	REV	DATE	DESCRIPTION	REVISED BY
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Cardiff Metropolitan University				
CHECKED BY				ROW
ORIGINATOR NO				70218

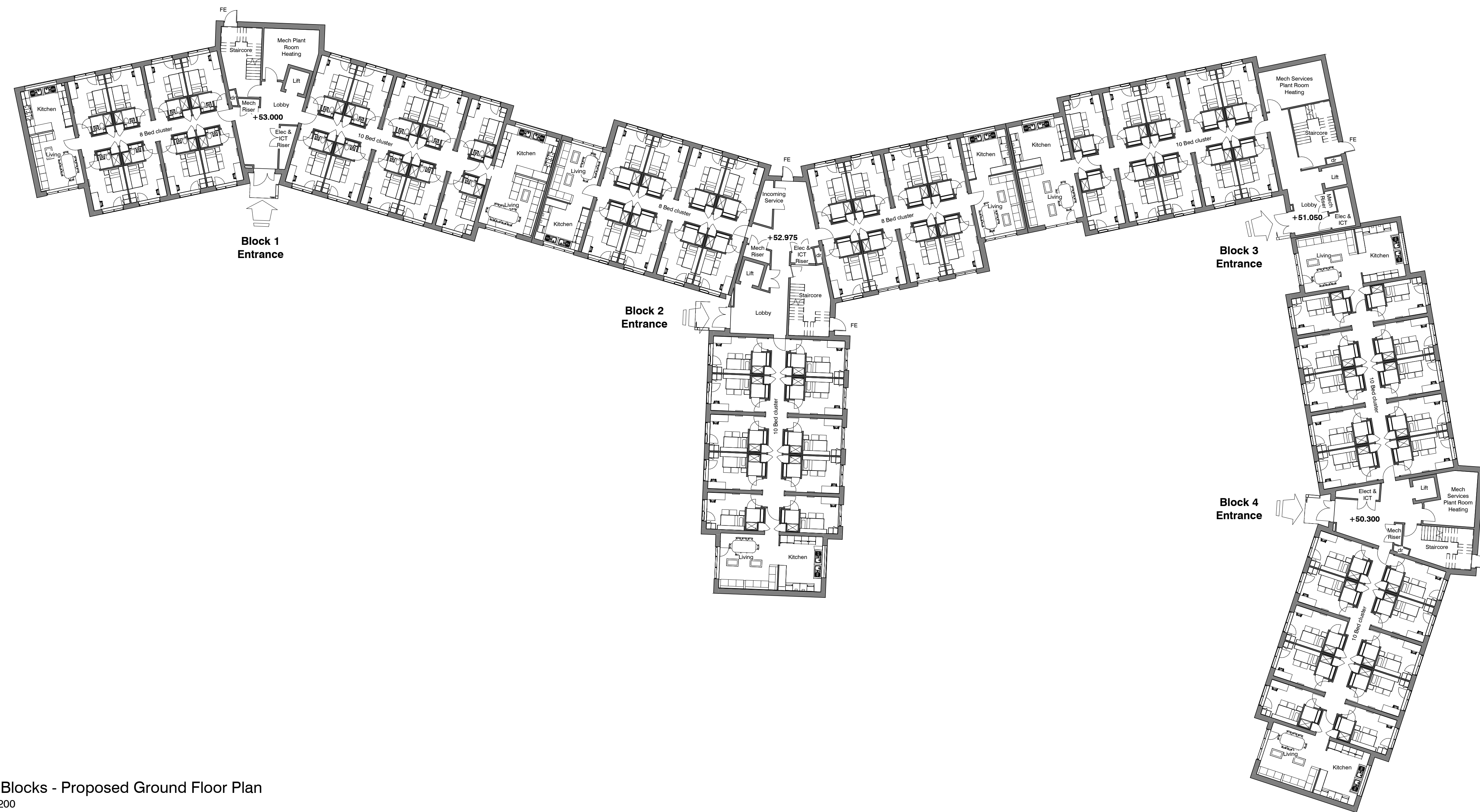
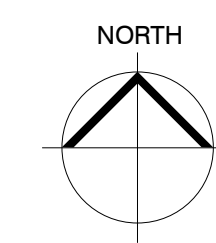
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PROJECT
 CMU Student Accommodation
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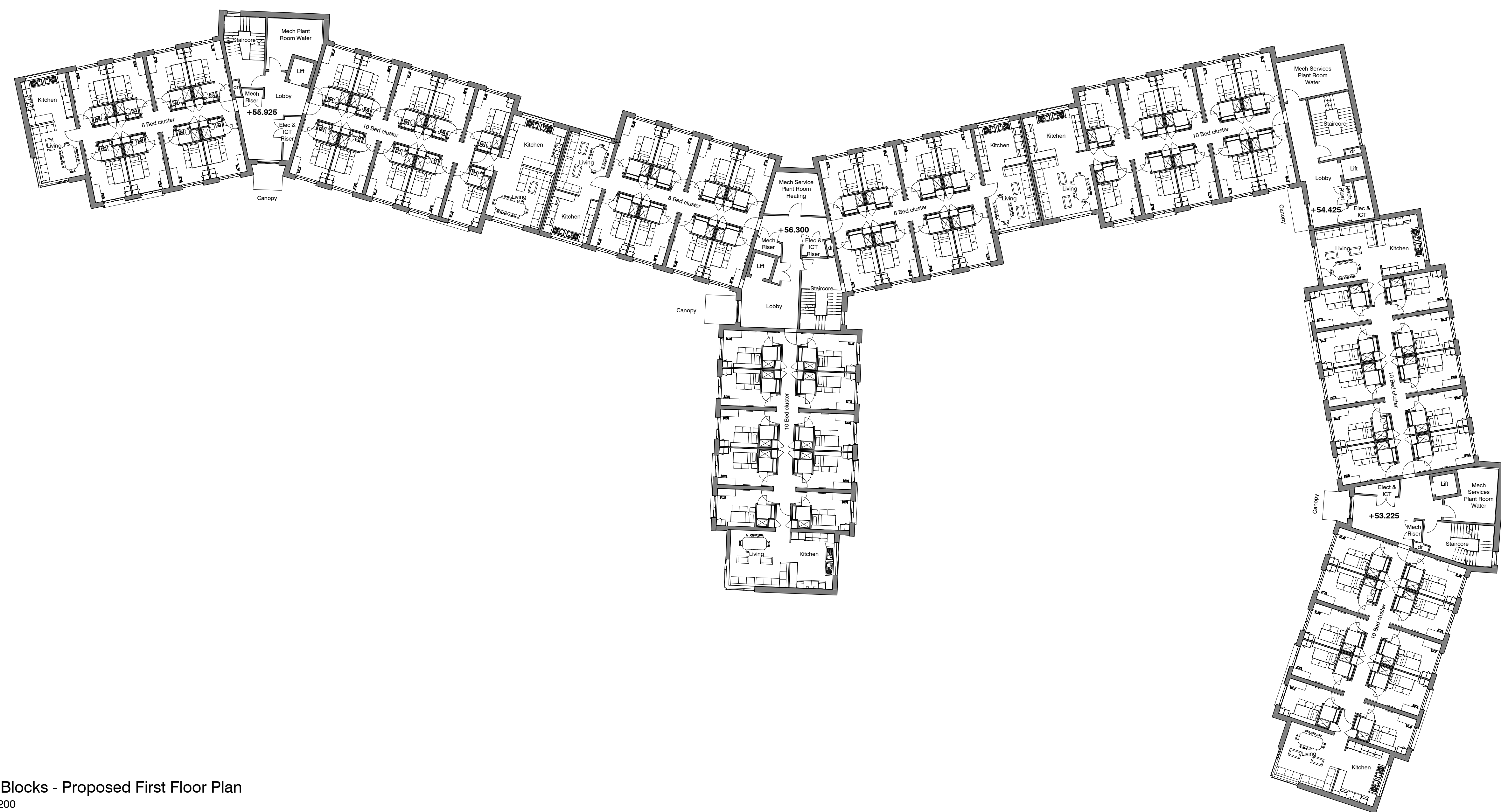
DRAWING TITLE
Proposed Site Masterplan

SUITABILITY STATUS	SCALE
PL : PLANNING	1 : 500 @ A1

PROJECT ORIGINATOR ZONE LEVEL TYPE ROLE CLASSIFICATION NUMBER	REVISION
70218-STL-00-GF-DR-A-ZZ-01005	P22.0



1 All Blocks - Proposed Ground Floor Plan
 1 : 200



2 All Blocks - Proposed First Floor Plan
 1 : 200

PL	P22.0	11/07/16	PLANNING ISSUE	REVISION BY
50	P20.0	29/06/16	ISSUED FOR DRAFT PLANNING	NL
502	P19.0	27/06/16	DIMENSIONS ADDED TO GROUND LEVEL	ALW

CLIENT	REV	DATE	DESCRIPTION	REVISION BY
Cardiff Metropolitan University				NL
				ALW
				70218

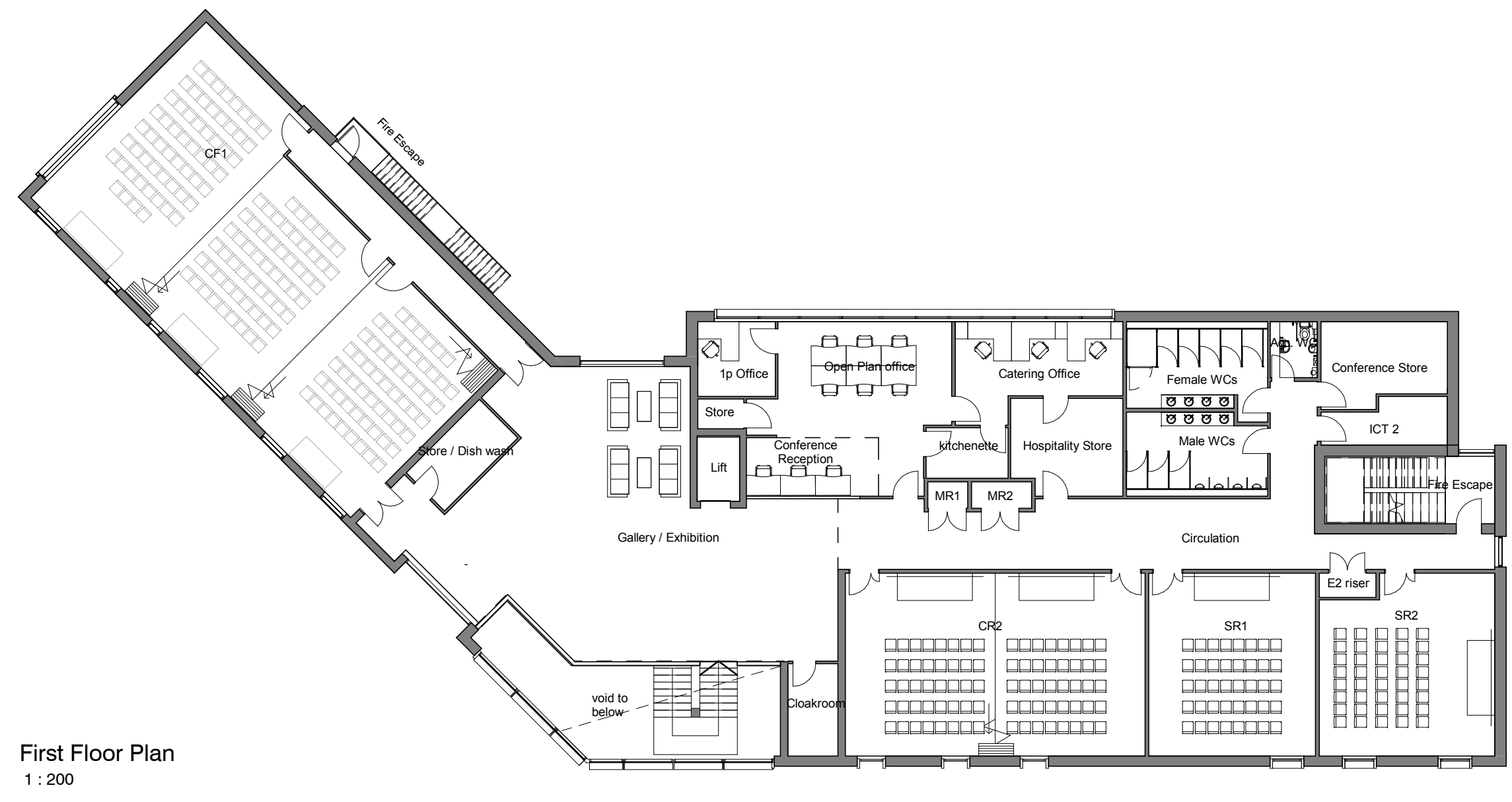
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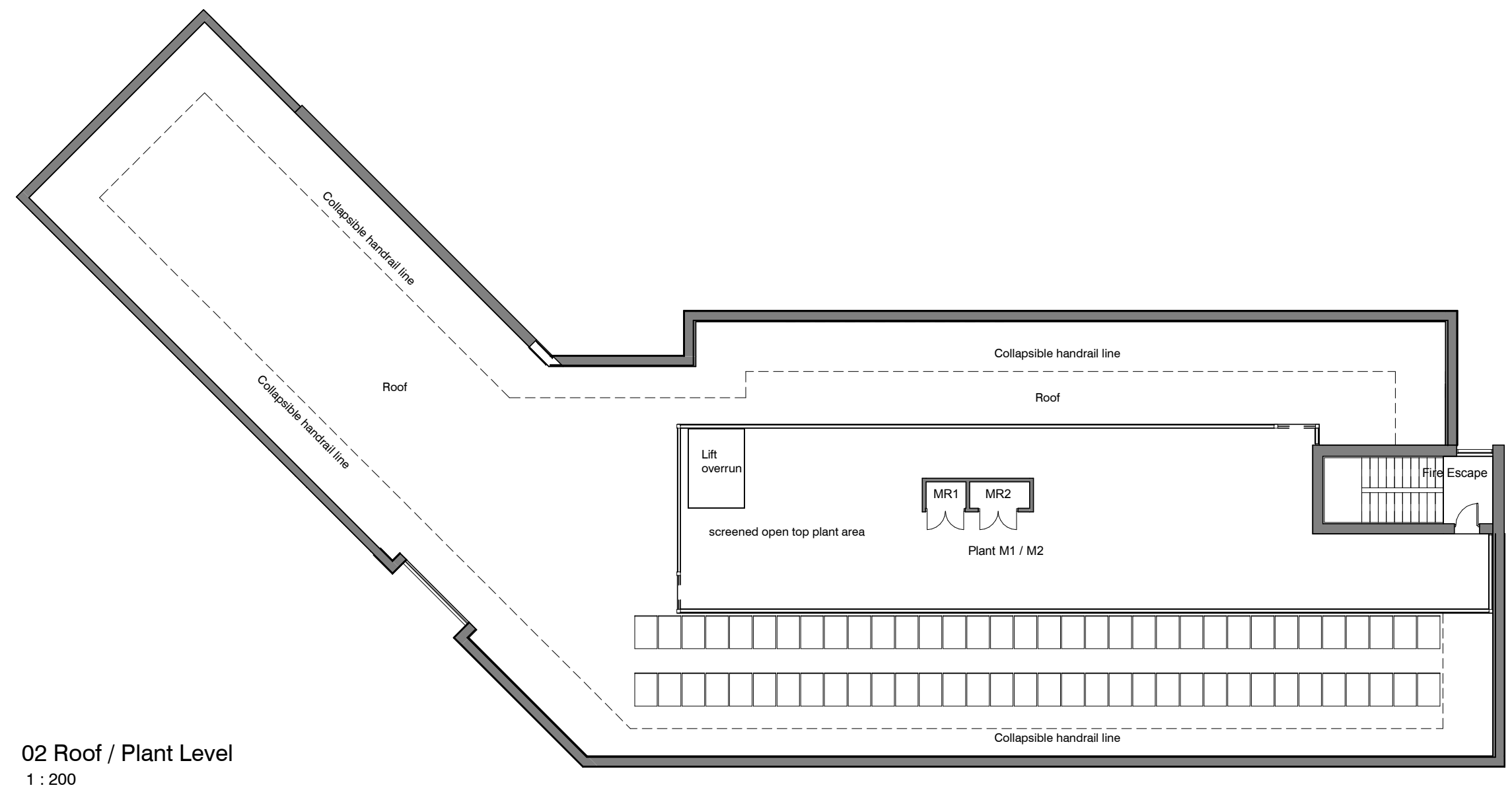
DRAWING TITLE
 All Blocks - Proposed Floor Plans Ground & First
 (Sheet 01)

SUITABILITY STATUS
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 1 : 200 @ A0

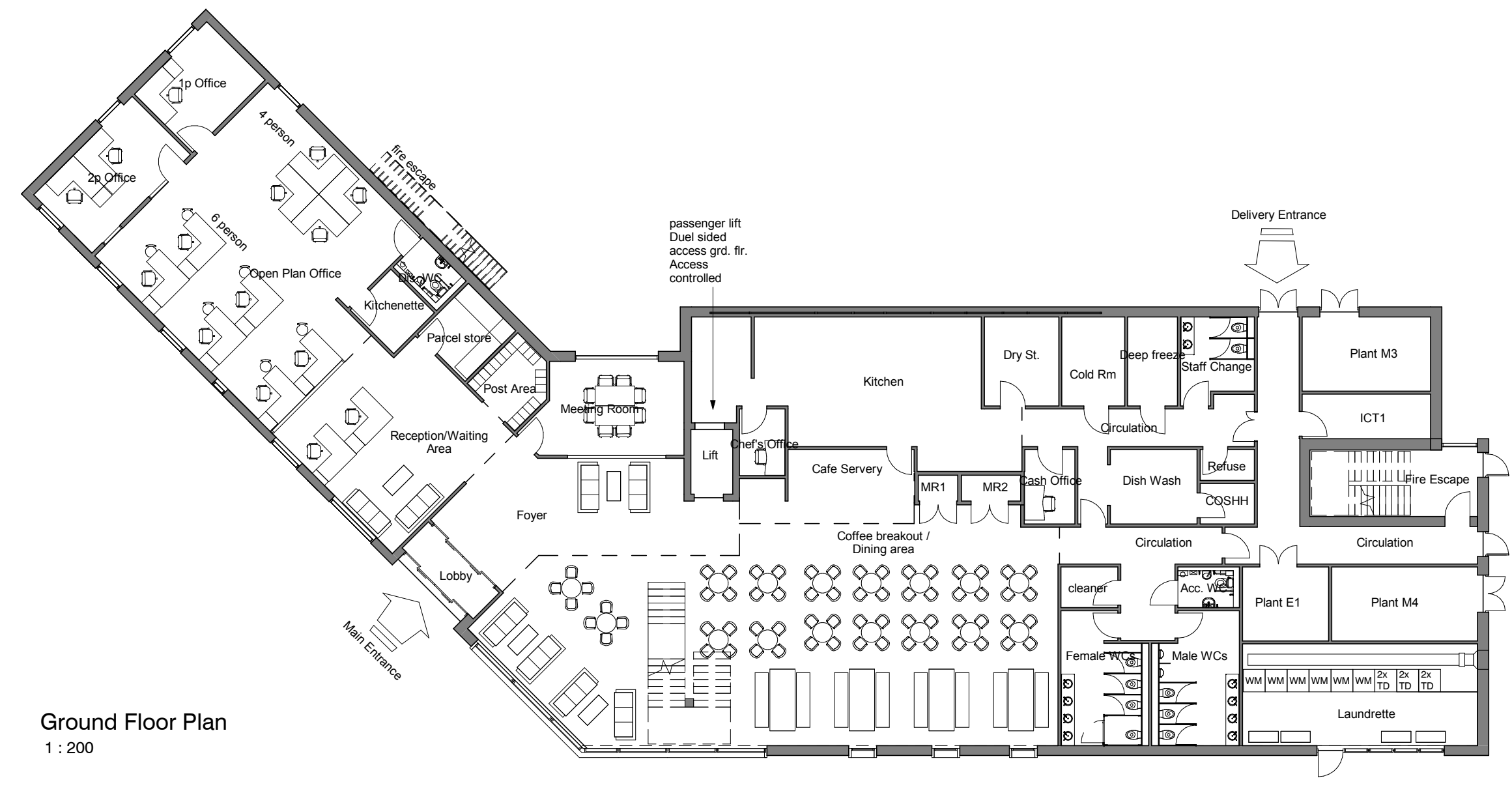
PROJECT | ORIGINATOR | ZONE | LEVEL | TYPE | ROLE | CLASSIFICATION | NUMBER REVISION
 70218-STL-00-ZZ-DR-A-ZZ-02100 P22.0



First Floor Plan
1 : 200



02 Roof / Plant Level
1 : 200



Ground Floor Plan
1 : 200

STATUS	REV	DATE	DESCRIPTION
PL	P22.0	12/07/16	PLANNING ISSUE
SO	P21.0	06/07/16	Revised following cost review 04/07/16
SO	P20.0	29/06/16	ISSUED FOR DRAFT PLANNING
SO	P17.0	15/06/16	Issue to Client
SO	P16.0	15/06/16	WIP issue to RVW
SO	P8.0	12/04/16	Amendment following building relocation
SO	P6.0	11/04/16	First Issue

CLIENT	REVISION
Cardiff Metropolitan University	ALW
	RW
	70218

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CMU Student Accommodation
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DRAWING TITLE
The Forum - Proposed Floor and Roof Plans

SUITABILITY STATUS	SCALE
PL : PLANNING	1 : 200 @ A1

PROJECT ORIGINATOR ZONE LEVEL TYPE ROLE CLASSIFICATION NUMBER	REVISION
70218-STL-05-ZZ-DR-A-ZZ-02101	P22.0

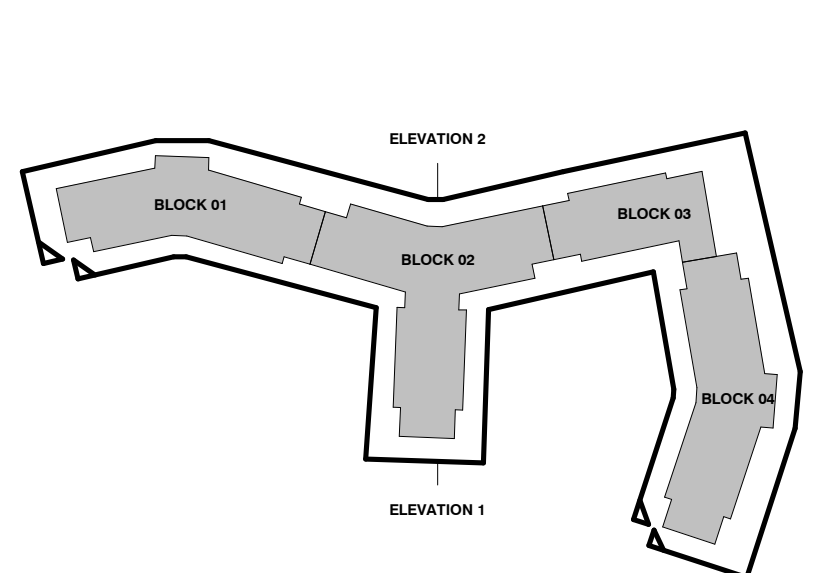


BUILDING ELEVATION 1
1 : 200



BUILDING ELEVATION 2
1 : 200

Responsibility is not accepted for errors made by others in scaling from this drawing.
All construction information should be taken from figured dimensions only.



Materials Key

- 01 Timber Effect Cladding
Material: WPL
Colour: Oak Effect
- 02 Brickwork
Creamy / Buff multi clay facing brick,
Natural colour mortar
Bucket handle joint.
- 03 Extruded Aluminium Plank
Material: Aluminium
Finish: Polyester Powder Coated
Colour: Metallic finish
- 04 Windows incorporating
integral ventilation louvre
Material: Aluminium
Finish: Polyester Powder Coated
Colour: Matt RAL 7016
- 05 Standing Seam Cladding
Material: Aluminium/Zinc
Finish: Polyester Powder Coated/Natural
Colour: Grey

DRAWING TO BE READ IN CONJUNCTION WITH 70218-STL-01-ZZ-DR-A-ZZ-21101

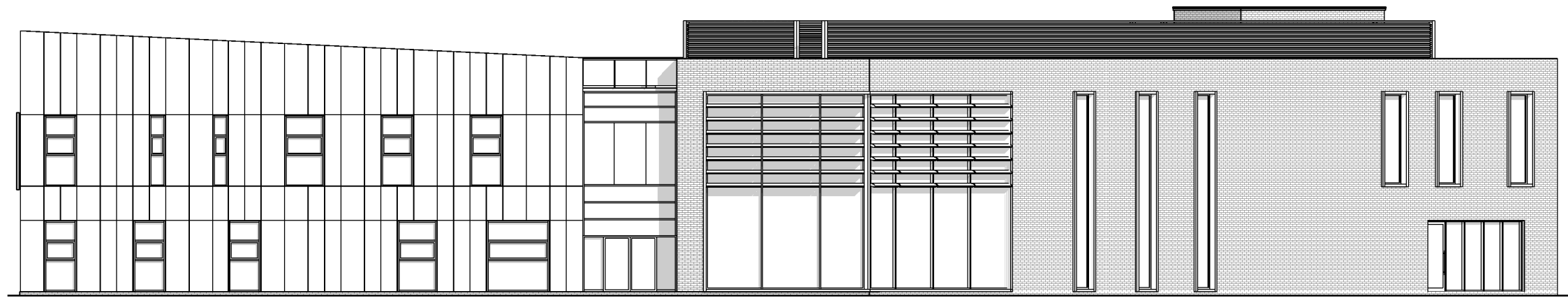
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PL	P22.0	11/07/16	PLANNING ISSUE	ALW
SD	P20.0	29/06/16	ISSUED FOR DRAFT PLANNING	ROW

CLIENT: Cardiff Metropolitan University
 CONSULTANT: STRIDE TREGLOWN
 PROJECT: CMU Student Accommodation
 Cyncoed Campus
 Cardiff

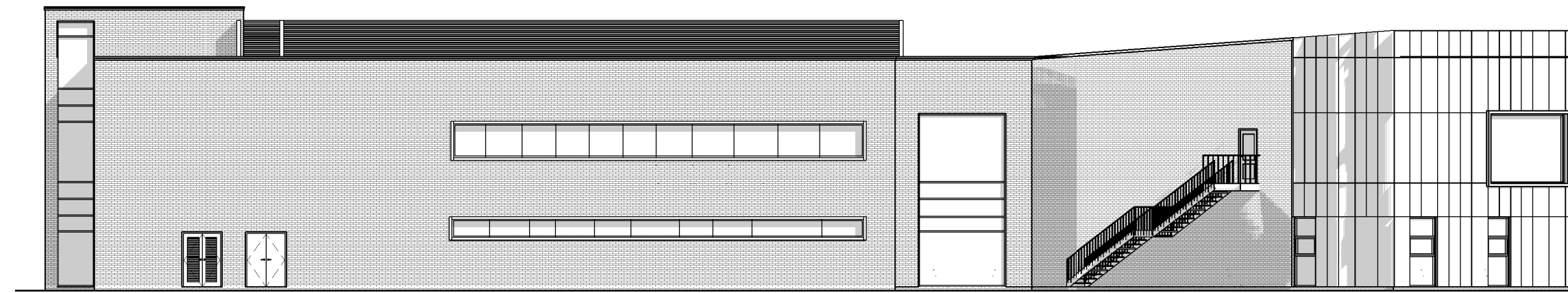
DRAWING TITLE: All Blocks - Proposed Flat Elevations

SUITABILITY STATUS: PL: PLANNING
 SCALE: As indicated @ A0

PROJECT | ORIGINATOR | ZONE | LEVEL | TYPE | ROLE | CLASSIFICATION | NUMBER | REVISION
 70218-STL-00-ZZ-DR-A-ZZ-03100 | P29.0



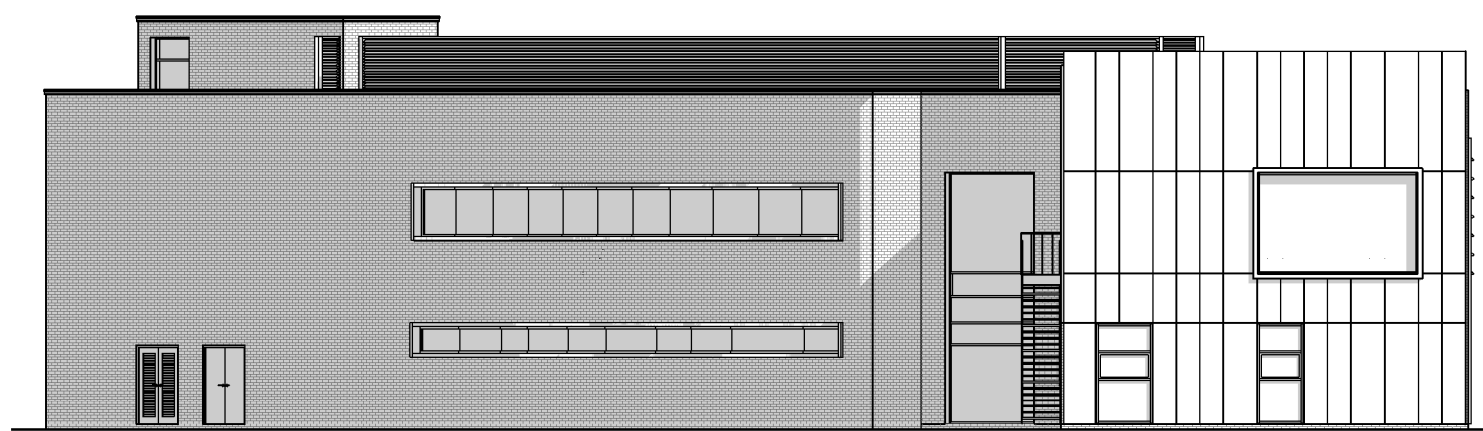
1 The Forum - Elevation 1
1 : 200



4 The Forum - Elevation 4
1 : 200

Materials Key

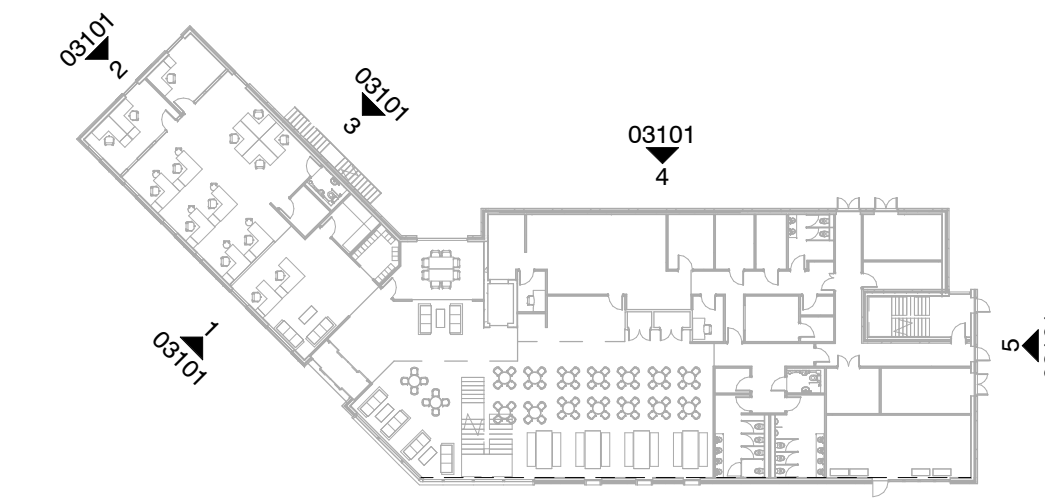
- 01. **Timber Effect Cladding**
Material: HPL
Colour: Oak Effect
- 02. **Brickwork**
Cream / Buff multi clay facing brick.
Natural colour mortar
Bucket handle joint.
- 03. **Extruded Aluminium Plank**
Material: Aluminium
Finish: Polyester Powder Coated
Colour: Metallic finish
- 04. **Aluminium PPC Surround / Entrance Canopy**
Material: Aluminium
Finish: Polyester Powder Coated
Colour: Matt RAL (TBC)
- 05. **Glazed Curtain Walling**
Material: Aluminium
Finish: Polyester Powder Coated
Colour: Matt RAL 7016
Opaque glazed infill panels



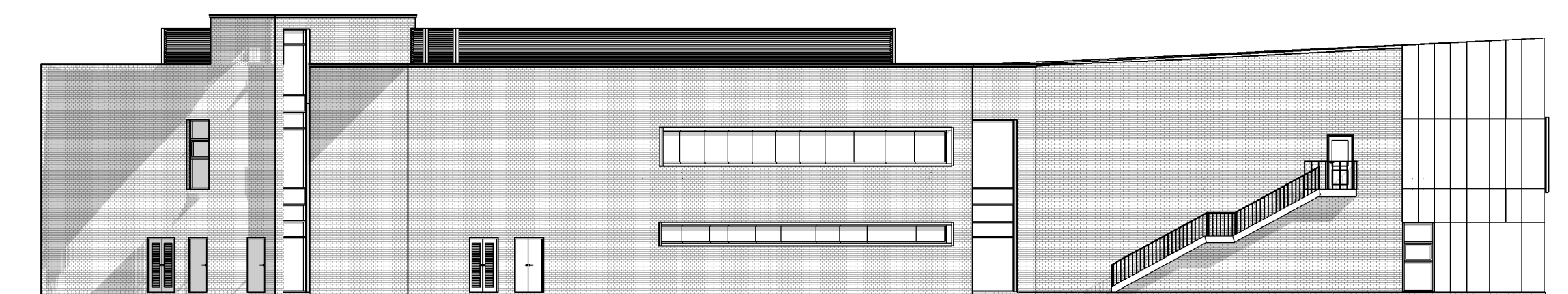
2 The Forum - Elevation 2
1 : 200



5 The Forum - Elevation 5
1 : 200



Elevation Key Plan
1 : 500



3 The Forum - Elevation 3
1 : 200



6 The Forum - Elevation 6
1 : 200

PL	P22.0	12/07/16	PLANNING ISSUE
SO	P21.0	06/07/16	Revised following cost review 04/07/16
SO	P20.0	29/06/16	ISSUED FOR DRAFT PLANNING
SO	P16.0	15/06/16	WIP issue to RVW
SO	P13.0	10/05/16	First Issue

STATUS	REV	DATE	DESCRIPTION	REVISED BY
CLIENT				NL
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				ROW
				ORIGINATOR NO
				70218

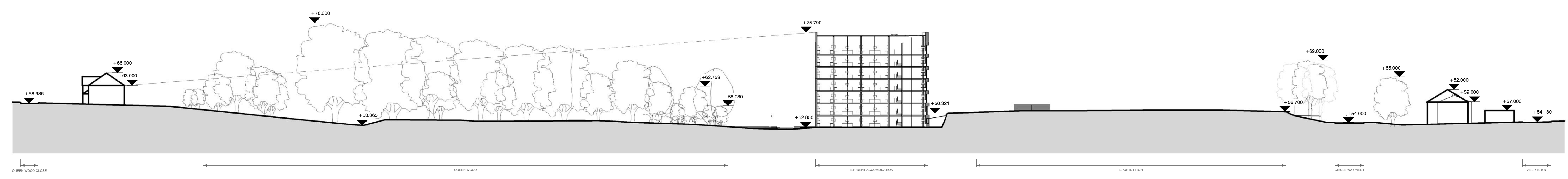
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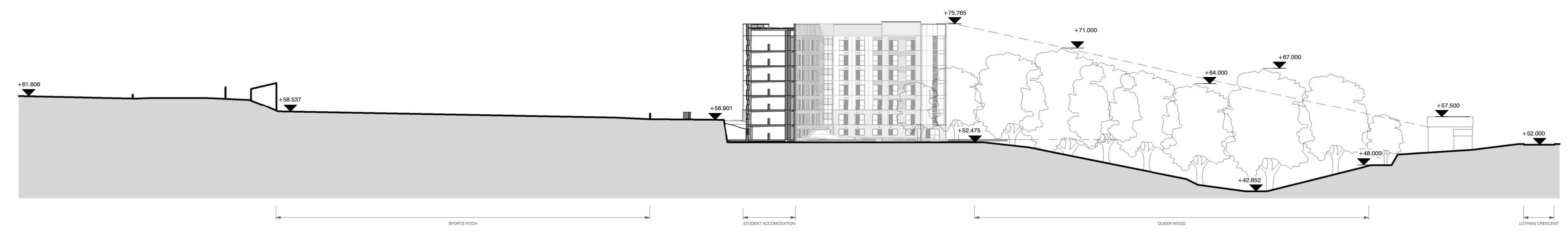
DRAWING TITLE
The Forum - Proposed Elevations

SUITABILITY STATUS	SCALE
PL : PLANNING	As indicated @ A1

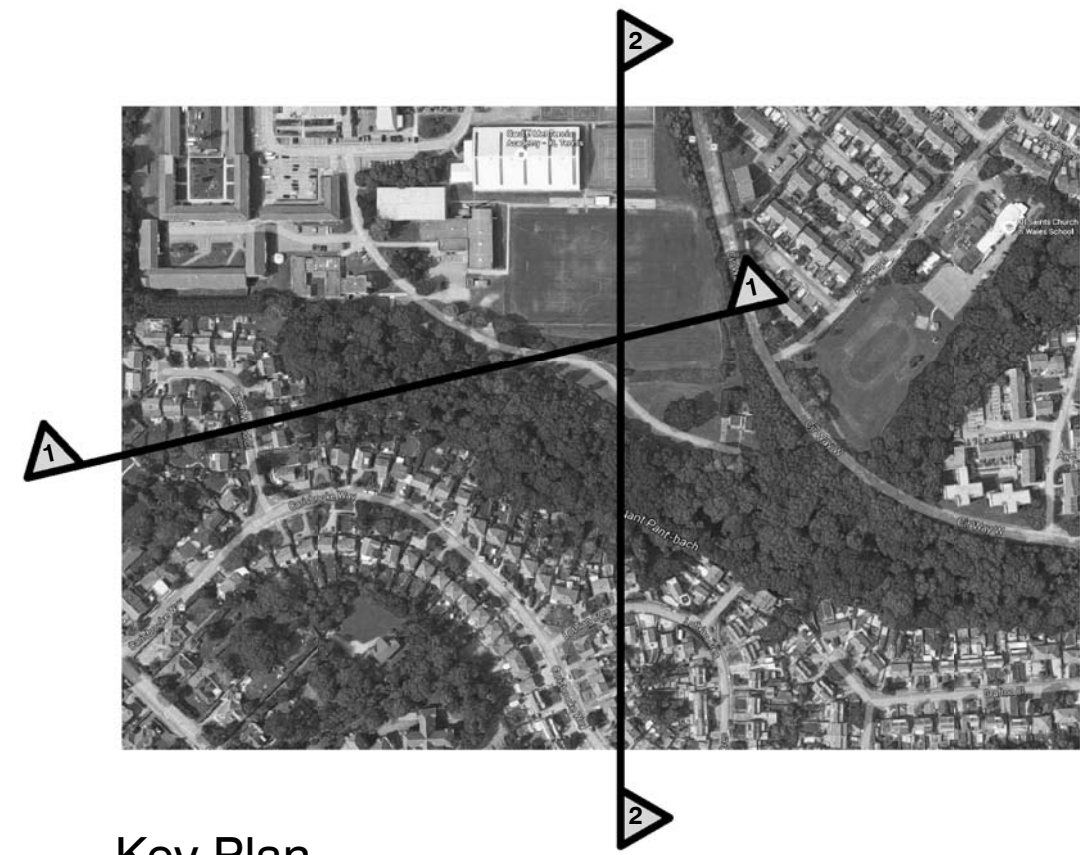
PROJECT ORIGINATOR ZONE LEVEL TYPE ROLE CLASSIFICATION NUMBER	REVISION
70218-STL-05-ZZ-DR-A-ZZ-03101	P22.0



1 Proposed Site Section (West to East)
1 : 500



2 Proposed Site Section (North to South)
1 : 500



Key Plan
1 : 200

PL	P22.0	11/07/16	PLANNING ISSUE
SO	P20.0	29/06/16	ISSUED FOR DRAFT PLANNING

STATUS	REV	DATE	DESCRIPTION	REVISED BY
CLIENT				NL
CHECKED BY				ROW
ORIGINATOR NO				70218

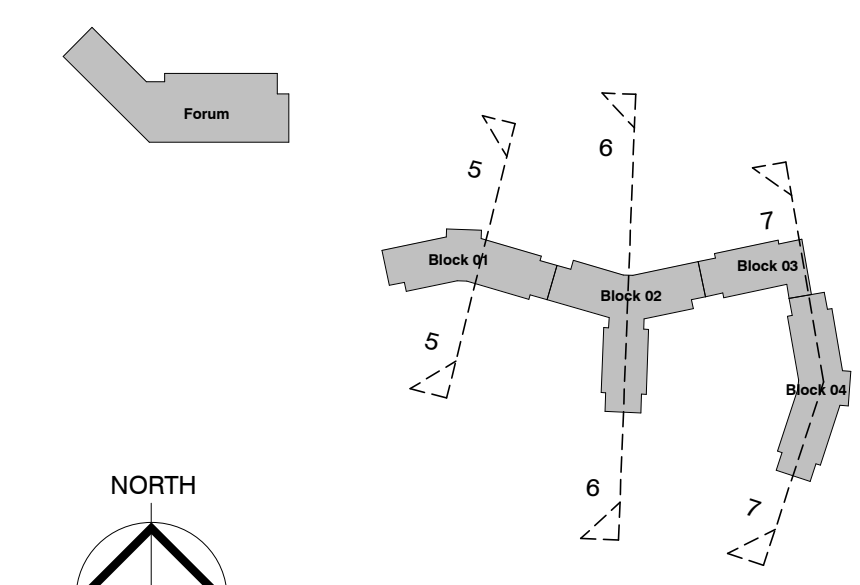
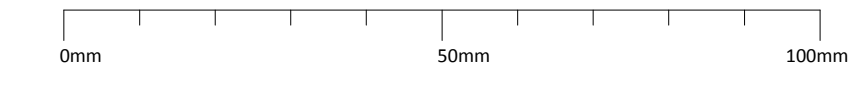
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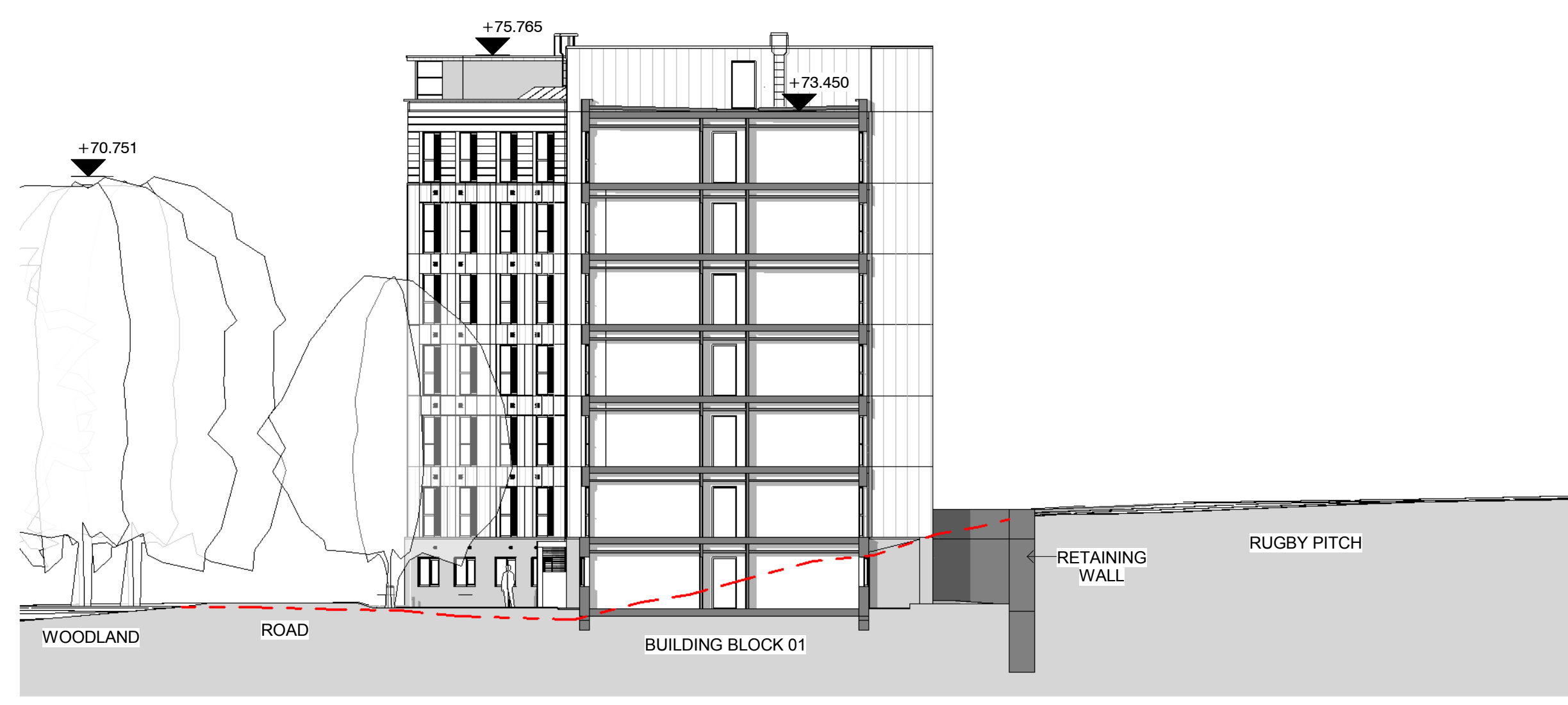
DRAWING TITLE
Proposed Site Sections Sheet 3

SUITABILITY STATUS PL : PLANNING	SCALE As indicated @ A1
PROJECT ORIGINATOR ZONE LEVEL TYPE ROLE CLASSIFICATION NUMBER 70218-STL-00-ZZ-DR-A-ZZ-04003	REVISION P22.0

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--- EXISTING SITE GRADIENT LINE



5 Section 5
1 : 200



6 Section 6
1 : 200



7 Section 7
1 : 200

PL	P29.0	29/11/16	PLANNING ISSUE UPDATE		REVISED BY
PL	P27.0	21/10/16	FIRST ISSUE		MDF
STATUS	REV	DATE	DESCRIPTION		CHECKED BY
					ROW
					ORIGINATOR NO
					70218

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Cardiff

DRAWING TITLE
Proposed Site Sections Sheet 4

SUITABILITY STATUS
PL : PLANNING

SCALE
As indicated @ A1

PROJECT | ORIGINATOR | ZONE | LEVEL | TYPE | ROLE | CLASSIFICATION | NUMBER | REVISION
70218-STL-00-ZZ-DR-A-ZZ-04004 | P29.0



Broadway Tree Consultancy
 1 Pitt Cottages, The Pitt, Llanarth, Nr. Raglan,
 Monmouthshire. NP15 2BE. Mobile: 07967 683416
 info@broadwaytrees.co.uk, www.broadwaytrees.co.uk

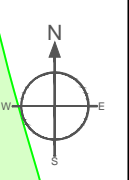
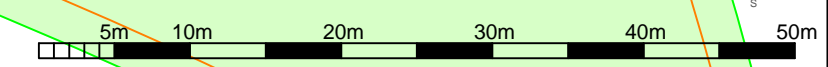
Site: CMU accommodation, Cyncoed 1-500@A1
 Drawing Title: Tree Retention & Removal Plan Rev C, Sept 2016

Key:

- Category A
- Category B
- Category C
- Category U

Category: Crown Spread
 Root Protection Area: Tree Number, Tree Height
 Tree would have to be removed to facilitate development

NOTE: Tree/group numbers marked with an * have approximate locations.
 Do not scale from plan – all dimensions to be checked on site prior to construction.



LOCAL MEMBER CONCERNS

COMMITTEE DATE: 08/02/2017

APPLICATION No. **16/02710/MJR** APPLICATION DATE: 10/11/2016

ED: **PENYLAN**

APP: TYPE: Full Planning Permission

APPLICANT: Cardiff Council

LOCATION: HOWARDIAN CENTRE, HAMMOND WAY, PENYLAN,

CARDIFF, CF23 9NB

PROPOSAL: CONSTRUCTION OF NEW 2 STOREY PRIMARY SCHOOL AND NURSERY BUILDING WITH SPRINKLER TANK AND PUMP HOUSE, PARKING/SERVICING AREA, LANDSCAPING, RECREATIONAL FACILITIES AND EXTERNAL LIGHTING

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

1. C01 Statutory Time Limit
2. This approval is in respect of the following plans and documents

HOW-STL-XX-ZZ-DR-A-XXXX-01001, 01002, 01004 PL02, 01005, 01006, 01007, 02001 PL02, 03001, 03002; 6543-ATR-01B and BHP-OO-XX-DR-S-(50)DR1; 60767_GA_HOW_001J;

HOW-ACM-E-00-ZZ-GA-(60)001 and 002;

Travel Plan and Addendum to Transport Assessment;

Drainage Statement;

Geo-Environmental investigation;

Draft Waste Management Strategy;

Ecological Impact Assessment;

Noise Impact Assessment;

Tree Survey, Arboricultural Constraints Plan and Tree Impact Plan;

Soil Resources Survey and Soil Resource Plan;

unless otherwise amended by any other condition attached to this consent.

Reason: To avoid doubt and confusion as to the approved details.

3. Prior to the occupation, the proposed details of appropriate gas protection measures to ensure the safe and inoffensive dispersal or management of gases and to prevent lateral migration of gases into or from land surrounding the application site shall be submitted to and approved in writing to the Local Planning Authority. All required gas protection measures shall be installed and appropriately verified before occupation of any part of the development which has been permitted

and the approved protection measures shall be retained and maintained until such time as the Local Planning Authority agrees in writing that the measures are no longer required.

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

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

The report of the findings shall include:

- (iii) an assessment of the potential risks to:
 - human health,
 - groundwaters and surface waters
 - adjoining land,
 - property (existing or proposed) including buildings, crops, livestock, pets,
 - woodland and service lines and pipes,
 - ecological systems,
 - archaeological sites and ancient monuments; and
 - any other receptors identified at (i)
- (iv) an appraisal of remedial options, and justification for the preferred remedial option(s).

All work and submissions carried out for the purposes of this condition must be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR 11' (September 2004) and the WLGA / WAG / EA guidance document ' Land Contamination: A guide for Developers' (2012), unless the Local Planning Authority agrees to any variation.

Reason: To ensure that information provided for the assessment of the risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems is sufficient to enable a proper assessment in accordance with policy EN13 of the Cardiff Local Development Plan.

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

of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

All work and submissions carried out for the purposes of this condition must be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR 11' (September 2004) and the WLGA / WAG / EA guidance document 'Land Contamination: A guide for Developers' (July 2006), unless the Local Planning Authority agrees to any variation.

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

6. The remediation scheme approved by condition 5 must be fully undertaken in accordance with its terms prior to the occupation of any part of the development unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

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

All work and submissions carried out for the purposes of this condition must be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR 11' (September 2004) and the WLGA / WAG / EA guidance document 'Land Contamination: A guide for Developers' (July 2006), unless the Local Planning Authority agrees to any variation.

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

7. 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 Local Planning Authority 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.

8. 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 Local Planning Authority.

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

9. 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 Local Planning Authority.

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 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.

11. No development on the drainage works shall commence until a drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for the disposal of foul flows. Thereafter the approved scheme shall be implemented in accordance with the agreed details prior to the occupation of the development and no further foul water, surface water and land drainage shall be allowed to connect directly or indirectly with the public sewerage system.
Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.
12. Surface water flows from the development shall only communicate with the public surface water sewer through an attenuation device that discharges at a rate not exceeding 5 l/s.
Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.
13. The development shall be implemented in accordance with Section 4.2 and 5 of the dormouse mitigation strategy attached at Annex B of the Cardiff Three Schools – Howardian, Ecological Impact assessment by Morgan Sindall dated Nov 2016 and drawing titled Morgan Sindall Cardiff Three Primary Schools, Howardian Primary School General Arrangement Landscaping LC PMcC 1:200 SEP/16 60767/GA/001F.
Reason: In the interests of safeguarding a protected species habitat.
14. Works that could effect on site vegetation shall not commence until the applicant has provided confirmation to the Local Planning Authority that a license has been issued by Natural Resources Wales pursuant to Regulation 53 of the Conservation of Habitats and Species Regulations (2010) authorising the specified activity/development to go ahead.
Reason: In the interests of safeguarding a protected species habitat.
15. No development shall take place until a written scheme of historic environment mitigation which has been submitted to and approved by the Local Planning Authority. Thereafter, the programme of work shall be carried out in accordance with the approved scheme.
Reason: To identify and record any features of archaeological interest discovered during the works in order to mitigate the impact of the works on an archaeological resource.
16. No later than one month after the commencement of development on site full details of both hard and soft landscape works shall be submitted to and approved in writing by the local planning authority. These details shall include proposed finished levels, hard surfacing materials, proposed and existing functional services above and below ground, planting plans (noting schedules of plants, species, plant sizes and

proposed numbers/densities) and implementation programme. These works shall be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme agreed in writing by the Local Planning Authority.

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

17. All trees within the site shown for retention on the plan submitted with the application shall be preserved and maintained and in the event of any tree dying, being removed or becoming seriously damaged or diseased within a period of 5 years from the completion of the development a replacement tree of a similar species shall be planted and maintained unless the local planning authority gives written consent to any variation.
Reason: The trees are of value in the local environment and should be protected and maintained in the interests of visual amenity and biodiversity.
18. Notwithstanding the details indicated in the application no development on the exterior facades of the school building shall take place until samples of the external finishing materials together with their pattern and distribution have been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
Reason: To ensure that the finished appearance of the development is in keeping with the area.
19. Notwithstanding the details indicated in the application no means of enclosure to the west of the school building shall be erected before a plan indicating the positions, height, design, materials and type of boundary treatment to be erected has been submitted to and agreed in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
Reason: To ensure that the finished appearance of the development is in keeping with the area.
20. Prior to the commencement of development a scheme of construction management shall be submitted to and approved by the Local Planning Authority, to include details of construction traffic routes, site hoardings, site access, contractor parking and wheel washing facilities. 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.
21. Any plant installed on the site shall operate as indicated on the noise assessment section 5.3 Plant noise emissions of the Howardian School Ref 1620001734 – AC02 Noise Impact Assessment – Howardian Primary School and maintained to that effect.
Reason: In the interests of the amenities of adjoining residents.

22. Where the tree belt is removed along the southern boundary of the school a solid screen fence 1.8m high above the level of the path south of the school building shall be erected prior to the school being brought into beneficial use and then retained until the hedgerow shown on drawing 60767/GA/001F reaches a minimum of 1.8 m high.
Reason: In the interests of privacy of adjoining occupiers.
23. Prior to the school being brought into beneficial use details of two covered cycle storage areas shall be submitted to and approved by the local planning authority, and shall then be constructed in accordance with the approved details and retained thereafter.
Reason: To help promote sustainable travel and in the interests of visual amenities.
24. The car parking area shall be completed prior to the school being brought into beneficial use and shall be retained thereafter for this purpose.
Reason: To ensure sufficient staff car parking is available and to comply with policy KP8 of the LDP.
25. Prior to first beneficial use of the school, a School Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The School Travel Plan shall set out proposals and targets, together with a timetable to limit or reduce the number of single occupancy car journeys to the site, and to promote travel by sustainable modes. The School Travel Plan shall be implemented in accordance with the timetable which shall be set out in the plan or in accordance with a revised timetable which shall be agreed in writing by the Local Planning Authority. Reports demonstrating progress in promoting the sustainable transport measures detailed in the School Travel Plan shall be submitted annually for a period of 5 years to the Local Planning Authority for approval in writing, commencing from the first anniversary of beneficial occupation of the school.
Reason: To encourage sustainable transport and effect modal shift to non-car modes.
26. Details of the following road safety measures shall be submitted for the written agreement of the Local Planning Authority and then be implemented prior to the development being brought into beneficial use:
- Yellow box markings on Colchester Avenue at its junction with Hammond Road;
 - Right turn lane markings at the Colchester Avenue/Waterloo Road traffic signals;
 - Parking restrictions and crossing points on Hammond Way in the vicinity of the school access to create a school safety zone;
 - Parking restrictions and crossing point on Hampton Court Road in the vicinity of the pedestrian access to create a school safety zone;
 - Parking restrictions at the junction with Attfield Close;
 - Parking restrictions on Hammond Way opposite its junction with Woosnam Close,

- Parking restrictions on the north west side of Hampton Court Road extended in a north easterly direction to and including the cul-de-sac junction;
- Tactile kerb crossings on Hammond Way and at the junction with Woosnam Close.

Reason: In the interests of highway safety

27. The existing pedestrian (but not vehicular) link from Hampton Court Road shall be retained in perpetuity.

Reason: To ensure satisfactory pedestrian access to the school from the north.

28. The floodlighting for the carpark area shall not be operated between 11pm hours and 7am hours. Light into neighbouring residential windows generated from the floodlights shall not exceed 5*Ev (lux) (vertical illuminance in lux).

- Each floodlight must be aligned to ensure that the upper limit of the main beam does not exceed 70 degrees from its downward vertical.
- The floodlighting shall be designed and operated to have full horizontal cut-off and such that the Upward Waste Light Ratio does not exceed 2.5/5*%.

Reason: In the interests of the amenities of adjoining residents

29. Details of the position of security lighting to be erected within the school grounds and the timing control arrangements and the arc of coverage of the CCTV units shall be submitted to and agreed in writing by the local planning authority prior to their installation.

Reason: To safeguard the amenities of adjoining occupiers.

RECOMMENDATION 2 : This development falls within a radon affected area and may require basic radon protective measures, as recommended for the purposes of the Building Regulations 2010.

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

- determining the extent and effects of such constraints;
- 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 : Prior to the commencement of development, the developer shall notify the local planning authority of the commencement of development , and shall display a site notice and plan on, or near the site, in accordance with the requirements of Article 12 of the Town & Country Planning (Development Management Procedure)(Wales)(Amendment) Order 2016.

RECOMMENDATION 5 : The applicant is advised to have due regard to the advisory notes provided by consultees.

RECOMMENDATION 6 : Prior to the school being brought into beneficial use and subject to any associated Traffic Regulation Orders being approved the “No Waiting”, “No Waiting/Loading” and “School Keep Clear” road markings and signage, and junction Buildout and bollards identified in the Transport Report dated Oct 2016 prepared by Cardiff City Council; and the “School Safety Zone Gateways” detailed on Appendix 8 of the Transport Assessment be provided.

RECOMMENDATION 7 : Any tree that is in a dangerous condition should be felled and any branches that are dangerous or likely to become dangerous shall be lopped provided that:-

- A dormouse licence has been obtained from NRW
- No dormice are harmed during clearance
- There is no net loss of habitat, in other words, compensatory planting takes place elsewhere before the trees are removed
- The bat roost potential of the trees is assessed beforehand, and if any bat roosts are identified, then the appropriate licences and mitigation are in place
- There are no other objections on arboricultural grounds
- Tree removal takes place outside the bird nesting season

RECOMMENDATION 8 : 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.

1. **DESCRIPTION OF DEVELOPMENT**

- 1.1 The proposal is for full planning permission for an English language two form entry primary school and nursery in a new two storey building measuring 20m x 68m (2477 sq m). The school will have a grey standing seam pitched roof (part covered in photovoltaic panels to generate 0.02 MW). Walls would be of buff brick to ground floor and upper floors in white render and grey curtain walling. The halls, kitchen and plant room would be finished in red and grey rainscreen cladding panels. Entrance to the nursery will be separate from entrance to the primary school. The school will be orientated along a generally north south axis and would be 19m from the nearest dwelling to the south.
- 1.2 There will be 2 reception classes, nursery and 2 classes on the ground floor and 8 classes above. In addition there would be various ancillary rooms including a hall on both floors.
- 1.3 The proposed car park would accommodate 29 car parking spaces. 20 covered cycle spaces are to be provided adjacent to the main primary school entrance. A separate servicing area is to be provided. All these elements would be sited in front of the school.
- 1.4 To the rear of the school there will be a tarmac area for use for netball/football, a MUGA, 5 aside grass pitch, forest school space and play area. A band of trees along the eastern and southern boundary would for the most part be retained but where a section of trees would be removed a row of trees will be planted.
- 1.5 The school would accommodate 420 pupils and the nursery 48. There would be 20 teachers, 16 teaching assistants and 14 ancillary staff. The school would be open 08.55 -15.15.
- 1.6 The application has been accompanied by a Pre –Application Consultation Report, DAS, Biodiversity Survey and Report, Land Contamination Assessment, Noise Impact Assessment, Transport Assessment, Draft Waste Management Strategy, Geo-Environmental Investigation and accompanying plans.
- 1.7 The current application is the first of 3 identical primary school proposals; the others are at Lewis Street and Hamadryad. These three schools will be developed as a package with staggered commencement dates. The design and build programme for these schools is intended to provide modern educational facilities in a cost effective manner and within a tight timeframe.

2. **DESCRIPTION OF SITE**

- 2.1 The site is 1.3ha in area. The site is generally rectangular in shape along its northern, southern and eastern boundaries and follows the angled line of an internal road along its western boundary. The site is mainly level with a 3m wide 1:2 slope along its northern boundary and a fall of 1.1m from north to south.
- 2.2 The site comprises an unused tarmac car park and an unused grass play area, separated by a high laurel hedge. A previous building on the site has been cleared from the front of the site. There is a belt of trees along the southern and eastern boundary.
- 2.3 There is housing bordering the site along the eastern, western and southern boundaries. The site is adjoined to the north by the Howardian centre, part of which is currently used as a primary school. The proposal does not include the Howardian centre to the north which would share the same access road leading to the proposed school.
- 2.4 Vehicular access to the site is from Hammond Way. Hammond Way is accessed off Colchester Avenue from a traffic lights controlled junction.

3. **SITE HISTORY (since 1997)**

- 3.1 08/1320 Demountable classroom to replace fire damaged classroom in same location approved 24/06/2008 (aerial photos do not identify classroom on this site after 2008).
- 3.2 16/0369 Demolition of Youth Club approved 20/04/2016.

4. **POLICY FRAMEWORK**

- 4.1 The following LDP policies are considered relevant.
 - KP5 Good Quality and Sustainable Design
 - KP8 Sustainable Transport
 - KP12 Waste
 - KP13 Responding to Evidenced Social Needs
 - KP14 Healthy Living
 - KP15 Climate Change
 - KP16 Green Infrastructure
 - EN6 Ecological Networks and features of Importance for Biodiversity
 - EN7 Priority Habitats and Species
 - EN8 Trees, Woodlands and Hedgerows
 - EN13 Air, Noise, Light Pollution and Land Contamination
 - C1 Community Facilities
 - C3 Community Safety/ Creating Safe Environments
 - C4 Protection of Open Space
 - C6 Health
 - C7 Planning for Schools
 - T1 Walking and Cycling
 - T5 Managing Traffic Impacts

5. **INTERNAL CONSULTEE RESPONSES**

- 5.1 (i) Shared Regulatory Services states: The following report was submitted as part of the application:

Earth Science Partnership; October 2015; Geo-Environmental Investigation Report Ref: 6000b.2359

The above includes, a desk top study and an intrusive investigation, and an assessment of the potential risks to human health and these are taken into consideration in relation to my recommendations with regard to planning consent, (should this be granted).

With regards to potential risks from ground gases, the investigation and assessment provides a reasoned assessment and identifies the need for ground gas protection measures. An amended condition for ground gas protection measures is recommended, requiring submission of the appropriate information and subsequent verification of measured proposed.

With regards to the contamination assessment, the above report has provided information based on commercial end use. The report identifies low levels of contamination that are not of concern within a commercial context. However, it also advises the need for re-evaluation/assessment should the proposals differ and/include 'green growing or garden projects be included'.

Information submitted as part of the application indicates this to be a proposed primary school (with nursery); additionally school garden areas, outdoor nursery areas and forest school areas are identified. A contamination assessment, incorporating the risks to child and adult receptors is needed for any areas of the development where there is risk of exposure to potential contaminants. An amended contamination assessment condition is requested (the desk study and site based elements are excluded) along with the standard remediation and unsuspected contamination conditions

Shared Regulatory Services requests the inclusion of the conditions and informative statements in accordance with CIEH best practice and to ensure that the safety of future occupiers is not prejudiced in accordance with policy EN13 of the Cardiff Local Development Plan.

- (ii) Shared Regulatory Services also state: The document details all issues raised in Chapter 2 "Summary of Consultation Comments" under the 'Amenity' sub-section;

- Construction traffic management issues; and
- Air Quality issues due to increased CO₂ emissions increased from idling cars

These statements fail to detail all the particular emissions associated with this development and fail to address concerns that potential air quality impacts, as a result of the works and completed development could have on identified sensitive receptors, these being both human and ecological receptors.

It must be highlighted that Nitrogen Dioxide (NO₂) and Particulate Matter (PM₁₀) are also traffic derived emissions and their impacts on air quality needs to be acknowledged. Such emissions would be derived from the construction

vehicles and machinery used on site during the development and also from the cars of teachers and parents once the development is complete. It must be noted that the Air Quality Management Areas (AQMA) established in Cardiff have all been assigned based on increased/ exceeding levels of NO₂ traffic derived emissions, therefore it is very concerning to find that NO₂ has not been considered or detailed.

In terms of dust emissions, making reference to my previous comment, this is another pollutant which needs to be identified and is failed to be defined. As stated;

In reference to the development stage, in accordance with IAQM "Guidance on the assessment of dust from demolition and construction" Chapter 6, Step 1, Box 1 highlights certain screening criteria which needs to be considered and if a development qualifies for an assessment. The document states "An assessment will normally be required where there is: a 'human receptor' within: - 350 m of the boundary of the site; or- 50 m of the route(s) used by construction vehicles on the public highway, up to 500 m from the site entrance(s)." It is apparent that adjacent to the development are areas of residential dwellings (Hammond Way & Woosmam Close), therefore satisfying the 'human receptor' criteria stipulated and the need for an assessment to be produced.

As emphasised, please make applicant aware that following the recent submission of ecological reports which addresses specific species in close proximity to the site, it would be best of best practise to quantify the potential pollutant impacts on not just 'human' receptors but also 'ecological' receptors.

(iii) The developer submitted further information in respect of air quality and the following revised comments were submitted by Shared Regulatory Services:

I can confirm I am satisfied by the traffic report and the conclusions and theories surrounding a reduced AADT due to the nature of the development;

And

I am satisfied that the Construction Management Plan would encompass the control of dust emissions during the construction phase of the proposal.It was highlighted in an ecological report of the potential for dormice being located in close proximity to the site. The findings of the report confirmed that no dormice were present therefore this factor does not need to be taken into consideration when assessing the potential impacts of air quality.

5.2 (a) The Tree Officer stated in respect of the original submission that:- The overall acceptability of this scheme, which necessitates quite significant loss of/disturbance to existing tree cover and vegetated soil, is dependent on the following: -

- Development being implemented in accordance with an approved Arboricultural Method Statement and Tree Protection Plan.

- Development being implemented in accordance with an approved Soil Resource Plan informed by a Soil Resource Survey, prepared in accordance with the 2009 DEFRA Code.
- Development being implemented in accordance with an approved landscaping scheme that has been informed by the Soil Resource Plan and comprises a scaled planting plan, plant schedule, tree pit section and plan views, topsoil and subsoil specification, planting methodology, 5 year aftercare methodology, long-term aftercare methodology for woodland planting in accordance with advice in the Tree Survey and an approved Arboricultural Method Statement.

I have attached an annotated version of the general arrangement landscape plan, suggesting some amendments to the palette to increase diversity, whilst maintaining the 'flowering and fruiting' theme. It seems likely, based on the geo-environmental information, that a re-usable soil resource will be available, but one that may be sensitive to mishandling, resulting in significant loss of functionality. Subsoils may need to be imported to ensure larger planted stock is not set on poorly drained, poorly aerated subsoil. I have suggested that *Crataegus laevigata* be considered for use in the woodland edge and woodland management area, based on the possibility that soils are 'heavy' and moisture retentive.

(b) The Tree Officer states in respect of the revised landscaping details received on 06/01/17 that:- I have no adverse observations with regard to the amended landscape plan. Full specification details (except for scaled planting plan and plant schedule) will be required in support as per bullet three of my original comments.

- 5.3 The Waste Management Officer states:- Plans detailing refuse storage are acceptable. This area must be retained as refuse storage for future use.

The Waste Management Strategy has also been noted and is acceptable.

- 5.4 The Highway Officer states:-

I note and share many of the concerns expressed by local members with respect to the impact of on-street parking by large numbers of parents dropping off/collecting children at the start and end of the school day.

However, such issues will invariably occur in the vicinity of any school – though especially a primary school, and these have been thoroughly investigated by this Service Area prior to submission of this planning application and a number of recommendations to address highway safety issues are contained in the Addendum to the Transport Report which was produced at the time – and which is referenced in para. 4.7 of the Transport Assessment from the Peter Evans Partnership.

These works include; the provision yellow box markings on Colchester Avenue at its junction with Hammond Road, right turn lane markings at the Colchester Avenue/Waterloo Road traffic signals, parking restrictions and crossing points

on Hammond Way in the vicinity of the school access to create a school safety zone, parking restrictions and crossing point on Hampton Court Road in the vicinity of the pedestrian access to create a school safety zone. There are also further recommendations with respect to; parking restrictions at the junction with Attfild Close, further parking restrictions on Hammond Way opposite its junction with Woosnam Close, an extension to previously proposed parking restrictions on Hampton Court Road, and tactile kerb crossings on Hammond Way and at the junction with Woosnam Close.

I'd therefore have no objection subject to a condition requiring that details of the measures described in the preceding paragraph be submitted to the LPA for approval, and implemented prior to beneficial occupation. I'd also suggest a second recommendation advising the applicant of the need to secure the consent of the Operational Manager, Network Management – via 'networkmanagement@cardiff.gov.uk' – prior to carrying out the approved works on the adopted highway.

Further standard conditions will be required with respect to the provision of a Travel Plan, a Construction Management Plan – and to the provision and future retention of the proposed car parking and cycle parking arrangements.

Whilst I acknowledge the concerns raised by Cllr Kelloway I'd reiterate that parking by parents dropping off/collecting children is a problem at all primary schools, and indeed have been experienced on Hampton Court Road in connection with the existing school – and subject to the aforementioned measures I'm satisfied that the new school will operate satisfactorily and safely. I don't consider that the creation of a vehicular link between Hammond Way and Hampton Court Road – though the school site - is at all advisable, and in fact would have the effect of negating the benefits which would be achieved by the provision the School Safety Zone.

My understanding is that in due course the existing school site is to be developed for housing – at which point the current problems on Hampton Court Road would effectively transfer to Hammond Way. In order both to mitigate this, and also improve ease of pedestrian access to the new school, I consider that a pedestrian (but not vehicular) link is an essential requirement. Such access to the new school via the existing school site is currently available and it's essential that this be maintained in the future.

The Highway Officer queried the appropriate mechanism for ensuring this – either by condition, or/and perhaps a second recommendation advising the applicant that the continuation of such a pedestrian link should be incorporated into future proposals for the existing school site.

6. EXTERNAL CONSULTEE RESPONSES

- 6.1 GGAT has raised no objection subject to a condition. Pen y Lan roman settlement a scheduled monument is 500m away and numerous artefacts have been found in the vicinity.

- 6.2 Welsh Water has raised no objection subject to two conditions.
- 6.3 South Wales Police have no objection to this development and having viewed application are satisfied with the community safety measures that are included in the proposal.
- South Wales Police are engaged in consultation with the developers to ensure the school is built with high levels of safety and security.
- 6.4 Wales and West Utilities identify a pipeline from Hammond Way to the entrance of the Howardian site.
- 6.5 NRW does not object subject to two conditions.

7. **REPRESENTATIONS**

- 7.1 This application has been advertised on site at the end of Hampton Court Road and on Hammond way close to the entrance to the Howardian Education centre and in the press. Local Members and 45 adjoining residents have been notified.
- 7.2 Councillor Joe Boyle states:-

I am writing in relation to a specific element of the planning application for the new Howardian Primary School (16/02710/MJR), namely the plans for tree management.

The Tree Impact Plan makes reference, among much else, to the shelterbelt that runs to the south of the site. The northern part of this shelterbelt will be removed. However, I am concerned and disappointed that there are no plans at present to deal with the southern part of the shelterbelt, in particular where it borders the Wales & West homes on Hammond Way.

Since 2012, I have made numerous requests on behalf of residents in those homes, who have been plagued by the trees that overshadow their homes. The worst problems are caused by the line of trees that immediately border their homes, particularly when the wind picks up.

As proof of their concerns, a large branch recently fell from one of those trees into one of their gardens. I raised this concern (member query 01FP680495), together with photographic evidence, on 21st September. In that query, I raised the hope, as I have done elsewhere, that the development of the Howardian site would provide the perfect opportunity to deal with the row of trees that border those homes on Hammond Way.

Indeed the tree impact plan acknowledges the risk that the trees in the rear of shelterbelt pose, a risk that will be exacerbated by the removal of shelterbelt elsewhere:

‘... the retained trees to the rear are likely to require further consideration and assessment to ensure that their increased exposure does not leave them

vulnerable to wind damage. Some thinning of the group is likely to be advisable in order to remove unduly tall and slender trees and to provide space in which the better specimens can develop to better effect.'

It is therefore frustrating that the actual proposals outlined in the tree impact plan have failed to take into account residents' concerns, the many years of canvassing on their behalf and the acknowledgement in the impact plan that some thinning is advisable.

We have witnessed the risk these trees pose to residents. The building of the school, should it get permission, will see tree specialists on site, with their equipment. It would be ludicrous to pass up the opportunity to use them to solve a long-standing and acknowledged problem. Failing to act now will, in due course, have a more costly impact.

I would therefore ask that a condition be attached to any permission stating that at least the first row of trees in the shelterbelt bordering homes on Hammond Way be removed.

7.3 Councillors Kelloway and Boyle state:-

We wish to express our general satisfaction that Cardiff Council, in acknowledging the shortfall in primary phase school places in the Penylan area, has generated plans for a two forms of entry primary school (plus nursery provision) to meet the rising demand that exists locally for such provision. We accept that the council was constrained in the options available to it for the location of the school and that the Council has had to deliver the school over a time-scale that is less than ideal. We, therefore, broadly welcome the proposals set out in the planning application documentation.

However, there is a point of detail which we believe warrants further consideration at the planning stage. This was raised as a point of concern when we responded to the "21st Century Schools Consultation Document 2014" on "The provision of additional English-medium primary school provision in Cyncoed, Penylan and parts of Plasnewydd" and as part of our submission to the pre-planning application consultation process. This concern was raised with the Schools Service nearly two years ago (2014) and it is, therefore, a matter of disappointment that it has not been adequately addressed in the planning application documentation. Our concerns are set out below:

The fact that the new Howardian School can only be accessed from roads that are cul-de-sacs means that parents who choose to transport their children to and from school by car will inevitably need to carry out reversing manoeuvres at or near the school gate(s). From a road safety perspective, such manoeuvres must be avoided at all costs and this could be achieved by the incorporation in the plans of a traffic management system that avoids the need for cars to turn around at the school gate(s) and which would enable motorists to proceed in forward motion at all times. The Howardian Centre occupies a large site which would be capable of accommodating a traffic circulatory system, with dedicated safe drop off/pick up points for pupils within the school curtilage.

The current school, in temporary accommodation at the Howardian Centre, serves 120 primary pupils plus 32 in the nursery. Even at these modest levels traffic congestion and dangerous vehicle manoeuvres in Hammond Way and Hampton Court Road can already be observed on a daily basis. When the planned school is fully operational it will serve 420 primary pupils and a 48 place nursery. The current congestion, parking and reversing problems will be compounded many times. There are school sites in Cardiff where traffic gridlock and road safety hazard are a daily fact of life and, due to the particular local circumstances, the council is powerless to take any action other than introducing reactive schemes such as school safety zones on the highway. At the proposed new Howardian School the council has the opportunity to deploy proactive measures to manage the inevitable traffic that will be attracted to the location. The Howardian Centre site is large enough to accommodate a safe, off-road, traffic circulatory system and we urge the council to take the opportunity to incorporate such a system into the plans for the new school at the planning stage when it is still possible and before the proposals are set in stone.

The transport assessment places great stress upon the policy which expresses the desire that pupils should be encouraged to travel to school by means other than the private car. However, it nevertheless acknowledges that many journeys will take place by car and it proposes reactive measures, such as school safety zones, to address this. The transport assessment seems to take no account of the fact that Hammond Way and Hampton Court Road are cul-de-sacs with restricted width (Hammond Way, for example, is only six metres wide) and that they do not have the capacity to permit heavy parking and reversing manoeuvres. Nevertheless the transport assessment feels able to draw the conclusion that "There is no reason to suggest that the proposals would give rise to road safety issues." The evidence, which can be currently observed on a daily basis at the school gates, would seem to be at odds with the conclusions of the transport assessment. It is our contention that the assessment is flawed and cannot be relied upon as an accurate representation of the likely problems that will arise.

We note, also, that parking provision within the school site will be inadequate to accommodate the likely demand from staff and potential visitors such as peripatetic practitioners etc. There could be a shortfall of a dozen or more parking spaces compared with the likely demand. The transport assessment report concludes that: "Adequate off-site parking is available. This would not adversely affect residents." This statement stretches the bounds of credibility and betrays a lack of local knowledge or sound reasoning on the part of the report's authors.

As local elected members, we support the council's aspiration to provide a new primary school in Penylan. However, something which has the potential to be a great success that sits well with its immediate community and surroundings could be soured by a lack of proper forethought, planning and understanding combined with an unwillingness to receive advice based upon local knowledge and experience.

On the back of that local knowledge, we were surprised by the transport assessment provided by the Peter Evans Partnership, which claimed 'there is no reason to suggest that the proposal would give rise to road safety issues.'

We queried that conclusion during the pre-application consultation phase, having already witnessed and received accounts from residents of the very road safety issues we had anticipated.

Indeed, included in the papers for the full application is a separate transport report, written in October 2016 by the council's transport projects team. It catalogues a series of road safety issues that are already occurring in Hampton Court Road and Hammond Way, despite the fact that the school is not yet even half full. In other words, the problems local councillors identified in 2014 are already coming to pass and acknowledged as such by the council itself. It is therefore mystifying that the report from the Peter Evans Partnership continues to be a part of the supporting evidence for the proposal while still maintaining 'there is no reason to suggest that the proposal would give rise to road safety issues.'

This is a stark illogicality. The proposal is already giving rise to road safety issues. To pretend otherwise is simply to bury one's head in the sand and hope the problems will magic themselves away.

Therefore, in the interests of community cohesion, neighbourly relations, road safety and pupil security we urge the Planning Committee, if it is minded to grant this application, to attach conditions which:

- Require the applicant to incorporate sufficient parking capacity within the school site for employees and visitors to the school in order to remove the need for vehicles to be parked in the adjacent road network.
- Require the applicant to incorporate a properly considered traffic management system within the school site which would enable parents and visitors to the school to drop off and pick up children in a safe and controlled manner without the need for vehicles to turn around in the adjacent cul-de-sac roads that serve the school.

7.4 A local residents objects against the demolition of one school to build another and against the traffic the school will generate, as parents are already parking in Hammond Way causing highway dangers which could then result in injury or worse.

7.5 The developer undertook a Pre-application Consultation which generated 29 responses of concern from local residents. Pre-application consultation is a relatively new procedure introduced by the Government which may have inadvertently led to the limited public response received since this application was publicised. The responses received with the Pre-application Consultation Report focussed primarily on site specific and wider highway concerns, required highway improvements, amenity issues and ecology.

8. **ANALYSIS**

- 8.1 The provision of a new primary school including a nursery to serve this area is welcome and in line with LDP policies. Nevertheless there are three major issues that need to be considered in the assessment of this proposal having regard to LDP policies concerning design quality, consultation responses and representations.
- 8.2 In terms of design quality the following issues were raised with the applicant's agent and the agent's responses are reproduced below:-

Boundary Treatments

- 8.3 A good boundary treatment to the front of the site is required, including brick and/or railings, rather than what appears to be a lower quality and less attractive mesh fence.

Applicant response - Alternative boundary treatments to the front of the site to complement those required to meet secured by design requirements can be provided and options are being developed following confirmation of secure line by insurers. We believe railings may be a good alternative to the front of the site.

The applicant has submitted amended plans showing revised boundary treatments with a 600mm wall with shrub planting fronting the road and hedging around the perimeter of the car park.

A condition (19) relating to final boundary treatments details would be accepted to allow final details to be agreed with the end user.

Staff car parking

- 8.4 The primary school places staff car parking right at the entrance of the scheme and require all people to navigate past this parking to access the site. This arrangement does not give suitable prominence to walking and cycling. Could not the parking be located next to the building, on the right, and the pedestrians and cyclists be given due prominence in the engineering priorities.

Applicant Response - Staff will be arriving to the school before pupils and will leave after pupils at the end of the day - the timing of the associated movements is such that this is not considered to result in a conflict. Parents will not be permitted to drive onto the school site.

The location of the area of car parking seeks to ensure that vehicle movements in the site are confined to the area immediately adjacent to the entrance and do not extend into the site longer than necessary.

An annotated plan to show access arrangements more clearly has been submitted. This highlights that the main pupil access route will be from the south, away from the car parking area. Pupils will access their classrooms from

the playground using individual external classroom doors.

Parent Waiting Area

- 8.5 The waiting space for parents seems quite small given the number of potential parents who might wait to pick up children and a designated service area is probably an inefficient use of the front of the site in this area. Could not the servicing be in some kind of shared arrangement with the parking, or within a larger waiting area for parents.

Applicant Response - The waiting area adjacent to the main entrance was provided as an interim arrangement before the gates of the school were opened. Parents would then be allowed beyond the secure boundary of the school into the playgrounds to collect pupils.

The suggestion of hard surfacing with benches etc can be taken forward as part of the more detailed landscape design. The comments from the Tree Officer on landscaping are such that a suitable condition has already been recommended and if deemed appropriate the suggestions could be addressed as part of that process.

(The applicant has submitted amended plans which enlarges the area parents could wait for children).

Materials

- 8.6 Whilst the prominence of the hall is appreciated, there was concern that the panels might be "quick to date". The plant room is located on the frontage, which is not a great treatment.

Applicant response - The suitability of the proposed panels is being explored and options will be developed. We would welcome a suitable condition on this matter.

The plant room has been sited to avoid the need for maintenance staff to access the playground of the school. This is located adjacent to the utilitarian part of the building within the service yard.

We understand that the Howardian Centre is scheduled to be demolished in the future and therefore the choice of brick was chosen to give the school its own identity.

The applicant has submitted an amended plan with revised proposed elevations to include an amended cladding panel colour pattern/arrangement and new nursery signage. In addition, one of the plant room doors has now been removed from the frontage, while a new window has been added to the western elevation.

A condition (18) relating to final materials and architectural/cladding details would be accepted to allow final details to be agreed with the end user.

Orientation

- 8.7 Given the size of the site the design would result in a gable within 5-8m of the neighbouring gardens, despite the tree/shrub planting. Given the parking issues, is there scope to re-orientate the school on the site?

Applicant response - We explored orientating a building along an east west axis rather than a north south one. There were two reasons why we discounted this solution:

- 1) By rotating the building 90 degrees this occupies a large part of the site. This divides the external playground areas into two with the northern part significantly shaded by the building and would likely to feel very enclosed with the existing bank to the north.
- 2) The building relies on natural ventilation, by orientating half of the teaching spaces facing south the levels of overheating increase significantly.

Ground Floor Layout

- 8.8 The ground floor appears to be quite complicated and the reception area seemed quite limited.

Applicant response - The reception area has been sized based on the anticipated staff and visitor movements to this area and our experience on other schools. As all pupils will use the individual classroom entrances a larger reception area was not considered necessary.

- 8.9 The applicant also responded to other issues as follows:-

The comments regarding the nursery and main entrances are noted and options to improve the legibility of these areas are being explored. (The applicant has subsequently submitted an amended plan with clear signage of the nursery location).

A covered cycle store would be provided and the design of this structure can be agreed to ensure it doesn't detract from the main entrance. Amended plans have been submitted showing that Cycle storage has also been increased to 40 spaces with provision close to the two entrances to the site.

We envisage pupil bike/scooter parking being provided within the main playground and that the cycle parking adjacent to the main entrance would be used predominantly by staff and visitors.

- 8.10 Consultation Responses can be addressed by means of suggested conditions and the advisories have already been forwarded to the applicant.

- 8.11 In terms of representations three issues have been highlighted. One is in

respect of the maintenance of existing trees on site, a second relates to the adequacy of parking for staff and with parents bringing/collecting children from school by car.

- 8.12 Councillor Boyle's comments appear primarily targeted at tree maintenance along the southern boundary of the existing site. The Council as landowner has a duty to ensure that these trees don't endanger local residents. However, the Authority also has a statutory duty to safeguard protected species and their habitats. It should be possible to remove the line of trees in question provided that:-
- A dormouse licence has been obtained from NRW
 - No dormice are harmed during clearance
 - There is no net loss of habitat, in other words, compensatory planting takes place elsewhere before the trees are removed
 - The bat roost potential of the trees is assessed beforehand, and if any bat roosts are identified, then the appropriate licences and mitigation are in place
 - There are no other objections on arboricultural grounds
 - Tree removal takes place outside the bird nesting season
- 8.13 Proposed conditions 13, 14, 16 and 17 and Recommendation 7 seek to safeguard protected species habitats and promote good landscaping, including the need for proper tree maintenance.
- 8.14 The Design and Access Statement explains that there will be significant removal of part of the southern tree belt south of the school building. There is also recognition that the tree belt has had very little management. The retained woodland belt will be 6m wide and will undergo management and enrichment planting.
- 8.15 In respect of the parking and highway safety issue raised by both local Members and a local resident the Highway Officer has confirmed that these issues have been thoroughly considered and there a number of recommended highway controls to address this. The Highway Officer has no objection to this proposal.
- 8.16 The Transport Assessment identified 263 on street parking spaces within approximately 5 minute walk of the school. The changes proposed to restrict parking around the school would reduce availability by 29 spaces. The Assessment identified that existing on street parking demand and that anticipated from the proposed school would be up to 230 spaces. This would provide sufficient space for school drop off and pick up and any staff parking not accommodated within the school within 400m of the school, without cars encroaching onto drive ways or footways. The majority of this parking would last for a limited duration. Parking would be monitored through a Travel Plan and parents would be further encouraged to make journeys by non-car means to reduce the demand for temporary on street parking.
- 8.17 The current parking standards do not identify parking numbers for schools. The former parking standards would have required a maximum of 43 spaces plus

provision for accessible spaces. The Transport Assessment states that the provision of 27 spaces plus 2 accessible spaces is appropriate.

- 8.18 The first parts of Policy KP8 are particularly relevant as it refers to achieving a target of 50:50 modal split between journeys by car and journeys by walking, cycling, and public transport; reduce travel demand and dependence on the car; and enable and maximise use of sustainable and active modes of transport.
- 8.19 Atkins undertook an independent audit of Peter Evans Associates Transport Assessment in November 2016. The audit concluded, as did Peter Evans Associates, that the school would not adversely affect the local highway network.
- 8.20 The applicant states in respect of the parking/highway issues that:-

Cardiff Council's policy is to encourage and promote the increased use of sustainable travel modes. Emphasis is placed on travel by active modes where this is possible and on providing the facilities and opportunities at the school for students to travel by walking, cycling and public transport. Encouraging active travel to school is a very important means of increasing levels of physical activity in children, and tackling growing problem of childhood obesity.

Reducing congestion at the school gate is key to ensuring the safety of pupils and to mitigating impacts on the local neighbourhood. Provision of parent parking places is generally not supported. This is because such provision would promote travel to school by car, generate local traffic, contribute to congestion and reduce pupil safety. Parking facilities provided at schools is generally only for staff and to meet operational needs.

Providing an area within the school grounds for parents to drop-off and pick-up their children would create a road safety hazard. Pupils would be in conflict with cars manoeuvring into and out of parking spaces. Historically, there have been incidents of school pupils sustaining injuries within school grounds due to collisions with vehicles. Consequently, it is recommended that pupils have separate and segregated access within school grounds, and parents should also be prohibited from driving into the school grounds.

The Schools Traffic Management Safety Group (STMSG) is a group of officers from Transport Projects in SPHTT, Schools (Planning and Development) and Health and Safety. The STMSG investigate road safety issues in and around schools. This group has discussed the provision of parental parking within schools and would object to the provision of parental parking within the school grounds.

If a parking area was provided within the school grounds, this would set a precedent and may encourage other schools to provide on-site parking. As such it is not recommended that an area is created within the school grounds to allow parents to drop-off or pick-up their children.

The Active Travel (Wales) Act 2013 places a duty on local authorities to plan for, improve and promote routes for walking and cycling for everyday journeys.

Cardiff Council's LDP sets out that 50% of all trips on the transport network are made by sustainable modes.

The Council has a Local Transport Plan (LTP) which has been approved by the Welsh Government. The LTP identifies the key transport issues relevant to Cardiff, the improvements which are required to address these issues and a prioritised five-year programme of schemes which outlines the infrastructure schemes to be delivered within each financial year. The proposed programme outlined in the LTP includes walking and cycling infrastructure, bus network and junction improvements, 20mph limits and road safety schemes.

The School will be required to have a Travel Plan and to appoint a Travel Plan Co-ordinator to engage with Staff, Pupils and Parents.

The 2010 version of the City of Cardiff Access, Circulation and Parking Supplementary Planning Guidance does not provide parking standards for schools. The 2006 version of the document identified the following:

Maximum of 1 parking space per teaching staff;
Maximum 1 space per 2 ancillary staff.

The proposal includes the provision of 27 staff parking spaces and two disabled parking spaces and therefore accord with the above standards. Providing car parking for all 50 members of staff would involve nearly doubling the size of the proposed car park and reduce the amount of recreational space for pupils. A balance is therefore needed and also one which seeks to avoid cars becoming the default option at the detriment of encouraging more sustainable options including car sharing.

Existing Problems - suitability of the road network and inappropriate parking

In response to comments raised as part of the consultation a Transport Report (October 2016, Cardiff Council) has been prepared that provides additional survey information on the availability of car parking within the vicinity of the school. The report therefore provides an additional evidence base on the parking situation in the vicinity of the school and sets out initial measures to

The report identifies 286 parking spaces available on the adopted highway within a 5 minute walk of the school access points. A total of 234 children are anticipated to be driven to school based on the Council's evidence (annual travel mode surveys) of the modal split of journeys undertaken to school.

The 'Park safe/walk safe or 'Park and Stride' approach encourages parents that choose to drive to the site to park safely away from the school and include walking in their daily route, resulting in less traffic congestion around the school. The Road Safety Education team can provide advice and support to establish a walking bus to the school.

While many comments referred to the inappropriateness of the road network as Hampton Court Road and Hammond Way are cul-de-sac's, a number of through routes are present in surrounding roads, allowing parents who choose to drive to the site to park safely and leave the area in a forward gear.

A series of enhancement works are outlined in the Transport Assessment including:

- Yellow box markings at the Colchester Avenue/Hammond Way traffic signals;
- Right turn lane markings at the Colchester Avenue/Waterloo Road traffic signals;
- Parking restrictions and crossing points on Hammond Way in the vicinity of the school access to create a school safety zone;
- Parking restrictions and crossing point on Hampton Court Road in the vicinity of the pedestrian access to create a school safety zone.

•
Each of these measures is being or will be progressed through separate Traffic Regulation Order (TRO) processes. Any additional yellow lining and safety measures will be subject to review and implementation in future.

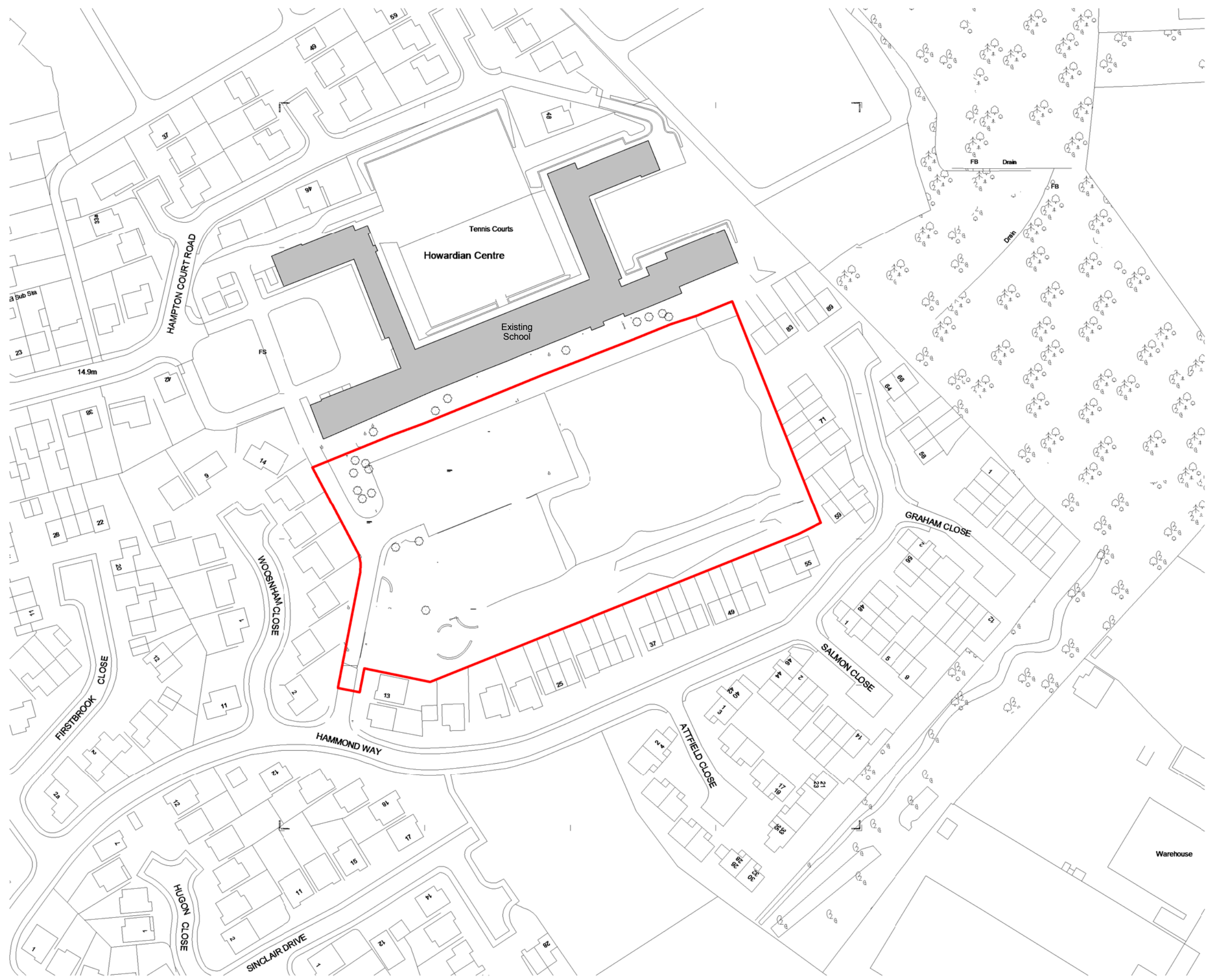
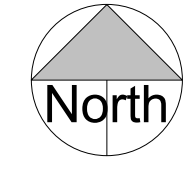
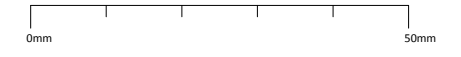
8.20 The windows in the southern elevation of the school will be fitted with obscure glazing and will be some 19m from the nearest dwelling to the south which would protect adjoining residents' privacy.

8.21 The retention of much of the existing tree belt and new planting will help safeguard privacy to adjoining properties. The school is a maximum of 10.5 m high and north of the nearest dwelling. The school would not dominate or overshadow adjoining dwellings in view of the separation distance and location, and future tree planting that will further soften that relationship.

8.22 Well-Being of Future Generations Act 2016 – Section 3 of this Act imposes a duty on public bodies to carry out sustainable development in accordance with the sustainable development principle to act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs (Section 5). This duty has been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the recommended decision.

8.23 The proposal is considered to be acceptable in planning terms subject to conditions and complies with the policies of the LDP. The proposal will provide a modern school and nursery with sufficient external play and sports facilities to serve the pupils, whilst safeguarding habitat for a protected species, and amenities of neighbours and to which the Transportation Officer has no highway objections.

Responsibility is not accepted for errors made by others in scaling from this drawing.
All construction information should be taken from figured dimensions only.



PL	PL01	09/11/16	Planning Application
PL	P2	20/09/16	DRAWING ISSUED FOR PLANNING PURPOSES
STATUS	REV	DATE	DESCRIPTION
CLIENT			
CARDIFF CITY COUNCIL			REVISOR GDD
			CHECKED BY AT
			ORIGINATOR NO 150050

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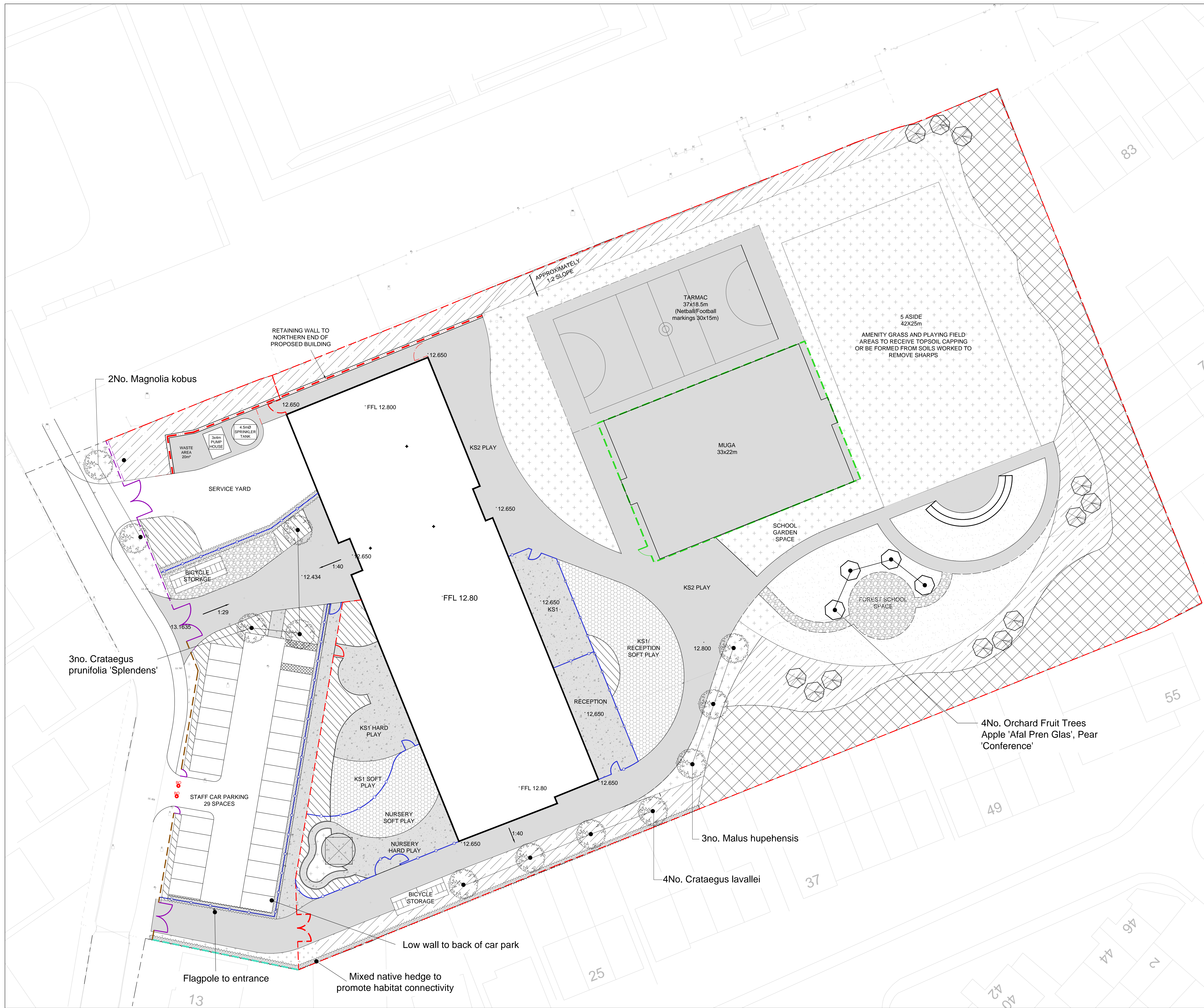
PROJECT
 CARDIFF PRIMARY SCHOOLS
 HOWARDIAN PRIMARY SCHOOL

DRAWING TITLE
 LOCATION PLAN

SUITABILITY STATUS PL : PLANNING	SCALE 1 : 1250 @ A3
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PROJECT ORIGINATOR ZONE LEVEL TYPE ROLE CLASSIFICATION NUMBER HOW-STL-XX-ZZ-DR-A-XXXX-01001	REVISION PL01
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Location Plan
1 : 1250



- Woodland management area
Existing woodland to be managed as per Arboricultural Assessment. Approximately 15% of the identified area to receive enhancement planting with native woodland planting at 2.0m ctrs to include:
Corylus avellana, Hazel
Crataegus laevigata
Euonymus alatus, Spindle
Lonicera periclymenum, Honey suckle
- Woodland Edge planting: (transplants planted at 1.5m c/s)
Acer campestre, Field Maple
Corylus avellana, Hazel
Cornus alba, Dogwood
Cornus stolonifera 'Flaviramea', Yellow-stem Dogwood
Crataegus laevigata,
Lonicera periclymenum, Honey suckle
Salix alba 'Chermesina', Scarlet Willow
Salix lanata, Woolly Willow
Sambucus nigra 'Aurea', Golden Elder
Sorbus aucuparia, Mountain Ash
Viburnum opulus, Guelder Rose
- Ornamental shrub species to include:
Choisya ternata 'Orange Blossom',
Elaeagnus pungens 'Gilt Edge'
Hebe 'Autumn Glory',
Hebe albicans,
Hedera helix 'Glacier'
Geranium Johnson's Blue
Jasmin nudiflorum
Lavandula angustifolia Munsted
Sedum spectabile
Viburnum tinus
Verbena bonariensis
Bulbs underplanted:
Allium Purple Sensation and *Narcissus February Gold*
- Native tree planting to be feathered trees (175-200cm):
Sorbus aucuparia, Mountain Ash,
Malus 'foribunda' Crab apple,
Malus 'John Downie' Crab apple
- Specimen tree planting: Heavy Standard (12-14cm girth) *Crataegus x lavallei*
Crataegus prunifolia 'Splendens'
Magnolia kobus
- Orchard tree planting
Apple 'Afal Pren Glas', Pear 'Conference'
- Native Hedgerow Planting - *Crataegus monogyna* (Hawthorn), *Corylus avellana* (Hazel), *Cornus sibirica* (Dogwood), *Acer campestre* (Field Maple), *Viburnum opulus* (Guelder Rose). Planted double staggered row at 8 per lin m, whips 60-40cm size
- Perimeter Fence - Weldmesh 2.1m
- Internal fence - 1.2m steel bowtop fencing
- MUGA fence - Ball Stop 3.0m
- 600mm High Wall and Railing
- 600mm High Wall
- Timber Fence - 2.1m high
- Retractable Bollards
- AMENITY GRASS
Germinal - Mix A24: Wear and Tear
Sowing rate - 20g/m²
- WILDFLOWER MEADOW GRASS
Germinal - Mix WFG2 Flowering Meadow
Sowing rate - 3-5g/m²
- Bitmac: Trafficked areas
- Bitmac: Pedestrian grade
Permeable construction
- Asphalt: Pedestrian grade with contrast colour aggregate chipping surface. Permeable construction
- Safety Surface
Wetpour, Colour - Black. Permeable construction
- Bark chip surface to Forest School space and paths
Play grade bark mulch (10-50mm particle size) 150mm depth over geotextile membrane

REV	DATE	DESCRIPTION	BY
J	06/01/17	FENCING AMENDED, BOLLARDS ADDED AT ENTRY	MS
I	20/12/16	FENCING ENTRY AMENDED, HEDGE ADDED	KD
H	20/12/16	FENCING ENTRY AMENDED, HEDGE ADDED	KD
G	06/12/16	RETAINING WALL OMITTED, TREE SPECIES AMENDED, EXTERNAL LEVELS REVIEWED	LC
F	08/11/16	LANDSCAPE PLANTING, VEHICLE TRACKING AND LEVELS AMENDED	LC
E	02/11/16	EXTERNAL LANDSCAPE PLANTING AMENDED	LC
D	31/10/16	MUGA SIZE AND POSITION ALTERED	LC
C	25/10/16	ACCESS AND PLANTING TO SOUTH OF BUILDING REVISED	LC
B	21/09/16	GRASS REGIME AMENDED TO 5.4 SIZE FITCH	LC
A	21/09/16	ADDITIONAL PLANTING TO BOUNDARY AND WASTE DISPOSAL AREA IN SERVICE YARD	LC

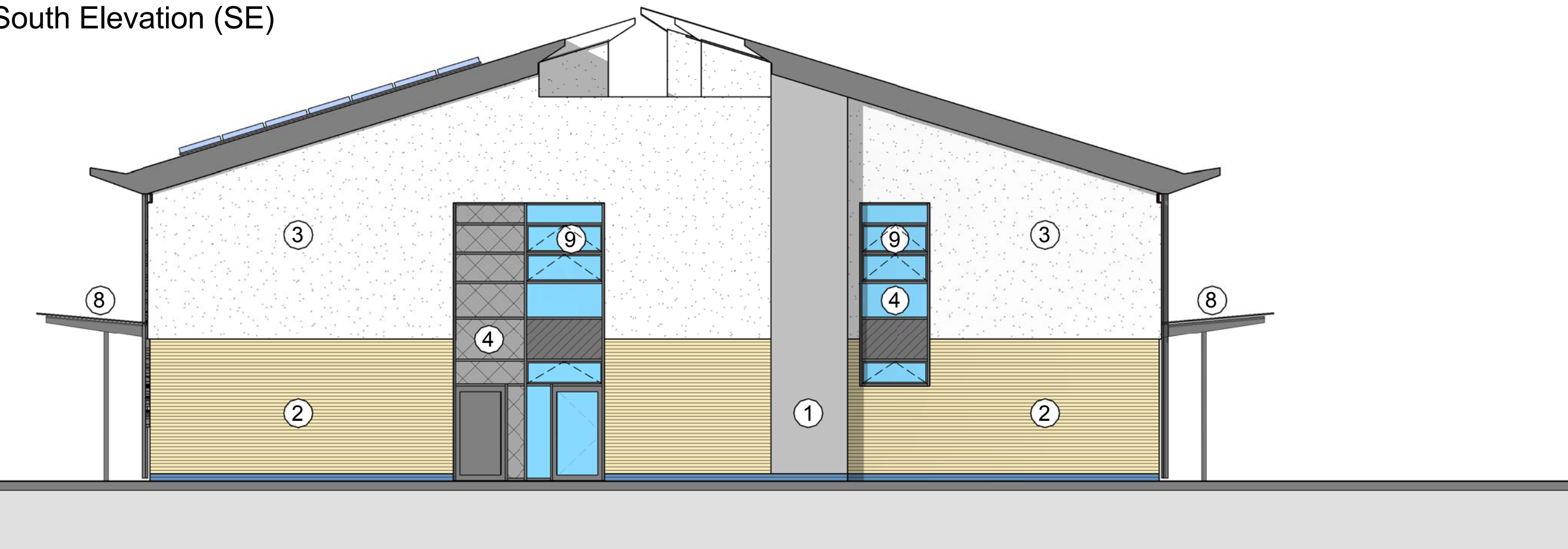
Environmental Consultants: Planners
 Landscape Architects: Landscape Managers
 Urban Designers: Ecologists
 Morgan Sindall
 Cardiff Three Primary Schools
 Howardian Primary School
 General Arrangement Landscape
TACP
 10 Park Grove Cardiff CF10 3BN T:029 2022 8966
 Drawn LC Checked PMcC Scale 1:200 Date SEP/16 Office Cardiff Draw No 60767/GA/001J



Proposed North Elevation (NE)
1 : 100



Proposed South Elevation (SE)
1 : 100



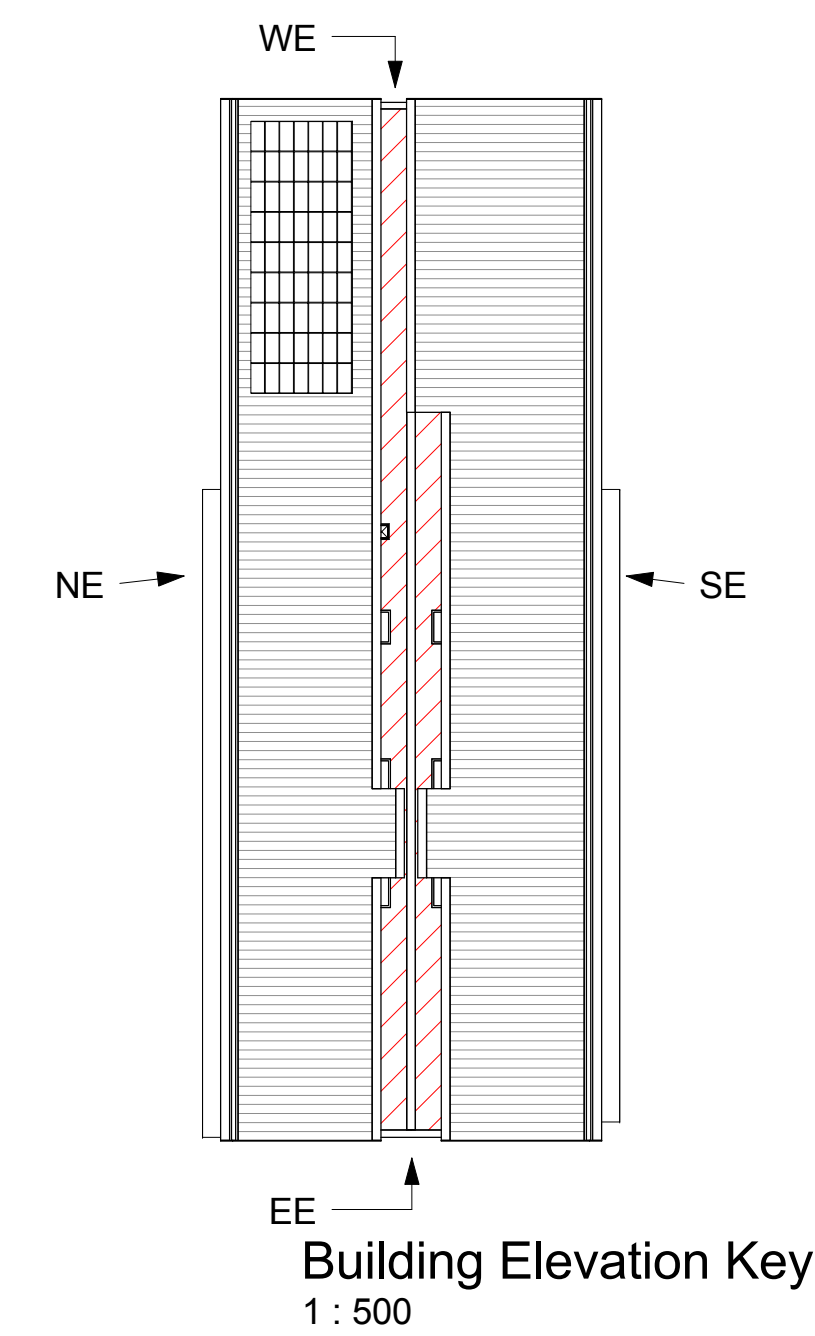
Proposed East Elevation (EE)
1 : 100



Proposed West Elevation (WE)
1 : 100

Materials

1. Rainscreen Cladding: Colour - Red / Grey
2. Brickwork: Engineering Brick below DPC / Buff brick finish above DPC (Colour TBC)
3. Render Finish: Colour - White
4. PPC Aluminium Window / Curtain Walling: Colour - Grey
5. Standing Seam Roof: Colour - Grey
6. Downpipes - PPC Aluminium (Exact location to be confirmed)
7. PPC Aluminium Doors
8. External play canopy
9. Opaque glass on South elevation



Note:
Window transom, mullion & louvre patterns are provisional only, subject to detail design development and should be made the subject of a planning condition.

Colours tbc. Final colours of all materials should be made the subject of a planning condition.

PL	PL01	09/11/16	Planning Application
PL	P2	20/09/16	DRAWING ISSUED FOR PLANNING PURPOSES

STATUS	REV	DATE	DESCRIPTION	REVISED BY
CLIENT				GDD
CARDIFF CITY COUNCIL				CHECKED BY
				AT
ORIGINATOR NO				150050

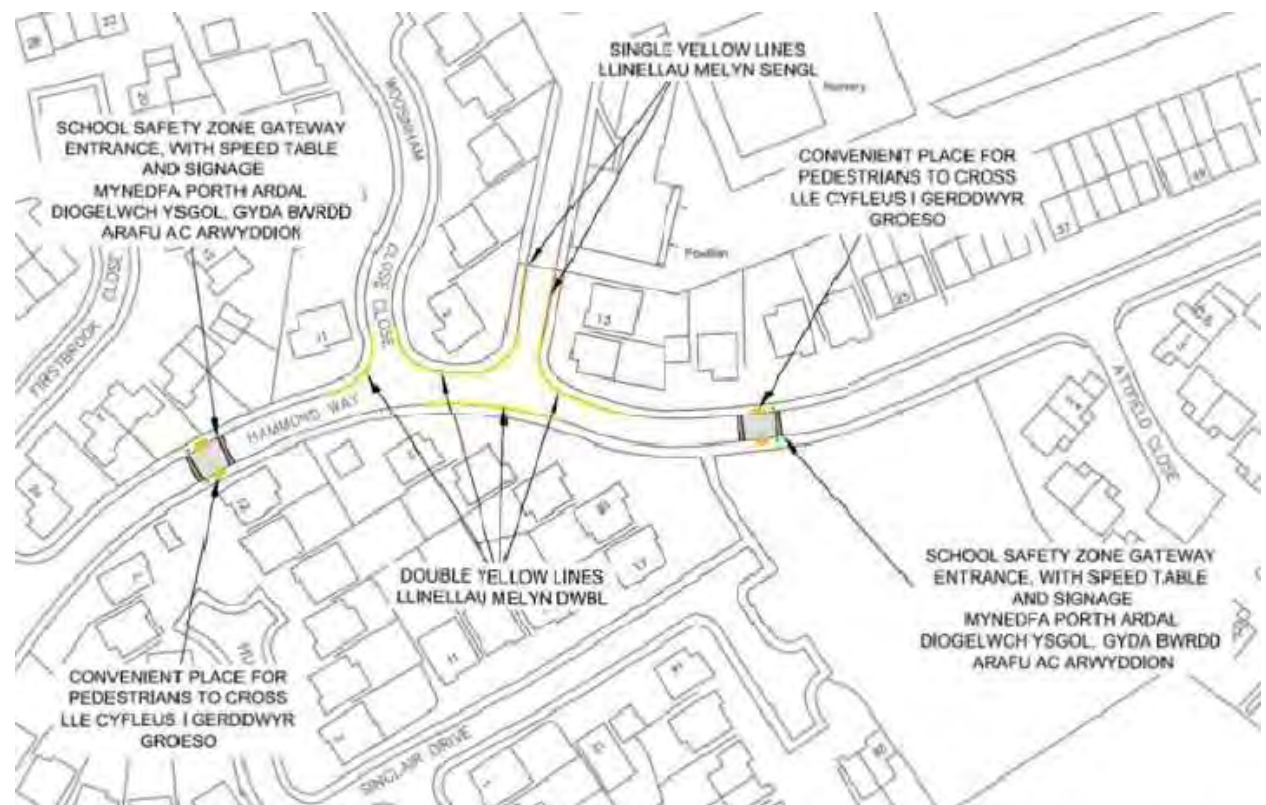
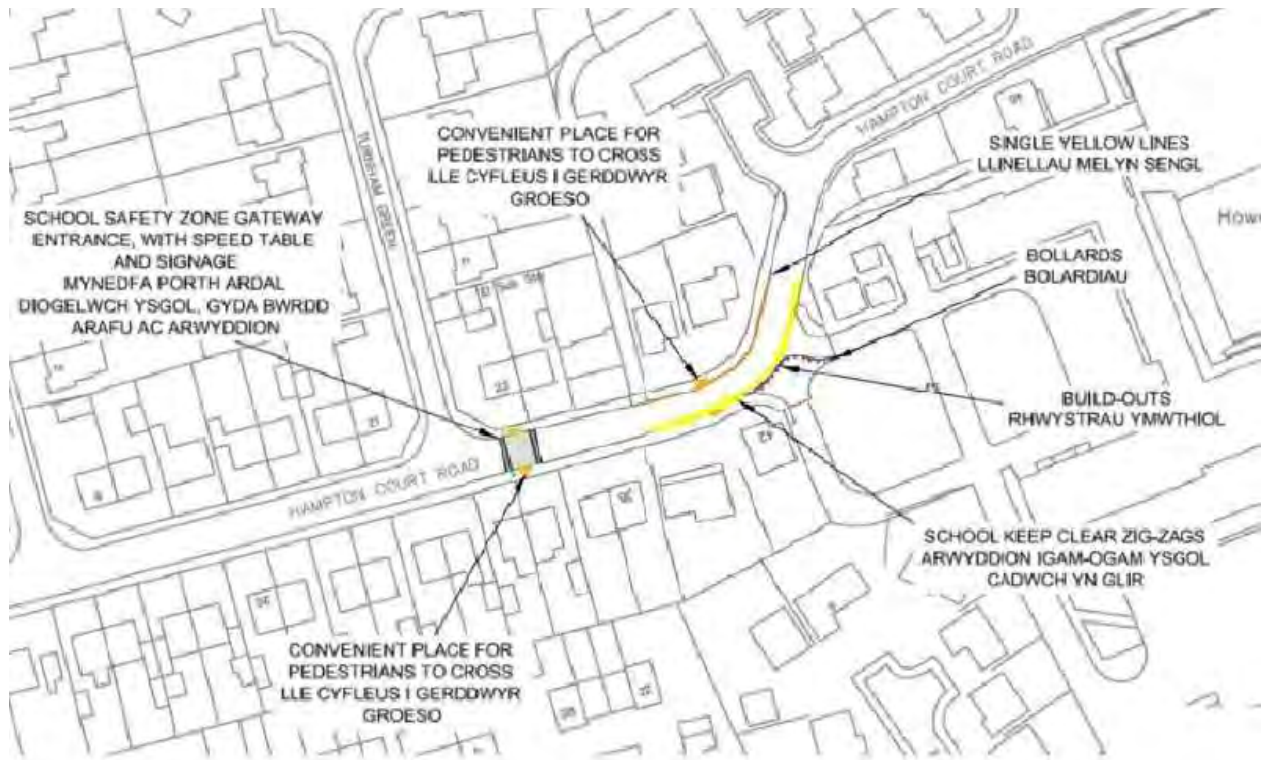
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PROJECT
CARDIFF PRIMARY SCHOOLS
HOWARDIAN PRIMARY SCHOOL

DRAWING TITLE
Proposed Elevations

SUITABILITY STATUS PL : PLANNING	SCALE As indicated @ A1
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PROJECT ORIGINATOR ZONE LEVEL TYPE ROLE CLASSIFICATION NUMBER HOW-STL-XX-ZZ-DR-A-XXXX-02001	REVISION PL01
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N.T.S.



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COMMITTEE DATE: 08/02/2017

APPLICATION No. **16/02726/MNR** APPLICATION DATE: 14/11/2016

ED: **RADYR**

APP: TYPE: Full Planning Permission

APPLICANT: Mr THEAKER

LOCATION: 20 WINDSOR ROAD, RADYR, CARDIFF, CF15 8BQ

PROPOSAL: NEW DWELLING IN THE GROUNDS OF 20 WINDSOR ROAD, TO BE NAMED 20A WINDSOR ROAD. INCLUDE FOR NEW SITE ENTRANCE FOR DWELLING

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

1. C01 Statutory Time Limit
2. The development shall be carried out in accordance with the following approved plans and documents:
 - Site Location Plan
 - 1604/S00 – Proposed site plan
 - 1604/S01A – Proposed ground floor
 - 1604/S02A – Proposed first floor
 - 1604/S03A – Proposed second floor
 - 1604/S04A – Proposed roof plan
 - 1604/S101A – Proposed elevation south east from Windsor Road
 - 1604/S102 – Proposed elevation south east
 - 1604/S103 – Proposed elevation north west
 - 1604/S104 – Proposed elevation south west
 - 1604/S105 – Proposed elevation north east
 - 1604/S200 – Proposed section A-a
 - 1604/S201 – Proposed section B-b

Reason: For the avoidance of doubt as to the extent of the permission.

3. Prior to the commencement of development a site assessment, including ground permeability testing as appropriate, shall be undertaken to ascertain whether sustainable drainage techniques such as soakaway drainage and permeable paving can be utilised for the disposal of surface water run-off and a drainage scheme for the disposal of both surface water and foul sewage shall be submitted to and approved in writing by the local planning authority, which shall include sustainable drainage techniques if, as a result of the site assessment, these have been found to be feasible. No part of the development shall be occupied until the drainage scheme is carried out and completed as

approved.

Reason: In the interests of the proper drainage of the site, in accordance with policy EN10 of the Cardiff Local Development Plan.

4. Prior to the construction of the development above foundation level, a sample panel of the proposed external finishing materials, details of the materials to be used for the balustrades and details of the garage door and lobby feature, shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the finished appearance of the development is in keeping with the area in accordance with policy KP5 of the Cardiff Local Development Plan.

5. Prior to the installation of a gate at the entrance to the site, details of its finished appearance, including materials of construction, shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the finished appearance of the development is in keeping with the area in accordance with policy KP5 of the Cardiff Local Development Plan.

6. No equipment, plant or materials shall be brought onto the site for the purpose of development until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include proposed finished levels, earthworks, hard surfacing materials, proposed and existing services above and below ground level, a scaled planting plan, plant schedule (structural elements only), tree pit section, topsoil and subsoil specification, planting methodology and aftercare methodology. The landscaping scheme shall be informed by a basic soil assessment undertaken by a Soil Scientist, Environmental Scientist, Arboriculturist, Horticulturist or Landscape Architect, based on the preparation of trial pits. Soil physical characteristics should be recorded, photographed and submitted as evidence of the suitability of the soil for its intended end use, and a strategy for soil handling, storage and placement prepared, that accords with the principles set out in BS 3882:2015, BS 8601:2013 and the DEFRA Code. The details shall be consistent with other plans submitted in support of the application and the landscaping shall be carried out in accordance with the approved design and implementation programme.

Reason : To enable the Local Planning Authority, to determine that the proposals will maintain and improve the amenity of the area, and to monitor compliance, in accordance with policy KP5 of the Cardiff Local Development Plan.

7. Any trees, plants, or hedgerows included in the approved landscaping scheme which, within a period of five years from the completion of the development, die, are removed, become seriously damaged or diseased

or become (in the opinion of the Local Planning Authority) otherwise defective, shall be replaced in the current planting season or the first two months of the next planting season, whichever is the sooner, unless the Local Planning Authority gives written consent to any variation.

Reason : To maintain and improve the amenity of the area, in accordance with policy KP5 of the Cardiff Local Development Plan.

8. Prior to the commencement of development a plan showing a visibility splay which shall facilitate uninterrupted vision of the carriageway from a distance of 2.4m back from the carriageway edge at the vehicular access to a distance of at least 45 metres to the west, shall be submitted to and approved in writing by the Local Planning Authority and no obstruction to vision exceeding one metre in height, or vegetation that shall in future exceed 1m in height, shall be placed, or allowed to remain, within the approved visibility splay thereafter.

Reason: To ensure that the use of the proposed access does not interfere with the safety and free flow of traffic passing along the highway abutting the site, in accordance with policies T5 and T6 of the Cardiff Local Development Plan.

9. Prior to the commencement of development, details of the means of site enclosure, including the boundary to the front of the site on Windsor Road, shall be submitted to and approved in writing by the Local Planning Authority. The means of site enclosure shall be constructed in accordance with the approved details prior to the development being put into beneficial use.

Reason: To ensure that the amenities of the area are protected, in accordance with policy KP5 of the Cardiff Local Development Plan.

RECOMMENDATION 2: Since 27th July 2015, the owners/developers of new residential units are required to purchase the bins 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 on 029 20717500.

RECOMMENDATION 3: This development falls within an area which has a geological predisposition to radon and will require basic radon protective measures, as recommended for the purposes of the Building Regulations.

RECOMMENDATION 4: The developer is advised to contact Dwr Cymru Welsh Water's Developer Services on 0800 917 2652 or via email at developer.services@dwrwymru.com if a connection is required to the public sewerage system. 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.dwrwymru.com. Some public sewers and lateral drains may not be

recorded on maps of public sewers because they were originally privately owned. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

1. DESCRIPTION OF PROPOSED DEVELOPMENT

- 1.1 The application seeks full planning permission for the erection of a detached, three storey, 4 bedroom house.
- 1.2 The house will be of a contemporary design with flat roofs, finished in through-coloured render at ground floor level with zinc cladding, with horizontal divisions matching the pattern of a slate roof, to the upper floors. The flat roofs will be covered with sedum, pebble and paving.
- 1.3 The building will have an L-shaped footprint. The tallest (three storey) section – rising to 8m above ground floor level - will be closest to Windsor Road and aligned with the building line of the neighbouring house to the east. The third storey will be around 9.2m wide and will be set in from the sides of the second storey element, which will be around 15m wide. The ground floor – also around 15m wide – will be set below the ground level of the house to the northwest, due to the gradient of the land, but will be around 1m above ground level of the house to the east. The ground floor will feature a 5.5m wide entrance lobby projecting 2m to the front of the house and will have an L-shaped footprint, extending around 11.5m back into the site from the main rear elevation. The first floor will overhang the ground floor front elevation by around 1 metre.
- 1.4 The ground floor will contain a single garage, shower room, storage/plant room, “snug”, living room, dining/kitchen and utility room and will have large glazed doors opening onto a garden.
- 1.5 The first floor will contain 3 bedrooms and a family bathroom, and there will be a door opening onto a balcony (part of the flat roof of the ground floor element) which will project around 4m from the rear elevation. The bedroom windows in the rear elevation will be angled towards the east.
- 1.6 The third floor will contain the master bedroom and ensuite bathroom, and there will be a 3.5m x 6m balcony to the western side (the flat roof of the second storey) accessed from the bedroom.
- 1.7 Vehicular access will be onto Windsor Road, at the south eastern corner of the site. The majority of the existing boundary fence and hedge adjacent to Windsor Road will be removed and replaced with a 1m high wall to facilitate visibility at the access.

2. DESCRIPTION OF SITE

- 2.1 The application site covers an area of approximately 465 square metres and comprises part of the garden of 20 Windsor Road - a large, detached, two storey house. The site has been cleared but retains its tall boundary hedges bordering Windsor Road.

- 2.2 There is a 90 degree bend in the road uphill of the site, to the west. The land slopes quite steeply down from west to east – the ground floor level of 20 Windsor Road is approximately at eaves height of no. 18.
- 2.3 The surrounding area is characterised by large, two storey detached and semi-detached houses, mostly dating from the early 20th century, with some more contemporary buildings on the upper part of Windsor Road.

3. **SITE HISTORY**

- 3.1 15/02857/MNR - Two storey rear extension.

4. **POLICY FRAMEWORK**

- 4.1 *Cardiff Local Development Plan 2006-2021:*

KP5 (Good Quality and Sustainable Design);
KP15 (Climate Change);
EN8 (Trees, Woodlands and Hedgerows);
EN10 (Water Sensitive Design);
T5 (Managing Transport Impacts);
T6 (Impact on Transport Networks and Services);
W2 (Provision for Waste Management Facilities in Development).

- 4.2 *Supplementary Planning Guidance:*

Following the adoption of the Cardiff Local Development Plan, many existing Supplementary Planning Guidance documents are no longer linked to adopted development plan policies. However, where existing SPG is considered consistent with the new LDP policy framework, it will continue to be material to the Development Management process. The following Supplementary Planning Guidance is considered relevant to the determination of this application as it is considered consistent with LDP policies KP5, EN8, T5 and W2 and can be used to help inform the assessment of relevant matters –

Waste Collection and Storage Facilities (October 2016);
Access, Circulation and Parking Standards (January 2010);
Cardiff Residential Design Guide (March 2008);
Trees and Development (March 2007);
Infill Sites (April 2011).

- 4.3 *Planning Policy Wales (November 2016):*

4.4.3: In contributing to the Well-being of Future Generations Act goals, planning policies, decisions and proposals should (inter alia):

- 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

- Play an appropriate role to facilitate sustainable building standards (including zero carbon) that seek to minimise the sustainability and environmental impacts of buildings
- Locate developments so as to minimise the demand for travel, especially by private car
- Ensure that all local communities – both urban and rural – have sufficient good quality housing for their needs, including affordable housing for local needs and for special needs where appropriate, in safe neighbourhoods.

4.7.4: Local planning authorities should assess the extent to which developments are consistent with minimising the need to travel and increasing accessibility by modes other than the private car. Higher density development, including residential development, should be encouraged near public transport nodes or near corridors well served by public transport (or with the potential to be so served).

4.11.8 Good design is essential to ensure that areas, particularly those where higher density development takes place, offer high environmental quality, including open and green spaces. Landscape considerations are an integral part of the design process and can make a positive contribution to environmental protection and improvement, for example to biodiversity, climate protection, air quality and the protection of water resources.

4.11.9 The visual appearance of proposed development, its scale and its relationship to its surroundings and context are material planning considerations. Local planning authorities should reject poor building and contextual designs. However, they should not attempt to impose a particular architectural taste or style arbitrarily and should avoid inhibiting opportunities for innovative design solutions.

4.11.11: Local planning authorities and developers should consider the issue of accessibility for all.

4.11.12: Local Authorities are under a legal obligation to consider the need to prevent and reduce crime and disorder in all decisions that they take.

4.12.2: Development proposals should mitigate the causes of climate change by minimising carbon and other greenhouse gas emissions associated with their design, construction, use and eventual demolition.

4.12.3: Development proposals should also include features that provide effective adaptation to and resilience against the current and predicted future effects of climate change, for example by incorporating green space to provide shading, sustainable drainage systems to reduce run-off, and are designed to prevent over-heating and to avoid the need for artificial cooling of buildings.

8.1.5 Land use planning can help to achieve the Welsh Government's objectives for transport through (inter alia): reducing the need to travel, especially by private car, by locating development where there is good access by public transport, walking and cycling.

8.4.2: Local Authorities should ensure that new developments provide lower levels of parking than have generally been achieved in the past. Minimum parking standards are no longer appropriate.

9.1.1 The Welsh Government will seek to ensure that: previously developed land is used in preference to greenfield sites; new housing and residential environments are well designed, meeting national standards for the sustainability of new homes and making a significant contribution to promoting

community regeneration and improving the quality of life; and that the overall result of new housing development in villages, towns or edge of settlement is a mix of affordable and market housing that retains and, where practical, enhances important landscape and wildlife features in the development.

9.1.2 Local planning authorities should promote sustainable residential environments, avoid large housing areas of monotonous character and make appropriate provision for affordable housing. Local planning authorities should promote (inter alia): development that is easily accessible by public transport, cycling and walking; attractive landscapes around dwellings, with usable open space and regard for biodiversity, nature conservation and flood risk; greater emphasis on quality, good design and the creation of places to live that are safe and attractive; the most efficient use of land; well-designed living environments, where appropriate at increased densities; construction of housing with low environmental impact, reducing the carbon emissions generated by maximising energy efficiency and minimising the use of energy from fossil fuel sources, using local renewable and low carbon energy sources where appropriate; and 'barrier free' housing developments, for example built to Lifetime Homes standards.

9.3.3 Insensitive infilling, or the cumulative effects of development or redevelopment, including conversion and adaptation, should not be allowed to damage an area's character or amenity. This includes any such impact on neighbouring dwellings, such as serious loss of privacy or overshadowing.

12.7.3: Adequate facilities and space for the collection, composting and recycling of waste materials should be incorporated into the design of any development.

13.4.2 In determining applications for development, local planning authorities should work closely with Natural Resources Wales, drainage bodies, sewerage undertakers, prospective developers and other relevant authorities to ensure that surface water run-off is to be controlled as near to the source as possible by the use of sustainable urban drainage systems.

4.4 *Technical Advice Note 12 - Design (March 2016):*

4.9 Opportunities for innovative design will depend on the existing context of development and the degree to which the historic, architectural, social or environmental characteristics of an area may demand or inhibit a particular design solution. A contextual approach should not necessarily prohibit contemporary design.

5.4.10 To effectively adapt to the effects of climate change attention should be given to the ways in which the design can both minimise and manage the impacts arising from climate change.

5.11.3 The design of housing layouts and built form should reflect local context and distinctiveness, including topography and building fabric. Response to context should not be confined to architectural finishes. The important contribution that can be made to local character by contemporary design, appropriate to context, should be acknowledged. To help integrate old and new development and reinforce hierarchy between spaces, consideration should be given to retaining existing landmarks, established routes, mature trees and hedgerows within housing areas as well as introducing new planting appropriate to the area. All residential proposals should seek to minimise energy demand.

6.16 The appearance and function of proposed development, its scale and its relationship to its surroundings are material considerations in determining planning applications and appeals. Developments that do not address the objectives of good design should not be accepted.

4.5 *Technical Advice Note 18 - Transport (March 2007).*

5. **INTERNAL CONSULTEE RESPONSES**

5.1 *Transportation:*

There are concerns regarding the visibility exiting the proposed driveway, which is on a sharp bend and could be dangerous. There would be no objections if the current boundary treatment were removed and a wall erected at a maximum of 1m in height within a 45m vision splay, with no vegetation/ future growth over 1m in height.

5.2 *Drainage:*

No objection subject to a condition requiring a site assessment including ground permeability testing as appropriate to be undertaken to ascertain whether sustainable drainage techniques can be utilised, and approval of a drainage scheme for the disposal of both surface water and foul sewage.

5.3 *Waste Strategy & Minimisation Officer:*

This property will require the following for recycling and waste collections: 1 x 140 litre bin for general waste; 1 x 240 litre bin for garden waste; 1 x 25 litre kerbside caddy for food waste; green bags for mixed recycling (equivalent to 140 litres), the storage of which must be sensitively integrated into the design. Storage within the garden is acceptable.

6. **EXTERNAL CONSULTEES RESPONSES**

6.1 *Welsh Water:*

No surface water and/or land drainage shall be allowed to connect to the public sewerage system. The applicant may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer.

6.2 *Radyr and Morganstown Community Council:*

Object to the application on the following grounds:

(i) Road safety: the location of the new access for the dwelling is on the apex of the bend. At school time this is one of the routes most used by parents to take their children to and from Radyr Primary School. Already cars travel far in excess of the speed limit as they come around the bend in Windsor Road and the corner is particularly dangerous. Any new exit from a private dwelling on the corner of the bend will add to the dangers

(ii) Parking: the house will generate more roadside parking adding to the traffic dangers on Windsor Road.

(iii) Aesthetic grounds: the designs for this house indicate that it will be higher than its neighbours, dominating what is one of the nicest roads in Radyr.

7. **REPRESENTATIONS**

7.1 The application has been advertised by neighbour notification. 12 individual letters and a petition of 54 signatures have been received opposing the application on the following grounds:

(1) Design:

The proposed house is larger in scale than the existing house at Number 20, and Number 18 Windsor Road (which is incorrectly depicted as larger than it is in the drawings). The layout is inconsistent with the layout of neighbouring houses, with a much deeper projection into the rear garden. The form and massing are also inconsistent with the context, with a third storey that is very prominent. The proposed building sits above Number 18 as a result of being located at a higher point on the hillside. The new dwelling would visually dominate Number 18 and the surrounding skyline. It would also be inappropriate in this location, given the character of the neighbouring houses. Windsor Road is one of the original streets of Radyr and the pitched roofs of red tile or slate and white/cream pebbled dash walls, often with leaded windows, gives it a traditional character. A "modern box" of a house will diminish these qualities. Such a design also creates tension and unpleasantness in the community.

(2) Loss of green space:

This garden area provided a green corner of the street scene that was well stocked with trees and other vegetation and this will be lost in the proposed development.

(3) Impact on drainage:

Given the contours of the land, water courses and drainage may have an adverse effect on the property to the east once a permeable surface is changed into an impermeable surface. The adjacent garden is already prone to flood in wet weather.

(4) Impact on amenity of neighbours:

The height of the proposed dwelling, the size, number and orientation of the windows on the rear elevation, and the roof terrace on the rear section, will result in overlooking and overshadowing of neighbouring gardens, especially Number 18. There will also be a further loss of amenity through the noise reflecting from the hard surfaces of the proposed design when the terrace is in use.

(5) Highway safety:

The proposed site entrance for the new house would constitute a danger to traffic on Windsor Road. There is also the increased danger to pedestrians, who have to walk on this side of Windsor Road (there is no pavement on the opposite side), many of whom are schoolchildren on their way to or from school. Windsor Road is very busy and the new drive would be situated at a blind spot close to the apex of a 90 degree bend with a significant downhill gradient. Cars often travel along this road at speeds in excess of 30mph. The layout of the proposed development would make it impossible for vehicles to be turned

around within the site, therefore any vehicle leaving the site would have to be reversed in or out. This would make the resulting situation even more dangerous. There has been a recent incident on this bend – a private car collided with one of the builders' vans which are routinely parked by the owner of 20 Windsor Road directly outside his property on the downhill entrance to the bend. Policy C7 makes clear that the Council's priority in new developments is to, amongst other things, "enhance road safety". The proposed development does not comply with the Manual for Streets in that the sightline requirements for the circumstances at the proposed development are not met. Such deficiencies should be grounds enough to refuse the planning application. Due to the solid boundary provisions at both the existing premises and the proposed development it is difficult to see how the sightline can be improved. Also, there seems to be potential for the vehicles entering the property to remain on the highway whilst the gate was opened. If the gates needed to be operated manually there is potential for the vehicle to be stationary across at least part of the carriageway during the opening procedure.

(6) Parking:

The plans appear to show parking for 4 vehicles in the existing driveway of Number 20. If it is intended that occupiers of the proposed development would park their vehicles there, why is a new driveway shown? Such an arrangement would also be highly inconvenient for all concerned, would be unenforceable, and could result in loss of parking for Number 20 (the present owner of Number 20 already routinely parks vehicles, including builders' vans, on the roadway on the entrance to the bend during the day and overnight). There are inadequate parking facilities along that section of Windsor Road. On street parking close to the entrance of the new development would restrict the sight lines from the proposed access point, further compromising road safety.

7.2 Councillor Rod McKerlich objects to the application as follows:

(i) Since the applicant purchased 20 Windsor Road, I have been even more aware than I was previously of the dangerous bend at the top of the slope. I have always known that there is no pavement on the south-west side of the bend where a footpath emerges from Parc Radur onto Windsor Road. This footpath is used by a large number of pedestrians and cyclists and pupils making their way on foot to and from Radyr Primary and Radyr Comp. I have asked (without success) Highways to install a pavement and I have asked for this to be done as a S106 agreement on other planning applications. Most recently I asked this to be included as a S106 contribution to the large Acolaid development but Redrow refused on the grounds that it was too remote from their site. Since the applicant moved in and started work there have been a large number of substantial vans (relating to his business) parked outside 20 Windsor Road and this continues even after completion of work on number 20. As a result I am being regularly asked for double yellow lines to be put on the north east side of that bend. The proposed access from the proposed new house will come onto that bend at its apex; this is incredibly dangerous and I ask that Highways monitor that bend at morning and evening rush hours before giving support to this notion. I am not certain that it is possible to build a safe access from the proposed site but I am certain that the suggested access is

dangerous to an unacceptable degree,

(ii) This is an infill development which is in breach of the relevant supplementary planning guidance in that the new house is not subservient to the original house on the site, It is far larger than the original house.

(iii) The proposed new house would infringe the privacy of occupants of 18 Windsor Road, several residents in The Green and many occupants of other homes to its north on Windsor Road. This touches many private gardens but also rooms in various houses I am advised that local residents will be submitting a petition giving numerical weight to this and other individual objections. The Radyr and Morganstown Community Council will also be opposing this. I ask that this should be taken to Planning Committee rather than being considered under delegated powers and, in view of the terrain and location of neighbouring homes, I suggest that a site visit would be an appropriate precursor.

8. **ANALYSIS**

- 8.1 The main issues to be considered in the determination of this application are design, residential amenity and highway safety. With regard to the design of the proposed development, this is considered acceptable for the site: there is evident variety in the dwellings along this part of Windsor Road and the provision of a contemporary property on the application site would be considered acceptable in principle. Whilst the street is widely characterised by predominantly pitched roofs, it is acknowledged that in terms of the Infill Sites Supplementary Planning Guidance, a flat-roofed design solution cannot be ruled out if it is well designed in other respects.
- 8.2 The proposed dwelling is considered to respect the scale and massing of the adjacent properties. The overall height of the building, at 8.7m, respects the height of numbers 18 and 20 Windsor Road and takes into account the level change between these two buildings, and features such as the narrow vertical windows to the first floor and stepping in of the second floor at the sides provide interest and detail, help to reduce the massing and improve the visual relationship with the neighbouring properties. The overall width of the proposed second floor respects that of the nearest neighbouring house, Number 18.
- 8.3 Both the existing and proposed properties will maintain a reasonable amount of private outdoor amenity space, in line with the requirements of the Infill sites Supplementary Planning Guidance, which will provide sufficient space for the dwelling to sit at an appropriate position within the plot and not disrupt the character of the area. Existing boundary treatment, including mature hedging, to the rear and side of the plot is to be retained. The hedge and fence to the site frontage will have to be removed to provide adequate visibility at the access but these can be replaced with a low brick wall, perhaps with a strip of low level planting behind, which will be similar to other plots in the area. A detailed landscaping scheme and boundary treatment details can be required via a planning condition.

- 8.4 The external finishing materials of the building - zinc cladding and a treated weather-proof through-render - are appropriate to the design of the building and its surroundings. The top storey of the proposal would be dark grey metal cladding with horizontal banding that matches the surrounding hipped roofs. Samples of the materials, including details of the garage door and entrance lobby - will be required to be submitted for approval before the house is constructed, to ensure that they will harmonise with surrounding development.
- 8.5 Regarding the impact on the amenities of neighbouring residents, there will be no windows overlooking adjoining properties at close quarters and the roof terraces will have 1.8m high opaque glass screens to prevent loss of privacy. The section of the building that projects beyond the existing rear building line of No.18 will be set at a low level and will not cause overshadowing of that property or appear overbearing when seen from the adjoining garden. The development has been designed to have no negative impact on the existing property at No.20 Windsor Road. Houses on The Green to the rear of the site will not be adversely affected as they are more than 45m from the proposed dwelling.
- 8.6 With regard to the objections received:
- 1) The first floor level of the proposed house is wider than the adjacent houses but it is narrower at second floor level. It is around the same width as the house on the opposite side of the road. There is a wide variety of building sizes and forms in the area and the scale, form and massing of the proposed house would not be out of keeping with its surroundings. There is no requirement for the house to have the same layout as its neighbours and provided the rear projection does not result in an unacceptably small amount of outdoor amenity space or unacceptable loss of amenity to neighbouring residents its length does not constitute grounds for refusal of the application. The third storey will be set in from the edges of the lower storey and will not be dominant – its height takes into consideration the gradient of the sloping ground and is consistent with the height of the buildings on each side. It will be higher than No. 18 but only because No. 18 is lower down the hill. Windsor Road is not a Conservation Area and the houses do not all have a consistent character: there are several modern buildings amongst the more traditional types. A person's reaction to the design of a buildings is subjective: whilst some may prefer designs dating from the early 20th century there are others who consider contemporary architecture more pleasing.
 - 2) There are no trees in this location that are protected by a Tree Preservation Order and no hedgerows that qualify for preservation under the Hedgerow Regulations. The space is a private garden screened by a tall fence with a privet hedge behind. The owner could remove vegetation from the site at any time without the need to obtain permission.
 - 3) A comprehensive drainage scheme will have to be approved before development commences, to ensure that there will be no adverse impact on surface water drainage.
 - 4) No windows will face directly towards adjacent gardens at a distance of less than 10.5m, which is the normally accepted minimum length of a garden in a new development. There will be no habitable room windows facing towards those of adjacent houses. The roof terrace on the rear section will extend only

4m from the rear of the house and will have a 1.8m high opaque glass privacy screen along the side that faces No.18 Windsor Road. The 11m long rear extension will not result in unacceptable overshadowing of the adjoining garden (No.18) as it will be single storey (around 3m tall, with a flat roof) and set away from the boundary with No.18 by around 4m to 5m. The development will cause no more overshadowing than existing/recently removed trees and hedges. The possibility that noise from the use of the terrace could cause nuisance to neighbours is not a valid reason to refuse the application: the use of the site is not changing – it is already a domestic garden that could be used for “noisy” activities, and noise from residential properties is controlled under Environmental Health legislation.

5) The development will include the provision of visibility splays, involving a reduction in the height of the boundary fence/wall on the corner of Windsor Road. This is acceptable to Highways officers and will result in an improvement in highway safety. If cars are travelling along this section of road at speeds in excess of 30mph they are breaking the law: this is not the responsibility of the applicant. There is enough space within the site to enable vehicles to turn so that they will not have to reverse into/out of the drive. Also, it should be noted that the provision of a vehicular access at this location would be Permitted Development, not requiring planning permission.

6) It is not intended that vehicles associated with the new development would be parked at No.20. Also, there are adequate parking facilities on Windsor Road – every house has its own off-street parking and on-street parking is relatively infrequent. The new development proposes a single garage plus enough external space for at least two more cars, and the existing dwelling (No.20) will not lose any off-street parking facility as a result of the development. This accords with the provisions of the Supplementary Planning Guidance “Access, Circulation and Parking Standards”.

- 8.7 The objections of the Radyr and Morganstown Community Council relate to road safety, parking and design and are addressed above.
- 8.8 The objections raised by Councillor Rod McKerlich relate to road safety, the scale of the building and the impact on the privacy of neighbouring residents, and are addressed above.
- 8.9 In conclusion, there would be no reasonable grounds for refusal of this application and it is recommended that planning permission be granted subject to the conditions set out above.

9. **OTHER CONSIDERATIONS**

9.1 *Crime and Disorder Act 1998*

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.

9.2 *Equality Act 2010*

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, over and above any other person.

20 Windsor Road, Cardiff, CF15 8BQ

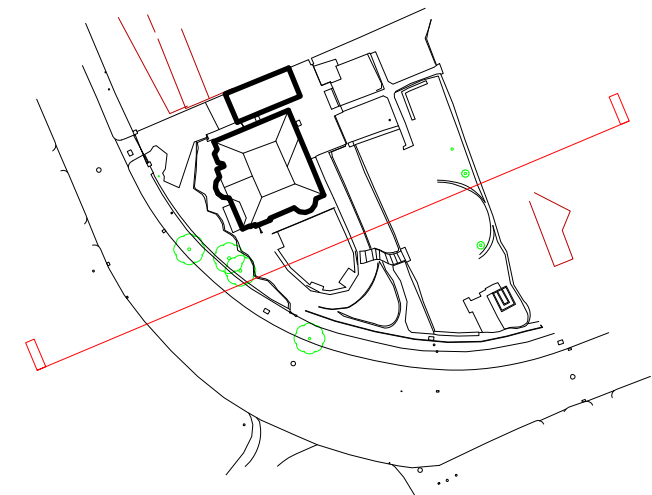
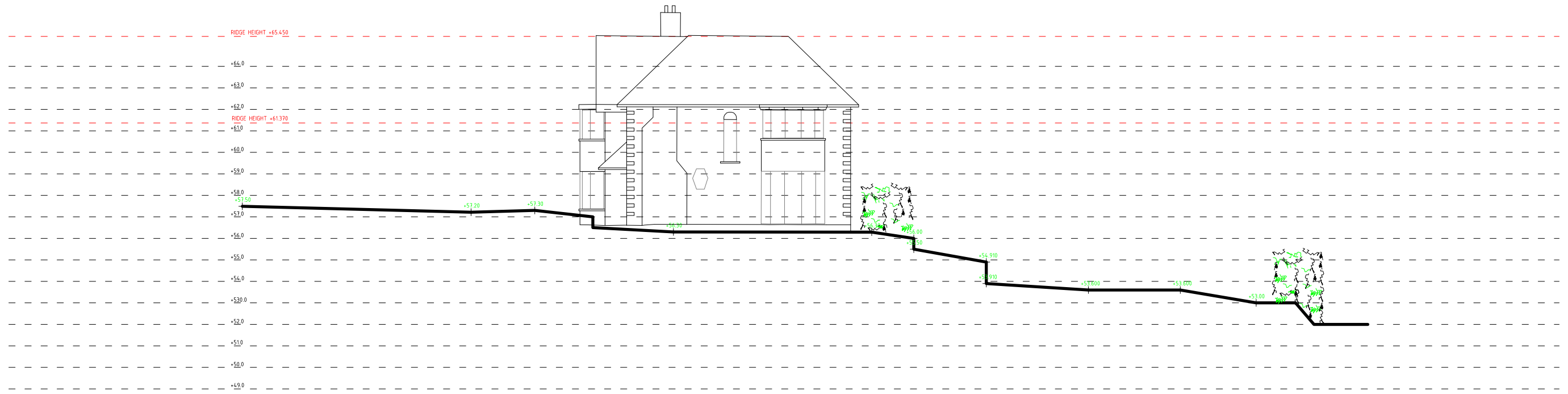


Site Plan shows area bounded by: 312963.98, 180234.72 313105.4, 180376.14 (at a scale of 1:1250) The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

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PROJECT
20A WINDSOR ROAD, RADYR

DRAWING
EXISTING:
SECTION A-a

SCALE
1:200 @ A3
DATE
MAY 16

DRAWING NO.
DRAWN
DB
1604 / E02

DRAWING STATUS
PRELIMINARY INFORMATION APPROVAL PLANNING
TENDER B. REG. CONTRACT COMPLETED

BENHAM ARCHITECTS
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REVISIONS:
 A: RESOLVE HEIGHT OF BOUNDARY CONDITION TO ENSURE REQUIRED VISION SPLAYS ARE ACHIEVED



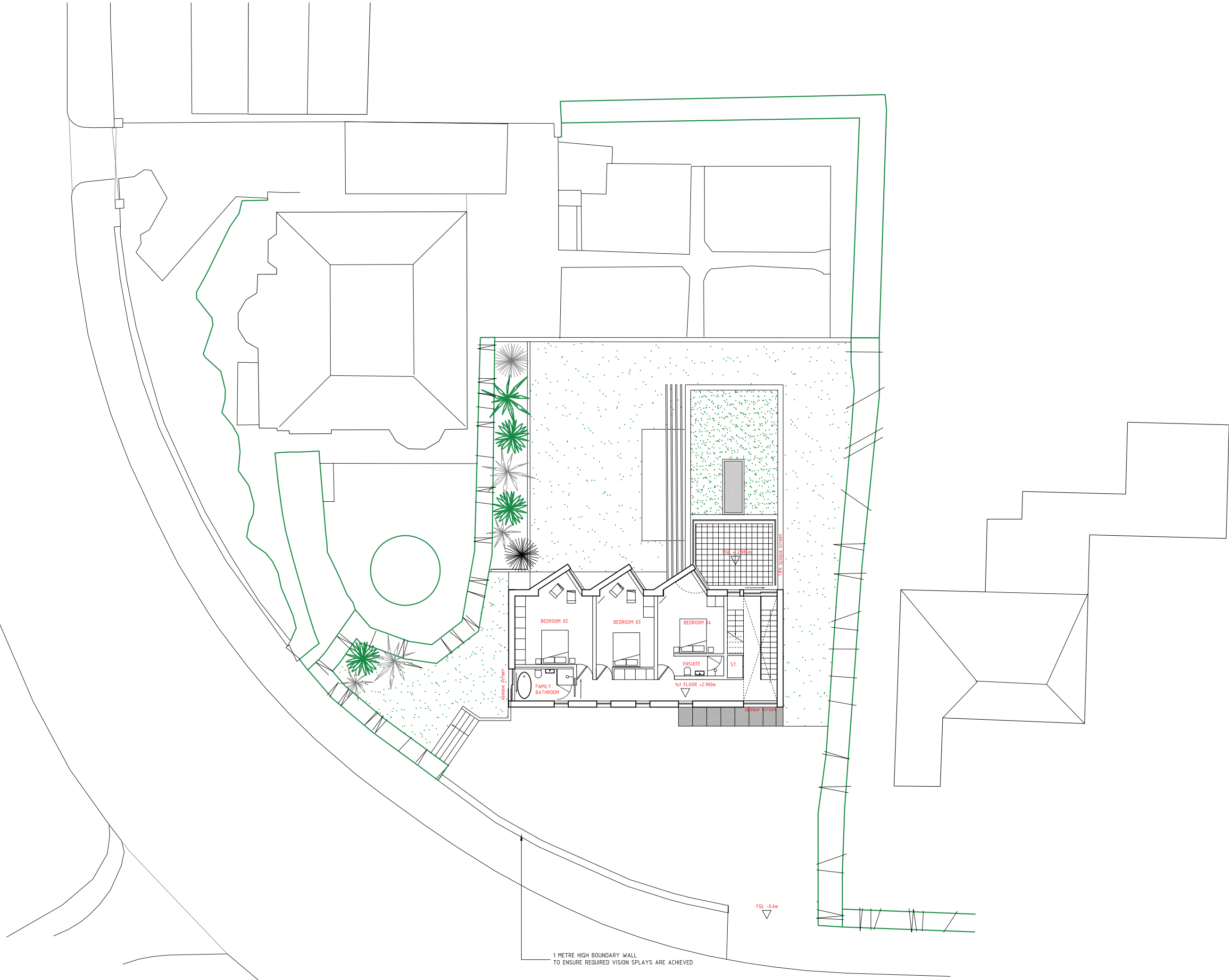
PROJECT
 20A WINDSOR ROAD, RADYR

DRAWING
 PROPOSED:
 GROUND FLOOR

SCALE 1:200
 DATE NOV 16
 DRAWN VJ/DB
 CHECKED 1604 / S01A

DRAWING STATUS
 PRELIMINARY INFORMATION APPROVAL PLANNING
 TENDER B. REG. CONTRACT COMPLETED

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1 METRE HIGH BOUNDARY WALL
TO ENSURE REQUIRED VISION SPLAYS ARE ACHIEVED

REVISIONS:
A: RECHECK HEIGHT OF BOUNDARY CONDITION TO ENSURE REQUIRED VISION SPLAYS ARE ACHIEVED

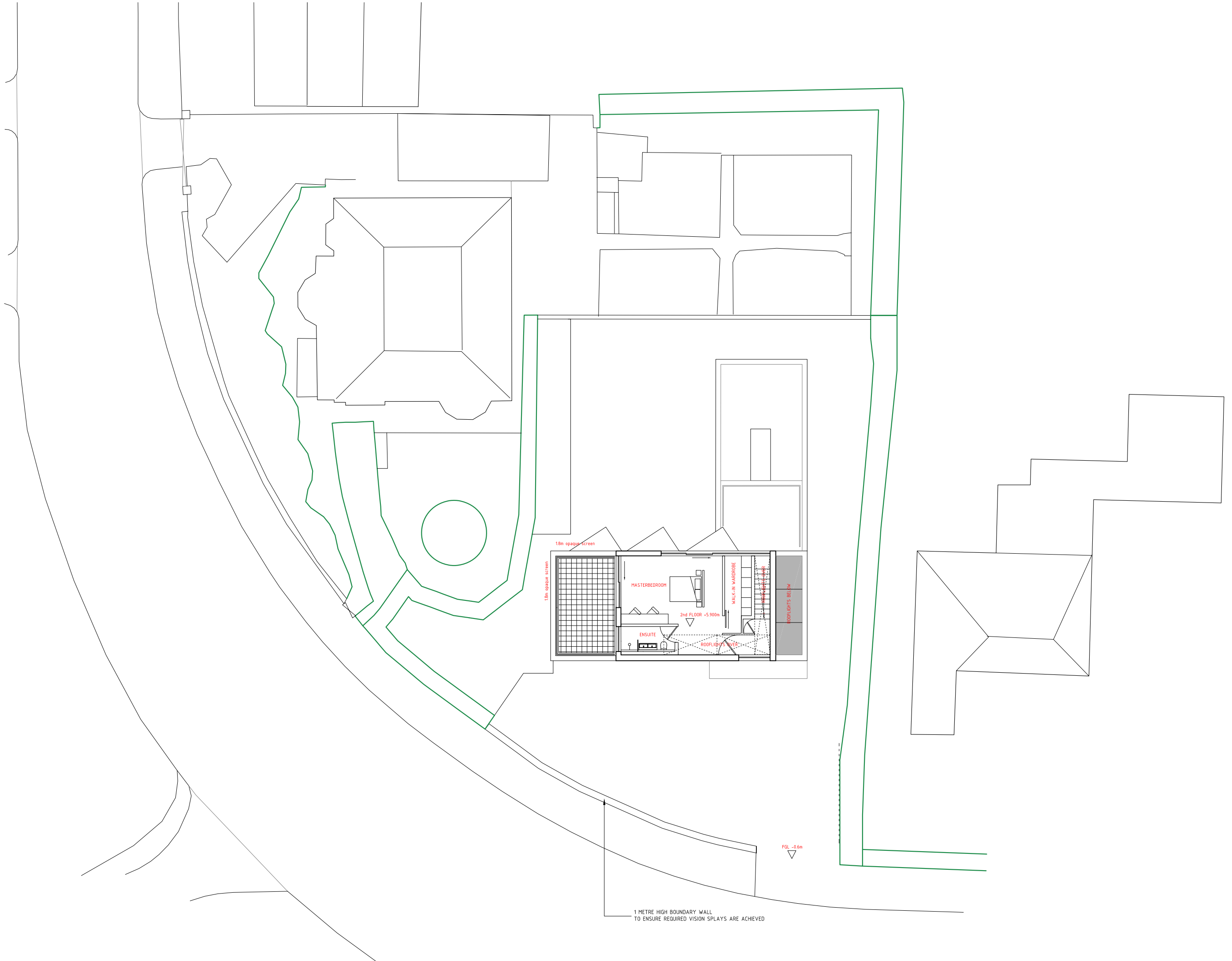
PROJECT
20A WINDSOR ROAD, RADYR

DRAWING
PROPOSED:
FIRST FLOOR

SCALE 1:200 DRAWING NO. 1604 / S02A
DATE NOV 16 2016 DRAWN BY VT/DB

DRAWING STATUS
PRELIMINARY INFORMATION APPROVAL PLANNING
TENDER IN REG. CONTRACT COMPLETED

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18m opaque screen
18m opaque screen

MASTERBEDROOM
ENSUITE
WALK-IN WARDROBE
2nd FLOOR +5.900m
ROOFLIGHTS BELW
ROOFLIGHTS BELW

1 METRE HIGH BOUNDARY WALL
TO ENSURE REQUIRED VISION SPLAYS ARE ACHIEVED

FGL -0.6m

REVISIONS:
A. REDUCE HEIGHT OF BOUNDARY CONDITION TO ENSURE REQUIRED VISION SPLAYS ARE ACHIEVED

PROJECT
20A WINDSOR ROAD, RADYR

DRAWING
PROPOSED:
SECOND FLOOR

SCALE 1:200
DATE NOV 16 2016
DRAWN VJ/DB
DRAWING NO. 1604 / S03A

DRAWING STATUS
PRELIMINARY INFORMATION APPROVAL PLANNING
TENDER B.BIDD. CONTRACT COMPLETED

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RODGE HEIGHT +65.450

RODGE HEIGHT +61.370

2nd FLOOR +6.00m

1st FLOOR +3.00m

GROUND LEVEL +53.00

1 METRE HIGH BOUNDARY WALL
TO ENSURE REQUIRED VISION SPLAYS ARE ACHIEVED

REVISIONS
A: REDUCE HEIGHT OF BOUNDARY CONSTRUCTION TO ENSURE REQUIRED VISION SPLAYS ARE ACHIEVED

PROJECT
20A WINDSOR ROAD, RADYR

DRAWING
PROPOSED: ELEVATION
SOUTH-EAST FROM WINDSOR ROAD

SCALE
1:200 @ A3
DATE
NOV 16
DRAWN
VT/DB
DRAWING NO.
1604 / S101A

DRAWING STATUS
PRELIMINARY INFORMATION APPROVAL PLANNING
TENDER B. REG. CONTRACT COMPLETION

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RIDGE HEIGHT -65.450

RIDGE HEIGHT -61.370

+57.30

+59.30

+57.00

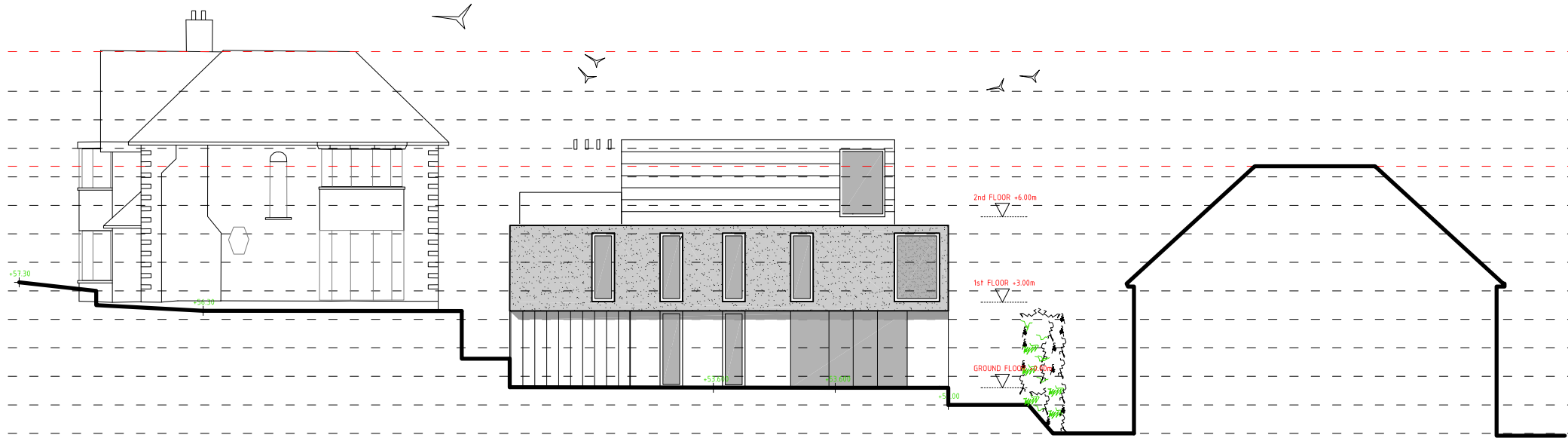
+5.00

-3.00

2nd FLOOR +6.00m

1st FLOOR +3.00m

GROUND FLOOR +0.00



PROJECT
20A WINDSOR ROAD, RADYR

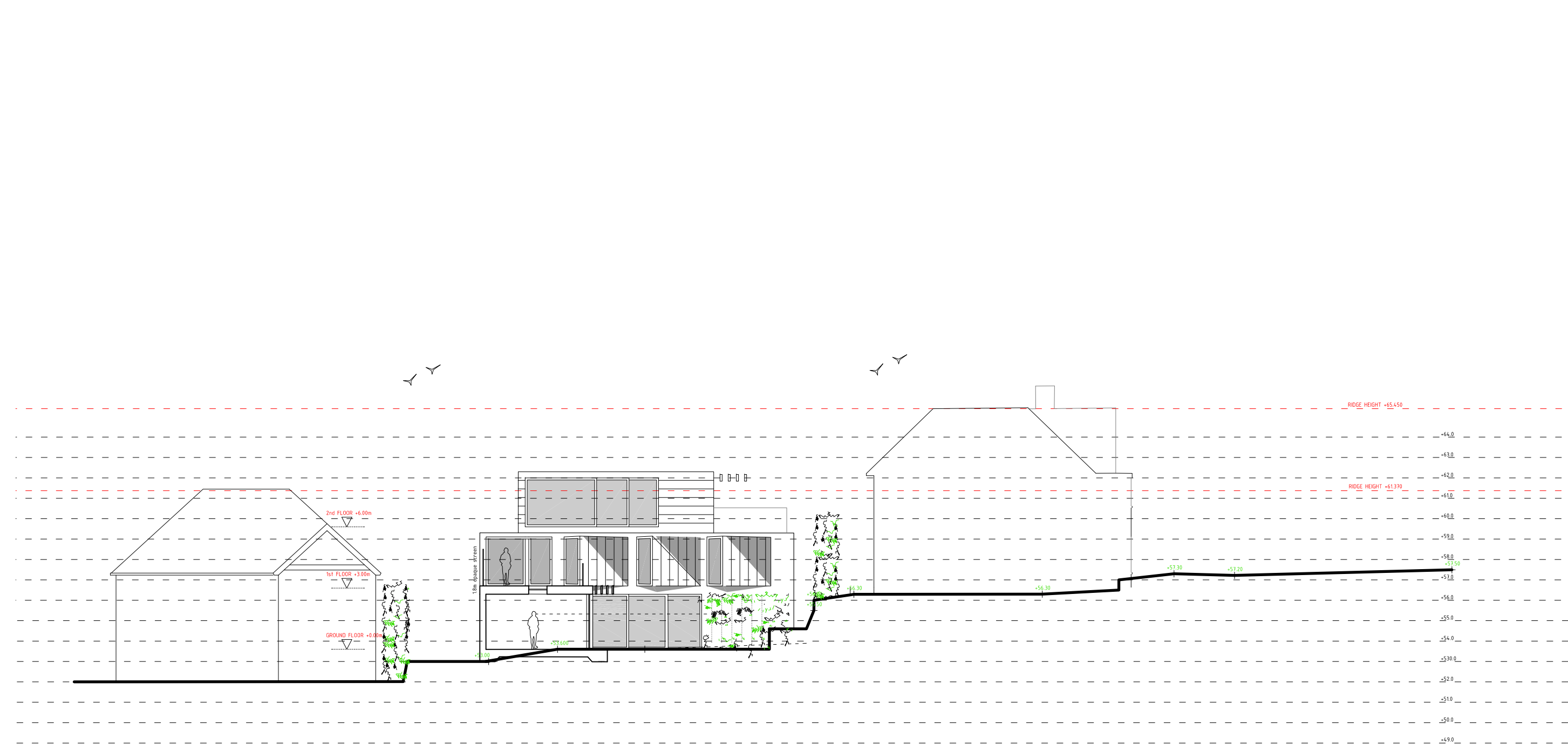
DRAWING
PROPOSED: ELEVATION
SOUTH-EAST

SCALE
1:200 @ A3
DATE
NOV 16
DRAWN
VT/DB
DRAWING NO.
1604 / S102

PRELIMINARY	INFORMATION	APPROVAL	PLANNING
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
TENDER	REGS	CONTRACT	CONSTRUCTION
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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PROJECT
20A WINDSOR ROAD, RADYR

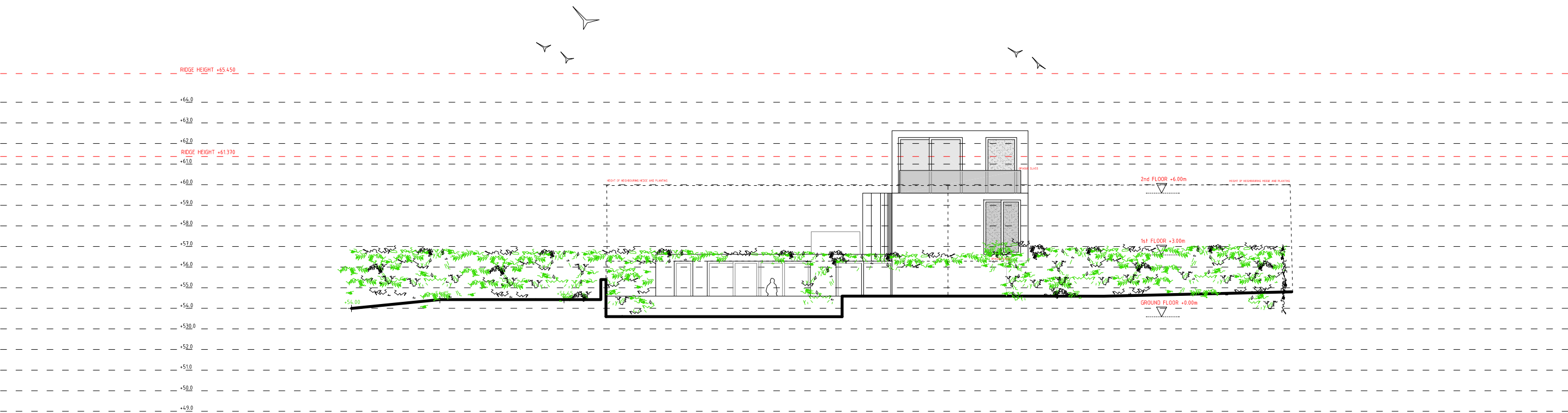
DRAWING
PROPOSED: ELEVATION
NORTH-WEST

SCALE
1:200 @ A3
DATE
NOV 16
DRAWN
VT/DB
DRAWING NO.
1604 / S103

DRAWING STATUS
 PRELIMINARY
 INFORMATION
 APPROVAL
 PLANNING
 TENDER
 REG.
 CONTRACT
 LONG-TERM USE

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PROJECT
20A WINDSOR ROAD, RADYR

DRAWING
PROPOSED: ELEVATION
SOUTH-WEST

SCALE
1:200 @ A3
DATE
NOV 16
DRAWN
VT/DB
DRAWING NO.
1604 / S104

DRAWING STATUS
PRELIMINARY INFORMATION APPROVAL PLANNING
TENDER B-BIDD CONTRACT COMPLETION

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--- RIDGE HEIGHT +65.450

+66.0

+63.0

+62.0

--- RIDGE HEIGHT +61.370

+61.0

+60.0

+59.0

+58.0

+57.0

+56.0

+55.0

+54.0

+53.0

+52.0

+51.0

+50.0

+49.0



2nd FLOOR +6.00m

1st FLOOR +3.00m

GROUND FLOOR +0.00m

PROJECT
20A WINDSOR ROAD, RADYR

DRAWING
PROPOSED: ELEVATION
NORTH-EAST

SCALE
1:200 @ A3
DATE
NOV 16 2015
DRAWN
VT/DB
DRAWING NO.
1604 / S105

DRAWING STATUS
PRELIMINARY INFORMATION APPROVAL PLANNING
TENDER B.BIDD CONTRACT COMPLETION

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COMMITTEE DATE: 08/02/2017

APPLICATION No. **16/02758/MJR** APPLICATION DATE: 16/11/2016

ED: **CATHAYS**

APP: TYPE: Full Planning Permission

APPLICANT: PARK PLACE ESTATES LLP

LOCATION: LAND TO THE REAR OF 35-37 CHARLES STREET, CITY CENTRE, CARDIFF, CF10 2GB

PROPOSAL: ERECTION OF A FIVE STOREY BUILDING PROVIDING 8 NO. 1 BED APARTMENTS; 7 NO. CAR PARKING SPACES; 28 NO. CYCLE STANDS AND WASTE FACILITIES

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 section 9 of this report, that planning permission be **GRANTED** subject to the following conditions:

1. C01 Statutory Time Limit
2. Permission is granted for the development detailed on drawing references:
 - APE01 Proposed Elevations
 - APP02 Proposed Floor Plans and Site Plan
 - APP02 Proposed Site Sections
 - APP02 Proposed Streetscape

Reason: The drawings form part of the application and for the avoidance of doubt.

3. Prior to the commencement of development, a construction management plan providing full details of construction traffic routes, contractor parking, delivery protocols, dust suppressions, noise mitigation, wheel washing facilities, site enclosures, site security and other such features as are proposed to minimise interference with, and maintenance of the safe and convenient free flow of traffic along the highway and protection of neighbouring amenity, shall be submitted to and approved by the local planning authority in writing.

Reason: To ensure for an orderly form of development with least impact on existing businesses and residences in the area.

4. No development shall commence until a drainage scheme for the site has been submitted to and approved in writing by the local planning authority in writing. The scheme shall provide for the disposal of foul,

surface and land water, and include an assessment of the potential to dispose of surface and land water by sustainable means. Thereafter the scheme shall be implemented in full in accordance with the approved details prior to the occupation of the development and no further foul water, surface water and land drainage shall be allowed to connect directly or indirectly with the public sewerage system.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

5. Prior to the commencement of any development works a scheme to investigate and monitor the site for the presence of gases* being generated at the site or land adjoining thereto, including a plan of the area to be monitored, shall be submitted to the Local Planning Authority for its approval. Following completion of the approved monitoring scheme, the proposed details of appropriate gas protection measures to ensure the safe and inoffensive dispersal or management of gases and to prevent lateral migration of gases into or from land surrounding the application site shall be submitted to and approved in writing to the LPA. If no protection measures are required than no further actions will be required.

All required gas protection measures shall be installed and appropriately verified before occupation of any part of the development which has been permitted and the approved protection measures shall be retained and maintained until such time as the Local Planning Authority agrees in writing that the measures are no longer required. * 'Gases' include landfill gases, vapours from contaminated land sites, and naturally occurring methane and carbon dioxide, but does not include radon gas. Gas Monitoring programmes should be designed in line with current best practice as detailed in CIRIA 665 and or BS8485 year 2007 Code of Practice for the Characterization and Remediation from Ground Gas in Affected Developments,.

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

6. 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.

7. 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.

8. 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.

9. 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.

10. The development shall be provided in accordance with a scheme of architectural detailing which shall first have been submitted to and approved by the local planning authority in writing. The scheme shall include for details of the construction methodology, balcony construction, drainage, window and door specification, gates, and means of enclosure.
Reason: To ensure for an appropriate finished appearance to the development.
11. The develop shall be finished in accordance with a palette of external finishing materials, samples of which having first been submitted to and approved by the Local Planning Authority in writing.
Reason: To ensure for an appropriate finished appearance to the development.
12. The rear Courtyard amenity area and frontage landscaping to Wesley Lane shall be provided prior to the first beneficial occupation of any of the flat units hereby approved, in accordance with a scheme of hard and soft landscaping detail which shall first have been submitted to and approved in writing by the local planning authority. The scheme shall include for full details of (i) drainage (11) soils and growing media; (iii) planting schedule (iv) means of enclosure; (v) maintenance and management arrangements including details of any specific contractual or leasehold tenancy arrangements to secure the maintenance of landscaping for the life of the development.
Reason: To ensure for appropriate amenity space provision and landscaping in perpetuity, which is important for the living conditions of residents and for the presentation of the development to the Wesley Lane Highway in the interests of visual amenity.
13. No part of the access gates proposed shall open over the adopted highway.
Reason: To ensure that the use of the gates do not interfere with the safety and convenience of pedestrians and vehicles on that adjoining highway.
14. The refuse storage facilities indicated on the approved plans shall be provided prior to the first beneficial occupation of any flat unit hereby permitted and thereafter be maintained and retained for the storage of refuse at all times.
Reason : To secure an orderly form of development and to protect the amenities of the area.
15. No flat unit shall be occupied until such time as a refuse management plan has been submitted to and approved by the local planning authority in writing. Thereafter refuse shall only be presented for collection in accordance with the approved plan.
Reason : To secure an orderly form of development and to protect the amenities of the area.

16. The bicycle storage facilities indicated on the approved drawings shall be provided prior to the beneficial occupation of any the flat units hereby approved and shall thereafter be retained solely for the purpose of the parking of bicycles.
Reason: To provide appropriate facilities for the secure, covered storage of cycles.
17. Should any excavations reveal any archaeological finds, including , any unexpected masonry structures, coins, metalwork, jewellery, ceramics, bones, or other historic items, excavations shall cease until such time as the local planning authority has been allowed to assess the find, and given express consent that excavations may resume.
Reason: To allow appropriate investigation and recording of any unexpected archaeological resource.
18. The pedestrian and vehicle access from Wesley Lane shall be fitted with a system of access control, and a system of video and audio connectivity to each flat.
Reason: to prevent unauthorised access to the development in the interests of crime prevention and discouragement of anti-social behaviour.
19. The Undercroft area shall be painted/finished in a light colour and include for PIR sensitive lighting or similar prior to the beneficial occupation of any of the flat units hereby approved and thereafter be so maintained.
Reason: To enhance levels of personal safety and discourage crime and anti -social behaviour.

RECOMMENDATION 2 : The contamination assessments and the affects 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;
- (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 3: 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 4 : Works to adopted highways would need to be approved by means of section 278/38 agreement as appropriate.

RECOMMENDATION 5 : The applicant be advised that they 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

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.

Only foul water from the development site shall be allowed discharge to the public sewerage system and this discharge shall be made between manhole reference number ST18814601 and ST18814501 as indicated on the extract of the Sewerage Network Plan attached to this decision notice.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

A water supply can be made available to serve this proposed development. The developer may be required to contribute, under Sections 40 - 41 of the Water Industry Act 1991, towards the provision of new off-site and/or on-site watermains and associated infrastructure. The level of contribution can be calculated upon receipt of detailed site layout plans which should be sent to the address above.

To prevent pollution of the SSSI and the water environment, we recommend relevant Pollution Prevention Guidelines are followed during construction. Pollution Prevention Guidelines are available from NetRegs.

RECOMMENDATION 6 : The applicant is encouraged to liaise with South Wales Police and South Wales fire and Rescue Service to discuss the potential for Secured by Design accreditation and appropriate fire fighting design including adequate water supply arrangements

RECOMMENDATION 7 : Prior to the commencement of development, the developer shall notify the local planning authority of the commencement of development , and shall display a site notice and plan on, or near the site, in accordance with the requirements of Article 12 of the Town & Country Planning (Development Management Procedure)(Wales)(Amendment) Order 2016.

1. **DESCRIPTION OF DEVELOPMENT**

- 1.1 The proposal is for a five storey building positioned to the rear of 35-37 Charles Street and fronting Wesley Lane; to provide 8 No. one bedroom flats; car parking, waste and cycle storage facilities. The development would be accessed from Wesley Lane.
- 1.2 The building would have a 14.5m frontage to Wesley Lane, and would offer a 15.5m tall flat roofed presentation. The principal elevation would be finished in a composition of a dark perforated screen and metal access gates to the ground floor level, copper clad panelling projections which provides for balcony enclosures forward of a lighter coloured mushroom/cream panel to the first, second and third floors, and a slightly recessed top floor in zinc clad appearance at forth floor level.
- 1,3 The building would be set back by some 1m from the Wesley Lane vehicle carriageway to retain a footway in front of the building, and would thereafter be some 13.5m in depth, including a ground level planted beds, positioned under the balcony projections above. The building would provide for 3 undercroft car parking spaces. Land to the rear of the site is shown on submitted drawings to

contain a courtyard amenity space and a further 4 car parking spaces to be shared between this development and the now near completed conversion of 35-37 Charles Street to flatted accommodation previously approved in 2015.

- 1.4 The building would be some 13.5 metres away from residential accommodation within 35-37 Charles Street; but is designed so as to have only stairwell and bathroom windows to the rear to overcome any potential privacy problems. The building would be separated from the rear annexe of buildings in Churchill way on the opposite side of Wesley Lane by approximately 8.2m at its closest point.

2. **DESCRIPTION OF THE SITE**

- 2.1 Charles street and Churchill way are parallel streets which back onto Wesley Lane. Wesley lane used to provide unrestricted rear access for parking and to annexe accommodation for properties in both streets, which both contain a number of office, commercial, retail, food and drink and residential uses. Wesley lane originally allowed vehicle and pedestrian access to Church Place at it's northern end, however Wesley Lane was stopped up with a metal palisade fence in a position between the rear of the former Ebenezer Chapel (now "Cornerstone " project) and the rear of 22 Churchill way some years ago, to prevent the lane being used as a through way.
- 2.2 The rear of the majority of properties in Wesley Lane are therefore now accessed from the South. Their character is disparate and random, ranging from the original annexe projections of Victorian housing, to modern infill development. There are few buildings which have not been extended or altered to the rear.
- 2.3 Charles Street is a Conservation Area; and Churchill way also, with Wesley Lane forming the boundary between the two areas. To the main highway, both streets are characterised by relatively tall originally domestic and commercial Victorian properties. The area has seen some recent infilling however in the form of a modern building insertion at No. 43 Charles Street, and a redevelopment of flats at 47-53 in a faux Georgian style.
- 2.5 Wesley lane has also seen relatively recent development since the closure of a number of Night Clubs in Charles Street, including a detached residential building of 4-5 storey height, and a number of applications and permissions exist for modification and extension of the rear annexes and curtilages of both Charles Street and Churchill way.
- 2.6 Currently, a new student tower is under construction to the southern end of Wesley lane, which includes for the façade retention of properties to the very southern end of Charles Street, and further environmental enhancement to the southern end of Wesley Lane and Charles Street . The conversion of the principal buildings at 35-37 Charles street into residential accommodation is nearing completion.

3. **SITE HISTORY**

14/01487/DCI

35-37 Charles Street Conversion of commercial property into 8 apartments including part demolition of rear annexes Approved 23rd February 2015

Previous pre 1995 history regarding change of use of former offices to various uses including nightclub use.

4. **POLICY FRAMEWORK**

Planning Policy Wales Edition 8, January 2016

Chapter 6 - Conserving the Historic Environment

Chapter 7 - Economic Development

Chapter 8 - Transport

Chapter 9 - Housing

Chapter 10 - Planning for Retail and Town Centres

WG Technical Advice Notes

TAN 1: Joint Housing Land Availability Studies (2006)

TAN 2: Planning and Affordable Housing (2006)

TAN 4: Retailing and Town Centres (1996)

TAN 11: Noise (1997)

TAN 12: Design (2009)

TAN 18: Transport (2007)

TAN 21: Waste (2001)

TAN 23 Economic Development (2014)

Welsh Office Circular

11/99: Environmental Impact Assessment 30/06/99

1/98: Planning and the Historic Environment: Directions by the Secretary of State for Wales 02/02/98

61/96: Planning and the Historic Environment: Historic Buildings and Conservation Areas 05/12/96

Cardiff Local Development Plan 2006-2026 (Adopted January 2016)

KP5: GOOD QUALITY AND SUSTAINABLE DESIGN

KP8: SUSTAINABLE TRANSPORT

KP10: CENTRAL AND BAY BUSINESS AREAS

KP17: BUILT HERITAGE

H6: CHANGE OF USE OR REDEVELOPMENT TO RESIDENTIAL USE

EN9: CONSERVATION OF THE HISTORIC ENVIRONMENT

EN13: AIR, NOISE, LIGHT POLLUTION AND LAND CONTAMINATION

T1: WALKING AND CYCLING

T6: IMPACT ON TRANSPORT NETWORKS AND SERVICES
W2: PROVISION FOR WASTE MANAGEMENT FACILITIES IN
DEVELOPMENT

Other Material Considerations

Section 149 Equality Act 2010

Charles Street Conservation Area Appraisal

Churchill Way Conservation Area Appraisal

Supplementary Planning Guidance

Access, Circulation and Parking Standards Jan 2010

Householder Design Guide Mar 07

Infill Sites Design Guide April 2011

Open Space Mar 08

Residential Design Guide Mar 08

Waste Collection & Storage Facilities Jan 2016

Planning Obligations Jan 2017

5. **INTERNAL CONSULTEE RESPONSES**

5.1 **Design**

5.2 Architecture and materials

5.3 The materials labelled on the drawings are considered to be appropriate, subject to approval of materials samples. The materials on the section/elevation drawings are: brick work, aluminium framed doors and windows and glazed balconies, light render from first to third floor, bronze metal cladding, light grey metal cladding on the set-back fourth floor.

5.4 Height, scale, massing and impact on two adjoining Conservation Areas

The site falls to the rear of two Conservation Areas.

The height of the proposed building is 5 storeys, although the 5th storey is set back so the visual impact is minimised (could be argued 4.5 storeys).

The section drawings show that the height of the proposed building is below ridge line of Charles Street. but is 4.2m higher than the ridge line of Churchill Way. The applicants should confirm whether the proposal would be viewable from either conservation area.

The building may need to be dropped to 4 storeys (or 3.5), a similar height to the property next-door in Wesley Lane. although arguably the very tall Rio building that is currently being built behind the Chapel on Charles Street breaks the ridge line dramatically.

Therefore, it should be made clear what impact (if any), there is likely to be on the Churchill Way Conservation Area, so it can be assessed fully.

5.5 Wesley Lane environment, safety and security

In the City Centre Conservation Area Appraisal, Wesley Lane is identified as an 'enhancement opportunity' (Section 3.3, p.40, and Section 3.2, p.55). The Lane should be resurfaced as it is currently patchy and uneven tarmac. It would be beneficial if a suitable material for a shared pedestrian, cycle and vehicular access, is discussed with the Placemaking Team, particularly if there is to be a strategy for Wesley Lane given that similar proposals may arise in the future. This may be subject of S106 contributions.

5.6 The brick wall at ground floor level that contains a pattern with holes in is considered beneficial to help to create some element of overlooking and sense of relationship between people in the public and private space at ground floor level. There is only car-parking and bicycle storage at ground floor, so surveillance is limited, but it is better than a solid brick wall and some activity may be able to be experienced.

5.7 It could be argued that Wesley Lane is in a state of flux, given that the development bridges a transition, between a time when it was only a back service lane with the backs of properties, and becoming a mixed-use / residential area with frontages. This means that it is important, firstly to protect the security of the occupiers from the Lane in terms of a secure barrier, but secondly to protect the security of the residents that are walking up and down the Lane in terms of ground floor overlooking and the future to access new properties.

5.8 It would be beneficial to plant defensive species of shrubs to the front of the property onto Wesley Lane to soften the Lane and humanise it, whilst also planting robust plants to discourage vandalism.

5.9 It would be beneficial to make the gates out of a material that is of a residential nature, as opposed to industrial. For example, black painted railings or decorative railings with an element of public art, whether bespoke or 'off the shelf'.

5.10 Courtyard amenity space, balconies to Lane and soft green landscaping

The Courtyard amenity space to the rear of the flats is currently shown with four car parking spaces. This results in effectively a landscaped carpark, as opposed to an amenity space.

It is acknowledged that prospective occupiers may be seeking an urban city centre environment with little external space to upkeep (given the proposal is for eight one-bed flats). However, it is still considered important to create an easy-to-maintain planted courtyard urban environment with shared usable amenity space if possible. This would bring amenity benefits, and some biodiversity benefits.

Planting will help to create carbon sinks, and whilst this would have minimal impact from one development, a cumulative impact could occur in the city centre if more developments planted soft landscaping (see LDP policy KP15: Climate Change, paragraph 4.163).

It is the preference to exclude parking from the courtyard and to include block paving and more planting (appropriate species that are slow growing, hardy and work in a hard landscape area and require little maintenance), seating and a washing line instead. Whilst there are balconies to the front, these front the lane so it is questionable how much that they would be used for sitting out in. The balconies are beneficial from an overlooking perspective to the lane, but it would be better to have a good quality additional sitting out space in the courtyard to the rear as well.

- 5.11 It will be important to agree some robust conditions to ensure that any landscaping in the Courtyard is implemented to avoid a tarmac space (as appears to be the case at the next door property).

5.12 **Land Use / Place making**

The proposal is for the erection of a five storey building to the rear of no. 35-37 Charles Street to provide 8 no. 1 bed apartments (Class C3 – residential use). The site is located within the Central Business Area (CBA) of the Cardiff Local Development Plan (LDP), as such the main land use planning policy issues relate to:

Whether the proposed C3 (Residential) use is acceptable at this location.

National Planning guidance seeks the redevelopment of Brownfield sites within urban areas for housing to help meet city-wide housing needs and to promote urban regeneration. Local Development Plan Policy H6 (Change of use or redevelopment to residential use) identifies that the change of use of redundant previously developed land for residential use will be permitted where:

- i. There is no overriding need to retain the existing use of the land or premises;
- ii. The resulting residential accommodation and amenity will be satisfactory;
- iii. There will be no unacceptable impact on the operating conditions of existing businesses;
- iv. Necessary community and transportation facilities are accessible or can be readily provided or improved;

The principle of residential development is well established within the surrounding Churchill Way / Charles Street area and the central location of this site is suited to residential use as it is well served by transport links and is close to local amenities.

- 5.13 Strategic Planning (Regeneration) Considerations:

Planning Policy Wales, Paragraph 3.4.3 states that 'When a new building is proposed, an existing building is being extended or altered, or a change of use is proposed, developers should consider the need to make it accessible for all those who might use the building. The appropriate design and layout of spaces in, between and around buildings, including parking provision and movement routes, is particularly important in ensuring good accessibility'. As this proposal is for residential accommodation, where movements to and from the building will predominantly take place on foot, the public realm in the immediate vicinity of the site should be considered in this context. Cardiff Local Development Plan Policy KP6 (New Infrastructure) seeks that new developments will make appropriate provision for, or contribute towards, necessary infrastructure required as a consequence of proposed development, including public realm improvements.

The public realm outside the site at Wesley Lane is of a poor quality and there is a need for it to be upgraded to a standard commensurate with recent city centre enhancement schemes in order to provide a safer and more efficient pedestrian environment than that which serves the area at present.

Recent developments in the immediate vicinity of the site have contributed towards the upgrading of Wesley lane as part of a wider public realm enhancement scheme for the Charles Street / Wesley Lane area and a financial contribution towards the scheme would be sought in this instance.

A pro rata public realm calculation measured against a recently consented applications in the immediate vicinity of the site would equate to a financial contribution of **£10,579** in this instance. Public realm improvements would include the resurfacing of the carriageway within Wesley Lane, the replacement of kerbstones / drainage channels and the removal / replacement of street furniture and street lighting.

5.14 Summary

For the above reasons, the proposal is considered acceptable in land use policy terms, subject to detailed design and amenity considerations.

Subject to the application being acceptable in all other respects, a financial contribution of £10,579 is requested towards public realm improvements at Wesley Lane.

5.15 Traffic and Transportation

The Transportation Officer has expressed some initial concerns as to the suitability of the Wesley Lane highway to accommodate a principal access to the development, in terms of the condition of the lane, and in respect of servicing the development as Wesley lane currently has no turning head, and requires larger service vehicles to reverse to egress the lane which is narrow at its southern end.

Any further observations will be reported at committee.

5.16 Pollution Control Noise and Air

Prior to commencement of development a scheme shall be submitted to and approved in writing by the Local Planning Authority to provide that all habitable rooms shall be subject to sound insulation measures to ensure that all such rooms achieve an internal noise level of 40 dBA Leq 16 hour during the day and 35 dBA Leq 8 hour at night. The submitted scheme shall ensure that habitable rooms subject to sound insulation measures shall be provided with acoustically treated active ventilation units. Each ventilation unit (with air filter in position), by itself or with an integral air supply duct and cowl (or grille), shall be capable of giving variable ventilation rates ranging from – 1) an upper rate of not less than 37 litres per second against a back pressure of 10 newtons per square metre and not less than 31 litres per second against a back pressure of 30 newtons per square metre, to

2) a lower rate of between 10 and 17 litres per second against zero back pressure.

No habitable room shall be occupied until the approved sound insulation and ventilation measures have been installed in that room. Any private open space (excepting terraces or balconies to any apartment) shall be designed to provide an area which is at least 50% of the area for sitting out where the maximum maximum day time noise level does not exceed 55 dBA Leq 16 hour [free field].

Reason: To ensure that the amenities of future occupiers are protected.

5.17 PLANT NOISE (2015)

Prior to implementation a noise assessment shall be carried out and submitted to the Local Planning Authority to ensure the noise emitted from fixed plant and equipment (such as air conditioning) on the site achieves a rating noise level of background -10dB at the nearest noise sensitive premises when measured and corrected in accordance with BS 4142: 2014 (or any British Standard amending or superseding that standard).

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

5.18 R1 CONSTRUCTION SITE NOISE

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.

5.19 DUST CONTROL

Prior to the commencement of development a scheme (Construction Environmental Management Plan) to minimise dust emissions arising from construction activities on the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of dust suppression measures and the methods to monitor emissions of dust arising from the development. The construction phase shall be implemented in accordance with the approved scheme, with the approved dust suppression measures being maintained in a fully functional condition for the duration of the construction phase.

Reason: To assess any mitigation measures that may be required to safeguard the amenity of nearby residents in the area.

5.20 Pollution Control Contaminated Land

In reviewing available records and the application for the proposed development, former landfill/raise sites have been identified within 250m of the proposed development. Such sites are associated with the generation of landfill gases, within subsurface materials, which have the potential to migrate to other sites. This may give rise to potential risks to human health and the environment for the proposed end use.

It is noted that the application has developed, since the pre-application enquiry, to include soft landscaping. Should there be any importation of soils to develop the garden/landscaped areas of the development, or any site won recycled material, or materials imported as part of the construction of the development, then it must be demonstrated that they are suitable for the end use. This is to prevent the introduction or recycling of materials containing chemical or other potential contaminants which may give rise to potential risks to human health and the environment for the proposed end use.

Shared Regulatory Services requests the inclusion of the following conditions and informative statements in accordance with CIEH best practice and to ensure that the safety of future occupiers is not prejudiced in accordance with policy EN13 of the Cardiff Local Development Plan:

Ground gas protection; Contaminated land measures – unforeseen contamination; Imported soil; Imported aggregates; Use of site won materials; together with a contamination and unstable land advisory notice.

5.21 Housing

In line with the Local Development Plan (LDP), an affordable housing contribution of 20% of the 8 units (1 unit) 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. However, given the proposed design of the scheme, the

unknown proposed future tenure of the units, and the likely service charges for this type of residential development, all of which could affect the affordability as well as the practicality of managing and maintaining affordable housing on-site for a Registered Social Landlord, we would be prepared to accept financial contribution in lieu of on-site affordable housing provision

On that basis of the above, we would seek a financial contribution of **£62,640** (in lieu of 1 unit) which is calculated in accordance with the formula in the Affordable Housing – Supplementary Planning Guidance (SPG) (2007).

5.22 Waste

This site will only require the following for waste collections and storage for 8 flats:

Dry Recyclables:	1 x 1100 litre bulk bins
Food waste:	1 x 240 litre bins
General waste:	1 x 1100 litre bulk bins

The door to the store shown on the floor plan does not appear to be wide enough to allow the larger 1100L bins to pass through. This door needs to be a minimum of 1.5m and preferably be double doors that open outwards with a facility to keep the doors open (as stated under Paragraph 6.5 of the Waste Collection and Storage Facilities SPG).

Surfaces should be smooth and impervious to permit cleaning and the floor must be laid to create suitable drainage. Adequate lighting must be provided and good natural ventilation if completely enclosed.

The developer is advised; as bulk containers are specified for this development, access paths to the kerbside for collection should be at least 1.5 metres wide, clear of obstruction, of a smooth surface with no steps. Dropped kerbs should also be provided to ensure safe handling of bulk bins to the collection vehicle.

Waste Management will not carry keys or access codes for bin storage areas; so waste must either be presented at the entrance to the development for collection, or the access gates to the site must be left open.

Bulk containers must be provided by the developer/other appropriate agent, to the Councils' specification (steel containers are required where capacity exceeds 240 litres) as determined by S46 of the Environment Protection Act 1990 and can be purchased directly from the Council. Please contact the Waste Management's commercial department for further information on 02920 717504.

Refuse storage, once implemented, must be retained for future use

6. **EXTERNAL CONSULTEE RESPONSES**

6.1 **South Wales Police**

South Wales Police have no objection to proposed development but note that the Design and Access statement makes very little reference to issues of community safety other than allude to improved surveillance opportunities.

South Wales Police note references to provision of affordable homes and if this is to be provided on site then homes will need to meet Welsh Housing Quality standards and part of this is the requirement to meet Secure By Design standards.

In view of above South Wales Police would make the following recommendations,

- 1 The development has a secure perimeter wall, fencing or gating to all elevations reason *to prevent burglary and theft.*
- 2 The front elevation pedestrian and vehicle gates are fitted with access control reason *to prevent unauthorised access.*
- 3 There are secure post boxes in external wall near to pedestrian gate, gate also includes audio visual access control features to facilitate visitor entry reason *to prevent unauthorised access.*
- 4 Undercroft area is painted in light reflective material and has adequate lighting along with courtyard reason *to enhance high levels of personal safety*
- 5 Main entrance door to development complies with PAS24 and is fitted with audio visual access control features reason *to prevent unauthorised entry.*
- 6 Main entrance doors to apartments complies with PAS24 reason *to prevent burglary.*
- 7 Building is fitted with adequate fire detection, warning and evacuations systems reason *the protection of life.*
- 8 Secured by Design (SBD) is achieved for all affordable/ Social housing elements reason *compliance with Welsh Government Housing standards.*

South Wales Police are happy to work with developers to achieve Secured by Design accreditation for the development.

6.2 **South Wales Fire and Rescue**

The developer should consider the need for the provision of:-

- a. adequate water supplies on the site for firefighting purposes; and
- b. access for emergency firefighting appliances.

7. **REPRESENTATIONS**

- 7.1 The application has been advertised in accordance with statutory requirements and neighbouring properties have been notified of the proposals.

No representations have been received

8. **ANALYSIS**

8.1 **Environmental Impact Assessment**

The works are not a Schedule 2 development for the purposes of assessment under the Environmental Impact Assessment regulations and are not considered likely to have such significant environmental effects as to warrant the submission of an Environmental Statement to allow the Local Planning authority to consider the Environmental Impact of the development.

8.2 **Land Use**

The site is currently vacant and was previously used as a service area and external area in connection with a former night club use.

The application site is located within the 'Central and Bay Business Area' in the adopted LDP, where there is an acceptance of residential use subject to caveats regarding the quality of accommodation provided and the there being no negative impact on existing uses.

The provision of 8 new apartments would seek to contribute to the supply of city centre living accommodation, and the quality of accommodation is considered appropriate in respect of size of unit (57m²), amenity space (Balconies and an external area); the availability of transport options, facilities and shopping opportunities; and the relationship of the development with adjacent uses in terms of separation and privacy.

There would not appear any conflict with nearby commercial premises as the development is self contained within the perimeter of the application site and provides for an independent access and appropriate boundary enclosures to the adjoining curtilages.

As the development does not result in any reduction of business or employment floorspace and occupies a previously under utilised area of land, there is no objection to the development from a land use policy perspective.

8.3 **Design**

Scale and Massing

At 15m – 15.5m the building would be one of the taller building presentations to the lane, Its closest adjacent neighbour being some 12.5m. in height The building would however be some 2m lower than the ridge height of the

traditional properties in Charles Street at a distance of over 18.5m. Properties in Churchill way are typically lower than those in Charles Street, with ridge heights of approximately 13m. at a distance of approximately 20m. As this is the case, the building height would not be readily appreciable from the principle highways of either conservation area as there would be no direct line of site.

Glimpse views of the development would likely be possible through gaps between properties on Churchill way, however the building would be some 30m back from the footway of Churchill way, and the angle of view would be very acute because of the depth of the properties on Churchill way. Given the proposed neutrality of the finishing materials it is not considered likely that glimpse views of the building would jar, or be considered out of character with the character of the conservation area.

Within the context of Wesley Lane, there is no objection to the overall height of the development which makes efficient use of the land available, whilst providing for an acceptable relationship with adjacent neighbours.

At 5 storey height, this development is probably the maximum height of development that would be acceptable along the lane, and any future developments within the lane would be expected to realise some variety of roof heights below this height, which equates relatively to the height of rear annexe accommodation in Charles Street.

The aesthetic of the building has also been modified to break up its overall visual mass by means of the introduction on contrasting materials as described below.

8.4 Aesthetic

The building line of the development has been set back by 0.5m and soft landscaping planted bed inserted, to soften the relationship with the adjoining footway at ground level and to provide a defensible space. Wrought iron gates will be used at the front of the development to allow an open and transparent frontage whilst also providing for passive/natural surveillance of the building undercroft.

The building provides for a symmetrical composition.

To the rear of the planted area the ground floor elevation appears as a perforated façade which provides for a dark base to the building.

At first, second and third floors, the building acquires a lighter appearance in a cream/mushroom central panel, incorporating two bays each of six windows of vertical emphasis; to either side a through storey projecting balcony surround is provided in a contrasting copper/bronze coloured panel, with balustrade to the balconies themselves being a glazed screen in front of tri-partite sliding doors.

The top floor has been set back by 0.5m to reduce scale and visual massing of the building. And is shown in a dark grey, possibly zinc panel with a

continuance of tri-partite glazing, but with only two, single windows to the centre of the building.

The composition is considered pleasing and to bring a modern but tasteful aesthetic to Wesley Lane.

In addition to the amenity space provided by the apartment balconies, a courtyard with hard and soft landscaping, and with outdoor seating has been created at the rear of the building to be a shared garden space for both the existing buildings (35-37) and the new apartments.

8.5 Housing

The proposals provide for generously sized one bedroom apartments in the context of land which is currently under utilised and where the principle of residential use is accepted.

The comments of the Housing Officer are noted, and the requirement for a financial contribution in lieu of on site affordable housing provision is concurred with in terms of making the development policy compliant.

8.6 Public Open space

At 8 units of accommodation, the development does not trigger a need for off site Public Open Space within the policy context of the LDP/SPG.

8.7 Public Realm

The condition of Wesley Lane is very poor, and has been maintained infrequently and only as a service environment. It is therefore considered appropriate that the development make contribution to the refurbishment and enhancement of the highway network in respect of the provision of a package of environmental enhancements to the lane in the immediate vicinity of the site. The Observations of the placemaking team are therefore noted and concurred with and considered appropriately applied against the context of other contributions relating to developments nearby.

8.8 Economy

35-37 Charles Street is in the process of being converted from offices and night club to 8 apartments. Planning permission was allowed on appeal for the erection of 2 apartment blocks of 5 and 3 storeys height at 41 Charles Street.; A mixed use development on land at Bridge Street and Charles Street, providing a 25 storey tower for 463 student beds and flexible A1, A2 and A3 ground floor units, was approved in April 2016 and site preparation works have commenced on that site.. As such the immediate area is undergoing a number of developments which will add to the economy of the city, and it is hoped that the proposed development will further support the enhancement of the immediate area and stimulate further investment, development and repair .

It is also noted that a number of other applications are pending which it is hoped will deliver further enhancement to what has become a somewhat neglected service road, but which has the potential to become an improved and desirable residential/mixed use environment .

8.9 The Historic Environment

As indicated, the development would not be wholly / directly visible from either Charles Street or Churchill Way, and so there is no need to require the proposals to replicate or relate to any historic architectural precedent.

The scale, mass and aesthetic of the building is however considered to respect the character of the area and to extend the crisp and contrasting modern visualisation of the architecture now coming forward on Wesley Lane.

As such the requirement for development within conservation areas to preserve and enhance the character of the area is considered to have been met in respect of the fact that the development will have little impact on the traditional appearance of the historic streetscape, but will also positively contribute to the new evolving aesthetic of Wesley Lane.

As the building will be located in one of the older areas of the city centre, it is considered appropriate that a condition is attached to any permission as may be granted, to ensure that any unexpected revealed archaeology is reported and recorded appropriately.

8.10 Pollution

The comments of the pollution control officer are noted in respect of potential contamination on the land. A standard suite of contamination / ground gas conditions is therefore proposed.

The comments of the noise and air officer are also noted. However the planning officer has asked for the requirement for the conditions to be justified and if considered necessary, for the conditions to be redrafted to meet planning tests.

Any additional comments/conditions will be reported to committee via late representation.

8.11 Transport

The comments of the transportation officer are noted.

In terms of the narrow carriageway entry to Wesley Lane, The planning officer observes that both of the previous uses on the site would have generated far more vehicle movements and service vehicle activity than the residential use proposed, and also that the impact of this development, although increasing the potential number of pedestrian users of the lane by 16 would also reduce the currently approved car parking associated with the current development on the site from 8 to 7 car parking spaces. Overall the planning officer suggests that

this would be unlikely to adversely affect highway safety in terms of vehicular / pedestrian conflict to such a degree as to warrant the refusal of the application, especially as traffic speeds in the lane are relatively slow because of the limited manoeuvring space in the lane and because it is a block end.

- 8.12 In respect of the limited space to allow service vehicles to turnaround at the northern end of the lane. The planning officer suggests that Wesley lane has accommodated such vehicle movements for many years, as the principal service corridor for properties on both Charles St and Churchill way and also observes that that the development in itself will not diminish the manoeuvring space available in the lane.

As with all developments which would impact on the condition of the adopted highway, the developer would ordinarily be expected to make good the condition of the perimeter of the site prior to the beneficial use of the development, but on this occasion has been asked instead to make a financial contributions toward the longer term public realm enhancement of Wesley lane which it is hoped, along with other contributions will complete the provision of an improved shared surface environment for pedestrians and vehicle users alike.

- 8.13 The planning officer therefore concludes that in the context of the former use of the land as a service car park for office accommodation, and as a night club; which would have generated far more traffic and pedestrian movements than proposed by this development, and in the context of reduced on site parking provision, the planning officer concludes that resistance of the development on highway safety grounds would not be sustainable.

Additionally, on hearing that there may be concern in respect of service vehicle movements, the applicant has advised that they normally manage all of their tenanted properties and will make arrangements to transfer refuse for collection to any designated collection point on Charles Street if required. This can be required by condition .

8.14 **Parking**

Whether considered on the basis of 3 car parking spaces for the eight residential units proposed. or cumulatively with the residential conversion on Charles Street as 7 parking spaces serving a total of 16 residential units, In the context of its city centre location and proximity to both Queen Street and Central Railway Stations, and context of the retail and community / recreational facilities in the city centre, the off street parking arrangements are considered acceptable.

The development also provides for the secure storage of 28 bicycles under cover of the undercroft which is secured by gates. This is also considered acceptable and policy compliant.

8.15 Waste Management

A waste storage area is located within the undercroft and provides for 2200l waste, 2200l recyclable, and 1320l of compostable waste.

This is considered acceptable.

9. SECTION 106 MATTERS

9.1 Amenity Space

Interested parties are asked to sign a legally binding obligation with the Council, under S106 of the Planning Act to ensure that the shared amenity space to the rear of the building be available to all residents of the development at 37-35 Charles Street and all residents of the development to the rear of 35-37 Charles street at all times.

9.2 Affordable Housing / Public Realm Enhancement

The developer has been advised of the financial payments requested for Affordable Housing (£62,640) and Public Realm Enhancement (£10,579).

However they have advised that the scheme is not in itself a viable scheme in terms of immediate or short term profit and is proposed to be developed as a long term rental investment and therefore have asked if the amount of contributions could be reviewed.

As this was the case, it was considered whether to require the applicant to commission a formal viability appraisal, which would have also committed them to reimburse the Council for the payment of District Valuer's fees to verify the appraisal findings. However the applicant has also provided correspondence from a local agent, and provided (unverified) land value figures, estimated build costs, and costs of professional fees which would appear to bear out, the advised overall negative development value.

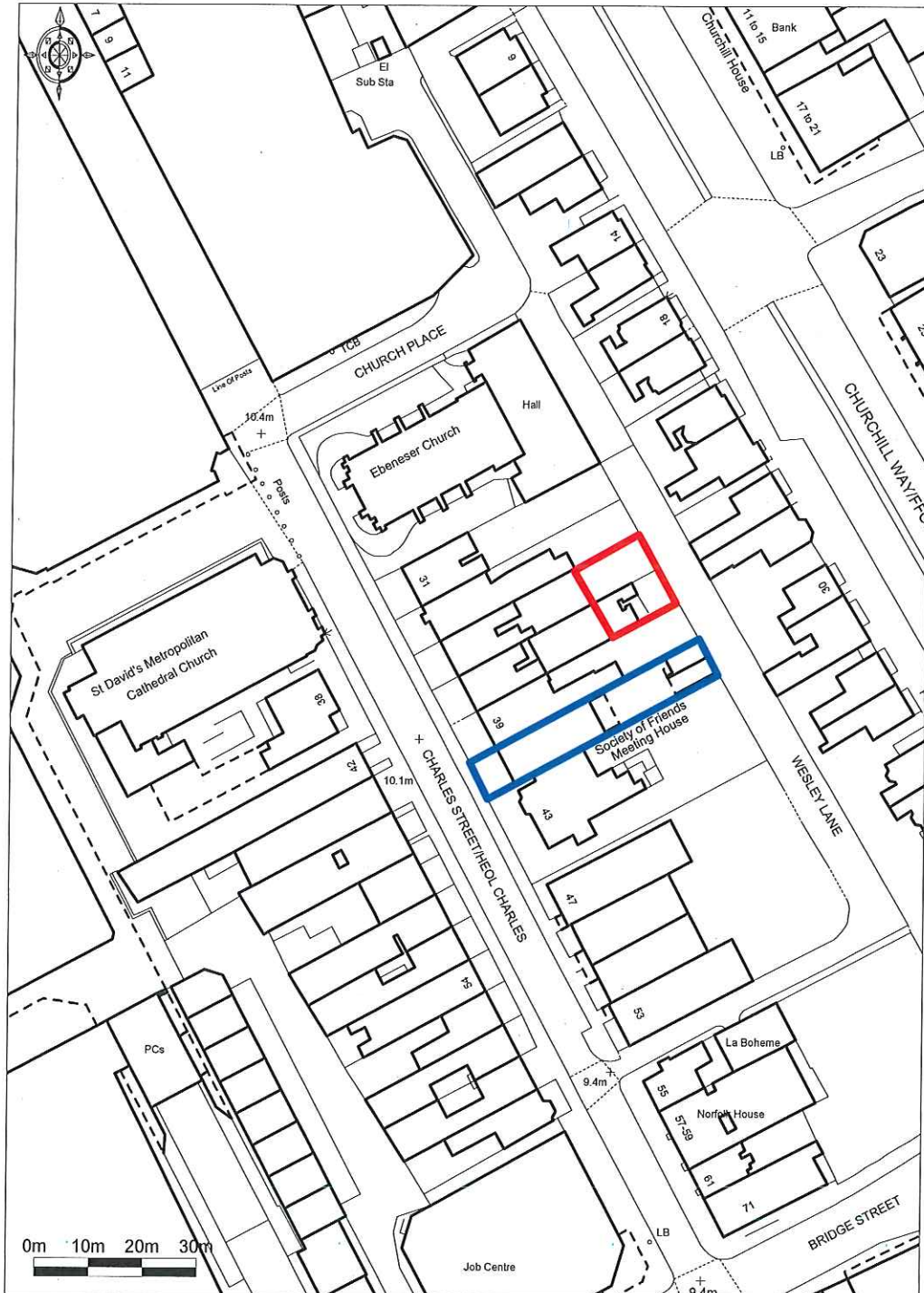
As part of this submission, the applicant, who does not desire to spend further monies on valuation fees, and who is accepting of the principle of the S106 provisions requested, has, rather than going down a formal valuation route offered a sum of £50,000 to at least meet some of the Council's objectives, whilst saving time and professional fees unrelated to the development itself.

9.3 The planning officer has considered this position, and recommends to Planning Committee that the sum of £50,000 be accepted as a contribution of £40,000 toward off site affordable housing and £10,000 toward public realm enhancement.

10. RECOMMENDATION

That planning permission be granted.

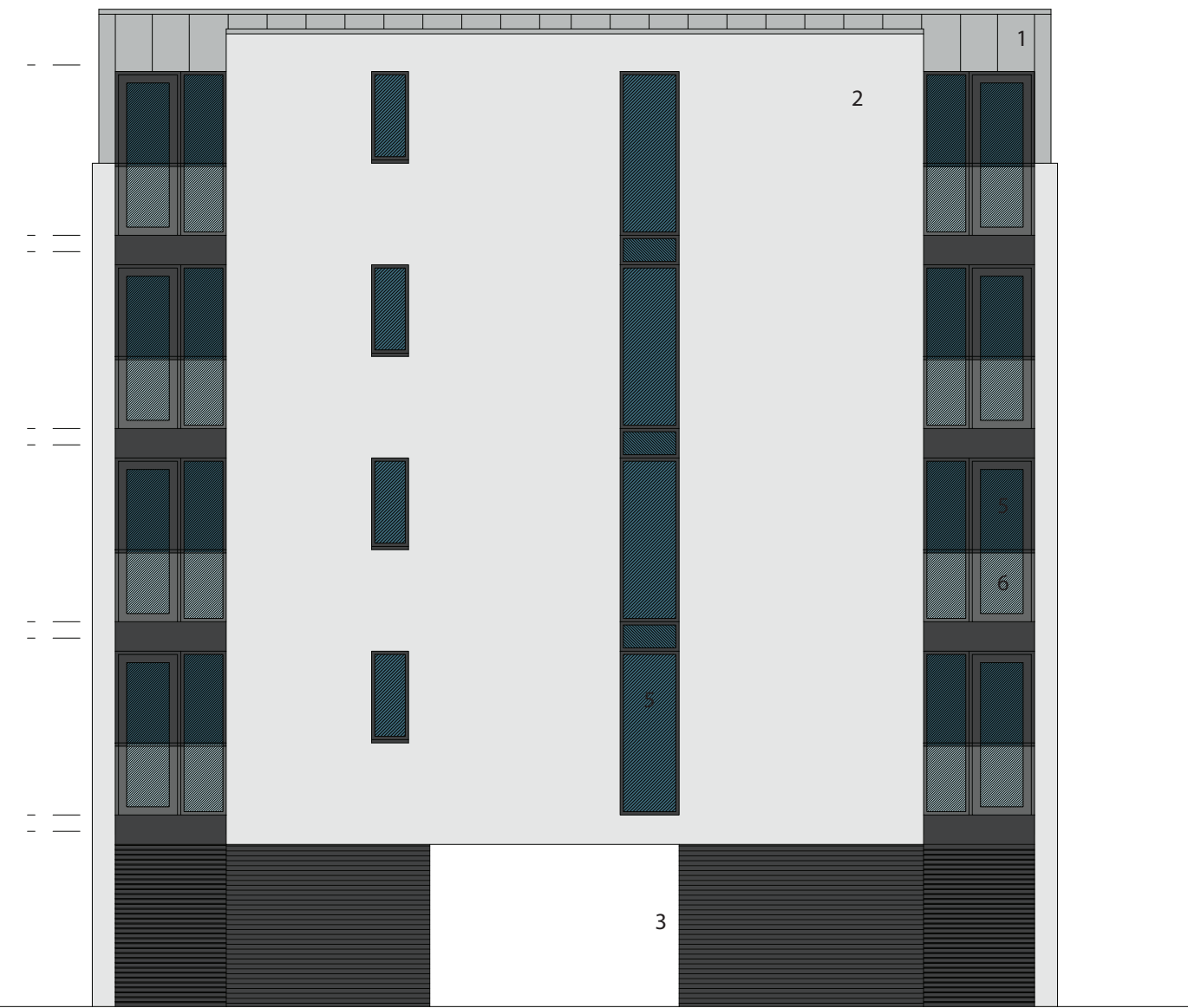
Land to the rear of 35-37 Charles Street, Cardiff, CF10 2GB



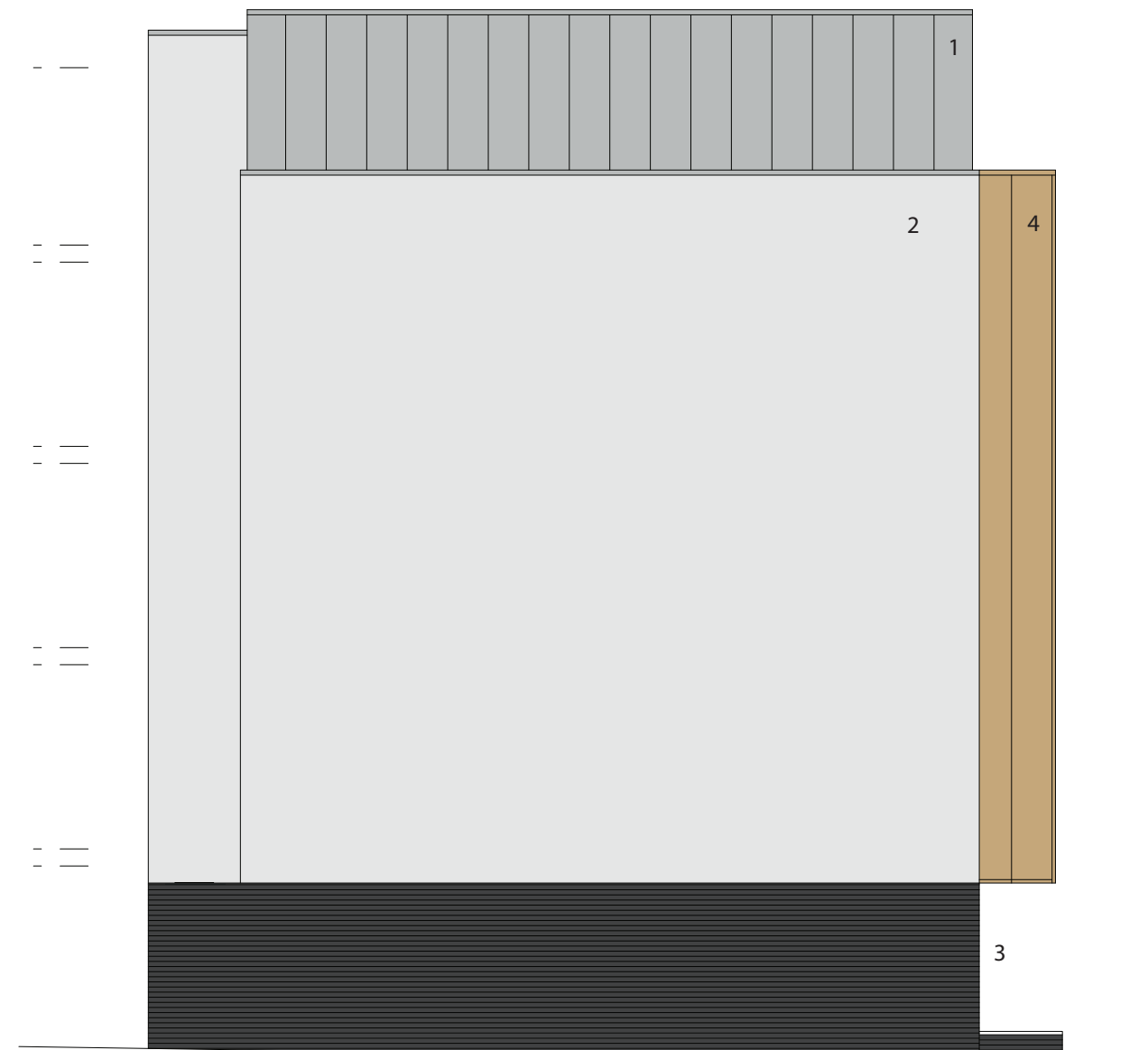
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Proposed Rear Elevation (01)

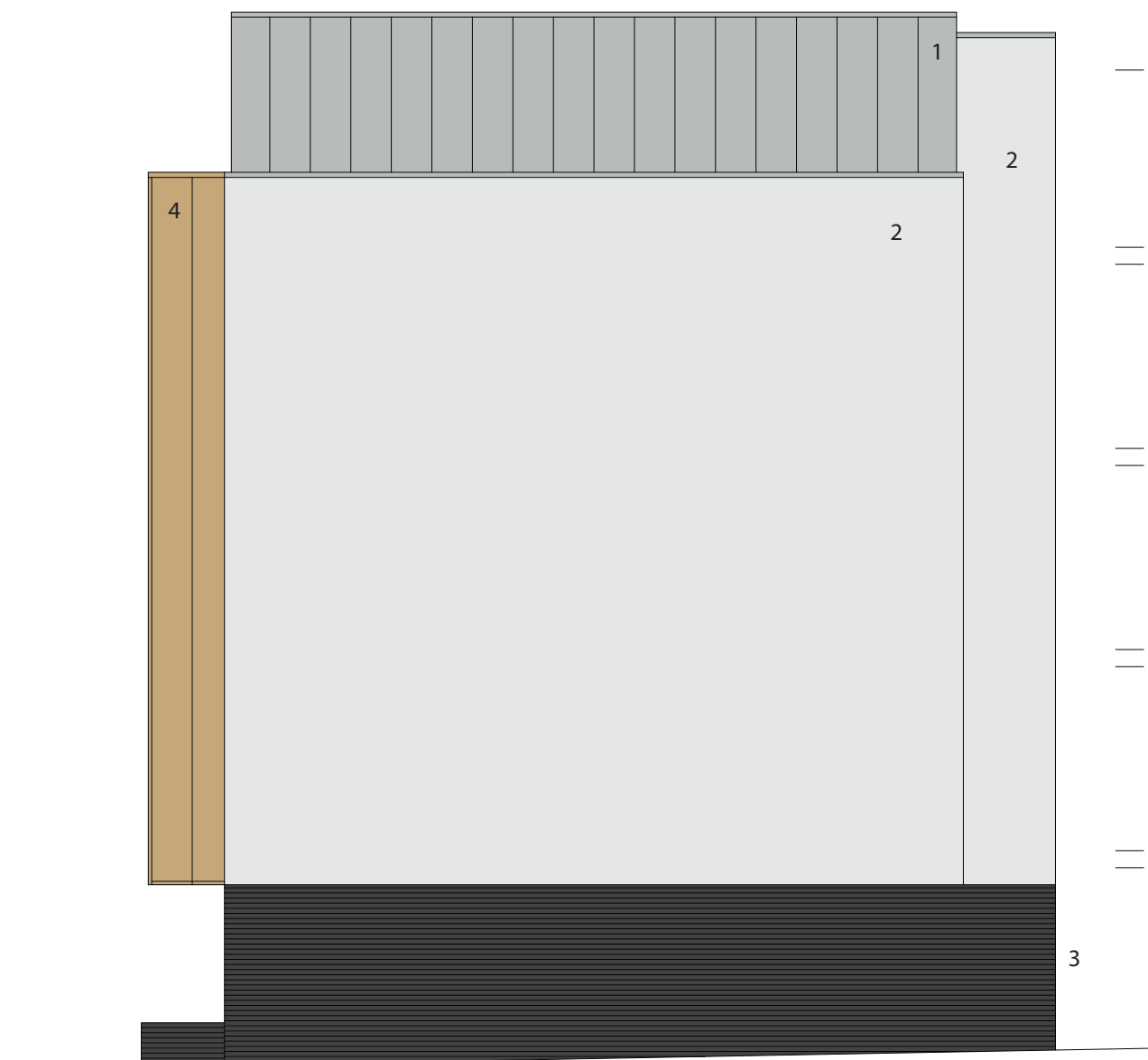


Proposed Side Elevation (02)

Proposed Front Elevation - Wesley Lane (03)



Proposed Side Elevation (04)



1. Light Grey Metal Cladding
2. Light Grey Render
3. Dark Facing Brick (with open elements to front)
4. Bronze Coloured Metal Cladding
5. Aluminium Framed Windows & Doors
6. Glazed Balconies



Project: New Build 8 x 1 Bed Apartments
Wesley Lane
Rear of 35-37 Charles Street

Client: Park Estate Offices LLP

Drawing: Proposed Elevations

Number: A P E 01 Scale: 1:100 A2

Date: October 2016

MJA Matt Jones Architects
1 Pontcanna St
CF11 1HQ
hello@mattjonesarchitects.com

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COMMITTEE DATE: 08/02/2017

APPLICATION No. **16/02871/MJR** APPLICATION DATE: 02/12/2016

ED: **LLANDAFF NORTH**

APP: TYPE: Full Planning Permission

APPLICANT: City of Cardiff Council

LOCATION: GABALFA PRIMARY SCHOOL, COLWILL ROAD, GABALFA, CARDIFF, CF14 2QQ

PROPOSAL: NEW BUILD GABALFA AND GLAN CEUBAL PRIMARY SCHOOLS FOR ONE FORM OF ENTRY EACH PLUS 48 PLACE FULL TIME EQUIVALENT NURSERY AND WELSH MEDIUM IMMERSION UNIT. UPON COMPLETION AND OCCUPATION OF THE NEW BUILD EXISTING BUILDINGS WILL BE DEMOLISHED AND PROPOSED LANDSCAPE IMPLEMENTED

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

1. C01 Statutory Time Limit

2. This approval is in respect of the following plans and documents:

CA11049-003; 11049-400-402, 403A, 406A and 408A; SCHD (A) 101, 102, 103A, 104, 105, 106, 107 and 108;

unless otherwise amended by any other condition attached to this consent.

Reason: To avoid doubt and confusion as to the approved details.

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

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

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

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

- (i) a desk top study to identify all previous uses at the site and potential contaminants associated with those uses and the impacts from those contaminants on land and controlled waters. The desk study shall establish a 'conceptual site model' (CSM) which identifies and assesses all identified potential source, pathway, and receptor linkages;
- (ii) an intrusive investigation to assess the extent, scale and nature of contamination which may be present, if identified as required by the desk top study;
- (iii) an assessment of the potential risks to:
 - human health,
 - groundwaters and surface waters
 - adjoining land,
 - property (existing or proposed) including buildings, crops, livestock, pets,
 - woodland and service lines and pipes,
 - ecological systems,
 - archaeological sites and ancient monuments; and
 - any other receptors identified at (i)
- (iv) an appraisal of remedial options, and justification for the preferred remedial option(s).

All work and submissions carried out for the purposes of this condition shall be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR 11' (September 2004) and the WLGA / WAG / EA guidance document ' Land Contamination: A guide for Developers' (2012).

Reason: To ensure that information provided for the assessment of the risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems is sufficient to enable a proper assessment in accordance with policy EN13 of the Cardiff Local Development Plan.

5. Prior to occupation of the development a detailed remediation scheme and verification plan to bring the site to a condition suitable for the intended use by removing any unacceptable risks to human health, controlled waters, buildings, other property and the natural and historical

environment shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works and site management procedures. The scheme shall ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

All work and submissions carried out for the purposes of this condition shall be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR 11' (September 2004) and the WLGA / WAG / EA guidance document ' Land Contamination: A guide for Developers' (July 2006).

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 neighbours and other offsite receptors in accordance with policy EN13 of the Cardiff Local Development.

6. The remediation scheme approved by condition 5 shall be fully undertaken in accordance with its terms prior to the occupation of any part of the development. The Local Planning Authority shall 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 shall be submitted to and approved in writing by the Local Planning Authority.

All work and submissions carried out for the purposes of this condition shall be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR 11' (September 2004) and the WLGA / WAG / EA guidance document ' Land Contamination: A guide for Developers' (July 2006).

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 neighbours and other offsite receptors in accordance with policy EN13 of the Cardiff Local Development Plan.

7. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it shall be reported in writing within 2 days to the Local Planning Authority, all

associated works shall 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 shall be undertaken and where remediation is necessary a remediation scheme and verification plan shall 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 shall be submitted to and approved in writing by the Local Planning Authority. The timescale for the above actions shall be agreed with the Local Planning Authority 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 neighbours and other offsite receptors in accordance with policy EN13 of the Cardiff Local Development Plan.

8. 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 Local Planning Authority.

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

9. 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 Local Planning Authority.

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 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.
11. No development shall commence until a drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The scheme shall provide for the disposal of foul, surface and land water, and include an assessment of the potential to dispose of surface and land water by sustainable means. Thereafter the scheme shall be implemented in accordance with the approved details prior to the beneficial use of the development and no further foul water, surface water and land drainage shall be allowed to connect directly or indirectly with the public sewerage system.
Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.
12. Details of the positions and arc of coverage of the CCTV units shall be submitted to and agreed in writing by the local planning authority prior to their installation.
Reason: To safeguard the amenities of adjoining occupiers.
13. The brick to be used on the exterior of the building shall be the Bronsgroen brick.
Reason: In the interests of visual amenities.
14. Prior to the commencement of development a scheme of construction management shall be submitted to and approved by the Local Planning Authority, to include details of construction traffic routes, site hoardings, site access, contractor parking, material storage and wheel washing facilities. 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.
15. Prior to the school being brought into beneficial use details of the covered cycle storage area shall be submitted to and approved by the local planning authority, and shall then be constructed in accordance with the approved details and retained thereafter.
Reason: To help promote sustainable travel and in the interests of visual amenities.
16. The car parking area shall be completed prior to the school being brought into beneficial use and shall be retained thereafter for this purpose.

Reason: To ensure sufficient staff car parking is available and to comply with policy KP8 of the LDP.

17. Prior to first beneficial use of the school, a School Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The School Travel Plan shall set out proposals and targets, together with a timetable to limit or reduce the number of single occupancy car journeys to the site, and to promote travel by sustainable modes. The School Travel Plan shall be implemented in accordance with the timetable which shall be set out in the plan or in accordance with a revised timetable which shall be agreed in writing by the Local Planning Authority. Reports demonstrating progress in promoting the sustainable transport measures detailed in the School Travel Plan shall be submitted annually for a period of 5 years to the Local Planning Authority for approval in writing, commencing from the first anniversary of beneficial occupation of the school.

Reason: To encourage sustainable transport and effect modal shift to non-car modes.

18. Prior to the school being brought into beneficial use details of the bin storage area shall be submitted to and approved by the Local Planning Authority.

Reason: In the interests of visual amenities.

19. Prior to development commencing on site a finalised Arboricultural Method Statement and Tree Protection Plan shall be submitted to and approved by the Local Planning Authority.

Reason: In the interests of visual amenities.

20. Prior to the school being brought into beneficial use a finalised landscaping scheme, as informed by a Soil Resource Survey (SRS) and Plan, including a full planting and aftercare methodology, with amended plant schedule if the SRS identifies soils with different characteristics from those assumed and upon which the palette has been built, a topsoil and subsoil specification and finalised tree pit details, including site specific product manufacturer specifications where soil crates or structural soils are used, shall be submitted to and approved by the local planning authority and then implemented as agreed no later than the first planting season following the demolition of the existing school buildings.

Reason: In the interests of visual amenities.

21. The extraction of all fumes from the food preparation areas shall be mechanically extracted to a point to be agreed in writing by the Local Planning Authority, and the extraction system shall be provided with a de-odourising filter. All equipment shall be so mounted and installed so as not to give rise to any noise nuisance. Details of the above equipment including the chimney shall be submitted to, and approved by, the Local Planning Authority in writing and the equipment installed prior to the commencement of use for the cooking of food. The equipment shall thereafter be maintained in accordance with the manufacturers'

guidelines, such guidelines having previously been agreed by the Local Planning Authority in writing.

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

22. Noise emitted from fixed plant and equipment on the site shall have a rating noise level of background -10dB at the nearest noise sensitive premises when measured and corrected in accordance with BS 4142: 2014 (or any British Standard amending or superseding that standard).
Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected.
23. Any amplified music played at the premises shall be inaudible at the boundary of the nearest residential property.
Reason: To ensure the amenities of occupiers of other premises in the vicinity are protected from the use of the community hall/school development.
24. The development shall not be brought into beneficial use until the highway works identified on drawing PCD/PC/SI/07/2015 from Appendix D of the Transportation Assessment have been carried out in full.
Reason: In the interests of highway safety.
25. The opening hours of the proposed development as a whole shall be limited to 07:00 to 21:00.
Reason: To ensure the amenity of occupiers of other premises in the vicinity are protected.
26. There shall be no arrival, departure, loading or unloading of delivery vehicles between the hours of 18:00 and 07:00.
Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected.
27. Prior to the commencement of construction works on the school building bat boxes or bat bricks to be installed in the building area shall be submitted to and approved by the local planning authority, and shall then be constructed in accordance with the approved details.
Reason: In the interests of biodiversity.
28. The recommendations identified in Section 4 of the Preliminary Ecological Appraisal by Wardell Armstrong dated August 2016 shall be carried out in full.
Reason: In the interests of biodiversity.
29. Prior to the schools being brought into beneficial use a scheme shall be submitted to and approved in writing by the Local Planning Authority to provide that:
 - Light into neighbouring residential windows generated from the floodlights shall not exceed 5 Ev (lux) (vertical illuminance in lux).
 - Each light must be aligned to ensure that the upper limit of the

main beam does not exceed 70 degrees from its downward vertical.

- The lighting shall be designed and operated to have full horizontal cut-off and such that the Upward Waste Light Ratio does not exceed 2.5%.

The submitted scheme shall include an isolux diagram showing the predicted illuminance in the vertical plane (in lux) at critical locations on the boundary of the site and at adjacent properties.

The approved scheme shall be implemented prior to beneficial use and be permanently maintained.

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

30. The lighting, other than sensor operated security lighting, shall not be operated between 21:00 hours and 08:00 hours.

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

RECOMMENDATION 2 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;
- (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 3 Prior to the commencement of development, the developer shall notify the local planning authority of the commencement of development, and shall display a site notice and plan on, or near the site, in

accordance with the requirements of Article 12 of the Town & Country Planning (Development Management Procedure)(Wales)(Amendment) Order 2016.

RECOMMENDATION 4 The applicant is advised to have due regard to the advisory notes provided by consultees.

RECOMMENDATION 5 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 6 The demolition of the existing school buildings should be carried out in accordance with a sensitive demolition protocol provided in Appendix 1 of Wardell Armstrong's Preliminary Roost Assessment Survey.

1. **DESCRIPTION OF PROPOSED DEVELOPMENT**

- 1.1 The proposal is for full planning permission for an English language primary school, a Welsh Primary School and nurseries in a new single storey building, measuring a maximum of 87m in length and a maximum of 48m in width. The school will have a V-shape running on a north east/south west axis. The V will be split into two with the English medium school forming half and the Welsh medium school the other half. Entrances to the nurseries, reception, infants will be from the sides of the building and will be separate from the entrances to the primary schools at the front of the building. Whilst both halls will have internal access there will also be external entrances for community use.
- 1.2 One side of the V would accommodate year 1-6 classrooms, nursery, reception, hall and two immersion rooms. The other side of the V would accommodate year 1-6 classrooms, nurseries, receptions, halls, plant room and a kitchen. Between each side of the V will be duplicate nature rooms, cloak rooms, staff rooms, administrative rooms, and head teachers' rooms to each school and a common courtyard and shared Food/D&T room. The building will be 3000sqm in area which is the same as the existing buildings to be demolished.
- 1.3 The building would have dark blue/grey mono pitched roofs on either side of the V. The walls would be finished in Bronsgroen facing brick (a quality beige colour brick), some sections of white render and multi-coloured panels below the windows.
- 1.4 Vehicular access would be from a single point along the northern boundary. 32 car parking spaces and 3 accessible parking spaces are proposed. 20 cycle spaces are proposed. Pedestrian access will adjoin the vehicular access and a

secondary pedestrian access will be from the western boundary as existing. A tabled zebra crossing close to the main pedestrian entrance to the site along with a tabled uncontrolled crossing between the church hall and the site are proposed.

- 1.5 On each side of the building there will be a grass pitch, formal hard surface play court and early year's external space.
- 1.6 The application has been accompanied by a Pre –Application Consultation Report, DAS, FCA, Arboricultural Report, Tree Survey, Ecological Appraisal, Bat Survey Report, Land Contamination Assessment, Acoustic Report, Equality Impact assessment, Transport Assessment, Bream Pre-Assessment report, Ground Investigation Report and accompanying plans.
- 1.7 The building is to be completed to Bream Excellent standard.
- 1.8 The Education Officer states:- “Approval for the reduction of the Gabalfa Primary School catchment area and the enlargement of the adjacent Whitchurch Primary School catchment was given by the cabinet in April 2014 and was implemented from September 2015. The implementation of the catchment area changes combined with an increase to the Admission number of 90 at Whitchurch Primary School will allow for a better balance in the number of pupils resident in the Gabalfa and Whitchurch Primary catchment areas. Furthermore, it is evident from NHS GP registration data and PLASC 2013 data supplied by schools that projected demand for English Medium community school places from within the reduced Gabalfa catchment area broadly matches the number of places available at the school.”

2. **DESCRIPTION OF SITE**

- 2.1 There are two existing detached single storey school buildings on this site along with two temporary classrooms, One of the school buildings and part of the other are used as an English medium primary school and the other part of the second school building is used as a welsh medium primary school. (These buildings would remain until the new school was completed. The temporary buildings would be retained until pupil intake has been finalised).
- 2.2 The site is 3.2 ha in area. The site is level.
- 2.3 To the north and west of the site is a highway (Colwill and Llanidloes roads) and beyond that residential properties and a church. Approximately half the dwellings on the other side of the highway do not have off street parking spaces within their curtilages. To the east is Lydstep Park. To the south is a Community centre, Meadowbank school and beyond that an area of POS running alongside the River Taff (which is a SINC).
- 2.4 There is a small section of a TPO within the site next to Meadowbank School. The trees in this section are unaffected by the development.
- 2.5 The site is within a 20mph zone and there are 3 existing “School Keep Clear”

road markings on Colwill Road. There are 5 sets of speed humps on the highway fronting the site.

3. **SITE HISTORY (since 1997)**

09/1057 Parking area next to main entrance – approved 29/06/09.

12/1085 Temporary portacabin classroom – approved 27/06/12 subject to removal by 2014.

13/566 Temporary double classroom – approved 27/03/13.

A planning application to retain both temporary classrooms for a limited period has recently been submitted but is as yet undetermined.

4. **POLICY FRAMEWORK**

4.1 The following LDP policies are considered relevant:

KP5 Good Quality and Sustainable Design
KP8 Sustainable Transport
KP12 Waste
KP13 Responding to Evidenced Social Needs
KP14 Healthy Living
KP15 Climate Change
KP16 Green Infrastructure
EN6 Ecological Networks and features of Importance for Biodiversity
EN7 Priority Habitats and Species
EN8 Trees, Woodlands and Hedgerows
EN13 Air, Noise, Light Pollution and Land Contamination
C1 Community Facilities
C3 Community Safety/ Creating Safe Environments
C4 Provision of Open Space
C7 Planning for Schools
T1 Walking and Cycling
T5 Managing Traffic Impacts
W2 Provision for Waste Management Facilities in Development

5. **INTERNAL CONSULTEE RESPONSES**

5.1 Shared Regulatory Services commenting on contamination requests the inclusion of conditions and informative statements in accordance with CIEH best practice and to ensure that the safety of future occupiers is not prejudiced in accordance with policy EN13 of the Cardiff Local Development Plan.

Based on earlier proposals the consultant assessed the risks from potential contamination for 'commercial use'. The design has since changed radically and information submitted as part of the application indicates extensive soft landscaping. Some areas within the proposed Forest School area and 'Growzone' will be designed for intentional contact with the soils for pupils and

staff and will be comprised of raised beds/planters; the risks from soils therein will be regulated by an imported soils/site won material condition.

However the application indicates that other areas of soft landscaping will also be accessible (intentional or otherwise) to pupils and for this reason, any soft landscaped areas will need to be reassessed in the context of the more appropriate 'residential with gardens' end use.

In addition, it is noted that site-based works were, through necessity, pre-demolition. The submission indicates there will be two distinct phases of work; namely a construction phase, then a demolition and landscaping phase. It would therefore be advisable to include the requirement for a post-demolition/pre-occupation supplementary contamination assessment. This would give the developer the opportunity to undertake supplementary sampling in areas that are not currently accessible and also assess the soft landscape areas accessible by pupils, based on 'residential with gardens' use.

The above document reports that a programme of gas monitoring is ongoing. Given this and the close proximity of the historical landfill, the former Glamorganshire Canal, an amended ground gas condition is therefore also required.

Should there be any importation of soils to develop the garden/landscaped areas of the development, or any site won recycled material, or materials imported as part of the construction of the development, then it must be demonstrated that they are suitable for the end use. This is to prevent the introduction or recycling of materials containing chemical or other potential contaminants which may give rise to potential risks to human health and the environment for the proposed end use.

5.2 The Drainage Officer states:

Whilst I have no objection in principle to the consent of this application, the applicant refers to the disposal of surface water by soakaways. However, no drainage scheme has been submitted for the disposal of surface water. Also, the application states that the site is not within 20m of a watercourse, when it is fact within 20m of Whitchurch brook (culverted). Finally, there is an opportunity with this application to create surface water features as part of the development, tying in with the excellent environmental standards hoping to be attained. This could be either through vegetative treatment of the highway drainage, through shallow soakaway ditches, a lined shallow pond feature, a shallow soakaway feature – or a combination. I would be happy to discuss the options with the designers/applicant.

Prior to the commencement of development, a drainage scheme should be submitted for the disposal of surface water to the approval of the Planning Authority.

5.3 **The Waste Management Officer states:**

Plans detailing refuse storage are acceptable. This area must be retained as refuse storage for future use.

As a minimum the school should separate waste into the following waste streams: food waste, mixed recycling, garden waste and general waste.

Waste Management has no further observations or objections.

5.4 **The Tree Officer states** that - I'm happy with the amended landscaping details.

Conditions could be applied to any permission requiring a finalised landscaping scheme as informed by a Soil Resource Survey and Plan, including a full planting and aftercare methodology, amended plant schedule if the SRS identifies soils with different characteristics from those assumed and upon which the palette has been built, a topsoil and subsoil specification and finalised tree pit details including site specific, product manufacturer specifications where soil crates or structural soils are used.

A finalised Arboricultural Method Statement and Tree Protection Plan will also be required.

5.5 Shared Regulatory Services suggests conditions in respect of lighting, kitchen fumes, plant noise, amplified music, opening hours and delivery times.

5.6 The Parks Officer states: I have viewed the details and note that the important existing tree screen on the western boundary of the site adjacent to Lydstep Park is not affected by the development proposals. On this basis, I have no objection to the proposed development and would offer no further comments.

5.7 No comments have as yet been received from the Transportation Officer but it should be noted that the Transportation Department produced the Transportation Assessment in October 2016 that has been submitted with this application.

6. **EXTERNAL CONSULTEE RESPONSES**

6.1 GGAT has no objections.

6.2 The Fire Services Officer says the developer should consider providing adequate water supply for firefighting purposes and access for emergency vehicles.

6.3 South Wales Police have no objection.

6.4 Wales and West Utilities say that the developer should not build over their apparatus.

6.5 Welsh Water requires a drainage condition. Their advisory has been forwarded

to the applicant.

- 6.6 NRW has not yet responded to the consultation sent to them. However, in their response to the pre-application consultation report they asked for further information to demonstrate that the proposal will not be detrimental to the maintenance of the favourable conservation of European Protected Species. They raised no objection on flood risk and contamination.

7. **REPRESENTATIONS**

- 7.1 This application has been advertised on site and in the press. Local Members and adjoining residents have been notified.

- 7.2 Three local residents from two properties have objected for the following reasons:

- a) I object to the planned proposals. Currently, it is extremely dangerous to drive down Colwill road due to the parking of parents/ staff(?) by the entrance, meaning that the road is almost impossible to drive through safely during the time school starts and finishes. An increase in pupil numbers would only add to this current problem, and increase the dangers to road users and pedestrians.

And

I object to the proposed scheme on the grounds that the Applicant, Cardiff County Council, has given inadequate consideration to the proposed developments impact on the highway infrastructure serving the school and surrounding residential areas. I do not think the "do nothing" approach to improving Colwill road, particularly around the schools entrance is acceptable in terms of highway design and public safety. As stated in the Highway Report submitted with the Application; The resulting change in the capacity of the site will be an increased demand at the site of 216 pupils. This is equivalent to an 86% increase from 252 pupils to 468. This increased demand on the site will be primarily as consequence of creating a new Welsh Medium school. Referring to the catchment area diagrams provide in the Highway Report: I query the accuracy of the catchment areas for the Ysgol Glan Ceubal school as shown on Fig 4.2 when compared to the catchment area of the English Medium Primary School (Fig 4.1). in order for the school to be sustainable, I would suggest that the catchment area for Ysgol Glan Ceubal needs to be substantially larger than the area shown on Fig 4.2. On this basis, it is therefore very likely a high proportion of the pupils attending the Welsh Medium school will be dependent upon travelling to school by car or bus, resulting in a substantial increase of traffic using Colwill Road. Colwill Road in its current state can only support one direction flow of traffic and has serious congestion issues around the entrance of the school. (Similar problems already exist around the Gabalfa Road entranceway to Glantaf High School which have not been satisfactorily addressed by the Council). In addition, the proposed scheme does not appear to provide suitable, safe drop off point for buses taking pupils to and from the school.

b) For years I have put up with parents while dropping off and picking up their kids from school they are continuously blocking my drive which has been very stressful making us late for work at times. I suggest if you extend this school it would make more sense to put a designated parking area for parents within the school grounds which would make it a lot less stressful for home owners in this area.

7.3 Another local resident says there will be a need for enforceable parking restrictions beyond the immediate surroundings of the school. As there have been accidents between Colwill Road and River View it is extremely important that effective safety measures are put in place.

8. **ANALYSIS**

8.1 The provision of two modern primary schools, including nursery provision, to replace the older school buildings on this site is welcome and in line with LDP policies.

8.2 In terms of design quality the following issues were identified some of which were raised with the applicant's agent and the agent's responses are identified in paragraphs 8.3, 8.4 and 8.6 below.

8.3 The school building is considered to be of a good design and a creative treatment of the two schools. It was queried whether the staff car parking could be moved to the side, to give due prominence to the pedestrian entrances and front of the building. The applicant advised that the central position of the car park could not be relocated because its position was selected so that it would be overlooked by both head teachers and their administrative staff in the interests of security. Furthermore moving the car park would displace external areas that if re-sited would be on an area required to be safeguarded for reptiles.

8.4 The location of the cycle shelter in front of the school building was queried. It has been agreed that the cycle shelter be relocated to adjoin the main pedestrian access within the school grounds.

8.5 The materials are considered to be appropriate for this development and location and will help enhance the appearance of the building. In addition trees will be retained and new planting carried out which will further enhance the appearance of this development.

8.6 Initially it was not understood why prefab buildings were to be retained. The applicant has confirmed that there is some uncertainty as to precise numbers of pupils that will use both schools and the retention of these buildings for a temporary period would help provide flexibility.

8.7 It is understood that the school will be available for community use so a 21.00 opening hours limit suggested by Regulatory Services should help provide for this without adversely affect the amenities of adjoining residents. Policy C7

- encourages appropriate community use of schools.
- 8.8 The applicant has advised that one delivery van per school day would arrive after 7.00am and leave before 8.00am to reduce conflict and safety with arriving children.
- 8.9 The Drainage Officer's comments can be partially addressed by condition 11. However, the creation of a surface water feature within the grounds of two primary schools, with attached nurseries, could result in a hazard to pupils. Whilst the suggestion could help with drainage, biodiversity and potentially create an attractive feature it is considered that safety concerns would be paramount.
- 8.10 In response to the issues raised by local residents I have received the following responses from the agent and applicant:
- “Provision of parent parking places within school grounds is generally not supported. This is because such provision would promote travel to school by car, generate local traffic, contribute to congestion and reduce pupil safety. Parking facilities provided at schools is generally only for staff and to meet operational needs.”
- And
- “The proposals have been discussed and agreed with Cardiff Council's Highway's section. A full Transport Assessment has been prepared which highlights significant road improvement works; this includes creation of a School Safety Zone comprising of additional Zebra Crossings on Colwill Road. These improvement works will be implemented as part of the scheme before the occupation of the new buildings in September 2018.”
- 8.11 The Education Officer has confirmed that “The existing combined capacity of Ysgol Glan Ceubal and Gabalfa Primary School is 363 pupils and it is anticipated that this will be 387 in September 2017 and 405 in 2018 assuming both schools are fully subscribed on entry. The total capacity of both schools once new build is completed as two 1 FE primaries will be 420 pupils. This will be an increase to the existing total pupils on roll at Ysgol Glan Ceubal and a reduction to the total pupils on roll at Gabalfa Primary School as per catchment areas changes for Whitchurch Primary and Gabalfa Primary approved by cabinet 2014 and implemented 2015.
- 8.12 The proposed and existing schools are of the same physical size and the maximum number of pupils is limited by this, resulting in comparable capacity pupil numbers. Whilst concern has been expressed that school numbers will increase the capacity of the schools will not change significantly.
- 8.13 Both Head teachers have confirmed that no school transport is provided for either of the schools.
- 8.14 The ecological report and bat report did not identify the presence of bats in the existing buildings. The ecological report does refer to the wildlife in the SINC,

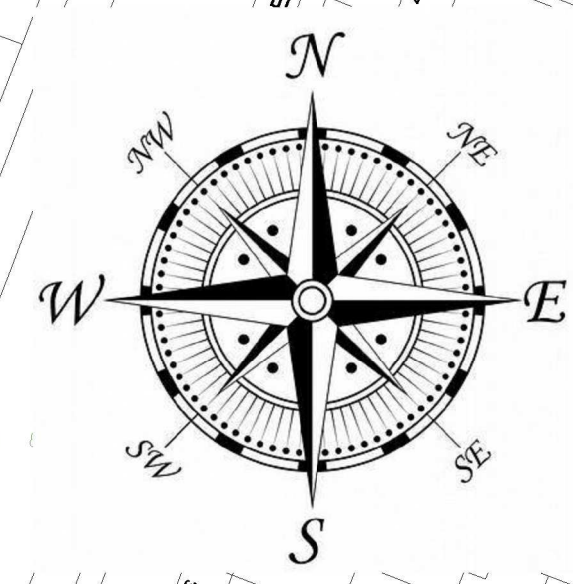
as well as birds, hedgehogs, reptiles and bats within the site that could use the trees and grassland within the school grounds. The reports do not highlight any particular concerns but do make recommendations in the interests of biodiversity. Conditions 27 and 28 will help promote the wellbeing of protected species and biodiversity.

- 8.15 Six trees would be lost to facilitate the development, However, there is an extensive landscaping scheme proposed to add to the trees to be retained. 87 new trees are to be planted, most of which would be more than 3m high. 20 orchard trees are proposed along with 100 early woodland trees. Hedgerows are proposed along the frontage around the caretaker's home, along both sides of the main pedestrian entrance and around the school orchard and growzone. The new planting will overtime make a positive contribution to the appearance of the area and biodiversity.
- 8.16 The consultees' comments and advisories have been forwarded to the applicant. A number of conditions are recommended in line with some of the consultees responses.
- 8.17 Well-Being of Future Generations Act 2016 – Section 3 of this Act imposes a duty on public bodies to carry out sustainable development in accordance with the sustainable development principle to act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs (Section 5). This duty has been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the recommended decision.
- 8.18 The proposal is considered to be acceptable in planning terms and complies with the policies of the LDP. The proposal will provide two modern replacement schools and nurseries in one building with sufficient external play and sports facilities to serve the pupils, whilst safeguarding habitat for reptiles and maintains the existing amenity standards for neighbours. The proposal includes the creation of a school safety zone and no highway objection has been submitted by the Transportation Officer.

DANGER Refer to the Pre Construction Health & Safety Information Pack

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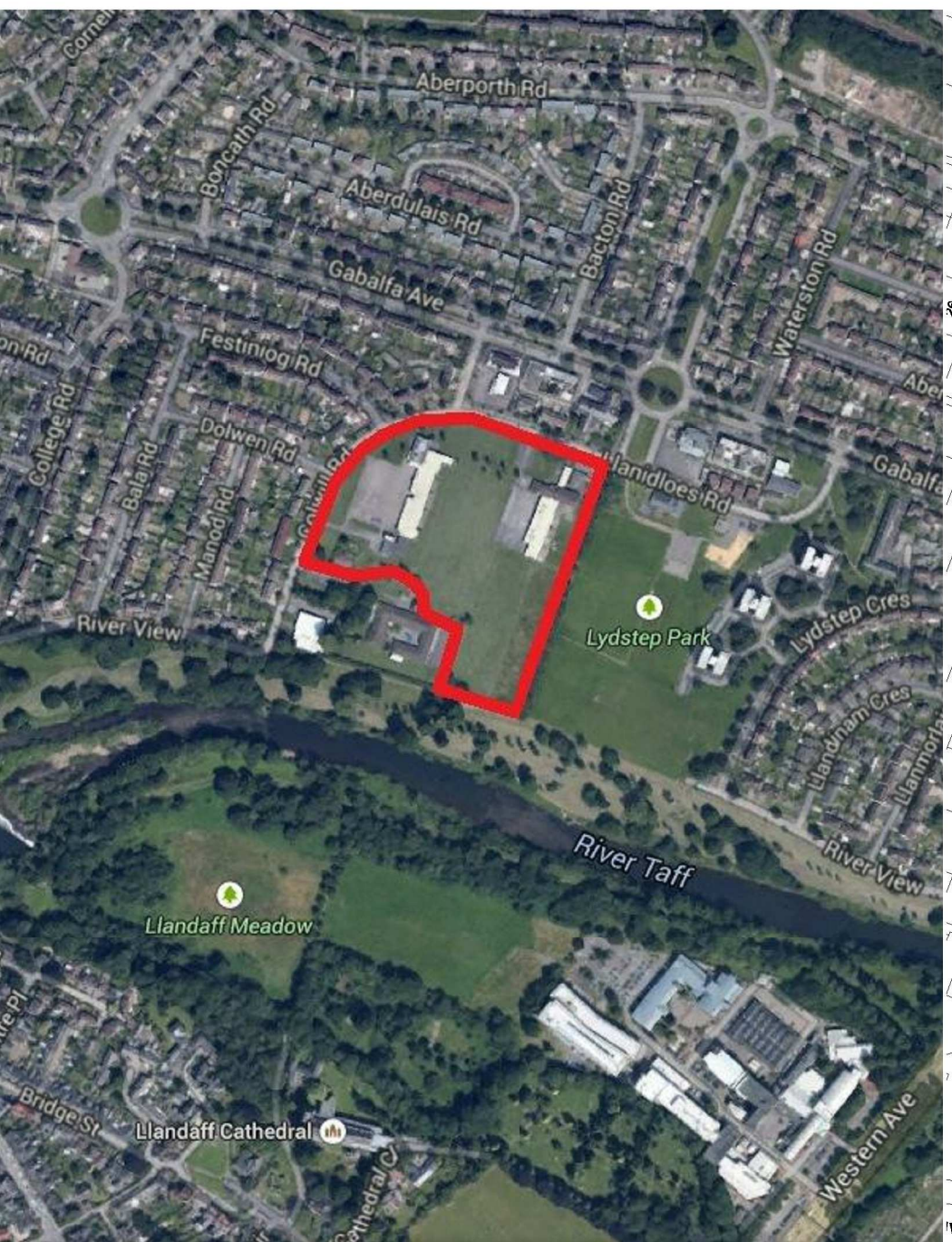
View 3: School Grounds & Buildings



View 4: Colwill Road Looking West



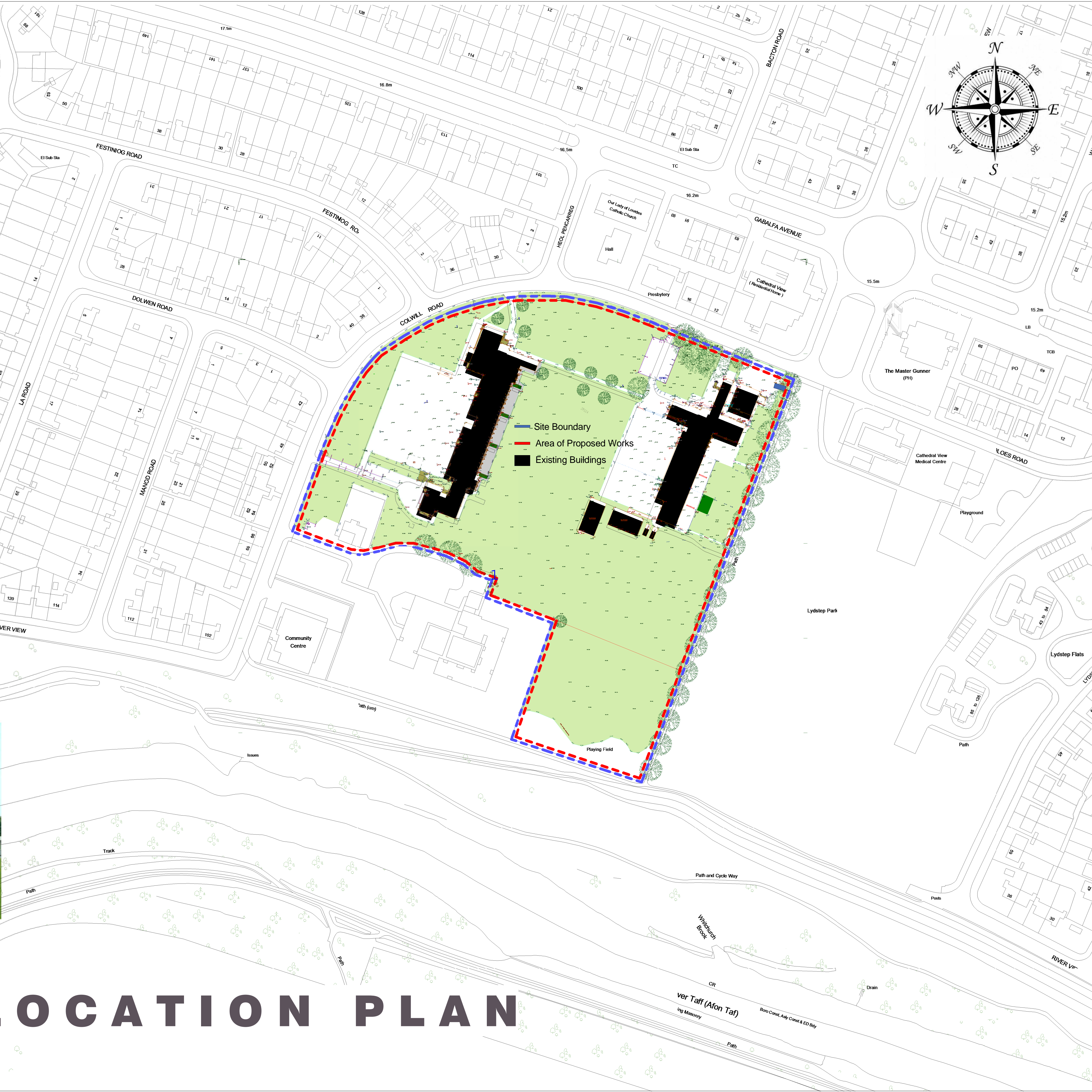
View 1: Colwill Road Looking East & Carpark



Aerial View



View 2: Pathway Linking the Two Main Buildings



SITE LOCATION PLAN

Scale: 1:1000

revision		
title	Gabalfa & Glan Ceubal Primary Schools	
detail	Site Location Plan	
filepath	Y11204\shared\models	
project number	EDUC 1204	drawing number
		SCHD(A)101
scale	1:1000 (A4)	checked
	RI	drawn
	MS	date
		Dec, 2016
	CARDIFF CAERDYDD	
DATABLYGIAD ECONOMAIDD ECONOMIC DEVELOPMENT PROJECTAU, DYLLUNO A DATLYGIU PROJECTS, DESIGN & DEVELOPMENT		
Philip Dee RHEOLWR GWETHREDOL OPERATIONAL MANAGER		FS 25745
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FOR SIGNIFICANT RISKS SEE ABOVE		
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LEGEND

- Proposed school building (Roofplan)
- Proposed tree planting
- Proposed trees in paved areas. Radius conservation kerb upstand to surfacing, infilled with permeable bound surfacing.
- Proposed trees in paved areas with hexagonal bench seat. - timber slats with steel frame as supplied by Bailey Streetstone or similar
- Proposed hedge planting to boundary and to define semi-private breakout areas to junior classrooms. Native species boundary hedge to 2000mm. Single species interior hedge to 1200mm height
- Existing trees to be retained - For further information see Tree survey and constraints plan
- Existing trees to be removed - For further information see drawing SCHD(A)104
- Bituminous asphalt surfacing
- Timber edge (88mm wide) adjacent to grassed areas. Concrete pin kerb to internal edges
- Concrete block paving to transitional and feature areas.
- Concrete slab paving as directional nodes and arrivals areas
- Safer surfacing to early years/KS1 play spaces
- Artificial grass to classroom frontages, and internal courtyard
- Long meadow grassland margin to edges of playing fields adjacent to boundaries, linking to retained areas of existing long grass.
- Amenity grassland areas - regularly managed short grass.
- Grass informal play areas
- Grassland within the informal play areas managed as sports pitch and forest school clearings
- Shrub beds and ornamental planting.
- Woodland screen planting on grass bank to Early Years play zones
- Allotments, Growzone and Orchard area.
- Raised planters formed out of timber sleepers with wide gravel paths
- Interior fencing
- 1500mm high plastic coated weldmesh at northern entrance
- 1500/750mm high timber palisade to Early Years/KS1
- 2100mm high plastic coated weldmesh at south boundary
- Benches
- Timber slat and concrete bench to wider school grounds.
- Movable benches to early years areas.
- Recessed conservation kerb, laid flush with surfacing to define areas and introduce surface pattern within asphalt
- 5m wide sail canopy



Public access to school grounds
1500mm high plastic coated weldmesh fence to define extent of public access to school frontage. Gated access for service vehicles.

Immersion Room external space
1200mm high plastic coated weldmesh fence to define extent of immersion room externals. Space to include breakout areas screened by hedging.

Existing entrances
Where necessary existing entrances not utilised within the design to be repaired, and gates locked shut - features retained as historic evidence of previous schools on site.

Existing boundary fence
To be retained, all fencing to be cleaned and repainted black.

Biodiversity within school grounds
Increase to potential biodiversity through the planting of trees, native species hedgerow and management of longer grass to boundary margins. Tree groups to aid screening at locations closest to boundary fence.

Tree removals
Where necessary to facilitate the development, cherries to be removed and replaced.

Native hedgerow to school boundary
Hawthorn rich hedge to be planted as double row and managed to 2m height to screen grounds from Colwill road and reinforce security to existing boundary fencing.

Internal Courtyard
Laid to concrete setts and artificial grass. Themed to reflect fossils with ammonite pattern to paving layout. Planting to be exotic with choice of species to reflect sheltered location. Use of single Extra Heavy Standard tree (rootguard required) to create vertical element within courtyard, with potential for it to be visible above roof line.

KS1 Play zone
Feature seating to tree and curve seat to accommodate single class. Surface to include grassed area, tarmac and area of safer surfacing.

Infant and Early Years Entrance
Existing vehicular access retained and designated as access for early years classrooms. Reduce width to 3000mm. Brick entrance feature to north side be rebuilt to match existing. Allow for new coping and signage.

Planting to early years and KS1 areas
Woodland style planting to provide partial screen to playgrounds, and provide play trails and controlled access to habitat areas.

South Boundary fencing
Define new boundary to southern extent of the school grounds - 2100mm high green weldmesh fencing.

Lockable Gates
Double gates to control access to the southern emergency exits. Gates to match timber palisade fencing used around early years areas.

Infant and Early Years Paths
2500mm wide pathways linking all early years classrooms and outside space. Access to classrooms through designated gates.

Early Years Play Space
Fenced area incorporating Nursery, Reception and Infants - with tarmac, safer surfacing areas of grassland and planting. 1500mm high timber palisade fence to boundary with 750mm high fence to delineate each year group with linking gates between areas. Surface pattern to tarmac areas to identify entrance points and directional routes. Rubber crumb safer surfacing to climbing play feature. Areas of grassland and planting on mounded areas to incorporate informal trails through planting. Introduction of a water standpipe to create an area for 'messy play.'

Proposed tree planting
Small groups of native and native cultivar trees to be planted to create screening at key points, along with shade and height into the school grounds.

Car Park
Asphalt paved parking area with dedicated vehicular entrance. Brickwork Pillars and double gates to reflect existing driveway. Disabled bays to be identified with line marking and signage with flush kerb for ease of access.

Proposed new vehicular access
4500mm wide gated entrance with brick piers to match existing, provide access for car parking and service vehicles.

Existing vehicular access
Access to be retained and redesignated as principal pedestrian entrance. New lockable gates to match existing railings. Allow for new coping and signage.

Bin Store
Timber clad structure - Adjacent to main vehicular access to facilitate easy access for bin lorries.

Pedestrian entrance
Utilising existing brick gateway features (to be repaired with replacement copings), wide car free route in for all school visitors and Junior children. Change in paving at south end creates an arrivals space.

Cycle store
Lockable, galvanneal steel shelter to accommodate 20No. bikes.

Public access to Halls and Kitchens
To be managed through internal fencing (1500mm high) and 5m wide gates with directional flow defined by hedgerow to KS2 classrooms with additional line marking.

Junior (KS2) breakout areas
Partial screening to classrooms created with hedge planting to 1200mm and associated grass and block surfacing and seating. Outside (non school side) to accommodate seating.

Trees in surfaced areas
Reinforcing transition to formal play court, feature seating around trees and flush kerb within surfacing to provide additional detail.

Formal play/games court
Asphalt surfaced area (to accommodate 22x33m court). Transition of paving and planting to demarcate extent of formal play court.

Existing demountable units
To be retained.

Growzone/Allotments
Area enclosed by sheltering hedges, orchard trees in grassland, raised beds and storage shed.

Forest school
Clearings within tree groups to include for fallen log and log round seating around central fire pit. Providing opportunities for external classrooms and event space.

revision		
title	Gabalfa & Glan Ceubal Primary School, Cardiff	
detail	Proposed Site Plan	
filepath		
project number	EDUC1204	drawing number
		SCHD(A)103
scale	1:500@A1	checked
drawn	WA/GDR	date
		Dec 2016
Planning Do not scale drawing except for Planning Application purposes.		





North East Elevation
1 : 200



South East Elevation
1 : 200



North West Elevation
1 : 200



South West Elevation
1 : 200

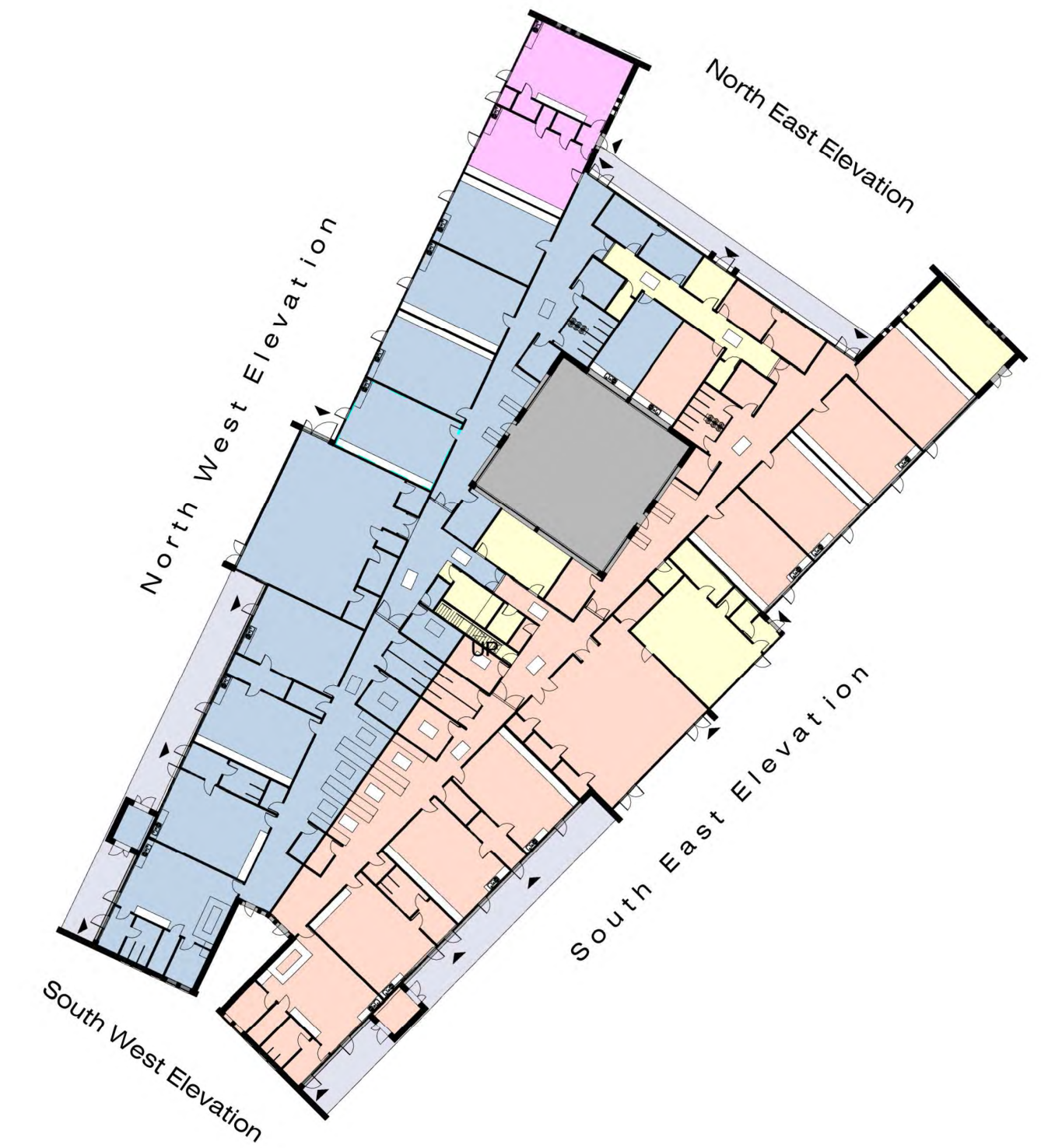
PROPOSED ELEVATIONS

Scale: 1:200

DANGER Refer to the Pre Construction Health & Safety Information Pack

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Key Floor Plan to Elevations
1 : 500

PROPOSED MATERIALS AND FINISHES

- Walls:**
 - Beige facing brickwork with School Logos in brushed Aluminium as Indicated on North East Elevation.
 - Through render colour White
 - Trespa Meteon cladding panels colour Navy & Red with school signage in brushed Aluminium colour White as indicated on North East Elevation
- Roofs:**
 - Standing seam mono pitch roof at 10 degree colour Dark Blue/ Grey
 - Single ply membrane flat roof colour Charcoal Grey.
- Windows & Doors:**
 - Powder coated Aluminium curtain walling system, doors and windows colour Charcoal Grey
 - Trespa infill cladding panels in various colours.
- Downpipes and Gutters:**
 - Powder coated aluminium colour Black.

revision	
title	Gabalfa & Gian Ceubal Primary Schools
detail	Proposed Elevations
filepath	Y:\1204\ahared\models
project number	EDUC 1204
drawing number	SCHD(A)105
scale	As Indicated @A1
checked	RI
drawn	MMS
date	Dec, 2016

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PROJECTS, DESIGN & DEVELOPMENT
Philip Dee
RHEOLWR GWETHREDIGOL
OPERATIONAL MANAGER
FS 25745

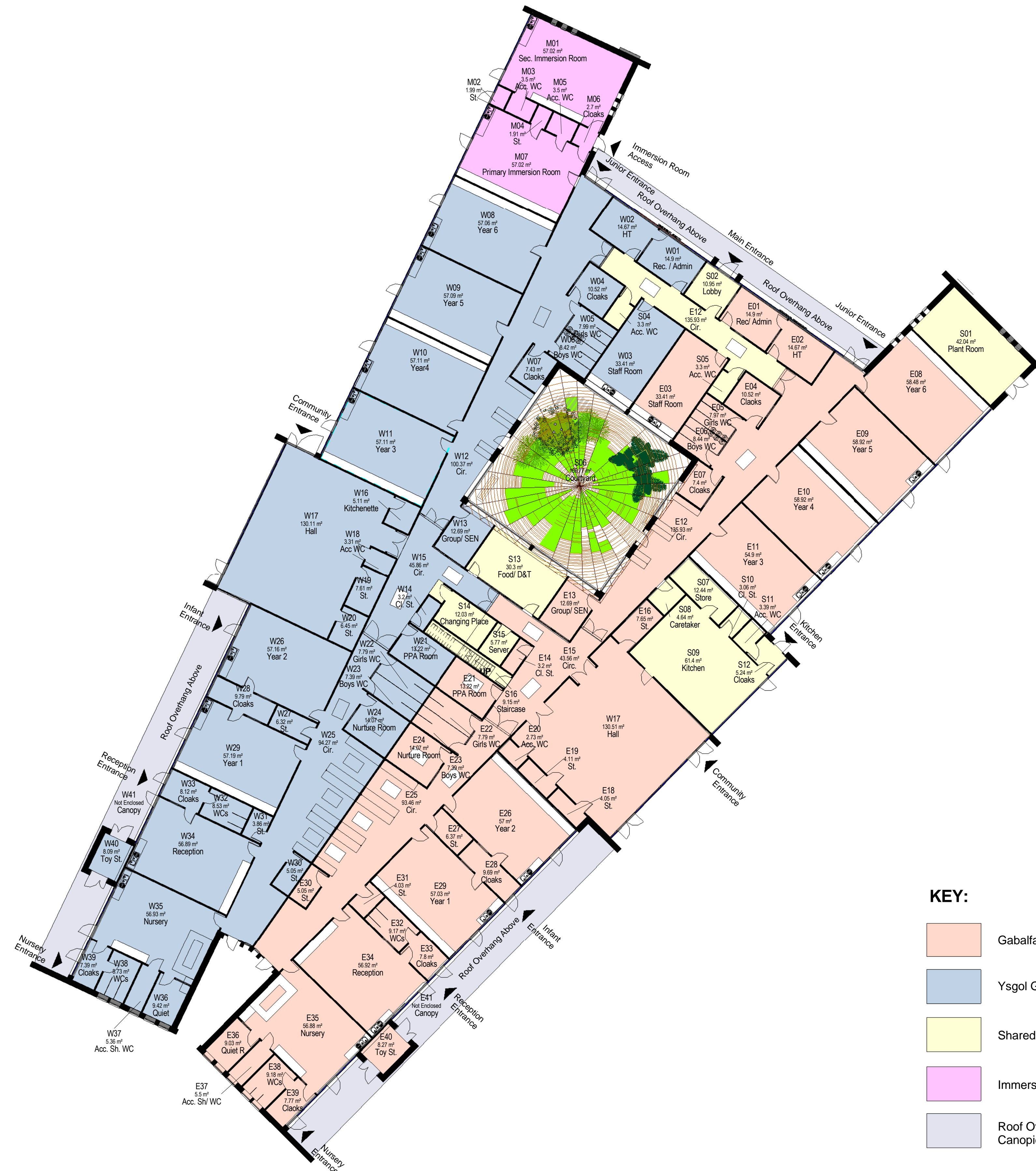
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KEY:

- Gabalfa Primary School
- Ysgol Glan Ceubal
- Shared Facilities
- Immersion Unit
- Roof Overhang/Canopies

PROPOSED FLOOR PLAN

Scale: 1:200

revision	
title	Gabalfa & Glan Ceubal Primary Schools
detail	Proposed Floor Plan

filepath Y:\1204\shared\models

project number	EDUC 1204	drawing number	SCHD(A)104	revision	
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scale 1:200 @A1 checked RI drawn MMS date Dec, 2016

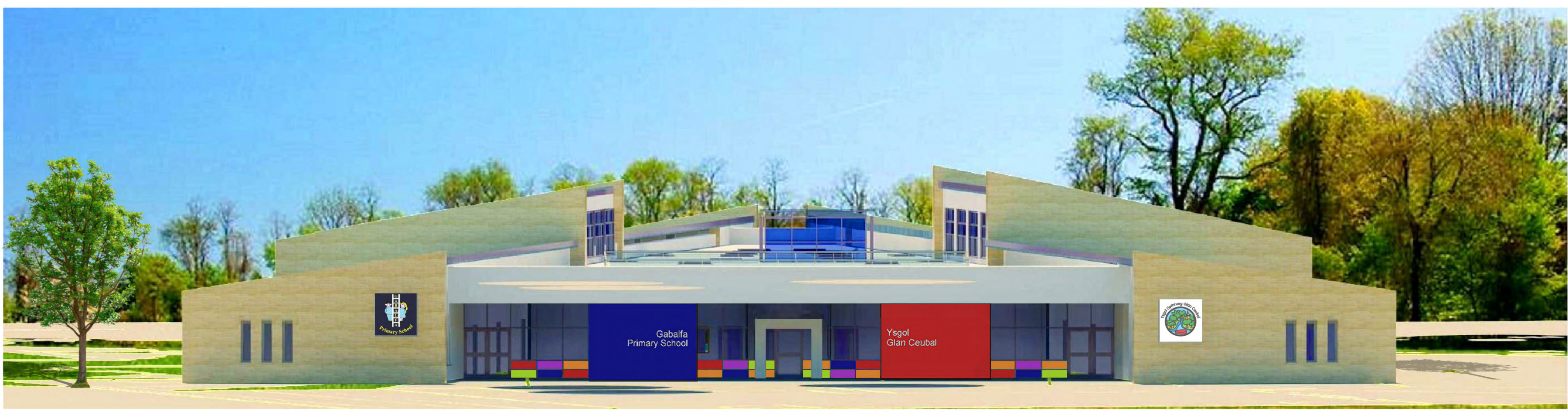
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PROJECTS, DESIGN & DEVELOPMENT

Philip Dee
RHEOLWR GWETHREDCOL
OPERATIONAL MANAGER


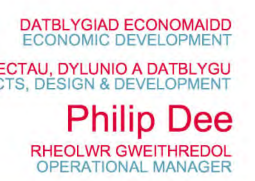

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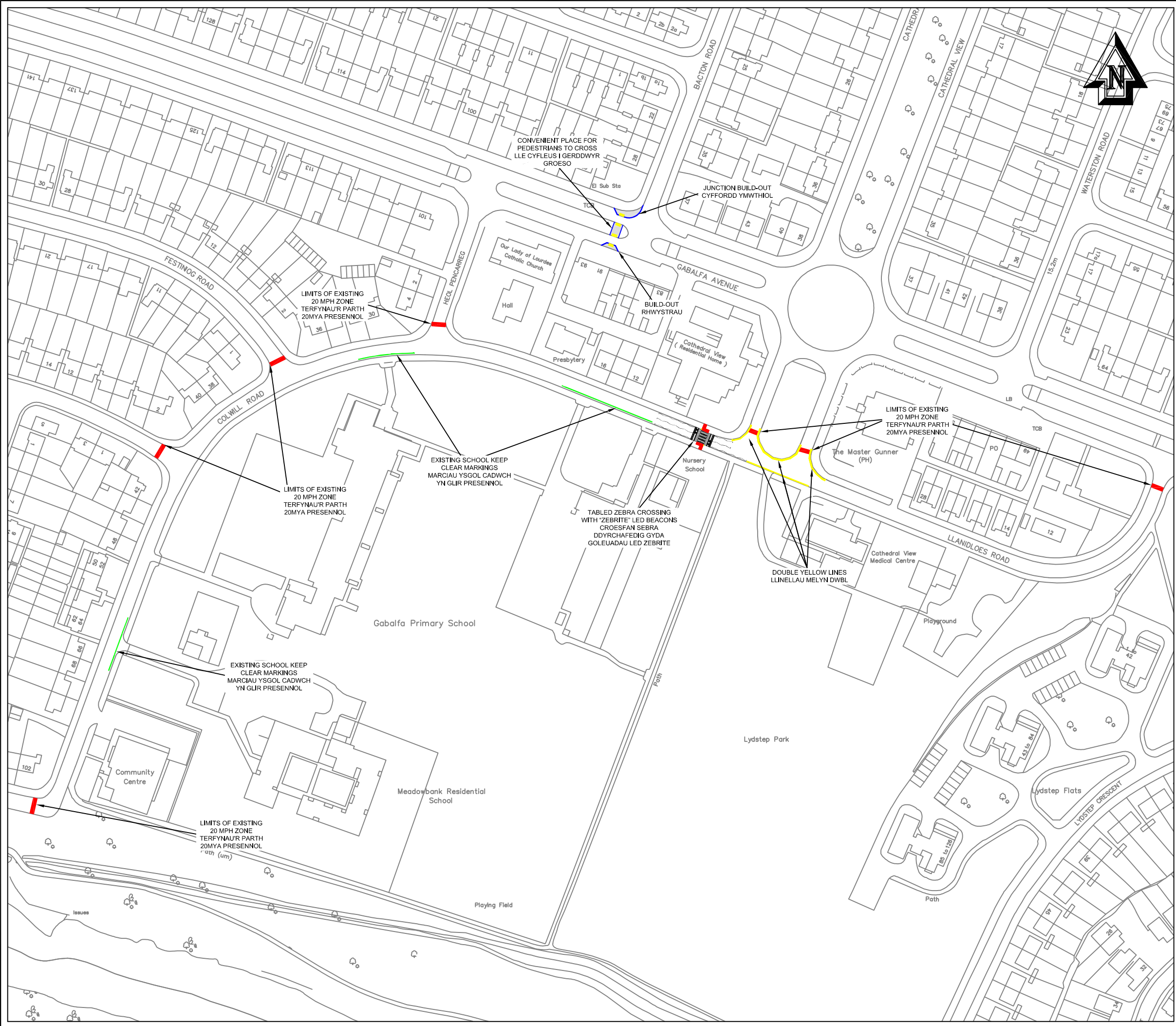
- Significant Risks:**
1. ASBESTOS - Refer to schemes Demolition / Refurbishment Asbestos Survey before proceeding.
 2. List Other Significant Risks Here - Alter this note to suit scheme and change to RED (Colour 242) as above.
 3. Stretch note box and osnote (if required) to suit.

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EXTERNAL VIEWS

revision		
title Gabalfa & Glan Ceubal Primary Schools		
detail External Views		
filepath Y:\DESIGN+CONSTRUCTION\LIVE PROJECTS\		
project number EDUC1204	drawing number SCHD(A)107	revision -
scale 1:500@A1	checked RI	drawn MMS date Dec, 2016
 CARDIFF CAERDYDD	 DATBLYGIAD ECONOMAIDD ECONOMIC DEVELOPMENT PROJECTAU, DYUNIO A DATBLYGU PROJECTS, DESIGN & DEVELOPMENT Philip Dee RHOLWIR GWETHREDOL OPERATIONAL MANAGER	 UKAS FS 25745
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NOTES:

REV	DATE	AMENDMENT

Strategic Planning, Highways, Traffic & Transport

Cynllunio Strategol, Prifffyrdd, Traffig a Thrafnidiaeth

Director for Strategic Planning, Highways, Traffic & Transport
Cyfarwyddwr Cynllunio Strategol, Prifffyrdd, Traffig a Thrafnidiaeth
Andrew Gregory

PROJECT TITLE

Gabalfa School
Transport Assessment -
School Improvements


DRAWING TITLE

Gabalfa School -
Proposed Improvements

SCALE @ A3 NTS **DATE** 07/07/15

PROJECT No. SGM014 **DRAWING No.** PCD/PC/SI/07/2015

DRAWN BY S Irish
CHECKED BY P Belcher
APPROVED BY J Rowlands



CARDIFF COUNTY COUNCIL
CYNGOR SIR CAERDYDD

TRAFFIC MANAGEMENT,
County Hall,
Atlantic Wharf,
Cardiff,
CF10 4UW.

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**CITY OF CARDIFF COUNCIL
CYNGOR DINAS CAERDYDD**

PLANNING COMMITTEE MEETING 8 FEBRUARY 2017

**TITLE Stopping Up of Highway at the Powerhouse, Pentwyn, Cardiff.
Section 119 Highways Act 1980 as applied to Section 257, Town and
Country Planning Act 1990.**

REPORT OF DIRECTOR CITY OPERATIONS

PORTFOLIO:

Reason for this Report

1. To request that the Planning Committee direct the Director of Highways to instruct Legal Services to make a Stopping Up Order to enable an extension to be built at the Powerhouse.

Background

2. The Powerhouse is being extended and this involves construction over the existing footpath, and a new footpath will be constructed upon completion.

Issues

3. Upon completion of the extension a new footpath will be constructed.

Local Member consultation (where appropriate)

4. No objections received.

Reason for Recommendations

5. To enable development of The Powerhouse.

Financial Implications

- 6.

Legal Implications (including Equality Impact Assessment where appropriate)

- 7.

HR Implications
None

8.

RECOMMENDATIONS

To proceed with making a Stopping Up Order.

NAME OF DIRECTOR Andrew Gregory
Date 2 February 2017

The following appendices are attached:

The following background papers have been taken into account

1Plan

2Commitment to construct a new path.



City of Cardiff Council
Cyngor Dinas Caerdydd



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

Scale: 1:1000
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