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## AGENDA

Committee	PLANNING COMMITTEE
Date and Time of Meeting	WEDNESDAY, 1 MARCH 2017, 4.00 PM
Venue	COMMITTEE ROOM 4 - COUNTY HALL
Membership	Councillor Michael (Chair) Councillors Lynda Thorne, Manzoor Ahmed, Ali Ahmed, Burfoot, Gordon, Hudson, Hunt, Murphy and Robson

### 1 APOLOGIES

### 2 MINUTES - to follow

To approve as a correct record the minutes of the meeting held on 8 February 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 DEVELOPMENT CONTROL APPLICATIONS

The schedule of development control applications has been circulated separately.

### 5 16/01760/MJR - Cardiff Metropolitan University, Cyncoed Campus (Pages 1 - 62)

### 6 16/02731/MJR - Land to the North of Cardiff Central Railway Station and Saunders Road, South of Wood Street and West of Great Western Lane (Pages 63 - 124)

### 7 16/02939/MJR - The Coal Exchange Limited, The Coal Exchange, Mount Stuart Square, Butetown (Pages 125 - 146)

### 8 DATE OF NEXT MEETING - 15 March 2017

**Davina Fiore**

**Director Governance & Legal Services**

Date: Thursday, 23 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 OBJECTIONS, MP OBJECTION & PETITIONS

COMMITTEE DATE: 01/03/2017

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
- C6472-RVW-XX-BG-DR-C-002 Revision P1 Proposed Drainage and Landscaping Mitigation
- 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 accord with drawing no. C6472-RVW-XX-BG-DR-C-002 Revision P1 (Proposed Drainage and Landscaping Mitigation) and 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. The approved measures shall be implemented in accordance with the approved details prior to beneficial occupation. 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.
34. Prior to the commencement of development a Site Waste Management Plan (SWMP) shall be submitted to and approved in writing by the Local Planning Authority. The SWMP shall include measures to reduce

environmental impacts of construction waste. The development shall be carried out in accordance with the approved SWMP.

Reason: To reduce the environmental impacts of construction waste.

**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. 22 no. spaces would be lost to accommodate the Forum building.
- 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



C6 and Sport  
W2 Health  
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)  
*Tall Buildings* (January 2016)  
*Planning Obligations* (January 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** understands that the Site of Importance for Nature Conservation (SINC) woodland to the south of the area to be developed (Queen's Wood) will not be directly impacted by the proposals. They note from the drawing titled 'Tree Retention & Removal Plan' Revision C, September 2016 that a tree (T52) assessed to have high potential for use by roosting bats is to be felled to facilitate the development. They welcome the recommendations set out in Section 10.7 of the bat report (Ref. Just Mammals report, dated July 2016) and advise that felling works are undertaken following these recommendations. They note the proposed external lighting indicated on drawing number 70218-STL-00-ZZ-DR-L-ZZ-91062 'Hard Landscape and Furniture Plan – Courtyard' Revision P22.0, dated 11 July 2016 comprising low bollard lights. They advise that the implementation of these lighting measures is secured through a suitable condition. If other external lighting is proposed i.e. in addition to that shown on the above mentioned drawing, they recommend that the Council's Ecologist advises on its acceptability. The woodland to the south of the development should not be illuminated by artificial lighting and should be maintained as a dark corridor to avoid disturbance to protected species.

## 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

- (x) too bulky;  
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 All 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 25<sup>th</sup> 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 31<sup>st</sup> 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 31<sup>st</sup> 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, 15 no. further objections were received from residents of Carisbrooke Way, Cyncoed Place, Springwood, Farm Drive, Woodland Crescent, Owain Close and Ael-y-Bryn plus one Penylan resident who withheld their address. They 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. The parking chaos in Cyncoed/Penylan is already very bad and will be made unbearable by the development. Local roads get congested and sometimes dangerous with student parking. Multi-storey on-site parking with reasonable charges would help, as would more double yellow lines on key local roads.
- (ii) Existing Travel Plan phase 2 states a high level aim/objective is to minimise the impact of organisation related activities (congestion, noise pollution) upon the local community. The University's Car Parking Policy states "There are no parking spaces set aside for residential students. Resident student vehicles will be classed as illegally parked and subject to enforcement controls..."
- (iii) Loss of peace and quiet due to increases noise and anti-social behaviour;
- (iv) Damage to woodland;

- (v) Loss of wildlife and harm from light pollution;
- (vi) It is unclear what is being proposed for the existing road that was being re-aligned;
- (vii) There seems to be a new path nearer the woodland, parallel to the road;
- (viii) Original objections not included;
- (ix) An underground car park should be made a condition of permission
- (x) During vacation periods parking should be made available for visitors to Cardiff attending special events;
- (xi) Repeated amended submissions are a cynical attempt to wear down the opposition;
- (xii) Restricting access to Cyncoed Road demonstrates the applicant's lack of knowledge of parking problems as problems will increase at peak times;
- (xiii) Residents views have been ignored during the consultation process;
- (xiv) Height of 7 storey block unacceptable;
- (xv) Drainage problems will result in tree loss and road removal;
- (xvi) Loss of privacy;
- (xvii) Increased litter
- (xviii) Existing student accommodation in the city should be re-used;
- (xix) Loss of property values;
- (xx) The application does not include options for the provision of residential parking, pedestrian facilities on Circle Way West and safety of active modes
- (xxi) Transport Statement contains contradictions – the campus is not a car-free zone. Transport Assessment Conclusions are not based upon empirical evidence. Previous permission included a legal agreement preventing students from parking within 3km of the site. No evidence that this clause has been upheld.
- (xxii) Ecology Report – existing lighting has presented problems during survey work
- (xxiii) Noise Assessment – readings for report were undertaken whilst the university was in recess. Assessment did not include sports matches at weekends
- (xxiv) The applicants are a bad neighbour as amendments do not address or alleviate residents' concerns

7.30 Following the Committee Site Visit on 1<sup>st</sup> February a further letter was submitted by the petitioner raising the following issues:

- (i) Understands from local councillors that the offer to view the planning proposals from an additional perspective has been denied because it was not deemed necessary.
- (ii) Residents are deeply concerned about the size of the accommodation block and the Forum and its close proximity to residential housing and the detrimental impact it will have. Currently, there are huge concerns with noise, anti-social behaviour, parking and traffic that need to be addressed. They wish to make it clear that CMet is having a detrimental impact on residents currently and it is a fact that it is depriving residents of the enjoyment of their own home and garden presently.
- (iii) Although they are grateful a site visit is taking place, so the committee



members can see the small space available for such a huge development and its proximity to residential housing. The site visit will permit the committee to see how close these proposals are to the ancient woodland and the 19 trees to be felled, plus the additional (approx.) 40 trees we believe that will be felled or damaged to accommodate it, in addition to the drainage system through the woods. The social hub 'The Forum' is very close to the houses on Carisbrooke Way and they believe that viewing the site from a private property will clearly show how visible it will be, particularly in the winter months, so the planning committee could form a view from an additional perspective and understand what residents will be able to see and potentially hear. They believe it would also show a true reflection of how residents will be overlooked by the development and understand how residents can be disturbed by the students' noise, music, drunkenness and general anti-social behaviour that is not addressed by the management at Cardiff MET at present. This is even closer to residents' homes and seeing it from a private residential house, they believe, would permit the committee to see the reality of the proposals.

- (iv) They believe artist's impressions to be misleading; particularly the numbers of trees and height shown and that seeing the site from residents' private properties would clarify this so an informed decision can be made.
- (v) They believe this is a reasonable request and that it has been unreasonably denied with no explanation as to why, therefore, as residents, they find unacceptable.

7.31 The occupier of 50 Springwood makes the following comments:

- (i) The Highways officer, in an email to the planning officer, acknowledges that "there isn't much supporting information of use in the Transport Statement". This is a telling admission of the inadequacy of the application, in respect of the development and its impact on the surrounding road network.
- (ii) He also acknowledges that "the issues of greater relevance and of concern ... are those with regards parking spilling over from the site (in particular due to the propensity for students to avoid pay & display charges) onto the adjoining roads and into residential areas". His response advises that, if the authority has not already done so, it should "look at options for residential parking and enforcement". The road safety issues in the areas surrounding the campus (especially on Circle Way in Llanedeyrn) continue to worsen. No effective measures to ameliorate the situation have been undertaken or proposed by the university or the local authority.
- (iii) He highlights the problems encountered by pedestrians in accessing the campus. He notes the lack of provision of pedestrian facilities for campus users, particularly along Circle Way West. This re-enforces objections previously submitted in respect of this application. Therefore, he welcomes the recommendation for the council to look at options to mitigate the parking problems and to address the poor pedestrian infrastructure on Circle Way. From a safety perspective, both are closely

- linked.
- (iv) The reference to “road collision data for the last 5 years” complies with planning guidance but reflects a degree of complacency regarding the road traffic dangers in the area. There may have been no reported pedestrian casualties, over this period, but the transport statistics do not capture the number of near misses on Circle Way caused by legally parked vehicles that obstruct the view of drivers, pedestrians and cyclists. Statistics should not be used to gloss over what is a *prima facie* high-risk situation.
  - (v) The officer is ill-informed about the quality of provision for cyclists on Circle Way. The designated cycle lane is not mandatory. Therefore, for most of the day, cars legally parked in the lane make it inaccessible to cyclists. They are forced to risk cycling near the centre of the carriageway, which is particularly hazardous at the blind spot on the brow of the hill and near the junction into Springwood.
  - (vi) In the absence of a fit-for-purpose transport statement, the volume of traffic associated with the existing facility has still not been established. TRICS (Trip Rate Information Computer System) data is used to support the view that the development would have a minimal impact on traffic in the area. However, the data that he adduces relates to “out of town Student accommodation”. This is unlikely to provide a realistic trip-generation forecast for a uniquely multi-faceted facility like the Cyncoed Campus of Cardiff Metropolitan University.
  - (vii) It is incumbent on the planning authority to withhold consent to this application, until a thorough analysis of the cumulative effect of successive developments has been presented and action is in place to ensure the safety of pedestrians, cyclists and motor vehicles in the vicinity of the campus.

7.32 The occupier of 30 Lothian Crescent makes additional comments to his previous objections regarding damage to Queens Wood and its associated fauna and wildlife.

- (i) His previous letter dated 7<sup>th</sup> November 2016 estimated additional damage to the trees of Queen Wood caused by the excavation and construction of the new access road which is shown located into the Wood because of the huge size of the proposed development. He also estimated the damage caused to the trees by the new storm and foul drainage and in particular the large attenuation tank located under the road together with the new outfall which is proposed to be routed through the main body of the Wood. The preliminary drawing titled “Drainage and Landscaping Mitigation“ added in January includes existing ground levels and has a detailed building drawing and drain run details, although no details of drainage invert levels or road profile and construction details. Neither, most importantly, do they appear to have designed the new outfall routed through the main Wood to the Nant Pant bach. He has redone his assessment of the damage to the trees possible and shows these on submitted sketches. The sketches show that the site will be considerably congested during the construction phase due to the size of the proposed building, this has resulted in the

Consulting Engineers having to push the new access road and main drainage into the main Wood in their design, inevitably the Contractor will damage adjacent trees maintaining access around the site during his construction operations, the Engineers have tried to pass the responsibility onto the Contractor by requiring approval of a farcical method statement on their drawing.

- (ii) He has documented the pinch points around Blocks 2 and 4 and the attenuation tank where foundation construction and later access scaffolding will clash with drainage, attenuation tank installation and access road construction and has concluded that 19 no. trees will need to be removed to facilitate the proposed development, and 42 No are at risk of substantial damage (he used his 7th November numbers for the outfall). The trees removed sum is one more than shown on the Broadway Tree survey drawings.
- (iii) He considers that the environmental impact of the proposed development is considerably greater than documented in the ecological assessment reports published to date, the Woodland Trust objections dated 31st August give an excellent reasoning why the damage will occur if read in conjunction with his engineering appraisal.
- (iv) The application must be rejected.

7.33 He has also submitted the following further objections:

- (i) Queens Wood & Wildlife
  - Development will have a massively detrimental effect on the ancient woodland of Queen Wood as a result of the huge size and shape of the development which will require the existing access road diverted into the main body of the existing wood
  - Road construction and drainage installation, including a large storm water storage tank shown sited beneath the road, will require excavation and spoil removal extending into the Woods causing inevitable damage to the adjacent trees and their root systems occurring. Also a new drainage outfall needs to be constructed through the Woods linking to the existing stream (Nant Pant-Bach). This will require a construction plant access cut through the Woods which together with installation of the outfall will cut a swathe through the woods requiring further tree removal, soil removal, damage to adjacent trees and fauna and disturbance to wildlife.
  - These factors have been totally ignored within the Ecological Assessments. The application shows 18No mature trees need to be removed to facilitate the development, our study estimates that a further 40No trees are "At risk" due to damage incurred during construction operations with a further tree needing to be removed to facilitate a drainage run bringing the total removed to 19No.
  - 2No trees which are classed as having moderate and high bat potential are very close to or in line with the drainage outfall to be reconstructed, and will be damaged or destroyed in the construction phase of the proposed development. They have not been surveyed within the reports in the application to ascertain if they support roosting bats.
  - It is noted within the survey report within the application that brown long

eared bats were observed and that they will not tolerate increased artificial light. If the Development were to proceed they will be lost to the local area.

(ii) Size and height of the proposed development

- A large number of the properties affected are below the ground level of the proposed 7 storey accommodation development and therefore they will be up to 11 storeys below the full height of the development. Loss of privacy to the local community as a whole with the development towering and overlooking long established properties which were not previously overlooked. The visual impact views that purport to indicate how the proposed development will appear from various locations around the neighbourhood as well one sectional drawing which includes local residences. The applicant's impact views and sectional drawings are considerably flawed and their own information prepared shows that the resident amenity in relation to privacy and overlooking will be considerably reduced for a large number of properties

(iii) Tall Buildings Supplementary Planning Guidance

- All of the properties most affected by the loss of resident amenity are 2 storey residences. The applicant's Design and access statement attempts to justify the 7 storey accommodation block proposal on the basis of the height of the existing Maelfa flats in Llanedeyrn and Cardiff University's tower block in Ty Gwyn Road. The Maelfa is nearly ½ a mile away and due to the topography of the area not visible to the residents in the streets mentioned above. Ty Gwyn Road slopes significantly down from Cyncoed Road and therefore the University's building does not intrude on resident's skyline. They therefore consider that the size and height of the proposed accommodation block contravenes the SPG on several counts and should not be approved on this basis alone.

(iv) Noise and Anti-Social Behaviour:

- Currently, the behaviour of Cardiff MET students disrupt the lives of residents in Llanedeyrn, Penylan and Cyncoed through loud beat music, loud noises, screaming, shouting, singing, chanting and blowing whistles, which can be heard inside homes, with closed double glazed windows. Rugby matches are excessively loud, demonstrating antisocial behaviour where students bang drums, use air raid sirens and shout into loud hailers and megaphones. These matches have started after 7pm at night when children are in bed. Song lyrics, often offensive, can be heard inside residents' homes. Young children are disturbed and kept awake as the noise and flood lights fill their bedrooms. Complaint calls to Cardiff MET security, often in the early hours (up to 4.30am) and written complaints to management are not acted upon sufficiently and this nuisance behaviour is repeated.
- Students have been observed from residents bedrooms urinating in the woodland.
- The current anti-social noise from Cardiff MET is excessive. The University has failed to address this despite numerous complaints from a large number of residents. This is an infringement of our article 8 right of the European Convention of Human Rights 1950. We urge the planning committee to consider its positive obligations and to uphold our right to a private and family life. This development will add a considerable strain to

our quite enjoyment of our homes.

- Residents are entitled to peaceful, quiet enjoyment of their own home, but Cardiff MET prevent this in the day, evenings and weekends. Unreasonable and unacceptable anti-social behaviour exists with the current with 500 + students on site , that they do not control. 1000 students even closer to residents home will inevitably create further noise and light pollution through the Forum being open 7am-11pm with alcohol, music and a social hub for 1000 students excessively close to the woodland and residents home and only yards from some residential housing in Carisbrooke Way.
  - Students are noisy, but also rude, threatening and abusive to residents in the local community, particularly when asked to move their illegally parked cars. Some residents are fearful of the students, and Cardiff MET management fail to deal with the detrimental impact they are having on residents. Planning application 03/0022/N contains a section 106 agreement. It was agreed 6<sup>th</sup> January 2005 that the University as a condition for a grant of planning permission to control parking. It was agreed that students resident on that development were not to park any motor vehicles on the site or within 3km the campus. The duty to enforce this was placed upon the University. We have seen no evidence of this over the last 10 years. The applicants own transport statement makes no reference to this and seeks to place all parking issues to law enforcement agencies. This demonstrates the University does not adhere to legally binding agreements. It also shows that the University has the lack of insight as parking enforcement is primarily a local authority issue rather than law enforcement. The University fails to understand and fails to adhere to a land charge associated with a planning permission
  - Residents are trying to engage with the management of Cardiff MET but they so far have refused to discuss the developments proposed. The Vice Chancellor has declined to respond to letters or emails requesting a meeting in regard to the scheme. While we as an action group have met on certain occasions with senior management officials but they actively declined at the meeting to discuss the planning application despite requests to do so.
  - Cardiff met have sole their site on Howard Gardens which is now being turned into 616 student accommodation units by we believe a private developer. In their application Cardiff met have not demonstrated any need for this accommodation. Given the certain disruption to residents both during construction and usage surely this requirement of demonstrable need must be addressed.
  - Cardiff Met have claimed that they have evidence supporting a need for additional accommodation on site. Despite over a dozen request for site of same they have failed to provide this. We suspect it doesn't exist.
- (v) Light Pollution
- Currently, lights and floodlights from Cardiff MET, illuminate gardens and homes with invasive, disruptive light, amounting to a nuisance. Despite this issue being raised in a meeting with Senior management the problem remains at this time.
  - The Incongruous seven storey accommodation block will inevitable

result in excessive lights, interior and exterior, which will be visible to residents in Llanedeyrn and Penylan. This will be, particularly invasive in winter months when the trees are bare, but will remain year round as the accommodation towers over the trees and local residents homes. The proposed developments close proximity to the tree line will almost certainly disrupt the woodland ecosystems and have a detrimental impact on the wildlife, particularly disruptive to the bats and the brown long eared bat that is intolerant of artificial light (see bat report).

- The Forum is only metres away from a high potential bat roosting tree - some bat species will not cross lines of light, as it acts as a barrier, disrupting flight paths which restricts habitat. In addition, lighting close to roost access points disturb bats within a roost and may result in the abandonment of said roost. A further high potential bat roosting tree is due to be felled for the proposed accommodation block. The re-alignment of the access road into the woodland will also require lighting in the woodland, which will have significant detrimental impact on the environment and residents.

(vi) **Transport and Parking**

- There are clear inconsistencies within Asbri's Transport Statement. It claims that the campus is "a car free establishment", whilst providing clear evidence of substantial car use on and around the site.
- The situation clearly demands a detailed traffic impact assessment. This is especially critical in view of the number of schools situated close to the campus and its proximity to the problematic roundabout at the junction of Southern Way (A4232) and Eastern Avenue (A48), which already requires intermittent traffic lights to regulate the flow.
- There appears to have been no consultation with the Welsh Government or the South Wales Trunk Road Agents, despite Welsh Government Technical Advice Note 18 stipulating that this is required where a development is likely to increase traffic entering or leaving a trunk road.
- Far from being car-free, access to the campus from the Llanedeyrn side is extremely hazardous for pedestrians, there being no pedestrian entrance or pavement skirting the site.

They urge their directly elected members to consider the weight of their arguments presented in this document along with the vast number of objection letters. The development will cause significant issues to residents and to the city as a whole. The benefit to the University is limited due to the available student accommodation available and in construction across the city. They hope the committee make an informed decision based upon the city as a whole rather than one organisation's revenue making scheme.

## 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 1<sup>st</sup> 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.
- (xxix) Condition 10 requires a Travel Plan in the event that permission is granted.
- (xxx) The site is owned by the applicant and therefore the Council cannot control any use of the site during holiday periods;
- (xxxi) The repeated consultation periods have occurred to ensure third parties are fully aware of the amendments and additional information;
- (xxxii) Key consultees in respect of transport, noise and ecology have no objection regarding the scope or findings of the submitted assessments.

8.24 In response to the representation regarding the Committee Site Visit on 1<sup>st</sup> February (paragraph 7.30), Committee Members walked the length of the application site, accompanied by officers and third parties including a large number of local residents who were able to put questions to the Committee through their Local Members. Members also viewed the application site from the nearby residential areas at Ael-y-Bryn, northeast of the site, and Carisbrooke Way, south of the site. It was not deemed necessary to visit private property in this instance as Committee Members could appreciate the relationship between residential areas and the site from public vantage points.

8.25 A total of 19 no. trees would be felled and the drainage system has been amended to avoid further tree loss. Relevant conditions to agree drainage

details and ensure tree protection are recommended and would only be discharged once the agreement of the tree officer and drainage engineers has been received. There is no evidence in the application that an additional 40 no. trees would need to be felled/damaged to accommodate the development.

8.26 In response to the representation by the occupier of 50 Springwood in paragraph 7.31:

- (i) The Highway Officer has confirmed that the context of his statement was to dismiss the claim that a Transport Assessment rather than a Transport Statement should have been undertaken.
- (ii) The Operational Manager, Transportation, is satisfied that the Transport Statement is fit for purpose (see paragraph 5.1).
- (iii) The applicant has agreed to make a financial contribution to improve cycling facilities and to address parking problems on local roads in the vicinity of the application site – see Section 9.
- (iv) Near misses cannot be quantified and therefore do not contribute to road collision data.

8.27 In response to the issues raised by the occupier of 30 Lothian Crescent in paragraphs 7.32 and 7.33 which have not already been addressed in this report:

- (i) The impact upon trees and wildlife has been subject to a detailed assessment by the Council's Tree Officer and Ecologist. They are satisfied that the Queens Wood will be safeguarded as the development will not encroach into the existing woodland. The drainage proposals have been amended at the request of the Tree Officer to safeguard retained trees and avoid root protection areas. Conditions are recommended to ensure tree and ecology interests are safeguarded;
- (ii) 19 no. trees are proposed to be removed. There is no evidence that 40 no. additional trees will be lost;
- (iii) Condition 27 requires bat mitigation details to be submitted for approval;
- (iv) The bat mitigation strategy will include details of light mitigation;
- (v) The transport issues are already covered in paragraph 5.1-5.10 and Section 8;
- (vi) With respect to impact on human rights, Protocol 1 does indeed say that a person is entitled to the peaceful enjoyment of his possessions – but it goes on to qualify that right as being “except in the public interest and subject to the conditions provided by law”. In *Huang v Secretary of State*, the Supreme Court held that there is a “need to balance the interest of society with those of individuals and groups”. The right is not absolute and it may be restricted provided the restrictions are lawful, have a legitimate aim and are balanced. The established planning decision-making process assesses the impact, which a proposal will have on individuals and weighs that against the wider public interest when determining whether development should be permitted. That is consistent with the requirements of the European Convention on Human Rights.

## **Other Considerations**

- 8.28 *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.
- 8.29 *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
- 8.30 *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.

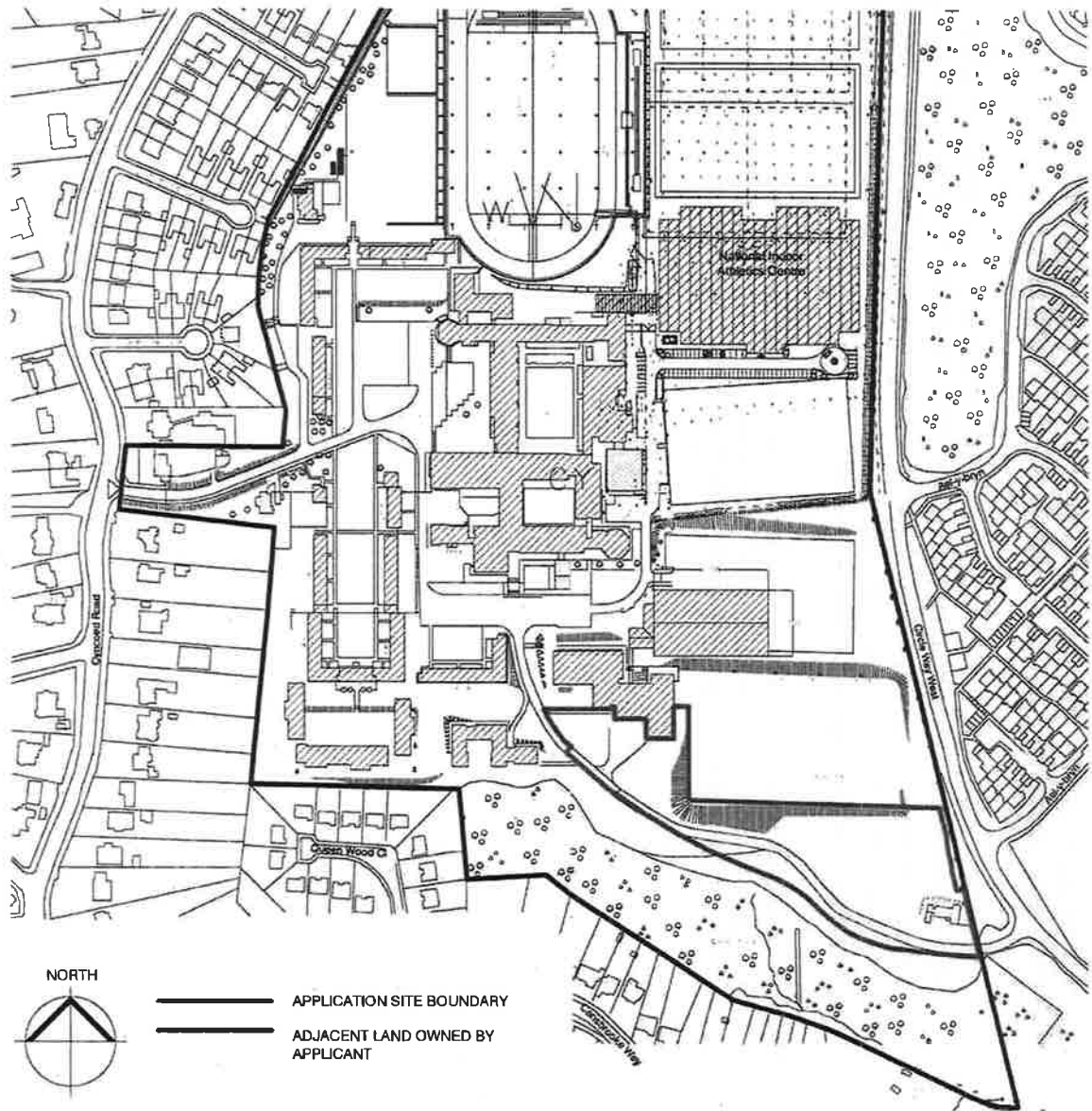
## **10. CONCLUSIONS**

- 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.
- 10.6 However, should Committee be minded to refuse the application, the following could potentially form reasons for refusal:
  1. The seven storey student accommodation, by reason of its size and scale, would result in an intrusive overdevelopment that would cause unacceptable harm to the amenities of neighbouring residents, contrary to the provisions of Policy KP5 (x) (Good Quality and Sustainable Design) of the Local Development Plan (January 2016).
  2. The development would cause unacceptable harm to existing trees, contrary to the provisions of Policies KP16 (Green Infrastructure) and EN8 (Trees, Woodlands and Hedgerows) of the Local Development Plan (January 2016).

Responsibility is not accepted for errors made by others in taking from the drawing  
 All dimensions and locations should be taken from figured dimensions only



——— APPLICATION SITE BOUNDARY  
 ——— ADJACENT LAND OWNED BY APPLICANT

PL	PLANNING	PROJECT NUMBER	70218-STL-00-ZZ-DR-A-ZZ-01001
SI	SI 100	SI 100/20	SI 100/20
DATE	01/01/20	DATE	01/01/20
PROJECT	Cardiff Metropolitan University	PROJECT	Cardiff Metropolitan University
DESIGNED BY	ALW	DESIGNED BY	ALW
CHECKED BY	RW	CHECKED BY	RW
DRAWN BY	70218	DRAWN BY	70218

# STRIDE TREGLOWN

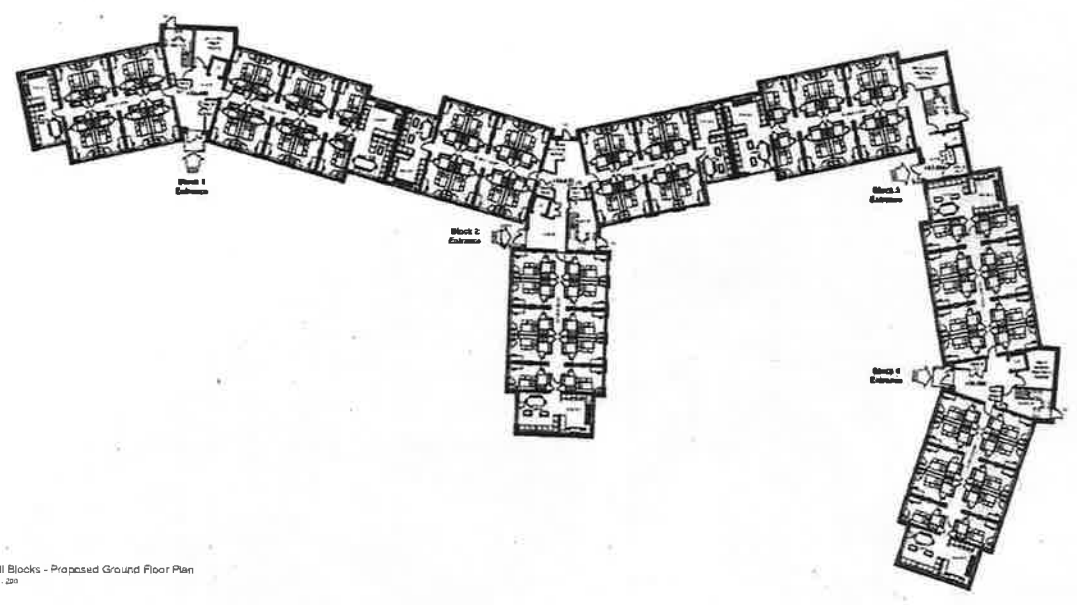
PROJECT  
 CMU Student Accommodation  
 Cyncoed Campus  
 Cyncoed  
 Cardiff

DRAWING TITLE  
 Location Plan

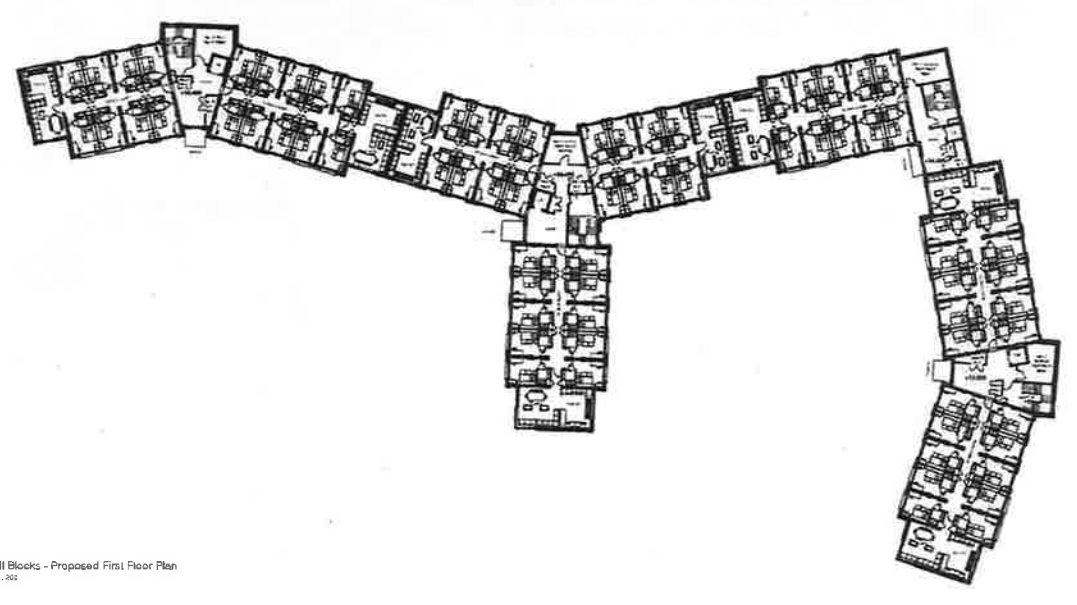
PL : PLANNING	SCALE 1 : 2500 @ A3
PROJECT : 70218-STL-00-ZZ-DR-A-ZZ-01001	REVISION P22.0







1 All Blocks - Proposed Ground Floor Plan  
1.203



2 All Blocks - Proposed First Floor Plan  
1.202

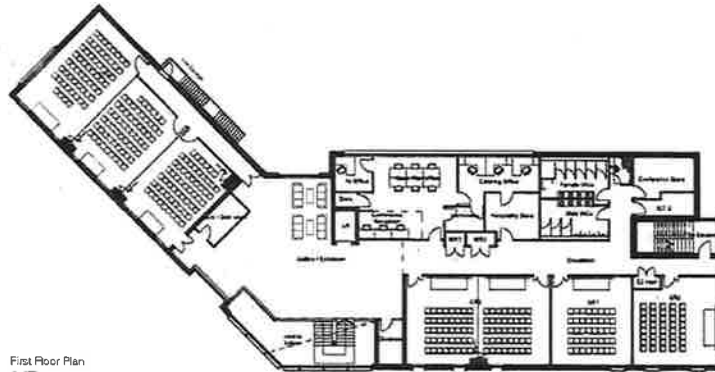
Author	...
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Date	...
Project	...
Client	...
Scale	...
Sheet	...

**STRIDE TREGLOWN**

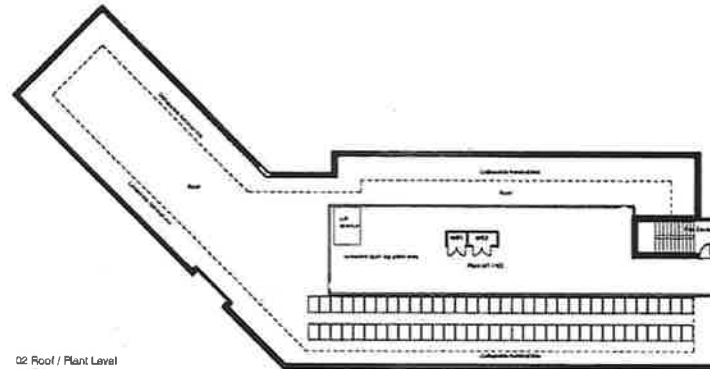
Our Shared Ambition  
 Create Growth  
 Unleash  
 Connect

All Blocks - Proposed First Floor Plan (Level 01)	
Project No.	...
Revision	...
Date	...
Page	...

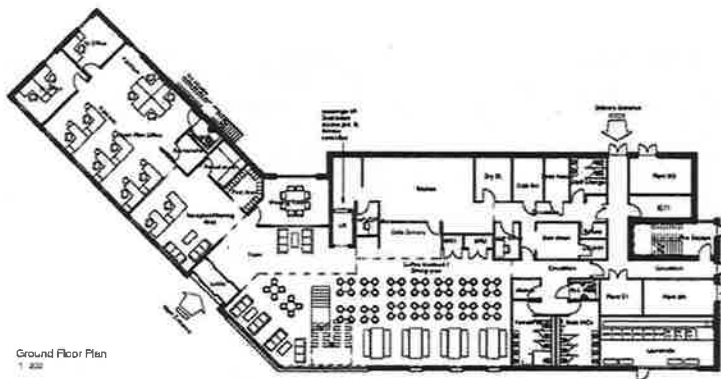
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First Floor Plan  
 1.002



02 Roof / Plant Level  
 1.003



Ground Floor Plan  
 1.001

001	002	003	004	005	006	007	008	009	010
011	012	013	014	015	016	017	018	019	020
021	022	023	024	025	026	027	028	029	030
031	032	033	034	035	036	037	038	039	040
041	042	043	044	045	046	047	048	049	050
051	052	053	054	055	056	057	058	059	060
061	062	063	064	065	066	067	068	069	070
071	072	073	074	075	076	077	078	079	080
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091	092	093	094	095	096	097	098	099	100

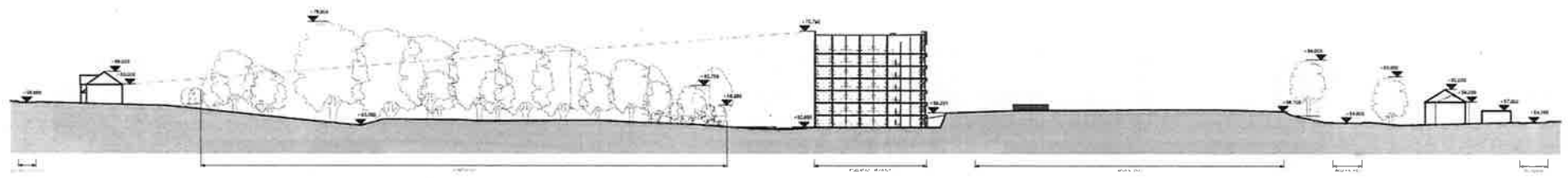
**STRIDE TREGLOWN**  
 CMU Student Accommodation  
 Cyncoed Campus  
 Cyncoed  
 Cardiff

The Forum - Proposed Floor and Roof Plans

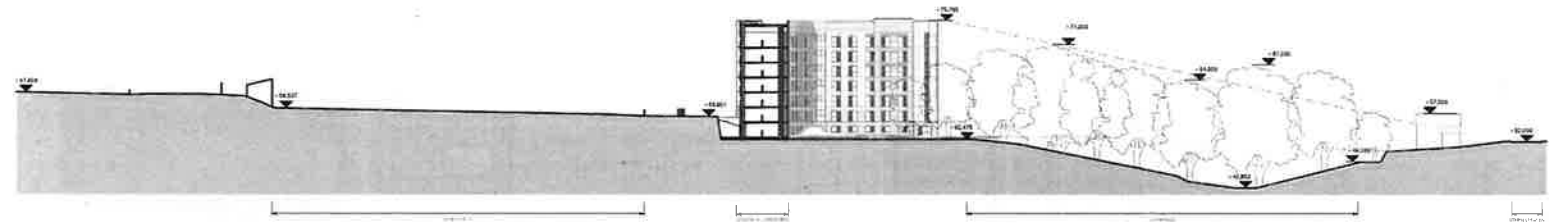
Project Name	70218-STL-05-ZZ-DR-A-ZZ-02101
Scale	1:200 @ A1
Sheet No.	P22.0







① Proposed Site Section (West to East)  
 1:500



② Proposed Site Section (North to South)  
 1:500



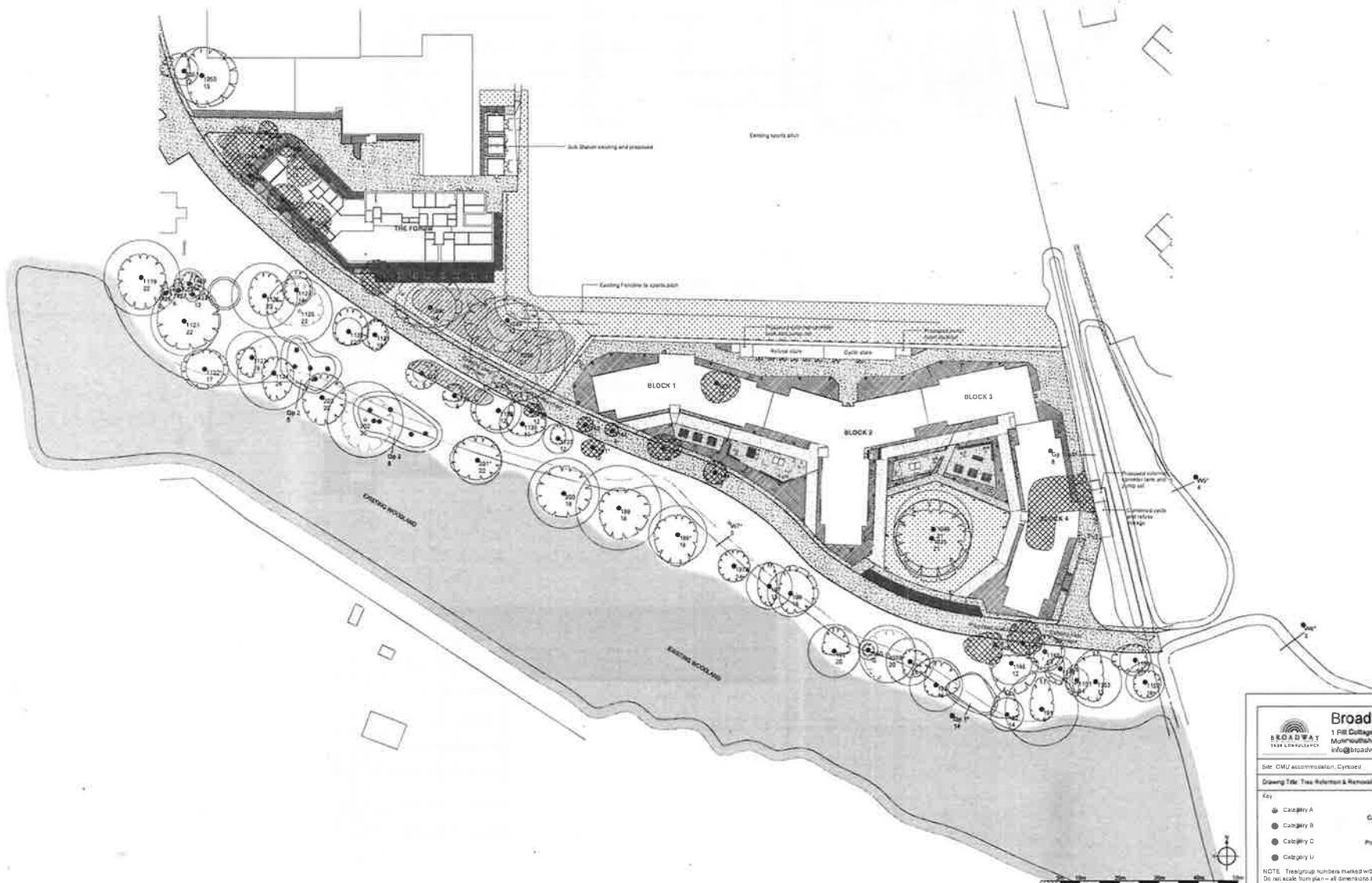
Key Plan  
 1:200

PL	P22.0	11/07/16	PLANNING ROLE
NO	2018	2016/16	ISSUED FOR BRUAT PLANNING
DATE	REV	BY	DESCRIPTION
			REVISION
			NL
			CONFERRED
			ACNY
			70218

**STRIDE TREGLOWN**  
 CONSULTANT  
 PROJECT  
 CMU Student Accommodation  
 Cyncoed Campus  
 Cyncoed  
 Cardiff

DRAWING TITLE	
Proposed Site Sections Sheet 3	
DATE	SCALE
PL: PLANNING	As indicated @ A1
PROJECT & DRAWING TITLE (DATE)	REVISION
70218-STL-00-ZZ-DR-A-ZZ-04003	P22.0





**Broadway Tree Consultancy**  
 1 Pine Cottages, The Pits, Llanarth, Nr. Raglan,  
 Monmouthshire, NP23 2DE. Mobile: 01961 533416  
 info@broadwaytrees.co.uk www.broadwaytrees.co.uk

Site: CMU accommodation, Cymroes	1:SBTGA1
Drawing Title: Tree Retention & Removal Plan	Rev C Sept 2015

City

- Category A
- Category B
- Category C
- Category IV

Category

- Crown Spread
- Tree Number
- Tree Height
- Root Protection Area
- Tree would have to be removed to facilitate development

NOTE: Treegroup numbers marked with an \* have approximate locations.  
 Do not scale from plan - all dimensions to be checked on site prior to construction.

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COMMITTEE DATE: 01/03/2017

APPLICATION No. 16/02731/MJR

APPLICATION DATE: 11/11/2016

ED: **CATHAYS**

APP: TYPE: Full Planning Permission

APPLICANT: Rightacres Property Company Ltd.

LOCATION: LAND TO NORTH OF CARDIFF CENTRAL RAILWAY STATION AND SAUNDERS ROAD, SOUTH OF WOOD STREET AND WEST OF GREAT WESTERN LANE, CARDIFF

PROPOSAL: ERECTION OF A TRANSPORT INTERCHANGE WITH AN ASSOCIATED CONCOURSE AND ANCILLARY RETAIL/ COMMERCIAL UNITS (USE CLASSES A1/A2/A3), 195 RESIDENTIAL APARTMENTS (USE CLASS C3), 12,052 SQM (GIA) OFFICE FLOORSPACE (USE CLASS B1), A 227 SPACE CAR PARK AND A CYCLE HUB, PUBLIC REALM AND RELATED INFRASTRUCTURE AND ENGINEERING 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 9.3 of this report, and having taken account of the environmental information, 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:

Location Plan	VA0-GF-DR-A-01101 Rev 2
Existing Site Plan	VA0-GF-DR-A-01102 Rev 2
Proposed Site Plan	VA0-GF-DR-A-01104 Rev 4
Basement Level GA Plan	VA0-B1-DR-A-03101 Rev 1
Ground Floor GA Plan	VA0-GF-DR-A-03101 Rev 5
Ground Floor Mezzanine GA Plan	VA0-M0-DR-A-03101 Rev 4
1st Floor GA plan	VA0-01-DR-A-03101 Rev 5
2nd Floor GA Plan	VA0-02-DR-A-03101 Rev 3
3rd Floor B2 Office GA Plan	VB0-03-DR-A-03101 Rev 3
4th Floor B2 Office GA Plan	VB0-04-DR-A-03101 Rev 3

5th Floor B2 Office GA Plan	VB0-05-DR-A-03101 Rev 4
6th Floor B2 Office GA Plan	VB0-06-DR-A-03101 Rev 3
7th Floor B2 Office GA Plan	VB0-07-DR-A-03101 Rev 4
3rd Floor B1 Residential GA Plan	VP0-03-DR-A-03101 Rev 3
4th Floor B1 Residential GA Plan	VP0-04-DR-A-03101 Rev 3
5th Floor B1 Residential GA Plan	VP0-05-DR-A-03101 Rev 3
6th Floor B1 Residential GA Plan	VP0-06-DR-A-03101 Rev 3
7th Floor B1 Residential GA Plan	VP0-07-DR-A-03101 Rev 3
8th Floor B1 Residential GA Plan	VP0-08-DR-A-03101 Rev 3
9th Floor B1 Residential GA Plan	VP0-09-DR-A-03101 Rev 3
10th Floor B1 Residential GA Plan	VP0-10-DR-A-03101 Rev 3
11th Floor B1 Residential GA Plan	VP0-11-DR-A-03101 Rev 3
12th Floor B1 Residential GA Plan	VP0-12-DR-A-03101 Rev 3
13th Floor B1 Residential GA Plan	VP0-13-DR-A-03101 Rev 3
14th Floor B1 Residential GA Plan	VP0-14-DR-A-03101 Rev 3
Section 1	ZZ-ZZ-DR-A-05301 Rev 3
Section 2a & 2b	ZZ-ZZ-DR-A-05302 Rev 3
Section 3	ZZ-ZZ-DR-A-05303 Rev 3
Section 4	ZZ-ZZ-DR-A-05304 Rev 3
GA Elevation West Elevation	ZZ-ZZ-DR-A-06401 Rev 3
GA Elevation East Elevation	ZZ-ZZ-DR-A-06402 Rev 3
GA Elevation North Elevation	ZZ-ZZ-DR-A-06403 Rev 3
GA Elevation South Elevation	ZZ-ZZ-DR-A-06404 Rev 3
GA Elevation Sub Station Elevations	ZZ-ZZ-DR-A-06405 Rev 3
GA Elevation Bus Station Elevation	ZZ-ZZ-DR-A-06406 Rev 3

Reason: For the avoidance of doubt.

3. *Phasing plan:* Excluding demolition, site preparation and ground works (foundations and basement structures to ground floor slab) no other development shall take place until a comprehensive phasing plan for the development, to include the public realm works, is submitted to and agreed with the LPA. The phasing plan shall identify phases of construction/works and where required shall ensure safe and convenient pedestrian, cycle and vehicular access through those areas not under construction, or where construction is complete and the area returned to public use. The development shall be carried out in accordance with the approved phasing plan. Reason: To ensure an orderly form of development with safe access through and within the site.
4. The retail floor space hereby permitted shall not exceed 862 sqm and unless otherwise agreed in writing by the LPA none of the retail floorspace shall be modified by internal/ external alterations to form a

single retail unit of more than 200 sqm. Reason: To ensure the development does not compromise the development plan.

5. *Material samples:* Excluding demolition, site preparation and ground works (foundations and basement structures to ground floor slab) no other development shall take place until samples of the external finishing materials 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.
6. *Drainage plan:* No development shall take place until comprehensive proposals showing how foul and surface water flows from the site have been submitted to and approved by the Local Planning Authority. The scheme shall provide for the disposal of foul water to manhole number ST18752901 and also include an assessment for the potential to dispose of surface and land water by sustainable means. The scheme shall include the incorporation of a grease trap for that part of the foul water drainage system serving proposed café/ restaurant uses. The works shall be implemented in accordance with the approved details. Reason: To ensure an orderly form of development.
7. No development shall commence on site until a detailed Risk and Method Statement has been submitted to and approved in writing by the Local Planning Authority. The RAMS should assess any impact on the nearby public brick work sewer and water mains to outline how they will be protected during construction. Reason: To protect the integrity of the public sewers and water mains, avoid damage thereto, protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.
8. *Hydraulic modelling assessment:* No development shall commence until a Hydraulic Modelling Assessment has been undertaken to assess the potable water supply to serve the development. The solutions and overall potable water strategy shall be submitted to and agreed in writing by the Local Planning Authority. The approved scheme shall be implemented in accordance with the approved details. Reason: To protect the existing community and to ensure the site can be served with an adequate water supply.
9. *Flood consequences assessment:* No development shall commence until a Flood Consequences Assessment report to demonstrate that the risks and consequences of flooding can be managed to an acceptable level in accordance with TAN 15 has been submitted to and approved in writing by the LPA. Reason: To manage flood risk in the interests of public safety.

10. *Construction and layout of the bus apron:* Prior to commencement of development full details of the layout of the bus apron and bus circulatory area are to be submitted to and approved in writing by the LPA. The works to include as required, but not limited to surfacing, kerbs, bollards, lighting, lining, signing, CCTV and bus traffic control infrastructure, as may be required as a consequence of the scheme. The agreed scheme to be implemented to the satisfaction of the LPA prior to beneficial operation of the bus station. Reason: To facilitate safe and efficient use of the proposed bus station, in the interests of highway and pedestrian safety;
11. *Details of access roads:* No above-ground development shall take place until details of the junctions of the north and south entrances to the bus station, Great Western Lane, and office car park with Wood Street and Saunders Road have been submitted to and approved in writing by the LPA. These details shall be implemented prior to the development being put into beneficial use. Reason: To ensure that the use of the proposed development does not interfere with the safety and free flow of traffic passing along the highways abutting the site.
12. *Delivery and service plan:* Prior to beneficial occupation of development details of the servicing strategy setting out the locations and use of the proposed service bays, and details of the timing and operation of servicing, with a view to minimising conflict with buses and other highway users (particularly within the bus station apron) and ensuring (with reference to Great Western Lane) that service bays/routes are not compromised, shall be submitted to and approved in writing by the LPA. The measures shall include details of but not be limited to, timing, use, operation and management of servicing, with particular reference to the use and management of those bays within and accessed via the interchange. The strategy shall be implemented in accordance with the approved details. Reason: To facilitate safe and efficient use of the proposed interchange, in the interests of highway safety;
13. C3D Loading, unloading and parking within site
14. *Cycle parking:* Prior to beneficial occupation details showing the provision of cycle parking spaces have been submitted to and approved in writing by the LPA. The approved scheme shall be implemented in accordance with the approved details. Reason: To ensure adequate provision is made for the secure parking of bicycles.
15. *Cycle hub management:* Prior to beneficial use of the cycle hub a scheme of management for the hub shall be submitted to and

approved in writing by the LPA. The scheme shall include details of marketing (including signage), fit-out and operation (including staffing, access arrangements and phasing), charging schedule (if applicable), monitoring of usage, and a review mechanism to address problems as they arise. Unless otherwise agreed with the LPA the scheme shall be reviewed on an annual basis. Reason: To ensure the successful operation of the cycle hub for the benefit of cyclists and pedestrians.

16. Prior to the closure of the Network Rail car park an approved scheme for the provision of 42 car parking spaces on land belonging to the developer to the south of the station, to replace those lost as a result of the closure of the car park, shall be submitted to and implemented in accordance with the approved details. Reason: To ensure the provision of replacement parking provision.
17. *Public realm/ pedestrian crossings:* Excluding demolition, site preparation and ground works (foundations and basement structures to ground floor slab) no development shall take place until details of the public realm works to Central Square as shown in principle on the Proposed Site Plan VA0-GF-DR-A-01104 Rev 4, are submitted to and approved in writing by the LPA. The details to include as required, but not be limited to timing and implementation, surfacing, kerbs, edging, drainage, lighting, lining, signing, telematics/ signals/ CCTV and communications, street furniture, cycle stands, and soft and hard landscaping. The agreed scheme to be implemented in accordance with the approved details prior to beneficial occupation. Reason: To facilitate safe and convenient access to and egress from the proposed development and in the interests of highway and pedestrian safety.
18. *Construction environmental management plan:* Prior to commencement of development a Construction Environmental Management Plan (CEMP) shall be submitted to and approved by the Local Planning Authority to include details of construction traffic routes, site hoardings, site access, wheel washing facilities, storage of plant and materials, parking of contractors vehicles, details of how dust and dirt emissions will be controlled and how pollution risks to controlled waters will be managed during the works, and a scheme for recycling/ disposing of waste resulting from demolition and construction works. The plan shall also include details for managing crowd movements to and from Central Station on event days and for the provision of all temporary signage as and when access and egress to the station is affected by the works. The demolition works and 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 and to prevent pollution of the water environment.

19. *Hoardings:* Prior to demolition or construction work, a temporary hoarding shall be erected on the perimeter of the site providing security from unauthorised access. The hoarding to be:
  - (i) a minimum of 2.4m in height and fully enclosed throughout its length
  - (ii) without any protrusions or other features likely to cause injury to members of the public (including site access gates and their respective ironmongery) and capable of safely withstanding a horizontal imposed load of 3.0 kN/m length.Reason: In the interest of public safety.
20. Prior to carrying out works to Saunders Road an assessment of the Council trees on Saunders Road and a scheme for the protection and retention of those trees unaffected by the works shall be submitted to and approved in writing by the LPA. The scheme shall include details of replacement tree planting for trees that require removal as a direct result of the development proposals. The works shall be carried out in accordance with the approved scheme prior to beneficial occupation of the interchange building. Reason: In the interests of visual amenity.
21. C4P Landscaping Design and Implementation Programme
22. C4R Landscaping Implementation
23. *Plant noise:* The rating level of the noise emitted from fixed plant and equipment on the site shall not exceed the existing background noise level minus 10dBA at any time at any residential property 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 future occupiers of the development and occupiers of other premises in the vicinity are protected.
24. *Road traffic noise:* Prior to occupation a scheme shall be submitted to and approved in writing by the LPA to demonstrate 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 –

- (i) an upper rate of not less than 37 litres per second against a back pressure of 10 newtons per sqm and not less than 31 litres per second against a back pressure of 30 newtons per sqm, to
- (ii) 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.

- 25. *Plan of operation of the interchange:* Prior to beneficial occupation of the interchange a plan of operation for the bus station shall be submitted to and approved in writing by the LPA. The plan of operation shall detail the number and frequency of services using the interchange and specify those services accessing and exiting the interchange via Westgate Street and those services accessing and exiting the interchange via Saunders Road. The bus station shall be operated in accordance with the approved plan of operation unless otherwise agreed in writing with the LPA. Reason: To control the number and frequency of services using the interchange in the interests of public safety and amenity.
- 26. *Increase in bus movements:* Any increase in the number and/ or frequency of bus services using the interchange in relation to the approved plan of operation shall be accompanied by an air quality assessment (details of the extent and scope of the assessment to be agreed with the Council) that demonstrates that there is no significant adverse impact on air quality arising from buses using the Interchange on Westgate Street and at the Westgate Street/ Castle Street junction, within the interchange, or on the Saunders Road access. Reason: To control potential air pollution arising from an increase in bus movements to and from the Interchange in the interests of public safety and amenity.
- 27. *On-site combustion plant:* An Air Quality Assessment (AQA) that takes into account emissions from the proposed on-site combustion plant at agreed sensitive receptors for the year of opening of the bus station shall be submitted and approved in writing by the LPA. Should the AQA indicate that the development will negatively impact upon air quality of the local environment details of appropriate mitigation measures shall be submitted and approved in writing by the LPA prior to commencement of above-ground floor slab development. The scheme of mitigation shall be implemented in accordance with the approved

details prior to beneficial occupation of the interchange building. Reason: To ensure that the development does not have a detrimental impact on the local environment and public health.

28. *Mechanical Ventilation System (MVS)*: Details of the operation and efficiency of the MVS in terms of pollutant reduction for NO<sub>2</sub> shall be submitted and approved by the LPA before the commencement of works above ground floor slab. The approved MVS shall be implemented in accordance with the approved details prior to beneficial use of the bus station. Reason: To ensure that the development does not have a detrimental impact on and public health.
29. G7Q future kitchen extraction
30. *Waste storage*: Details of facilities for the storage of refuse containers shall be 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. Reason: To secure an orderly form of development and to protect the amenities of the area.
31. *Inclusive access*: Prior to commencement of the public realm and highway improvement works a detailed access strategy setting out the measures proposed to ensure inclusive access to and from the Interchange building for all groups shall be submitted to and approved in writing by the LPA. The measures shall include signage and wayfinding, the use of guidance path and other interpretive tactile paving within the public realm proposals where appropriate, and the design and siting of on-street furniture, including lighting. The measures shall be implemented in accordance with the approved details prior to beneficial use of the interchange building. Reason: To ensure inclusive access in accordance with LDP Policy KP5.
32. *Submission of Remediation Scheme and Verification Plan*: Excluding demolition and site preparation no other development shall commence until 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, and buildings is 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.

33. *Undertaking of Remediation and Issue of Verification Report:* The remediation scheme as approved by the LPA must be fully undertaken in accordance with its terms prior to the occupation of any part of the development. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Within 6 months of the completion of the measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority. Reason: To ensure that any unacceptable risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy EN13 of the Cardiff Local Development Plan.
34. *Identification of Unsuspected Contamination:* 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.
35. *Piling works:* Prior to commencement of piling works or any other foundation design using penetrative methods details demonstrating that there is no resultant unacceptable risk to groundwater shall be submitted to and approved in writing by the LPA. The piling works shall

be carried out in accordance with the approved details. Reason: To minimise the risk of pollution of groundwater.

36. *Importation of Aggregates:* 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 Pollution Control's Imported Materials 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.
37. *Importation of Topsoil:* 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 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 is required to verify that the imported soil is free from contamination and shall be undertaken in accordance with a scheme 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.
38. *Use of Site Won Material:* Any site won recycled aggregate materials 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 reuse. Only material 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.
39. *Archaeology:* Unless otherwise agreed in writing with the LPA no development shall take place until a written scheme of historic environment mitigation has been submitted by the applicant and approved in writing 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 the archaeological resource.

40. *Wind mitigation:* Prior to beneficial occupation details of measures to mitigate downdraught on the western edge of the building, including detailed results from further wind tunnel testing that demonstrate the extent of mitigation, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details. Reason: To ensure the comfort of pedestrians and the satisfactory appearance of the building and associated public realm.

**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 applicant is advised that as a consequence of changes associated with the proposed development a number of existing Traffic Regulation Orders will need to be revoked or amended, or new TROs implemented to manage the impact of the proposed development. Unless otherwise agreed in writing with the LPA the cost of any required TRO revocation, amendment or provision to be met entirely by the applicant.

**RECOMMENDATION 4:** The highway works conditions and any other works to existing or proposed adopted public highway are to be subject to an agreement under Section 38 and/or Section 278 Highways Act 1980 between the developer and the Local Highway Authority.

**RECOMMENDATION 5:** 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 6:** To ensure the protection of Network Rail's adjoining land attention is drawn to Network Rail's consultation responses dated 20.12.16 and 13.2.17.

**RECOMMENDATION 7:** That the applicant take into account the requirements of the Welsh Language (Wales) Measure 2011 and be advised that the text of each sign and notice should be in both Welsh and English and the Welsh text should not be treated less favourably in terms of size, font, position or location.

**RECOMMENDATION 8:** The applicant is advised that the proposed development site is crossed by a public sewer with the approximate position being marked on the attached Statutory Public Sewer Record which forms part of the DCWW consultation response dated 7.12.16.

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

- 1.1 The application site is located in Central Square on the land occupied by the former Marland House and the Saunders Road multi-storey car park. It is bounded to the north by Wood Street, to the west by Marland Street, to the south by Saunders Road, and incorporates Great Western Lane to the east. The existing WPD substation on Gt. Western Lane is not included in the application site.

- 1.2 The application seeks detailed planning permission for a ground and mezzanine floor 14 stand bus station with concourse and ancillary retail units (A1, A2, A3 use classes, max. 750 sqm), and a cycle hub with 502 cycle spaces, a 227 space private car park occupying one and a half floors located immediately above the bus station and, and above that a 9 storey 154 private rented sector apartment block (use class C3) at the Wood Street end, and a 5 storey office block (B1 use class, 12,052 sqm) at the Saunders Road end.
- 1.3 The interchange concourse is being designed to allow for the future development of a physical link with the railway station. The link will not however form part of the planning application as the design of the interchange link is dependent on Network Rail's plans for the expansion and upgrading of Cardiff Central Station.
- 1.4 Potential future tram/rapid transport infrastructure can be accommodated on Wood Street or Penarth Road, with the potential for stops to the north or south of the railway station/ interchange, and easy access to the interchange building and railway station.
- 1.5 The application is EIA development and is accompanied by an Environmental Statement.
- 1.6 Background to the application: At the cabinet meeting of 12<sup>th</sup> September 2013 authority was granted for the council to work with Cardiff property development company Rightacres Property Company Ltd. with the objective of redeveloping the Central Square area in accordance with the adopted Local Plan, the deposit LDP, and the 2014-2017 Corporate Plan to provide 20,000 sqm of Grade A office space for Cardiff Enterprise Zone by 2016 and plans for a new central public transport hub by April 2015.
- 1.7 Following a public consultation exercise, consultation with relevant stakeholders, and a detailed technical appraisal, cabinet approved the delivery of a new bus station and integrated transport hub on the Marland House/ NCP car park site to the north of the railway line in December 2014.
- 1.8 At a cabinet meeting on 28<sup>th</sup> September 2016 it was agreed that the scheme under consideration be submitted for planning, and that the Council be authorised to undertake a detailed business case to establish the preferred funding approach for delivery of the facility.
- 1.9 Interchange building: The interchange has 14 bus stands, two of which are designed to take coaches. It is designed for interchange rather than layover of services, enabling greater throughput of services. Access and egress for buses is from the north via Wood Street, and from the south via Saunders Road. The bus station is designed to accommodate double decker buses and

coaches, but not articulated buses. On event days access would be by Saunders Road only as Wood Street is closed to traffic.

- 1.10 The bus station is partially covered and makes use of Great Western Lane for buses entering from Wood Street. Buses circulate within the bus station in a clockwise direction and drive in and reverse out of the bus bays. The existing WPD substation is retained. Great Western Lane will be used to service the interchange building, and will continue to be used to service existing businesses on Great Western Lane and the WPD substation.
- 1.11 The bus station is served by a 7m wide x 6m high public concourse running north south with pedestrian entrances at each end. The main entrance is from Central Square adjacent to the railway station. Access to the bus stands is via glazed doors which separate the concourse from the buses.
- 1.12 Public toilets, including changing facility and separate disabled toilet, are located on the concourse at ground floor next to the Saunders Road entrance.
- 1.13 502 cycle spaces for public use are provided within a 480 sqm purpose-built cycle hub at the south end of the interchange building close to the railway station. Access is from Central Square via a generous undercover area (currently occupied by the ATW car park) which also provides secondary access to the concourse for pedestrians coming to and from Saunders Road
- 1.14 There are 7 retail/ commercial units fronting Marland Street. These units are double fronted and can also be accessed from the concourse. A further 2 retail/commercial units front Wood Street.
- 1.15 The building sits in line with the other buildings along Wood street to create a strong street edge. The alignment of the building allows the listed building at the junction with Great Western Lane to be viewed from the Wood Street approach.
- 1.16 At the junction with Marland Street the ground floor of the building is splayed to take account of an underground sewer, thereby creating a significant area of covered public realm at a very busy pedestrian junction.
- 1.17 The building presents a colonnaded active frontage to Marland Street for its entire length. At the southern end of Marland Street the main interchange entrance on Central Square gives direct access to the public concourse and bus stands, via a 10m high entrance lobby and void space. At first floor level an aerial walkway cuts across the void linking the first floor atrium and landing with the lower level car park deck.
- 1.18 The SW corner of the building is recessed to create a covered area giving access to the cycle hub and a secondary entrance to the public concourse for

pedestrians arriving from Saunders Road. This area is sunken relative to the Saunders Road 'hump' and is animated by a corner café and terraced seating. A 3m wide staircase leads from this area up to the Saunders Road level and the pedestrian crossing to the city centre, and the entrance to the offices at mezzanine level.

- 1.19 The southern building line of the building is pulled back to maximise the key Saunders Road pedestrian route and to allow the listed PH on the corner to be viewed from the station building.
- 1.20 A continuous canopy runs the full length of the building at second floor level (ground plus 10m) wrapping around on to Wood Street and clearly demarcating the interchange from the other uses above. The lower level car deck is separated from the Marland Street and Wood Street frontages by a glazed access corridor. The upper level car deck is open and is screened from Marland Street and Wood Street by a wraparound planted screen.
- 1.21 The 5 storey office block is located above the interchange at the southern end of the building and is accessed from a main entrance on Saunders Road. There is no car parking and parking for 68 cycles. The accommodation is arranged around a central atrium and rises to a height including plant of 34m above pavement level
- 1.22 The L-shaped residential block (11 and 9 storeys) is located above the interchange at the northern end of the building, accessed from a main entrance on Wood Street. The accommodation comprises 122x1bed and 73x2bed apartments for the private rented sector (PRS). No car parking is provided, parking for approx. 200 cycles is provided on the first and second floors accessed by lift.
- 1.23 The highest residential wing fronts Wood Street (50m including plant). The lower wing (42.5m) is located to the rear eastern side of the development and advantage is taken of the flat roof to create amenity space in the form of a roof garden.
- 1.24 Proposed materials are aluminium cladding, aluminium louvres, transparent and fritted glass and glazed spandrel panels and glass.
- 1.25 *Parking:* A private car park with 216 spaces is located on the first floor and part of the second floor of the interchange building. All of these spaces will be allocated to the BBC under the terms of the BBC development agreement.
- 1.26 In addition to the private parking, 11 disabled spaces will be provided in order to meet disabled parking requirements for the office and residential developments. The lower level car park also has a pre-bookable pick-up &

drop-off (PU/DO) facility for disabled users of the interchange and 2 disabled parking spaces.

- 1.27 Public Realm: A key component of the wider masterplan for the Central Square area is a unifying ground floor plane established through a newly designed public realm. This application delivers the public realm adjacent to the building, including the widened Wood Street pavement, the eastern half of Marland Street, the eastern edge of Central Square, the covered area serving the Saunders Road entrance and cycle store entrance at the SW corner of the building, the entrance to the offices at mezzanine level, and the pedestrian crossing highway works on Saunders Road and Wood Street.
- 1.28 Marland Street is 20m wide and is the principal pedestrian route to and from the station, taking approximately 70% of the footfall. The proposed building over-sails Marland Street by approximately 4m creating a colonnade that will provide a level of protection from the elements for pedestrians. 4no. trees are located along the eastern side of Marland Street.
- 1.29 The proposals for Wood Street primarily involve reducing the carriage width from four lanes to two lanes and increasing the pavement widths. Accordingly the pavement width to the north of the interchange will be increased from approximately 4.0m to 8.0m and a layby created for loading/ pick-up and drop-off. The paving materials for the pavements will complement the rest of the proposed public realm. Six pedestrian crossings are proposed across Wood Street, Havelock Street and Westgate Street to enable easy access to the bus station entrance and Marland Street. The surface treatments and detailed design of the pedestrian crossings will be conditioned.
- 1.30 Although the design proposals are to reduce the Wood Street carriageway width and reclaim the space for pedestrians and cyclists, there is sufficient space to accommodate future proposals for a metro or tram running along Wood Street.
- 1.31 *Saunders Road:* Saunders Road is a key pedestrian route. At present pedestrians cross over Great Western Lane which accesses the NCP car park and the surface car park. The proposals include a pedestrian island between the car park ramp and the interchange entrance. The low volume of bus movements using the Saunders Road entrance on non-event days, and the expected usage patterns of the BBC carpark, do not require the signalisation of this crossing. This can be reviewed once the interchange building is up and running.
- 1.32 Inclusive Design and Access: Central Square is designed as a shared space for pedestrians and cyclists. Vehicular access for servicing is controlled by retractable bollards at the entrances to the square. The large volumes of pedestrians using the square on a daily basis and the requirement for queuing



and crowd control on event days have resulted in a high quality simple largely clutter-free space with a unifying paving treatment.

- 1.33 In addition to a condition requiring details of the public realm (including the pedestrian crossings on Wood Street and Saunders Street) associated with the application a further condition is attached requiring a detailed access strategy setting out the measures proposed to ensure inclusive access to and from the Interchange building for all groups.
- 1.34 Concerns raised by the Council's Access Focus Group relate largely to the design of this space and the potential for pedestrian cyclist conflict and in particular the conflict between cyclists using the new hub and pedestrians using the interchange building.
- 1.35 Waste Management: Waste storage areas are located to the rear of the development and are accessed from Great Western Lane.
- 1.36 Highway enabling works: Local enabling works are required to the immediate highway network to achieve optimal access to the interchange, as follows:
  - 1.37 Wood Street is to be reduced in width to one lane in each direction (approx. 9m wide carriageway), increasing footway widths on both sides of the road. A number of signalised pedestrian crossings are proposed to Wood Street, Havelock Street and Westgate Street to deal with pedestrian flows to and from the railway station and interchange building and there will be an 'all-red' pedestrian stage.
  - 1.38 An unsegregated cycle lane is proposed in the westbound direction on Wood Street. This will be 1.8m wide, with the general traffic lane at 3.2m wide. Given the bus stops on the northern side of Wood Street a cycle lane is not proposed in the eastbound direction however the general traffic lane is wider at 4.0m.
  - 1.39 The section of Westgate Street between Park Street and Wood Street will be made two-way, with one lane in each direction for buses and taxis only providing an efficient route for buses from the interchange to Westgate Street. The existing southbound bus stop and loading bay on this section of Westgate Street will be retained and time limited access allowed to the loading bay for servicing vehicles.
  - 1.40 The one-way restriction on Havelock Street is to be reversed to southbound only to provide a route for traffic travelling from Westgate street to Wood Street. Taxi stands and pick-up and drop-off will be available on Havelock Street.

- 1.41 A new traffic island and pedestrian crossing will be provided on Saunders Road. The road is to be realigned to allow two-way bus movements which will require the removal of the Great Western PH loading bay. The loading bay will be relocated to Penarth Road. Alternatively the existing St. Mary Street loading bay could be used.
- 1.42 Currently the section of Penarth road under the railway bridge is restricted to buses and taxis only. It is proposed that general traffic will be able to use Penarth Road southbound with pick-up and drop-off provided, as a result the existing loading bay will be moved further south. Northbound movements will be cyclists only, with a proposed 1.8m wide contra-flow cycle lane.
- 1.43 Pick-up & Drop-off (PU/DO): A westbound layby is proposed for Wood Street directly adjacent to the pedestrian entrance to the interchange. A southbound layby is proposed for Penarth Road. There will also be PU/DO parking on Havelock Street.
- 1.44 In addition to on-street PU/DO there is a PU/DO facility for disabled users on the lower car park level in the interchange building with direct access to the lift/ stairs to the concourse level, and a facility for disabled users to pre-book the use of one of two disabled parking spaces with direct access to the interchange concourse via a lift.
- 1.45 Servicing: Servicing for the interchange is from Great Western Lane (southbound only) and Central Square, controlled by retractable bollards at the Marland Street, Saunders Road, Millennium Way, and Central Street entrances to the square.
- 1.46 It should be noted that the Saunders Road taxi rank is not included in the application and will remain as existing.
- 1.47 Crowd Management: In relation to crowd management associated with event days the design of the new spaces created by the redevelopment of Central Square was modelled and rigorously tested as part of the BBC hybrid application. The Study concluded that the existing crowd management system could be accommodated within the new public realm areas.
- 1.48 Crowd management on event days during the construction phase will form part of the construction environment management plan (CEMP) which is required by condition to be submitted for approval prior to commencement of the development.
- 1.49 Environmental scoping opinion: An EIA Scoping Report was received in August 2016. Consultation responses were received from Network Rail (NR), Natural Resources Wales (NRW), DCWW, GGAT, Welsh Government

CADW, Welsh Government Transport Division, and from various Council service areas.

- 1.50 A formal scoping opinion was issued on 12.9.16. The proposed scope was considered acceptable subject to incorporating consultee responses in relation to the Saunders Road pedestrian environment, the potential impact on scheduled ancient monuments and historic registered parks and gardens, the nature and scope of the contaminated land investigations, and the proposed Air Quality Assessment (AQA) methodology.
- 1.51 The following supporting information is submitted:
- Pre-application consultation report
  - Design and Access Statement including approach to inclusive design
  - Planning Statement
  - Environmental Statement: Vol 1 Non-Technical Summary
  - Environmental Statement: Vol 2 Technical Assessments
  - Environmental Statement: Vol 3 (A & B) Appendices & Figures
  - Environmental Statement Addendum: Vol 1 Non-Technical Summary
  - Environmental Statement Addendum: Vol 2 Technical Assessments
  - Environmental Statement Addendum: Vol 3 Appendices & Figures
  - Transport Assessment (see appendix D1 of ES Vol 3A)
  - Acoustics RIBA Stage 2 report
  - CGIs of the proposals in context
  - Indicative plans and CGIs of the interchange link to the railway station
  - Cardiff Central Square – a review by Jan Gehl Associates, February 2017
  - Equality Impact Assessment
  - Cardiff Transport Interchange Access Strategy
  - Liveable City Integration Tool (Council report addressing the requirements of the *Wellbeing of Future Generations (Wales) Act 2015* )
  - Building model at 1:250 scale, and context model.

## 2. **DESCRIPTION OF SITE**

- 2.1 The application site extends to 1.14 hectares and encompasses the site of the former Marland House (demolished 2016), the Great Western Lane NCP multi-storey car park (508 spaces), and the Saunders Road surface level car park (44 spaces). The immediate area is characterised by transport, office, retail and leisure uses.
- 2.2 The application site lies within Cardiff City Centre, just to the west of the Primary Shopping Area. It is also located within the Central Cardiff Enterprise Zone. The main entrance to the Grade II listed Cardiff Central Station lies to the south-west of the site, separated by Central Square.

- 2.3 The site will be bounded to the west by a realigned Marland Street and the BBC Wales HQ which is under construction. To the north is Wood Street and to the east Great Western Lane and the 'backs' of properties fronting St. Mary Street. Great Western Lane is included within the red line as it will effectively become part of the new bus station. The southern boundary of the site follows the line of the curved retaining wall separating the surface car park from the Saunders Road public realm and taxi rank.
- 2.4 The St Mary Street Conservation Area is located immediately to the east of the application site. Three of the buildings on St Mary Street that back on to Great Western Lane and abut the eastern edge of the site are Grade II listed: Prince of Wales PH; The Philharmonic Hall (Squares Club); and the Great Western Hotel on Saunders Road.
- 2.5 *Network Rail plans/ delivery of integrated transport hub:* In response to a projected rise in passenger numbers Network Rail (NR) are in the process of preparing a masterplan for the expansion and improvement of the station which will deliver a top quality multi-modal transportation hub focused on the station. NR has been in discussions with the Council and the developer over the nature and delivery of the integrated transport hub.
- 2.6 The application site boundary includes the Saunders Road surface car park which is in the ownership of NR. The applicant has agreed terms with NR/ATW to acquire the car park site, and to relocate the parking to land owned by the applicant to the south of the station. The area of public realm to the south of this car park, extending for a distance of about 55m to the east of the station building and including the taxi rank, is owned by Network Rail.
- 2.7 Network Rail have long term aspirations to upgrade Central Station, and this may include redevelopment of the land within their ownership, subject to acquiring the necessary listed building and prior approval consents from the local authority. The design of the interchange building is such that it does not compromise Network Rail's land interests or any future aspirations for improvements to the railway station.
- 2.8 *Cycling:* There are no clearly marked on-street cycle lanes on the roads surrounding the site, although on a number of pathways around the site cyclists share the footway with pedestrians. This is clearly marked with signage as well as footway markings. The nearest National Cycle Route to the site is route number 8, which runs alongside the western side of the River Taff and can be joined from Wood Street, less than 200m from the entrance to the site. The cycle route passes through Cardiff Bay and extends north through the city providing accessibility to the site by bike.

- 2.9 The current site provides a number of cycle storage facilities, including in the train station and Central Square. There are also cycle stands on the pathways running parallel to the River Taff, and on St Mary Street and Westgate Street.
- 2.10 Given the city centre location, the site is also well served by a number of car parking facilities, however, there are limited opportunities to park on-street around the site. Two car parks are located within close proximity to the site: Penarth Road to the south of the station (248 spaces including 7 disabled spaces) and Riverside Pay & Display on Wood Street to the west of the station (110 parking spaces).
- 2.11 *Pick-up & drop-off and taxi access for railway station:* Pick-up and drop-off is from the south side of the station and from the Riverside car park. The Saunders Road taxi rank does not form part of the proposals and is unaffected by the proposals. There is taxi provision to the south side of the station.

### 3. **PLANNING HISTORY**

- Prior approval granted Feb 2016 for demolition of Marland House and the NCP car park building. Marland House has been demolished. NCP car park is still in use.
- 14/2405/MJR Hybrid application for demolition of Marland House and construction of media centre with ground floor retail units, basement parking to plots 2 and 3, and Central Square public realm. Outline application for B1 office floorspace on Plot 2, all matters reserved except access.

#### Related planning history

- 16/2931/MJR Plot 2 Central Square part change of use from B1 office to non-residential education D1 Use Class under consideration.
- 16/2940/MJR Plot 2 Central Square reserved matters application for layout, scale, appearance and landscaping of outline element of hybrid application 14/2405/MJR under consideration.
- 16/708/MJR Plot 2 Central Square reserved matters approval granted in May 16 for layout, scale, appearance and landscaping of outline element of hybrid application 14/2405/MJR
- 14/385/DCI – Planning permission granted in July 2014 for 9 storey office development on adjacent former council offices site on Wood Street – under construction.
- 97/1079/C - Planning permission granted 1997 for public square, street improvement works, new bus station screen wall/ car park screen wall, landscaping and public art.

- 3.1 Pre-application process: Formal pre-application discussions started in September 2016 and have involved all the main stakeholders as and when

necessary. The scheme has been reviewed by the Design Commission for Wales.

- 3.2 Discussions and engagement have also been held with Network Rail, Arriva Trains Wales, bus operators, Sustrans, Diverse Cymru, Council Access Focus Group, Millennium Stadium, and other stakeholders.
- 3.3 Statutory pre-application public consultation was carried out between 3<sup>rd</sup> and 31<sup>st</sup> October 2016. Site notices were posted, and adjoining landowners and occupiers and ward councillors (Cathays, Riverside, Butetown and Grangetown) were notified. Specialist consultees were consulted in accordance with the Development Management (Wales) Procedure Order 2012. In addition to the planning application documents being made available online a public exhibition was held in Central Square from 10<sup>th</sup> October, exhibition boards were put up in the Central Library, and the local press ran a number of articles.
- 3.4 The following are the main comments received from members of the public:
  - Significant improvement, regeneration of this area of city welcomed;
  - Why has the design changed from the competition entry
  - Why has covered link been removed
  - Building too high – dominates Victorian architecture to the east
  - Interchange not big enough to cope with all local, regional and long distance bus services
  - Concerns on access, safety and layout of the cycle hub
  - Queries on arrangements for Great Western Lane during and after construction
  - Concerns over the enclosed nature of the transport interchange and whether this would cause pollution issues
  - Concerns that the proposed development would lead to strong winds at street level
- 3.5 Welsh Government requested further info on the capacity of the new interchange, its operation, pedestrian links, event day management, pick-up and drop-off arrangements, future taxi provision, and the safety/ security of the cycle hub.
- 3.6 As a consequence of the consultation process a number of changes have been made to the design, in summary: Increased height and prominence for the main entrance; design improvements to the concourse; revisions to the concourse ventilation strategy; reconfiguration of the office cycle hub location; increased legibility and visibility of the public cycle hub, and; increase in WC provision.

#### 4. **POLICY FRAMEWORK**

The following national planning policy and guidance is considered to be of particular relevance:

4.1 Planning Policy Wales (PPW) 2016: Ch. 4 Planning for Sustainability; Chapter 6 Conserving the Historic Environment; Ch. 7 Economic Development; Chapter 8 Transport; Chapter 9 Housing.

4.2 The following Technical Advice Notes (TANs) are relevant:

- TAN 2: Affordable Housing
- TAN 12: Design
- TAN 18: Transport
- TAN 22: Sustainable Buildings
- TAN 23: Planning for Economic Development

The following local planning policy and guidance is considered to be of particular relevance:

4.3 Cardiff Local Development Plan 2006-2026:

- KP2 Strategic Sites
- KP2A Cardiff Central Enterprise Zone and Regional Transport Hub
- KP4 Masterplanning Approach
- KP5 Good Quality and Sustainable Design
- KP6 New Infrastructure
- KP7 Planning Obligations
- KP8 Sustainable Transport
- KP9 Responding to Evidenced Economic Needs
- KP10 Central & Bay Business Areas
- KP17 Built Heritage
- C1 Community Facilities
- C5 Provision for Open Spaces
- C7 Planning for Schools
- EN9 Conservation of the Historic Environment
- EN13 Air, Noise, Light Pollution & Land Contamination
- H3 Affordable Housing
- R6 Retail Development (Out of Centre)
- R8 Food & Drink Uses
- T1 Walking & Cycling
- T2 Strategic Rapid Transport & Bus Corridor
- T3 Transport Interchanges
- T4 Regional Transport Hub
- T5 Managing Transport Impacts
- T9 Cardiff City Region 'Metro' Network

#### 4.4 Supplementary Planning Guidance

The following Supplementary Planning Guidance (SPG) is of relevance:

- Tall Buildings (2017)
- Access, Circulation and Parking Requirements (2010)
- Cardiff City Centre Public Realm Manual (2009)
- Waste Collection and Storage Facilities (2016)
- Restaurants, Takeaways and other Food and Drink Uses (1996)
- Premises for Eating, Drinking and Entertainment in the City Centre (2000)
- Planning Obligations (2017)

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

5.1 Strategic Planning (Land Use policy): The proposal is for the erection of a transport interchange with ancillary retail / commercial units (Use Classes A1/A2/A3), 195 residential apartments (Use Class C3) and 12,052sqm office floorspace (Use Class B1). The site is located within the Central Business Area (CBA) and the Central Enterprise Zone (CEZ), of the adopted Cardiff Local Development Plan 2006-2026 (LDP). As such, the main land use planning policy issues relate to:

5.2 *Transport Interchange*: Policy KP2A (Cardiff Central Enterprise Zone and Regional Transport Hub) identifies that land is allocated at the Cardiff Central Enterprise Zone for a major employment-led initiative including a regional transport hub, together with other mixed uses. Additionally, Policy T4 (Regional Transport Hub) identifies that support will be given to the development of infrastructure and facilities in and around Cardiff Central Railway Station, which facilitate the easy interchange of passengers between national, regional and local rail and bus services. As such, the proposed transport interchange use is considered acceptable from a land use policy perspective.

5.3 *Class B1 (Office) and C3 (Residential) uses*: Policy KP10 (Central and Bay Business Areas) identifies that new offices and residential uses are considered appropriate within the Central Business Area. Taking into consideration the location of the floorspace (situated above the transport interchange) and that the site is well served by transport links and close to local amenities, the proposed Office and Residential uses are considered acceptable.

5.4 *Class A1 (Retail)*: The applicant has identified in their Planning Statement that a total of 10 shop (Class A1,A2,A3) units will be provided within the transport interchange, ranging from 47.83sqm up to 166.86sqm. With regard to the 'sequential test' for retail proposals, the application site is located outside, but on the edge of the Central Shopping Area (CSA). Taking into consideration both the former retail uses on the site (within the Marland House building) and the floorspace of the proposed units, which, due to their scale are likely to



cater towards convenience as opposed to comparison retailing, the proposal is considered acceptable in principle.

- 5.5 There is however the potential for the amalgamation of retail units to create floorspace attractive to larger clothing and other city centre type retailing, which could compete directly with existing and future provision within the Central Shopping Area (CSA) and would, therefore, be undesirable and potentially harmful at this location. It is therefore suggested that a condition be imposed to control the nature of the retail element of the scheme to minimise the potential for direct competition with retail provision in the CSA. In this instance, the most appropriate means of control would be to limit the maximum size of any one unit. This would ensure that the proposal would not be attractive to larger retail stores or national multiples selling comparison goods that are best located within the CSA and so would mitigate any adverse policy issues.
- 5.6 It is recommended that a condition be imposed limiting the size of any single retail (shop) unit to 200sqm. This is consistent with the scale of existing retail units within Marland House and comparable with other recently permitted schemes at out of / edge of centre locations.
- 5.7 *Class A2 (Financial and Professional Services)*: Taking into consideration the nature, scale and location of the proposed transport interchange within the CBA, Class A2 uses are considered acceptable in this instance.
- 5.8 *Class A3 (Food and Drink Uses)*: Policy R8 of the LDP allows for Food and Drink uses within the Central Business Area, subject to amenity considerations, highway matters and fear of crime considerations.
- 5.9 The Premises for Eating, Drinking and Entertainment in the City Centre SPG identifies the Principal Business Area (i.e. the CBA) as an appropriate location for food and drink (A3) uses, subject to detailed considerations.
- 5.10 The SPG identifies at paragraph 3.22 that 'consideration will be given to whether a proposal, either alone or cumulatively with other existing and approved similar uses, will create an adverse effect on the amenities of local residents, hotel occupiers and businesses in the surrounding area, and the public at large'.
- 5.11 Central Square is located within the City Centre Cumulative Impact Area as identified in the City of Cardiff Council Statement of Licensing Policy 2016-2021. At paragraph 8.1, it identifies that 'the policy aims to reduce incidents of alcohol related problems, crime and disorder, public nuisance, and risks to public safety, particularly late at night. It aims to discourage an increase in the number of late opening premises primarily concerned with the sale of alcohol and takeaways/late night refreshment premises with the intention of ensuring

that the City Centre is a safe environment for people visiting, working and living in the area’.

- 5.12 Given that the application site is located at the main public transport entrance to the city and along key pedestrian routes to surrounding attractions and destinations including the Central Shopping Area and Millennium Stadium, concern is raised that an open A3 consent could result in the future use of the premises as a bar / vertical drinking establishment, which could impact on the amenity of adjacent occupiers and users of the wider area. A condition would therefore be sought that prevents the use of the site as a public house, wine bar or other drinking establishment, where the primary purpose is the sale and consumption of alcoholic drink on the premises.
- 5.13 For the above reasons, the proposal is considered acceptable in land use policy terms. As referred to above, it is requested that conditions be imposed preventing the coalescence of retail units and limiting the type of any Class A3 uses.
- 5.14 Transportation: The Transportation Officer confirms that the application submission has been assessed is considered to be acceptable in principle subject to the following comments and conditions below:
- 5.15 Access to the ITH will be gained from the north via the opening up of Great Western Lane to create a new signal junction with Wood Street and Westgate Street; and from the South via Saunders Road and an improved junction with Great Western Lane. Busses using the ITH will be able to make all direction movements to and from both the north and south, including access and egress via the same entrance. The use of the reopened Great Western Lane will be restricted by Traffic Regulation Order to buses/coaches accessing the interchange and service vehicles making use of loading/servicing facilities only accessible from the lane.
- 5.16 The ITH is therefore designed to provide the greatest flexibility possible in terms of access/egress/through-put of bus services, including the ability to operate during events days. The location allows transport users to interchange between a variety of modes, being in close proximity to Cardiff Central Rail Station, taxi ranks, the cycle hub and pedestrian connections to the city centre.
- 5.17 In order to facilitate the interchange, and in addition to the junction schemes on Wood Street and Saunders Road, an enabling works package of changes to the highway network around the site is required. To the north this will affect the southern extent of Westgate Street, Park Street and Havelock Street. Westgate Street, between Park Street and Wood Street will become bus only, bidirectional with one lane in each direction, which will provide an efficient route for northbound buses and direct access to the interchange. Havelock

Street will become one-way southbound to all traffic, replacing the southbound route for vehicles to Wood Street from Westgate Street. Other (non-bus lane) traffic accessing Westgate Street will route northbound on Scott Road and eastbound on Park Street to Westgate Street.

- 5.18 It is also proposed that Penarth Road (south of its junction with Saunders Road, to the south side of Central Rail Station) will be opened up to general traffic in a southbound direction, in order to access a new pick up/drop off area to be provided north of the rail bridge. Northbound movements will be restricted to all motorised vehicles, with a contra-flow cycle lane to allow access to cyclists.
- 5.19 Full signal controlled pedestrian crossing facilities will be incorporated into the new junctions on Wood Street, with a minimum 4m wide crossing arm on the desire line between the concourse lobby and the northern side of Wood Street, and on to lower St. Mary Street. Crossing facilities will also be established on Saunders Road across the bus station access/Great Western Lane junction and new car park access. Due to the low volumes of traffic that will be using the accesses on Saunders Road it is proposed that these crossing will not be signalised, but will incorporate pedestrian priority. Detailed design of all the crossings will be subject to condition.
- 5.20 The Interchange itself will provide 14 drive on/reverse off bus stands extending across the site at ground floor level, the first 5 of which (south to north) will have full length loading 'fingers' on both sides to allow use by coaches. The 'fingers' on these bays facilitate access to the central doors and luggage storage found on coaches and long distance bus services. The station is also designed with sufficient headroom to allow use by double decker buses, but will not accommodate articulated buses.
- 5.21 The ground and first floor concourse of the interchange will extend along the Marland Street frontage and will accommodate ticket office, retail/café units, public toilets and the cycle hub. Access to the interchange concourse will be available from lobby entrances to the north from Wood Street, the south from Saunders Road and directly from Central Square. The interchange concourse has also been designed to allow for the future development of a link with plot 13B on Network Rail land adjacent to the eastern entrance to Cardiff Central Rail Station. The detailed design of the concourse and its environs should take account of and be informed by the needs of vulnerable users with the choice of materials, including colour contrast, tactile materials, soft and hard landscaping, design/location of furniture and management of public spaces.
- 5.22 The interchange proposals include an accessible (up to) 500 space public cycle hub to the southern end of the building, accessed via the south entrance off Saunders Road. The detailed fitting out and future management/operation of the cycle hub is subject to condition and for later consideration, the ultimate

use of the space can therefore be tailored to provide a range of cycle parking and other cycle facilities, including the provision of accessible cycle parking and other enhanced facilities over and above simple cycle parking.

- 5.23 In accordance with adopted standards cycle parking spaces will be allocated to the residential apartments on the basis of one per apartment, accessed from Wood Street, and 68 cycle spaces for the offices, accessed from Saunders Road. Cyclists will be able to travel to/from the cycle parking access on Saunders Road using on-street routes and through the newly created public realm streets within Central Square. Additional short stay cycle parking, Sheffield type stands, will also be provide at key points throughout the public realm.
- 5.24 Provision of public pick up/drop off for passengers has been considered as part of the proposals and lay-bys included on Wood Street, directly adjacent to the northern pedestrian entrance, Havelock Street opposite the same entrance and to the south on Penarth Road, accessed via by widened footways. The facilities will provide opportunities for pick up/drop off from all directions and are in close proximity to both the north and south entrances of the interchange.
- 5.25 In addition to the on-street pick up/drop off facilities discussed above, there is an area identified for drop off/pick up on the first level of the interchange car park, located adjacent to the level 1 concourse with access to the ground floor concourse via a lift. The identified area is equivalent in size to 6 standard car parking spaces and consideration should be given to including 2 pre-bookable disabled parking spaces within this area.
- 5.26 The northern pick up/drop off facilities and servicing discussed above will also be available to adjacent businesses, including the Royal Hotel located at the junction of Wood Street and St. Mary Street to the north of the interchange. While the layout of the lower end of Westgate Street will be modified as a consequence of the interchange proposals, Guests of the Royal Hotel will still be able to make use of the loading facilities within this area as this aspect remains broadly the same as is today.
- 5.27 As detailed in the submitted Transport Assessment, extensive analysis of existing bus operations was undertaken in order to inform the development of a draft operational strategy for the interchange. This work included an assessment of routeing, service frequencies and passenger numbers, by location, service and time period. The purpose of the operational strategy is to inform the design and modelling of the interchange and demonstrate that the proposed development can operate efficiently. This analysis will form the basis of the working operational strategy which will be in place when the interchange opens, albeit the details of this strategy will need to be based on bus operations at that time.

5.28 The traffic impact has also been assessed with the updated City Centre VISSIM model, to compare the impact of the development proposals on journey times for all vehicles within the study area. A range of journey time increases and decreases across different movements has been identified, which is due to the altered highway alignment over the reference case, required to accommodate the interchange arm at the Westgate Street/Wood Street junction. The TA reports that journey times on generally vary by one minute or less and goes on to conclude:

*'The modelling results do not show any significant queuing caused by the scheme. Priority is given to the dominant bus movements in and out of the northern ITH access from/to Westgate Street. The proposed development will provide overall benefits to bus routes and facilities and will have a relatively neutral effect on journey times for all vehicles including buses across the network as a whole.'*

5.29 In accordance with the Councils Transport Strategy, priority B2 Develop a new City Bus Network, a wider movement strategy is being developed for Cardiff city centre. Building on the regeneration of Central Square and the development of the new bus station, this strategy will identify changes to bus routes which help to improve the efficiency of services and enhance convenience for passengers on arrival and departure. These measures will be combined with restrictions on the through-movement of general traffic which together will present the opportunity to improve access and way-marking for pedestrians and cyclists and to enhance the urban realm.

5.30 The proposed development also includes 216 car parking spaces over 2 upper floors, allocated entirely to the BBC Media Centre to the west of the interchange, and represents the completion of the parking allocation for that development. The office and residential elements of this application will be car parking free, with the exception of 11 disabled parking spaces which are allocated to the Office development. The zero (non-disabled) parking allocation for the office and residential aspects of the proposals is in line with adopted parking policy, which within the central area allows for car free development, and as such is considered to be acceptable. Disabled parking for the BBC Media Centre is included within the Plots 2 and 3 basement car park.

5.31 Conditions are sought (full details below) to secure inter alia the new/revised junctions, pedestrian crossing and public realm, layout of the bus station apron, cycle hub fit out and operation, bus/interchange operations, associated infrastructure improvements and highway network modifications required as a consequence of the development.

- 5.32 It is considered that the proposed interchange will provide significant benefits to public transport, accessibility and integration between modes. The proposals support the aims of policy and the planning submission has demonstrated that the bus station can operate effectively and efficiently. The submitted transport assessment demonstrates that the traffic impact is acceptable and the modelling shows that the development proposals will result in overall benefits to bus journey times across the city centre. It is therefore considered that the proposed development is acceptable in transport planning terms subject to the conditions detailed below.
- 5.33 Conditions: Standard condition C3D Loading, unloading and parking within site; Standard condition C3S Cycle Parking (for the residential, office and any associated on-street/PR provision); Standard C3F Access Junction condition for the Wood Street and Saunders Road, north and south entrances to the bust station/Great Western Lane and office car park; Construction and layout of the bus apron; details of the Wood Street and Saunders Road pedestrian Crossings; details of public realm works up to the interchange building as shown in principle on the submitted plan VAO-GF-DR-A-01104 Rev 4; Construction management plan; Plan of operation of the bus station; Cycle Hub management condition; and delivery and service plan condition.
- 5.34 Second recommendation: The applicant is advised that as a consequence of changes associated with the proposed development a number of existing Traffic Regulation Orders will need to be revoked or amended, or new TROs implemented to manage the impact of the proposed development. The cost of any required TRO revocation, amendment or provision to be met entirely by the applicant.
- 5.35 On the basis of the foregoing comments and requested conditions there are no traffic or transportation grounds to sustain an objection.
- 5.36 Trees and Landscaping: The Council's Tree Preservation Officer makes the following observations:
- 5.37 A line of existing Council trees bounds the taxi rank on Saunders Road. It appears that two of these will be removed to accommodate development, whilst the remainder will see new paving installed around them that could result in significant harm to roots. These trees should be assessed in accordance with BS 5837:2012 and the assessment used to inform design.
- 5.38 There seems to be crossover with the public realm application 16/02396/MJR (Central Square), though that application provides for x5 new trees bounding the transport interchange site, whereas the indicative public realm plan for 16/02731/MJR shows just x4, with no replacements for the two trees lost bounding Saunders Road.

- 5.39 My comments with regard to the public realm proposals are therefore the same as 16/02396/MJR, but with additional concerns regarding the apparent deletion of one of the public realm trees as proposed under 16/02396, and the loss of existing trees of unknown quality bounding Saunders Road, with no provision for replacement. Given the lack of a tree assessment, the loss of and potential harm to retained trees, and the lack of provision for replacement planting, I must object to the proposed development on the grounds of unacceptable harm to trees of amenity value (EN8) and conflict with KP15.
- 5.40 The Tree Officer's comments have been sent to the agent.
- 5.41 Highways and Waste Management (Drainage): No comments received. Any comments from the Drainage Engineer will be reported to committee as a late representation.
- 5.42 Pollution Control (Noise): No objection subject to a standard plant noise compliance condition, and a pre-commencement sound insulation condition for the residential apartments seeking confirmation of the glazing specification for each façade, and details of the design of the MVHR ventilation system, and an advisory on construction site noise limiting demolition/ construction works to 8.00 to 6.00pm Mondays to Fridays and 8.00 to 1.00pm Saturdays.
- 5.43 Pollution Control (Air): Further to the submission of revised information pertaining to the Air Quality Assessment undertaken, Pollution Control has reviewed this information submitted and would like to offer the following comments:
- 5.44 The Air Quality chapter of the original Environmental Statement (Chapter F) examined a scenario for a revised road layout and assumed that the new interchange would be served by ALL bus services that had expressed an interest in the usage of the new interchange. However, it was apparent that this scenario would lead to increased traffic flows along Westgate Street and Castle Street junction and subsequently cause adverse impact on the air quality.
- 5.45 The additional sensitivity test (Scenario 3) undertaken and reported by Aecom Consultants looks to address the issue of increased traffic flows along Westgate Street/ Castle Street junction. The scenario investigates the impacts of a revised road layout and a selected/ restricted number of bus services using the new interchange. The projected air quality levels calculated are based on current unchanged bus flows and usage of Westgate Street/ Castle Street junction, therefore mirroring the DO-MINIMUM scenario, i.e. without the bus interchange in place.
- 5.46 We are in agreement with the findings made by Aecom Consultants and that the overall impact of Scenario 3 (existing demand) is considered not to be

significant and not significantly worsen Air Quality conditions along Westgate Street/ Castle Street junction for the projected year of opening in 2018.

- 5.47 We appreciate that there potentially could be issues in terms of looking to restrict usage of the bus station by operators in order to reduce bus movements on Westgate Street, thus some detail must be given as to how many buses will be restricted from the use of Westgate Street/ Castle Street junction with the adoption of Scenario 3.
- 5.48 In order to ensure that Scenario 3 can be implemented a condition is required to restrict the number of buses using the Interchange which will hopefully ensure the number of buses using Westgate Street / Castle Street junction remains unchanged or preferably reduces the number of buses using Westgate Street. One advantage of this this is that if the number of restricted services is made clear it may provide an incentive to bus operators to convert their fleet to low/ zero emission vehicles.
- 5.49 It is appreciated that there will likely be a future demand to increase the number of buses using the interchange. In order for there to be an increased use on the number of buses using the interchange a revised AQA must be undertaken to monitor/ assess air quality levels to ensure that any increased use of the Interchange/ Westgate Street/ Castle Street junction does not have a significantly negative impact upon air quality.
- 5.50 It is still apparent that the air quality modelling does not detail or incorporate into its final results the potential impact from the proposed on site combustion plant and thus additional air quality assessments must be undertaken.
- 5.51 The initial air quality assessment identified that the Short- term NO<sub>2</sub> levels inside the bus stand area are likely to exceed the 1-hour NO<sub>2</sub> standard (200µg/m<sup>3</sup>), Levels projected by the assessment are indicated to be a maximum of 846 µg/m<sup>3</sup> based on a worst case scenario. Such levels are likely to represent a potentially significant risk. Mitigation measures to address the NO<sub>2</sub> levels inside the Bus station in the form of a mechanical ventilation system have been detailed. However no detailed design or specification of this system have been provided to demonstrate that the system will effectively mitigate the risks to bus stand users.
- 5.52 Although the design and functionality of the ventilation system has been discussed with the consultants, a report which details the system's operation and demonstrates its efficiency in terms of pollutant reduction must be submitted and approved by the LPA before the commencement of works.
- 5.53 Therefore based on the information provided, Pollution Control request that the following conditions be attached to any approval of this application.



- 5.54 *Plan of Operation of the Interchange:* Prior to beneficial use of the interchange a plan of operation for the bus station shall be submitted to and approved in writing by the LPA. The plan of operation shall detail the number and frequency of services using the interchange and specify those services accessing and egressing the interchange via Westgate Street and those services accessing and egressing the interchange via Saunders Road. The bus station shall be operated in accordance with the approved plan of operation unless otherwise agreed in writing with the LPA. Reason: To control the number and frequency of services using the interchange in the interests of public safety and amenity.
- 5.55 *Increase in Bus Movements:* Any increase in the number and frequency of bus services using the interchange in relation to the approved plan of operation shall be accompanied by an air quality assessment (details of the extent and scope of the assessment to be agreed with the Council) that demonstrates that there is no significant adverse impact on air quality on Westgate Street (including the Westgate Street/ Castle Street junction), within the interchange, or on the Saunders Road access, arising from an increase in the number of buses using the Interchange. Reason: To control potential air pollution arising from an increase in bus movements to and from the Interchange in the interests of public safety and amenity.
- 5.56 *Combustion Plant Air Quality Modelling:* Prior to the commencement of works, a revised Air Quality Assessment (AQA) must be submitted and approved by the LPA. The revised AQA should project air quality levels at agreed sensitive receptor locations and examine the level of impact which is contributed by the proposed on site combustion plant for the proposed year of opening, 2018 or if necessary a revised year of opening. Should the assessment indicate that the development will negatively impact upon air quality of the local environment and agreed sensitive receptor locations, then appropriate mitigation measures must be developed and their effectiveness assessed and be approved by the LPA prior to the development commencing. If appropriate mitigation measures to protect the local environment from the impacts of the development cannot be implemented to ensure compliance with existing statutory environmental requirements then the development must not proceed unless the combustion plant is not installed as part of the development. Reason: To ensure that the development does not have a detrimental impact on the local environment and public health.
- 5.57 *Details of the Mechanical Ventilation System (MVS):* A detailed report/ modelling which details the system's operation and efficiency in terms of pollutant reduction for NO<sub>2</sub> must be submitted and approved by the LPA before the commencement of works. The report must demonstrate how short-term NO<sub>2</sub> levels will be reduced to acceptable concentrations inside the bus stand by the MVS. Should the report indicate that the MVS will not reduce the short-term NO<sub>2</sub> inside the bus stand area, then the system must be revised

and implemented in a way that will be effective in reducing the short term NO<sub>2</sub> levels to acceptable concentrations. Any revision to the MVS must be approved by the LPA prior to the development commencing. Reason: To ensure that the development does not have a detrimental impact on and public health.

- 5.58 Pollution Control (Contaminated land): Information submitted as part of the Environmental Statement (November 2016) provides a contamination assessment of the development and identifies contaminants including localised asbestos and potential PAH hotspot(s). However, because of the nature of this submission it does not provide information in relation to remediation. Remediation conditions are therefore required.
- 5.59 In addition, these assessments were undertaken prior to the demolition phase so the developer is minded of the potential for further contaminative issues to be encountered. An 'unforeseen contamination' condition is also required.
- 5.60 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.
- 5.61 Housing Strategy: In line with the Local Development Plan (LDP), an affordable housing contribution of 20% of the 195 units (39 units) is sought on this brown-field site. Our priority is to deliver affordable housing on-site and we would require detailed discussion with the applicant to ascertain if the affordable housing can be delivered successfully and sustainably on the site via a RSL partner. All affordable housing units would need to meet Welsh Government DQR standards in terms of design requirements.
- 5.62 Housing Strategy would be willing to discuss the delivery of the affordable housing on another site that the applicant may already own or be in the process of purchasing in the vicinity/area of the site. In exceptional cases if the affordable housing on-site, or off-site on another site, cannot be delivered then we would consider accepting a financial contribution of £2,664,810 in lieu.
- 5.63 Waste Management: The plans detailing the refuse storage are acceptable.
- 5.64 Parks Services: These comments relate to the current LDP (C5 Provision for Open Space, Outdoor Recreation, Children's Play and Sport; KP16 Green Infrastructure), and the 2017 Planning Obligations Supplementary Planning

Guidance (SPG), supported by policies set out in the 2008 SPG for Open Space which set the Council's approach to open space provision.

- 5.65 The Council's LDP 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.
- 5.66 Based on the information provided on the number and type of units, I have calculated the additional population generated by the development to be 290. This generates an open space requirement of 0.705 ha of on-site open space based on the criteria set for Housing accommodation, or an off-site contribution of £300,889. I enclose a copy of the calculation.
- 5.67 As no public open space is being provided on-site, the Council considers it appropriate that an off-site contribution is made towards the provision of new open space, or the design, improvement and/or maintenance of existing open space in the locality, given that demand for usage of the existing open spaces would increase in the locality as a result of the development.
- 5.68 Consultation will take place with Ward Members to agree use of the contribution, and this will be confirmed at S106 stage. The closest areas of recreational open space are Bute Park, St John's Churchyard Gardens and Callaghan Square.
- 5.69 The Parks Officer supports the comments provided by the Tree Officer.
- 5.70 Regeneration: The Cardiff Planning Obligations SPG 2017 (Section 8 – Community Facilities) states: 'Growth in population arising from new development generates demand for and increases pressure on community facilities. To meet the needs of future residents, it may be necessary to meet this additional demand through the provision of new facilities, or the extension to, or upgrading of existing facilities'.
- 5.71 If no onsite provision is proposed, a financial contribution is sought on residential developments containing 25 or more new dwellings where it has been identified that investment in community facilities will be required to meet the needs of the new population.
- 5.72 The formula in the SPG is based on the number of bedrooms and associated occupancy figures per dwelling, and is calculated as £163,223
- 5.73 Education: No comments received to date. Any comments from Education will be reported to committee as a late representation.

## 6. EXTERNAL CONSULTEE RESPONSES

- 6.1 Welsh Water: No objection subject to conditions requiring submission of a drainage scheme to be approved in writing by the LPA; a detailed risk and method statement to assess the impact on the nearby public brickwork sewer and water mains; no development to be carried out within 5m either side of the sewer crossing the site; provision of a grease trap; and submission of a hydraulic modelling assessment prior to commencement of the works. Details of public sewers and water mains crossing the site have been provided.
- 6.2 Natural Resources Wales (NRW): Further information is required to demonstrate that the risks and consequences of flooding can be managed to an acceptable level in accordance with TAN15. Although the proposed application site lies outside of Zone C1 and C2 as defined by the Development Advice Map (DAM) referred to in Technical Advice Note 15: Development and Flood Risk (TAN15), our Flood Map information, which is updated on a quarterly basis, confirms the site to be within the 0.1% (1 in 1000 year) fluvial flood outline of the River Taff, a designated main river.
- 6.3 As the development advice maps are based on our flood maps it is our opinion that it is reasonable to apply the guidance set out in TAN15 in consideration of this application.
- 6.4 In our response to your EIA Scoping Opinion request, our reference CAS-20495-F7J3, dated 12 July 2016, we advised that proposed development site was within the fluvial flood outline and that the applicant would need to demonstrate, through submission of a Flood Consequences Assessment (FCA), that the consequences of flooding could be managed over the lifetime of the development. We also provided a checklist to assist in the production of the FCA. However, no FCA has been submitted in support of this application.
- 6.5 In order to provide your Authority with an initial, basic assessment of flood risk to the site we have consulted our own flood level data and this indicates:
- The development is predicted to be flood free in the 1 in 100 year plus climate change event and is therefore compliant with A1.14 of TAN 15.
  - However, in the 1 in 1000 year event, the site is predicted to flood to a depth of between 480 – 1010mm with a velocity of between 0.16 – 0.62 m/s. These depths and velocities are in excess of the indicative tolerable conditions set out at A1.15 of TAN15. Please be aware that we do not hold information in relation to the other two elements identified in A1.15 i.e. speed of inundation and rate of rise. Should your Authority be minded to request that the Applicant provides this information, we would be happy to review it and provide you with further advice.
- 6.6 Although we would not raise any objection in relation to the above, we are concerned that the Applicant has not provided an FCA in support of this

application, as per our previous advice. Due to the lack of FCA, we are unable to ascertain whether the development could cause any increase in flood risk elsewhere, which is fundamental to determining whether the risks and consequences of flooding are acceptable in accordance with TAN15. Therefore, we advise that an FCA should be submitted prior to determination of the application to demonstrate that this development will not increase flood risk elsewhere.

6.7 Network Rail (NR): Network Rail's response dated 20.12.16 raises the following concerns:

*'It is highlighted that the application site includes land comprising the Saunders Road car park which is within the ownership of Network Rail. To date agreement has been not been reached nor the regulatory approvals obtained for the sale of this land to the applicant and the land remains in Network Rail ownership, although discussions are ongoing.*

*Careful attention must be given within this development to the pedestrian environment created along Saunders Road mindful of the frequent usage of this route by rail passengers moving to and from the station. Saunders Road is a popular and well-used pedestrian route linking Cardiff Central Station with the city centre; its popularity is due to the ability of this route to take pedestrians directly from the Station to the heart of the city centre and other key centre destinations such as the library, Motorpoint Arena, St. David's 2 development and retail units within The Hayes. As a result of this development not only will the existing taxis and servicing vehicles along Great Western Lane be using Saunders Road but so too will buses and vehicles using the BBC car park. The ability of this development to create a safe and attractive pedestrian environment along Saunders Road given this range of vehicular movements is therefore of concern to Network Rail.*

*In Network Rail's discussions with the applicant regarding the formation of the 'transport interchange' vision at this location we have shared our masterplan proposals for Cardiff Central Station to ensure that the proposed development is designed in context with our own masterplanning. However, none of the drawings and supporting documents accompanying the planning application submission show how the proposed development will relate to the masterplanning work undertaken for Cardiff Central Station. It is therefore of concern to Network Rail how a true 'transport interchange' can be created without clearly indicating the interrelationship between the Cardiff Central Station's Masterplan and this proposed development.*

*The planning application submission does not demonstrate on the drawings or within the Design and Access Statement how this transport interchange will achieve connectivity with the Cardiff Central Station masterplan proposals and also with the existing Station should funding not be forthcoming to deliver the*

*masterplan. Whilst the 'Proposed First Floor GA' plan shows an 'Interchange' area it is not shown how the building will link in with Network Rail's masterplan drawings. Network Rail is also mindful of the rising ground levels between the application site and the retaining wall to the railway at this point and Network Rail therefore expresses concern that it may not be possible to physically link together the station and this development as intended which will undermine the achievement of a world class integrated transport hub as is being promoted within the Transport Assessment.*

*It is highlighted that the applicant does not propose any improvements to Cardiff Central Station despite the development being promoted as an integrated transport interchange. Network Rail seeks financial contributions from the developer towards undertaking improvements to the station, mindful that the proposed development aims to achieve integration between bus, cycle and rail facilities and that the accompanying Travel Plan identifies measures to achieve a modal shift towards usage of rail and bus services which will increase rail usage at the station. The scope of the financial contributions sought include the provision of Customer Information Systems within the station concourse area to provide bus journey information, additional passenger facilities at the station, such as improvements to the station subways, refurbishment of existing waiting areas and the addition of new waiting shelters and customer services points on the station platforms.'*

- 6.8 A further consultation response dated 13.2.17 makes the following points in relation to the amended plans and additional information:

*'The Indicative Public Realm Interface drawing proposes a change in surface material at the point at which pedestrians would cross the accesses to the proposed 227 space car park and bus station. Network Rail still considers that, given the number of people who currently use this popular pedestrian route linking the station with key city centre destinations, the quality of the public realm and the safety of pedestrians at these crossing points is critical. Network Rail therefore advises that any consent granted shall include a planning condition which requires the submission of the detailed design and layout of these crossing points or, within the Section 106 agreement, a financial contribution towards the creation of a high quality public realm environment on the northern side of Saunders Road to ensure that pedestrian safety and ease of movement is prioritised over vehicular flows.*

*Transport Interchange Concept: The amended plans have sought to indicate Cardiff Central Station's masterplan proposals and interpret the connectivity of the proposed development with the Capital's station in order to convey the developer's vision of a transport interchange at this location. The amended plans therefore show a development plot on the eastern side of the Station Booking Hall (Plot 13) with a high-level walkway link spanning across to the current application proposal. Network Rail would note that the footprint of the*

*building indicated adjacent to the station does not reflect the masterplan proposals and is smaller and narrower than that portrayed in the most recent masterplanning work for the station. It is highlighted that this link has not been modelled or subject to discussion with Network Rail and therefore the ability to connect the development with the rail station is unproven.*

*The amended plans include a Central Square Visualisation which shows a canopy physically connecting the proposed development with the frontage of listed Booking Hall. It is emphasised that this canopy has not been advocated by Network Rail and would not be funded or delivered by Network Rail.*

*Loss of Saunders Road Car Park: It is stated that the car parking currently provided at Saunders Road would be relocated to the southern side of Cardiff Central Station. As identified in our response dated 20th December 2016, no agreement has been reached with Network Rail regarding the transfer of the parking provision to an alternative location. It is therefore advised that an appropriately worded Grampian / pre-commencement condition is attached to any planning consent granted or alternatively a clause within the Section 106 legal agreement to require the delivery of the 42no. parking spaces in advance of the closure of the Saunders Road car park to ensure that satisfactory parking provision is retained for use by rail passengers.*

*Delivery of Improvements to Cardiff Central Station: Network Rail strongly disagrees with the statement that the financial contributions sought by Network Rail from the developer towards undertaking improvements within the station are not a material consideration to this transport interchange application. The tests to seek a planning obligation are set out as:*

- Necessary to make the development acceptable in planning terms;*
- Directly related to the development;*
- Fairly and reasonably related in scale and kind to the development.*

*The proposed development is being presented as a transport interchange and not a bus station. Transferring between different transport modes is a central part of achieving this interchange vision and train travel will be a key element of delivering a true inter-modal change. Occupiers of the proposed 195 residential flats and 12,052 sq.m. office floorspace will be highly reliant upon rail travel for local, regional and long-distance journeys mindful that no on-site car parking is associated with these uses. Improvements to the station facilities which directly respond to the inevitable increased usage of the station by the developments residential and office occupiers will be necessary to make the development acceptable in planning terms.*

- 6.9 NR reference their previous consultation response highlighting the scope of the improvements required as a result of the increased demand and consider the scope of the improvements outlined to be clearly directly related to the development and more than fairly related in scale and kind to the

development. NR further support their case by making reference to LDP Policy KP7 Planning Obligations, Policy T3 Transport Interchanges, Policy T4 Regional Transport Hub, SPG Developer Contributions for Transport (2010), and the Consultation Draft SPG planning Obligations (2016).

- 6.10 NR does not object to the principle of development to the north of the station or to the creation of a transport interchange, but remains concerned that Cardiff Council and the developer do not acknowledge the impact that this scale of development will have upon Cardiff Central Station and its limited facilities. NR has no funding to respond to the additional demand this proposal will place upon the station and securing a financial contribution from the developer is key to delivering essential improvements.
- 6.11 Arriva Trains Wales: ATW's consultation response dated 14.12.16 make the following comments:

*'ATW recognise the wider benefits of these improvements to Cardiff as a City but remain concerned at the lack of meaningful and formal proposals coming forward for the permanent replacement of the 42 spaces in the Saunders Road car park aligned with their ability to use such space for public safety managing people movement into the rail station on major event days at the Millennium Stadium. Until such time as this is resolved satisfactorily ATW have no alternative but to raise objections.*

*Positive suggestions have been floated, nothing more, that the replacement 42 spaces could initially be made available on the Brains site in the car park opposite St Mary's House, with them possibly transferring to the transport interchange and then on to a proposed multi-storey car park. The Brains site with a link through into the existing Station car park on Penarth Road could be a potential solution to both the loss of parking on Saunders Road and space for "policing" public safety around the station on event days.*

*We have no desire to be the "party pooper" and appreciate the dialogue and updates on progress but there is no substance at this stage behind addressing ATW's land loss and until we get an acceptable resolution we are not in a position to support the scheme. In the interest of all parties it would be good to get to a mutually acceptable solution to the Saunders Road land loss asap and we look forward to receiving deliverable and workable proposals.'*

- 6.12 A further ATW consultation response dated 17.2.17 states that Arriva Trains Wales Ltd has received no formal response from the applicant for the replacement parking, and reiterates their objection to the inclusion of their current car park in the redevelopment proposals.
- 6.13 Police Architectural Liaison: South Wales Police have no objection.



- 6.14 Cardiff Bus: No formal comments have been received from Cardiff Bus. However the Council has liaised closely with Cardiff Bus and other bus/coach operators over the design of the interchange.
- 6.15 Design Commission for Wales: As part of the pre-application discussions the scheme and masterplan was presented to the DCfW on a number of occasions and workshops were held to discuss the application under consideration in the context of the emerging masterplan for the wider Central Square area. The DCfW are supportive of the design approach.
- 6.16 Glamorgan Gwent Archaeological Trust: The proposal will require mitigation and a standard GGAT 'watching brief' condition is advised.
- 6.17 Public Health Wales: We welcome the opportunity to comment on the air quality elements of this planning application. We have consulted with our colleagues at the Environmental Public Health Service (delivered collaboratively through Public Health Wales' Health Protection Team and Public Health England's Centre for Radiation, Chemical and Environmental Hazards Wales). Any recommendations are for consideration by planners and be reflected in any planning conditions made (see rationale below). We note that concerns have been raised by the local authority Shared Regulatory Services (SRS) Air Quality Team, with regard to potential for adverse impacts upon air quality from the operational phase of the proposed development. We have been mindful of these in producing this response.
- 6.18 Overall Conclusion: Public Health Wales and Cardiff & Vale University Health Board would support a sustainable integrated transport interchange that improves air quality, reduces human exposure to transport emissions and encourages active travel and use of environmentally sustainable public transport.
- 6.19 However, based on the evidence in this application, the proposed transport interchange is unlikely to improve air quality problems from nitrogen dioxide (NO<sub>2</sub>) that have already led to the declaration of an Air Quality Management Area in Cardiff city centre. There is some suggestion that it could make matters worse; and would most certainly hinder any efforts being taken to resolve existing problems.
- 6.20 We are satisfied that the construction phase air quality impacts can be managed by an implemented Construction Environment Management Plan. However based on a modelled scenario for 2018 the annual average NO<sub>2</sub> air quality objective (AQO) is predicted to be exceeded at nearby locations, both with and without the development. The interchange will add one location where the AQO is exceeded. For the 2024 scenario, one location is predicted to exceed the AQO due to the development. In the cumulative assessment scenario two locations are predicted to exceed the AQO with the development

in place. Additionally, it is possible that people in the vicinity of the bus manoeuvring area could be exposed to hourly concentrations of NO<sub>2</sub> that are over four times the short-term air quality objective. Also, emissions from an associated energy plant do not appear to have been assessed.

- 6.21 Deteriorations in air quality of this kind have the potential to increase exposure to air pollution and result in higher public health risks. Given the sustainability principles set out in the Well Being of Future Generations (Wales) Act 2015, it is our view that every effort should be made by all Public Bodies to ensure that the environment and public health are protected as a minimum, and improved where possible.
- 6.22 The proposed transport interchange could deliver many positives in terms of encouraging more sustainable travel. We would recommend that the Local Planning Authority evaluates further the development in terms of its potential air quality and health impacts and look to identify better options and strategies that would control and improve air quality within and across the city centre. For example, is it appropriate to have just one transport interchange? Should buses use two or three strategically located transport hubs that spread possible air quality and health impacts thinner across the city, and probably have knock-on positives by reducing air pollution from other traffic congestion problems?
- 6.23 CADW: No objection. The proposed development is located within a 2 km buffer of the scheduled monument known as Cardiff Castle and Roman Fort (GM171) and the registered historic parks and gardens known as PGW (Gm) 22 (CDF) Cardiff Castle and Bute Park and PGW (Gm) 26 (CDF) Cathays Park.
- 6.24 The development will have no direct physical impact on any scheduled monument or any of the Historic Parks and gardens identified above. An assessment of the impact of the proposed development on the setting of Cardiff Castle and Roman Fort (GM171) and of PGW (Gm) 22 (CDF) Cardiff Castle and Bute Park and PGW (Gm) 26 (CDF) Cathays Park has concluded that there will be a very slight impact. We concur with these assessments.
- 6.25 Welsh Government (Transport Division): The proposal would have no material impact on the trunk road, therefore no objection.
- 6.26 Wales & West Utilities: No objection. A plan and general conditions for guidance are provided.

## 7. **REPRESENTATIONS**

7.1 The proposals were advertised as an Environmental Impact Assessment Application in the press and on site, and Local Members and neighbours were notified. Amended plans and the ES Addendum were advertised in the press and on site and local members and neighbours and representors were notified.

7.2 Representations were received from;

- Mr. Swingler of the Royal Hotel objecting to the impact of the highway enabling works on the operation of the hotel, loss of the NCP car park, and overshadowing;
- Mr. Wallis, Campaigns Manager, Cardiff Cycling Campaign, raising concerns related to the pre-application process and the design of the cycle hub;
- Mr. Davidson (no address supplied) objecting to the height of the apartment block (impact on conservation area and overshadowing), creation of a wind funnel on Wood Street, appearance of the building and air pollution within the interchange;
- Mr Price of Minny Street, Cardiff supporting the scheme but raising concerns over access to and operation of the bus station, future integration with the tram/metro, retention of ground floor active frontages, and quality of finishing materials;
- Mr. Jonathan Waugh (RPS CgMS planning consultants) questioning the timing of the highway enabling works on Westgate Street;
- Mr. Ibrahim of Glen Mavis Way, Barry objecting to the loss of the NCP car park, and lack of plans for upgrading Cardiff Central Station.
- Mr. Barker on behalf of Cardiff Cycling Campaign raising concerns over lack of detail on how cycling access to the cycle hub across Central Square will be accommodated, and on the design of the cycle hub.

## 8. **ASSESSMENT**

8.1 The main issues to be assessed are:

- a. Proposed land uses and quantities in this location.
- b. Design of the Interchange building, including associated public realm and pedestrian linkages.
- c. Access and Parking
- d. Impact on the character and appearance of the conservation area and the setting of the listed buildings.
- e. Impact on the amenity of neighbours and future occupiers.
- f. Impact on current and future provision of public transport services (bus and railway).
- g. Conclusions of the ES and the ES Addendum.
- h. Planning obligations

### **a. Proposed land uses and quantities in this location**

- 8.2 The proposed interchange, office and residential uses fully complies with Key Policy KP2A Cardiff Central Enterprise Zone and Regional Transport Hub, and will bring significant economic, social and environmental benefits to the city. The provision of a modern replacement bus station and cycle hub adjacent to the railway station enables the provision of a fully integrated regional transport hub in the future, and delivers an appropriate arrival experience for visitors to the capital city of Wales.

### **b. Design of the interchange building including associated public realm and pedestrian linkages**

- 8.3 *Design:* The scale and design of the interchange building is appropriate for its city centre location and complements the BBC Wales building and the new office developments to the west. It enhances key pedestrian routes to the north and east (Marland Street and Saunders Road) and completes a high quality area of public realm to the north of the station.
- 8.4 The interchange itself is characterised by active frontages to the street, and by the strong horizontal emphasis created by canopies at first and second floor levels, and treatment of the lower level car park, which effectively combine to visually separate the transport use from the residential and office uses above. The simple and highly logical design of the interchange and its relationship to Saunders Road, Wood Street and Central Square is acceptable.
- 8.5 As part of pre-application discussions, and in line with public consultation feedback, the design of the main entrance from Central Square has been redesigned to give more prominence and legibility.
- 8.6 The design of the office and PRS is different to respond to the Central Square and Wood Street built environment contexts. In both cases the design concept is to create buildings that complement the BBC centrepiece interchange and in this context the architecture makes reference to Plot 2 offices to the west of the BBC building and frames both the building and the new Central Square.
- 8.7 *Public Realm works:* The extent of the public realm is defined on the Proposed Site Plan, dwg. no. VA0-GF-DR-A-01104 Rev 4. They include the public realm adjacent to the building, including the widened Wood Street pavement, the eastern half of Marland Street, the eastern edge of Central Square, the covered area serving the Saunders Road entrance and cycle hub entrance at the SW corner of the building, Saunders Road adjacent to the application site (north of the existing taxi rank) including the entrance to the offices at mezzanine level, and the pedestrian crossing highway works on Saunders Road and Wood Street. The specification and overall appearance

will be as the Central Square public realm (Planning permission 14/02405/MJR for the BBCHQ and associated public realm).

- 8.8 The surfacing material will be predominantly granite paving to match improvements to The Hayes and St. Mary's Street and in line with the objectives of the Cardiff City Centre Public Realm Manual. Details of the hard landscaping materials palette, the pedestrian crossing works, tree planting, street furniture and lighting are subject to condition.
- 8.9 A financial contribution of £1,750,000 by means of a Section 106 agreement is secured towards funding the delivery of the public realm works. Included in these works are the new/improved pedestrian crossings on Wood Street and Saunders Road. The works will be implemented as part of the wider Central Square public realm improvements and is subject to a phasing plan condition.
- 8.10 In relation to concerns raised by the Cardiff Council Access Focus Group a review was commissioned by the developer at the request of the Council to look at the design of the Central Square shared space, in particular the potential for pedestrian/ cyclist conflict, and the design and functioning of the cycle hub. The report makes the following main recommendations:
- Avoid the square being used as a cycling short cut between Wood Street and Lower St Mary Street, or as a safe and more comfortable alternative to cycling on Wood Street, by providing good cycling facilities on Wood Street and St Mary Street;
  - As expected volumes of cycling are low and pedestrian volumes high a separated facility for cycling across the square is not the preferred solution. Instead it is recommended that 'gates' are created at the entrances to the square which – through urban furniture, paving treatment and signage – make cyclists aware they are entering a shared space where pedestrians have priority;
  - Investigate additional short-stay and long-stay cycle parking to the west of the railway station to reduce cycle traffic from the west crossing the main pedestrian flows to and from the station;
  - Create a pedestrian 'safe area' in front of the railway station to allow pedestrians to exit safely before entering the square and crossing the path of cyclists. Such an area could be considered in front of the interchange/ entrance to the cycle hub;
  - Open cycle hub incrementally (ie. do not open on day one with 500 cycle stands) and monitor usage and actively manage the facility to address problems as and when they arise.
- 8.11 A condition has been imposed requiring the submission of a strategy to ensure inclusive access to and from the interchange for all groups. A separate condition has been imposed requiring the submission of an active management plan for the operation of the cycle hub to promote the Council's

sustainable transport strategy and to minimise the potential for pedestrian/cyclist conflict for users accessing the cycle hub.

- 8.12 Please note that conditions cannot be attached that relate to the design of the wider Central Square public realm which forms part of the BBC application. In this context it is recognised that the success of Central Square as a shared public space will depend on how it is managed and maintained, and different management models involving the various stakeholders are currently being explored.
- 8.13 The on-site public realm proposals are acceptable subject to public realm and inclusive access conditions, and integration with emerging proposals for the wider area.

### **c. Access and parking**

- 8.14 The access arrangements to the interchange building, and to the office and residential developments above the interchange, are acceptable. Further details addressing inclusive access to and from the interchange building are required by condition.
- 8.15 With regard to the loss of the NCP car park prior approval for demolition was granted in 2016 and it does not therefore form part of this application.
- 8.16 The number of parking spaces provided for the office (zero) and residential developments (zero) is policy compliant and is acceptable given the highly sustainable location. Pick-up and drop-off for the interchange is catered for on Wood Street, Havelock Street and within the interchange building itself. The taxi rank on Saunders Road is unaffected by the development.
- 8.17 Subject to highway enabling works on Westgate Street, Havelock Street and Penarth Road the impact on the local highway network is acceptable.

### **d. Impact on the character and appearance of the conservation area and the setting of the listed buildings.**

- 8.18 The footprint of the interchange building is set back on Wood Street and Saunders Road to enhance the setting of the listed buildings on the corners of Great Western Lane (Prince of Wales PH and the Great Western Hotel).
- 8.19 The height and massing of the office building is designed to reduce the impact of the building on Central Square and on the setting of the listed station building. The office building is physically separated from the PRS building and the masses of both buildings modelled to minimise the impact of the development on the conservation area in views from the east and south-east, and from Wood Street. Townscape and visual impact of the development and

the impact on built heritage is fully assessed in the ES as being beneficial/ neutral.

- 8.20 The impact on the character and appearance of the St Mary Street Conservation Area, and on the setting of the listed buildings to the east of the site and on the listed railway station, is acceptable.

**e. Impact on the amenity of neighbours and future occupiers.**

- 8.21 Air quality concerns were raised by Pollution Control (Noise & Air) and by Public Health Wales. In response to the comments the ES was amended to include a third model (see ES Addendum). This model (Model 3) is based on current unchanged bus flows and usage of Westgate Street/ Castle Street junction.
- 8.22 The overall impact of this model (existing demand) is considered not to be significant and does not significantly worsen Air Quality conditions along Westgate Street/ Castle Street junction for the projected year of opening.
- 8.23 It is acknowledged that there potentially could be issues in terms of looking to restrict usage of the bus station by operators in order to reduce bus movements on Westgate Street, thus detail is required as to how many buses will be restricted from the use of Westgate Street/ Castle Street junction with the adoption of Model 3.
- 8.24 In order to ensure that Model 3 can be implemented, and air pollution from bus movements controlled, a condition is imposed that requires the future operator of the bus station to submit a plan of operation prior to beneficial occupation detailing the number and frequency of services using the interchange and specifying those services accessing and exiting the interchange via Westgate Street, and those services accessing and exiting the interchange via Saunders Road. The condition states that the bus station shall be operated in accordance with the approved plan of operation unless otherwise agreed in writing with the LPA.
- 8.25 The intention of the condition is to that ensure the number of buses using Westgate Street / Castle Street junction remains unchanged or preferably reduces. One advantage of this this is that if the number of services is controlled it may provide an incentive to bus operators to convert their fleet to low/ zero emission vehicles.
- 8.26 It is appreciated that there will likely be a future demand to increase the number of buses using the interchange. To allow this to happen in a controlled manner a condition is imposed requiring a revised AQA to be undertaken to monitor/ assess air quality levels to ensure that any increased

use of the Interchange/ Westgate Street/ Castle Street junction does not have a significantly negative impact upon air quality.

- 8.27 Mitigation measures to address the NO<sub>2</sub> levels inside the Bus station in the form of a mechanical ventilation system have been outlined in the application. The principle is acceptable however no detailed design or specification of this system have been provided to demonstrate that the system will effectively mitigate the risks to bus stand users.
- 8.28 Although the design and functionality of the ventilation system has been discussed with the consultants, a report which details the system's operation and demonstrates its efficiency in terms of pollutant reduction must be submitted and approved by the LPA before the commencement of works.
- 8.29 A separate condition is therefore imposed requiring further details of the interchange ventilation system.
- 8.30 A further condition is imposed requiring air quality modelling to assess the potential impact from the proposed on site combustion plant.
- 8.31 A road traffic noise condition has been added to ensure the amenity of future occupiers of the residential component of the development.

**f. Impact on public transport services (bus and railway)**

- 8.32 *Replacement bus station:* The replacement bus station accords with the Council's preferred location for the new bus station, and satisfies the Council's brief in terms of no. of stands, access points and operation. The application demonstrates that the proposed development does not prejudice the future linking of the interchange building to the railway station, and the delivery of a fully integrated regional transport hub as proposed in the LDP.
- 8.33 *Cardiff Central Station:* In relation to the consultation response from Network Rail (NR) raising a number of concerns, and the consultation responses from Arriva Trains Wales (ATW) objecting to the proposals:
- 8.34 The application site boundary includes the Saunders Road surface car park which is in the ownership of NR. The applicant has agreed terms with NR/ATW to acquire the car park site, and to relocate the parking to land owned by the applicant to the south of the station. A condition has been added requiring the applicant to provide details of replacement parking on land belonging to the applicant to the south of the station, and to implement such provision prior to the closure of the car park.
- 8.35 Public realm improvements including a new pedestrian crossing are proposed for Saunders Road. Planning permission is subject to a section 106 financial



contribution for public realm and highway improvement works, and conditions relating to details and implementation of the public realm works indicated in the plans.

- 8.36 Plans and images showing a potential link between the interchange building and the railway station are indicative. Any such link is dependent on the plans that come forward for upgrading the railway station. The building is designed to function as a standalone interchange with the potential to be physically linked to an upgraded central station. The levels on Saunders Road have been taken into account in the design of a potential future link.
- 8.37 Visuals showing a link between the interchange building and the railway station extension on NR land to the east of the booking hall, and a canopy linking the two buildings, are indicative and intended to illustrate that the interchange building does not prejudice in any way a potential future link to the railway station and the delivery of a fully integrated transport hub.
- 8.38 Network Rail outlines a policy case for a 106 contribution towards improvement works to the station as a consequence of the increased demand on the station facilities arising from the office and residential uses. The proposed improvement works could be provision of customer information systems, improvements to the station subways, refurbishment of existing waiting areas and the addition of new waiting shelters and customer services points on the station platforms.
- 8.39 In response to this request it is not considered that improvement works to the railway station are necessary to make the development acceptable in planning terms, and do not therefore meet the planning obligations tests. It should also be noted that:
- Additional usage of the railway station by future residents and office users is not easy to quantify but would not differ from any large scale city centre development with zero or restricted parking. It is therefore difficult to justify why this development should make a 106 financial contribution while other similar developments in the immediate area have not.
  - The proposed public realm works on Network Rail land on Saunders Road represent a significant upgrading of the immediate environs of the station, as indeed does the regeneration of the wider Central Square area and the opportunity this presents for Network Rail to bring forward their own proposals to upgrade central station as an integrated part of a masterplan that is in the process of being successfully delivered.
- 8.40 Arriva Trains Wales (ATW) objects to the inclusion of their current car park in the redevelopment proposals. This is a commercial matter between the applicant and ATW/ NR however Arriva Trains Wales (ATW) also raises concerns over the loss of the Saunders Road car park in terms of reduced capacity to deal with crowds and queueing on event days. Pedestrian flows

and crowd management on normal days and event days was modelled in the 'Crowd flow analysis summary report' which accompanied the BBC application. The report modelled scenarios where NR builds on its land to the front of the station and demonstrated that the reduced square can accommodate event day crowds without using NR land for the queuing areas.

#### **g. Conclusions of the Environmental Statement and Environmental Statement Addendum**

- 8.41 The LPA cannot grant planning permission unless it has taken the "environmental information" into consideration and it states in its decision that it has done so - Reg 3 (3) of the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2016.
- 8.42 The application was accompanied by an Environmental Statement (The ES) comprising Vol 1 Non-Technical Summary (NTS); Vol 2 Technical Assessments; and Vol 3 Appendices and Figures.
- 8.43 An Environmental Statement Addendum was received on 23.1.17 addressing concerns raised by Pollution Control (Noise & Air) and Public Health Wales in respect of air quality, and by the Council's Access Focus Group in relation to Pick-up and Drop-off within the Interchange building.
- 8.44 The ES Addendum Vol 1 Non-technical Summary supersedes the application NTS. The ES Addendum Vol 2 Technical Assessments and Vol 3 Appendices and Figures supplement the application ES Vols 1 and 2 and should be read in conjunction.
- 8.45 The ES concludes that the likely environmental effects arising from the scheme are as follows:
- 8.46 *Transportation:* Traffic impact has been assessed during the construction and operation phases in the agreed assessment years 2018 and 2024. The scope was agreed with CC and WG, and 2016 traffic data has been used to establish the baseline. The assessment assumes the highway enabling works to Westgate Street, Havelock Street and Saunders Road/ Penarth Road as part of the proposals.
- 8.47 A total of 29 highway links have been assessed which includes all links which are sensitive to traffic increases in the area directly surrounding the development site and key strategic routes to the wider network. Impacts are classed as negligible, minor, moderate and substantial. Substantial and moderate impacts are considered to be significant in EIA terms.
- 8.48 No traffic effect is classed as significant, i.e. moderate/ substantial adverse in either the construction or operational phases. Whilst the traffic impact will not

be significant, mitigation is proposed for the construction phase in the form of a Construction and Environment Management Plan (CEMP).

- 8.49 The development will result in significant benefits for public transport users both in terms of the provision of a replacement bus station and the enhancement of interchange between transport modes. Event Management will not be affected during the construction phase. Furthermore, pedestrians and cyclists will experience significant, i.e. moderate or substantial, beneficial effects following completion of development proposals. Thus the proposed development will have an overall moderate/ substantial beneficial effect in terms of transportation, which is significant in EIA terms.
- 8.50 *Socio-Economic:* The most significant economic aspects are estimated to be: Capital investment of approximately £100m over a 3 year build period; up to 990 person years of temporary construction work; the creation of 944 net additional FTE jobs following completion contributing an additional £83m in value added to the Welsh economy. The development will raise the overall level of economic activity and expenditure in the area and will therefore have a beneficial economic impact.
- 8.51 *Townscape & Visual:* The site is within an area of overall low townscape value but with a number of sensitive townscape receptors including Cardiff Central Station (Grade II listed), the St. Mary Street conservation area (including a number of listed buildings), the River Taff, the Millennium Stadium and residential areas to the west of the river. 6 key viewpoints requiring accurate visual representations (AVRs) were agreed. A further 3 assessments were made based on CGIs. 3 distant viewpoints from the north-east, south and south-west of the city were also agreed. The impact on the townscape receptors and on these views was assessed.
- 8.52 There would be a substantial beneficial townscape effect deriving from the development and surrounding public realm. The setting of Central Railway Station will be enhanced. A minor adverse effect will result from the loss of the existing street trees, however this will be mitigated through the introduction of new trees as part of the landscaping strategy being proposed for the site.
- 8.53 Within the wider area there would be minor beneficial townscape effects to the adjacent St. Mary Street Conservation Area and Millennium Stadium Character Areas. The proposals will enhance the setting of the Conservation Area and associated listed buildings, within the immediate vicinity of the site, providing an improved public realm and enhanced linkages from the development site to the adjacent character areas.
- 8.54 In the majority of the views assessed the significance of the change to the view will be moderate to substantial and beneficial in nature. The proposals would give rise to neutral visual effects of negligible significance from

locations along the riverside path/cycleway and the majority of residential development overlooking the Taff - a result of both distance, and current visibility already being limited by substantial existing and consented development.

- 8.55 *Built Heritage (Above Ground)*: The impact on the St Mary Street Conservation Area and a total of 42 above ground heritage assets has been assessed. The assessment found that during construction there would be moderate/minor adverse effects on 6 listed buildings around the site and a minor adverse effect on the conservation area. After completion there would be a substantial beneficial effect upon the setting of the Central Railway Station, a moderate beneficial effect on 9 listed buildings close to the site and a minor beneficial or negligible effect on the remaining heritage assets.
- 8.56 *Archaeology*: GGAT have requested a watching brief for below-ground heritage assets.
- 8.57 *Air Quality*: A detailed AQ Assessment was undertaken of the construction phase and of the operational phase in 2018 (assumed year of opening) and 2024. Initial modelling was based on two mitigation scenarios – replacement of 25% and 50% of existing diesel-powered bus fleet with green vehicles. In response to Pollution Control concerns a third mitigation scenario was modelled and presented in the ES Addendum. Scenario 3 is the restriction of buses using the Interchange to control the number of bus movements on Westgate Street.
- 8.58 The residual impact (ie. after mitigation) of construction-related activities is anticipated to be minor adverse, provided that appropriate mitigation measures are implemented and enforced through an AQ Dust management Plan and/ or Construction Environmental Management Plan (CEMP).
- 8.59 Operational phase impacts have been assessed using a detailed dispersion model. Following completion of the proposed development the air quality impact with respect to nitrogen dioxide concentrations is predicted to be significant in 2018, with smaller impacts in 2024 as vehicle emissions decrease. The areas experiencing the largest impacts are localized sections of Westgate Street and Castle Street.
- 8.60 Measures to reduce air quality impact should be applied. These could include incentivising the uptake of zero emission buses or restricting the number of buses using the Interchange so that there are no additional buses at the Westgate Street / Castle Street junction. Restricting the number of buses using the Interchange would result in an impact that is not considered to be significant.
- 8.61 The proposed development is not predicted to have a significant effect with respect to PM10 and PM2.5 concentrations. The predicted impacts of the

proposed development on levels of these pollutants are negligible in all modelled scenarios. All predicted levels of nitrogen dioxide, PM10 and PM2.5 meet the relevant air quality objectives at proposed receptors within the Interchange development. The effects of short-term exposure to nitrogen dioxide within the bus station itself have been assessed. Levels of nitrogen dioxide are likely to exceed the 1-hour standard for this pollutant. However, members of the public are not likely to spend more than a few minutes exposed to these levels of pollution when boarding and alighting from buses.

- 8.62 The retail area of the Interchange development, where members of the public may spend longer periods of time, will be physically screened from the bus stand area. By virtue of the screening, nitrogen dioxide concentrations will be significantly lower in the retail/ concourse area. It is recommended that mitigation measures are implemented to reduce the peak concentrations within the bus station, for example by improving ventilation or by employing an anti-idling policy for buses using the Interchange.
- 8.63 *Wind Micro-climate:* A desktop qualitative assessment has been made. The study shows that wind conditions at the existing site are generally acceptable and will be reduced further on completion of the construction of the BBC HQ. After completion modelling indicates 'strolling' to 'business walking' conditions on the SW and NW corners of the building and on Marland Street between the Interchange building and the BBC building. Mitigation measures will therefore be required at building entrances in these areas. Mitigation in the form of screening may also be required for the upper level car parking deck.
- 8.64 *Ground Conditions:* Historically the site was reclaimed from the old channel line of the River Taff and comprises a deep layer of fill overlying estuarine alluvium. Materials used for fill may include contamination. Former uses as a tram shed and car park may have resulted in contamination of ground and groundwater. The development will involve excavation of made ground materials for foundations. The Ground Conditions Assessment concludes that the risk to end users of the site is low.
- 8.65 *Noise & Vibration:* The assessment considered noise and vibration impacts during the construction and operation of the proposed development on nearest residential properties to the west of the River Taff, along Fitzhammon Embankment and Tudor Street, and the commercial, hotel and office developments which are in close proximity to the site.
- 8.66 The assessment found that changes in noise levels due to increased traffic on the nearby road network during construction would be negligible. Noise from construction activities on the site would not give rise to significant adverse effects due to the considerable distances between the site area under development, and the closest residential properties. Similarly at nearby non-residential receptors construction noise would not give rise to significant

adverse effects. There are no significant effects predicted as a result of construction vibration due to the distance between the residential receptors and potential vibration source activities.

- 8.67 After completion, with appropriate noise control during the design of building services plant, no significant effects as a result of operational noise, are predicted at nearest sensitive receptors. Operational road traffic flow changes as a result of the bus interchange and associated traffic redirection have been assessed and at all closest receptor locations the predicted change is below the threshold of significance. Therefore no significant adverse effects are arising from operational road traffic. However it should be noted that there are several links, namely Park Street and Westgate Street, which experience an increase of 6dB and 4dB respectively. These levels are not considered to result in a significant adverse effect as the buildings affected are commercial in use, and no sensitive residential receptors are present.
- 8.68 *Water Resources:* An assessment by Arup has been made of the impact of proposals on the existing sewer network, the adjacent River Taff, the potential for flooding and the consumption of water. A strategy has been developed for draining the site and agreed in principle with Dwr Cymru Welsh Water (DCWW). This involves provision of a new storm sewer to accept development storm run-off, which will reduce flows in the existing combined sewer serving the site. Storm drainage will be discharged to the River Taff, with incorporation of suitable pollution-prevention measures to ensure that the water quality in the river will not be affected.
- 8.69 *Cumulative impact:* The assessment of the cumulative impact includes the developments that form part of the wider Central Square masterplan. These are the consented BBC building and the office development to the west of Central Square, and development proposed to the north of Wood Street which does not have planning permission but is likely to be developed in due course as part of the wider regeneration scheme. The ES concludes that the likely environmental effects arising from the wider development are not significant.
- 8.70 It is considered that the ES and Addendum to the ES have properly assessed the likely environmental effects of the development. No significant adverse environmental impacts have been identified.

#### **h. Section 106 Planning obligations**

- 8.71 In accordance with the LDP and approve supplementary planning guidance (Jan 2017) the residential element of the scheme (195 PRS apartments) triggers affordable housing, public open space, regeneration and education obligations. The interchange building triggers public realm works which will integrate with the wider central square public realm proposals, and highways

improvement works to Saunders Road and Wood Street sufficient to provide adequate pedestrian access to the interchange.

- 8.72 *Affordable housing:* The Strategic Housing consultation response requests 20% affordable housing delivered on site as part of the development. In the event that the affordable housing is not deliverable on site, and subject to agreement with Housing Strategy, it may be delivered offsite at a location to be agreed, or a financial contribution of £2,664,810 paid towards the provision of affordable housing in the local area.
- 8.73 Any reduction in the affordable housing contribution requires the submission of a viability appraisal justifying the level of affordable housing that the scheme can support. The appraisal is then subject to an independent assessment commissioned by the Council and paid for by the applicant. A recommendation is then made based on the conclusions of the independent assessment and discussions with Housing Strategy and the applicant.
- 8.74 In this case no viability appraisal has been submitted by the applicant and the recommendation is therefore subject to a Section 106 legal agreement securing 20% affordable housing in accordance with policy.
- 8.75 *Public open space:* The Parks consultation response requests a financial contribution of £300,889 towards the improvement of public open space in the vicinity of the development.
- 8.76 The proposed development is subject to Policy C5 (Provision for Open Space, Outdoor Recreation, Children's Play and Sport) of the Local Development Plan, which allows for a financial contribution for off-site provision/improvements where functional open space is not provided on site, and furthermore states that this may include improvements to the public realm in line with Policy KP5 High Quality and Sustainable Design.
- 8.77 The principle of utilising POS money on upgrading public realm on city centre developments has been established, and in this case is considered appropriate to the particular site and development proposal.
- 8.78 *Public realm:* The applicant has offered a financial contribution of £1,750,000 for public realm improvements to be secured by a Section 106 legal agreement. This sum is in line with an agreement between the Council and the applicant on the funding and delivery of the wider Central Square public realm improvements.
- 8.79 *Community facilities:* The Regeneration consultation response requests a financial contribution of £163,223 towards the improvement of community facilities in the vicinity of the development. The proposed development is subject to LDP Policy C1 Community Facilities which states that on significant

residential developments, which will result in increased demand for local community facilities, land, buildings and or financial contributions towards community facilities will be secured through negotiation with the developer.

- 8.80 Given the city centre location and the nature of the scheme, including significant public realm works and provision of community facilities on site, a financial contribution is not considered necessary in this case.

### **Representations**

- 8.81 *Objection from Mr. Swingler, Royal Hotel:* In relation to restricted access on Westgate Street for guests arriving by private car access to Westgate Street would need to be controlled with a Traffic Regulation Order (TRO). The TRO could include time limitation to allow access for general traffic outside of core bus times, and/or it could specify “buses, taxis and loading”. The details of the TRO do not need to be defined at this stage in planning. It is acknowledged however that due to the nature of guest arrivals, it is unlikely that the same level of access can be achieved through time limiting the TRO.
- 8.82 However loading is also possible on St Mary Street from Midnight to 10am, and new pick up and drop off facilities associated with the Interchange but for general use are proposed on Wood Street for westbound vehicles coming from the south of the city (c. 100m from The Royal Hotel Westgate Street entrance), and on Havelock Street for southbound vehicles coming from the north of the city (c. 150m from The Royal Hotel Westgate Street entrance).
- 8.83 It is not clear the extent to which the new PU/DOs will be used by local businesses as well as the Interchange. However they have been designed to accommodate movement from all areas and with as much capacity as could reasonably be provided considering the competing demands for road space in a city centre.
- 8.84 In conclusion while the layout of the lower end of Westgate Street will be modified as a consequence of the interchange proposals and, subject to the details of the TRO, potentially restrict direct access for guests of the Royal Hotel arriving by private car, new loading facilities within 150m of the hotel are being provided which guests will be able to use.
- 8.85 The loss of the NCP does not form part of the application. Prior approval for its demolition was granted in 2016. Parking for the use of hotel guests is available at the NCP car park on Westgate Street.
- 8.86 A meeting was held on 3.2.17 with the Royal Hotel to discuss the objection. It was attended by the planning officer and the applicant’s transport consultants.



- 8.87 *Objection from Mr. Robert Davidson:* The scale of the building and its impact on the conservation area are addressed in the report. In relation to overshadowing of the Royal Hotel the interchange building on Wood Street (NE corner) is c. 50m above street level at a distance of 47m from the nearest corner of the Royal Hotel. Given the separation distance the impact on daylighting received by the hotel ground floor windows will be minimal and is acceptable for a city centre location. Mitigation of adverse wind conditions at street level is addressed by condition. Air quality in the interchange and the design of the building is addressed in the report.
- 8.88 *Objection from Mr. A. Price:* The proposed operation of the bus station, i.e. access and drive-in/ reverse-out, is in line with the Council's brief and has been fully assessed by Highways (see Transportation consultation response above). The location and design of the interchange building does not compromise future integration with a rapid transport/ metro service is addressed at the start of the report. Finishing materials are controlled by condition. There is active frontage at ground floor along the full length of Marland Street and Wood Street.
- 8.89 *Objection from Mr. John Ibrahim:* The loss of the NCP car park and Saunders Road car park is addressed in the report.
- 8.90 *Questions from Mr. Wallis:* The pre-application process is described in the report. The statutory pre-application public consultation was carried out by the applicant in accordance with legislation and is considered acceptable. The design and management of the cycle hub is the subject of a condition which requires details prior to beneficial occupation of the hub.
- 8.91 *Question from Jonathan Waugh:* The highway enabling works to Westgate Street will be implemented under a TRO. The date for such works is not known but by their nature they will be completed prior to the beneficial occupation of the interchange building.
- 8.92 *Objection from Mr. Ken Barker:* The design and management of the cycle hub is the subject of a condition which requires details prior to beneficial occupation of the hub. In relation to access to the hub the proposals show Central Square as a shared space where cycling is permitted but where pedestrians have priority. Concerns have been raised by the Council's Access Focus Group in relation to potential conflict between cyclists and pedestrians and a review of Central Square was carried out by Jan Gehl Associates to look at this issue, see above. The report concludes that the shared space can be effectively managed and makes several high-level recommendations. Details submitted to discharge the public realm and inclusive access conditions will be required to take these recommendations into account.

### **Other Matters**

- 8.93 *Trees:* The Tree Officer objects on grounds of loss of trees on Saunders Road, potential harm to retained trees, and lack of provision for replacement planting. A condition has been imposed requiring replacement tree planting to address any loss of Council trees on Saunders Road, and the protection of retained trees. There is potential to redesign tree planting on Marland Street to maintain the number of proposed trees. The proposals are considered acceptable subject to this condition.
- 8.94 *Waste Management:* Waste management arrangements are acceptable subject to a condition for more details.
- 8.95 *Equalities Impact Assessment:* 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 stage, noting that the detailed design of the public realm, including the highway improvement works is the subject of planning conditions and/or section 106 legal agreement.
- 8.96 *Wellbeing of Future Generations (Wales) Act 2015:* 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).
- 8.97 This duty has been considered in the evaluation of this application and a document (Liveable City Integration Tool) has been produced by the Council to this effect. The document concludes that there would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the recommended decision.
- 8.98 *Statutory pre-application public consultation:* The statutory pre-application public consultation was carried out in accordance with legislation and is considered acceptable.

## 9. **CONCLUSION**

- 9.1 The application, by enabling the delivery of a modern integrated transport hub linking bus/ train/ taxi/ cyclists/ pedestrians, and by establishing high quality routes and spaces linking the transport hub to the city centre to the north and east, substantially realises the vision for the area in accordance with the 2016 local development plan.
- 9.2 The proposals are policy compliant. There are no objections from service areas, and no objections from external consultees. Network Rail and ATW concerns are addressed in the report. Bus operators have been extensively consulted throughout the development of the scheme.
- 9.3 Section 106: In terms of Section 106 planning obligations the applicant has agreed to enter into a legal agreement with the council to secure:
- a financial contribution of £1,750,000 to be used towards the public realm works adjacent to the application site and the highway improvements on Wood Street and Saunders Road as indicated on application drawing VA0-GF-DR-A-01104 Rev 4
  - the provision of 20% affordable housing (39 units), or a financial contribution of £2,664,810 in lieu.
- 9.4 It is recommended that planning permission be granted, subject to conditions and a Section 106 agreement.

**GENERAL NOTES:**

Additional tactile paving and other measures required to assist way finding and accessibility are to be investigated and incorporated into the works as required in agreement with the statutory authorities.

The paving design along Marland Street and at the entrance to the Interchange will marry with the proposed Central Square paving.

**NOTES:**

1 - Uncontrolled crossing point along Saunders Road reflecting low level of traffic movements  
 - Shared, at grade surface  
 - Access routes and pedestrian island demarked by contrasting surfacing (as opposed to kerbs)  
 - Paving materials to be agreed

2 - The detailed design of the Wood Street crossings is to be conditioned.



**General Notes**

- Do not scale drawings. Dimensions govern.
- All dimensions are in millimetres unless noted otherwise.
- All levels are in metres unless noted otherwise.
- All dimensions shall be verified on site before proceeding with the work.
- Foster + Partners shall be notified in writing of any discrepancies.
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Rev	Date	Reason For Issue	Chk
4	09/02/17	Planning Update	RE
3	04/11/16	Planning Update	RE
2	08/09/16	Planning Update	RE
1	08/09/16	Planning Update	RE

**PLANNING**

**Key Plan**

- Central Square enhanced public realm paving
- Tactile paving (Material specification to be agreed)
- Surfacing to highlight pedestrian crossings - Reinstated or new. (Material specification to be agreed)
- Existing Crossing

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**Project**

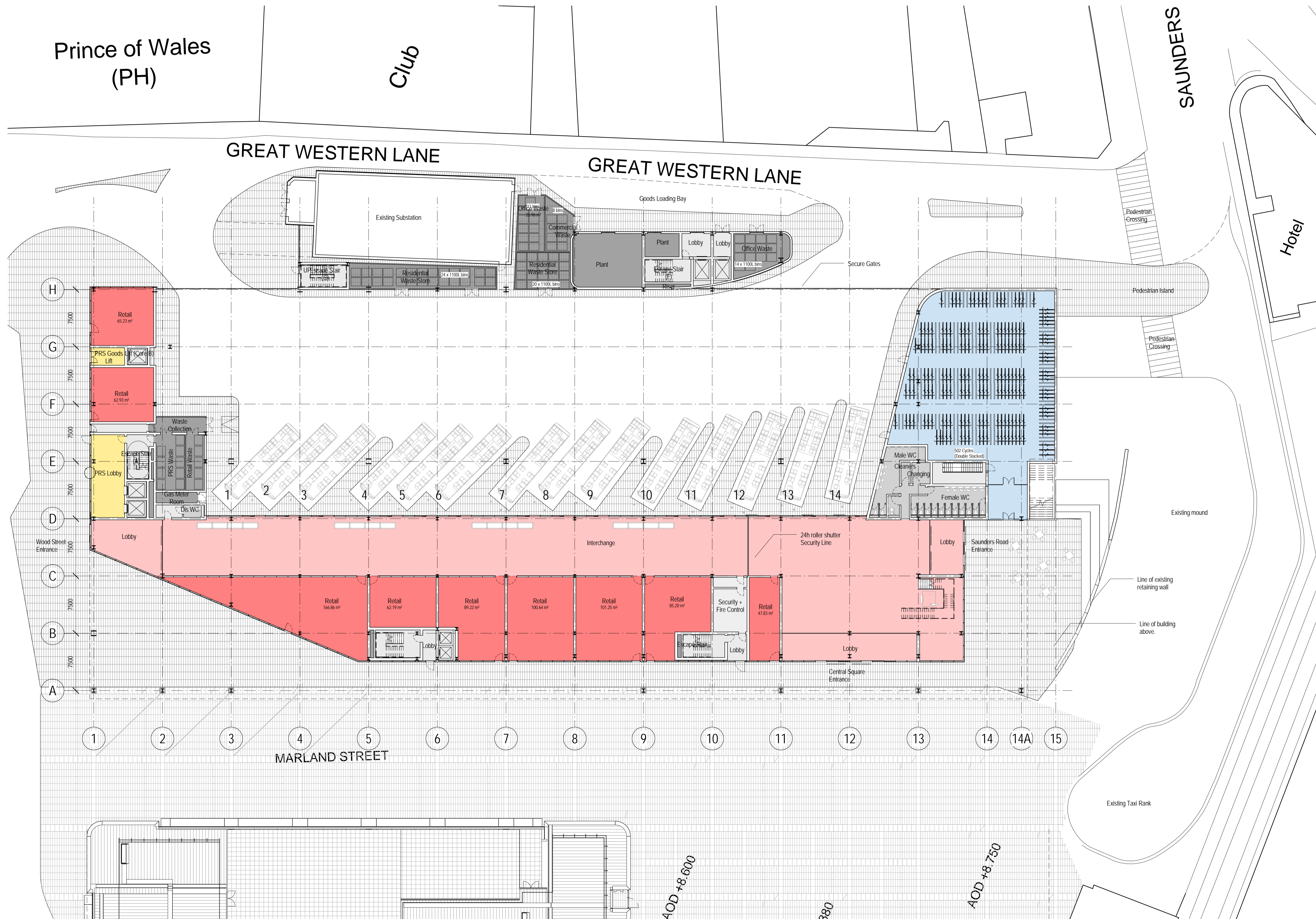
Cardiff Interchange  
 Central Square  
 Cardiff

**Title**

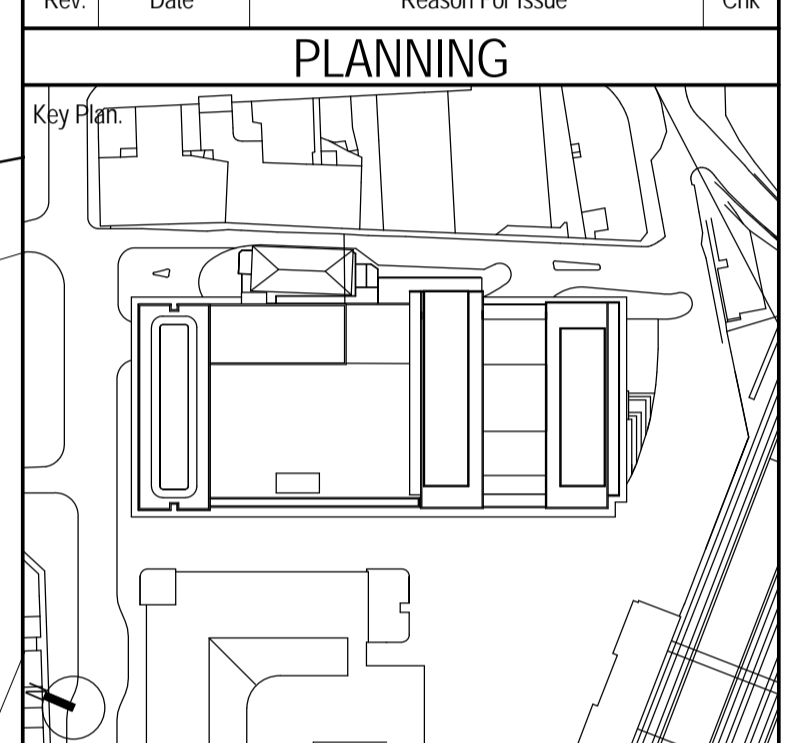
Masterplan and Site  
 Proposed Site Plan

Project No.	Date	Scale at ISO A0
2510	27/02/15	1 : 500

Number	Revision
VA0-GF-DR-A-01104	4



Rev.	Date	Reason For Issue	Chk
5	11/11/16	For Planning	TB
4	04/11/16	For Planning	TB
3	25/10/16	Drawing Update	TB
2	30/09/16	For Planning	TB
1	23/09/16	For Planning	TB



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Client  
 Rightacres Property  
 1 Central Square  
 Cardiff

Project  
 Cardiff Interchange  
 Central Square  
 Cardiff

Title  
 Ground Floor  
 GA Plan

Project No 2510	Sheet First Issue Date 04/19/16	Scale at ISO A1 1 : 250
Sheet Number VA0-GF-DR-A-03101	Revision 5	

**The Interchange**  
View from Central Square



COMMITTEE DATE: 01/03/2017

APPLICATION No. **16/02939/MJR** APPLICATION DATE: 20/12/2016

ED: **BUTETOWN**

APP: TYPE: Listed Building Consent

APPLICANT: Mr Morse

LOCATION: THE COAL EXCHANGE LIMITED, THE COAL EXCHANGE, MOUNT STUART SQUARE, BUTETOWN, CARDIFF, CF10 5EB

PROPOSAL: APPLICATION FOR LISTED BUILDING CONSENT FOR THE PHASE 1 WORKS ASSOCIATED WITH THE CHANGE OF USE (REF: 16/01024/MJR) TO PROVIDE 170 NO. HOTEL SUITES WITH ASSOCIATED USES, INCLUDING RECEPTION, FUNCTION SPACE, HERITAGE ZONE, RESTAURANT/BARS, SPA AND CIRCULATION.

**RECOMMENDATION** : That, subject to referral to Cadw under Regulation 13 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990, that Listed Building Consent be **GRANTED** subject to the following conditions :

1. C02 Statutory Time Limit - Listed Building

2. This consent relates to the works indicated on drawing references:

1506	E	(SP)	001	Rev -	Existing Site Plan
1506	E	(Site)	001	Rev C	Site Location Plan Car Park Structure
1506	E	(SP)	001	Rev -	Proposed Site Plan Inc Street Furniture
1506	E	(B00)	001	Rev -	Existing LG Plan
1506	E	(00)	001	Rev -	Existing GF Plan
1506	E	(01)	001	Rev -	Existing 1st FI Plan
1506	E	(02)	001	Rev -	Existing 2nd FI Plan
1506	E	(R)	001	Rev -	Existing roof Plan
1504	E	(EL)	001	Rev -	Existing Elevations A,B,C,D,E,F,G
1504	E	(EL)	002	Rev -	Existing Elevations H and I
1504	E	(EL)	003	Rev -	Existing Elevation J
1506	E	(CP)	001	Rev-	Existing Car Park Sections Ground and Basement
1506	P	(S)	003	Rev-	Existing & Proposed Basic Sections Indicative section C-C
1506	E	(EL)	004	Rev-	Existing Lightwell Elevations Bank & NW Lightwell
1506	P	(EL)	004	Rev-	Proposed Lightwell Elevations Bank & NW Lightwell
1506	E	(EL)	005	Rev-	Existing Hall Elevations Internal Hall
1506	P	(EL)	005	Rev-	Existing Hall Elevations Internal Hall
1506	P	(00)	003	Rev-	Proposed Grnd FI Plan Hall and Ante Rooms

1506	E	(00)	020	Rev-	Existing Grnd FI Plan Bank and Ante Rooms Plans/Elevations/Finishes	
1506	P	(LG)	001	Rev -	Proposed LG FI Plan	
1506	P	(00)	001	Rev -	Proposed Grnd FI Plan	General Arrangement
1506	P	(01)	001	Rev E	Proposed 1st FI Plan	General Arrangement
1506	P	(02)	001	Rev -	Proposed 2nd FI Plan	General Arrangement
1506	P	(00)	020	Rev-	Existing & Proposed GF Bank Plans and PDR Plans/Elevations/Finishes	
1506	P	(STLG)	001	Rev -	Proposed LGnd FI Plan Indicative Staircase 04 and 07	
1506	P	(ST00)	001	Rev -	Proposed Grnd FI Plan Indicative Staircase 04 and 07	
1506	P	(ST01)	001	Rev -	Proposed 1st FI Plan Indicative Staircase 04 and 07	
1506	P	(ST02)	001	Rev -	Proposed 2nd FI Plan Indicative Staircase 04 and 07	
1506	P	(LG)	002	Rev -	Proposed LG FI Plan	Zone1
1506	P	(LG)	003	Rev -	Proposed LG FI Plan	Zone2
1506	P	(LG)	004	Rev -	Proposed LG FI Plan	Zone3
1506	P	(LG)	005	Rev -	Proposed LG FI Plan	Zone4
1506	P	(LG)	006	Rev -	Proposed LG FI Plan	Zone5
1506	P	(LG)	007	Rev -	Proposed LG FI Plan	Zone6
1506	P	(LG)	008	Rev -	Proposed LG FI Plan	Zone7
1506	P	(LG)	009	Rev -	Proposed LG FI Plan	Zone8
1506	P	(LG)	0010	Rev -	Proposed LG FI Plan	Zone9
1506	P	(LG)	0011	Rev -	Proposed LG FI Plan	Zone10
1506	P	(LG)	0012	Rev -	Proposed LG FI Plan	Zone11
1506	P	(00)	002	Rev -	Proposed Grnd FI Plan	Zone 1
1506	P	(00)	003	Rev -	Proposed Grnd FI Plan	Zone 2
1506	P	(00)	004	Rev -	Proposed Grnd FI Plan	Zone 3
1506	P	(00)	005	Rev -	Proposed Grnd FI Plan	Zone 4
1506	P	(00)	006	Rev -	Proposed Grnd FI Plan	Zone 5
1506	P	(00)	007	Rev -	Proposed Grnd FI Plan	Zone 6
1506	P	(00)	008	Rev -	Proposed Grnd FI Plan	Zone 7
1506	P	(00)	002	Rev -	Proposed Grnd FI Plan	Bar and Back Bar
1506	P	(00)	004	Rev -	Proposed Grnd FI Plan	Kitchen and Back of House
1506	P	(01)	002	Rev -	Proposed 1st FI Plan	Zone 1
1506	P	(01)	003	Rev -	Proposed 1st FI Plan	Zone 2
1506	P	(01)	004	Rev -	Proposed 1st FI Plan	Zone 3
1506	P	(01)	005	Rev -	Proposed 1st FI Plan	Zone 4
1506	P	(01)	006	Rev -	Proposed 1st FI Plan	Zone 5
1506	P	(01)	007	Rev -	Proposed 1st FI Plan	Zone 6
1506	P	(01)	008	Rev -	Proposed 1st FI Plan	Zone 7
1506	P	(01)	009	Rev -	Proposed 1st FI Plan	Zone 8
1506	P	(01)	010	Rev -	Proposed 1st FI Plan	Zone 9
1506	P	(02)	002	Rev -	Proposed 2nd FI Plan	Zone 1
1506	P	(02)	003	Rev -	Proposed 2nd FI Plan	Zone 2
1506	P	(02)	004	Rev -	Proposed 2nd FI Plan	Zone 3
1506	P	(02)	005	Rev -	Proposed 2nd FI Plan	Zone 4
1506	P	(02)	006	Rev -	Proposed 2nd FI Plan	Zone 5
1506	P	(02)	007	Rev -	Proposed 2nd FI Plan	Zone 6



1506	P	(02)	008	Rev -	Proposed 2nd FI Plan	Zone 7
1506	P	(02)	009	Rev -	Proposed 2nd FI Plan	Zone 8
1506	P	(02)	010	Rev -	Proposed 2nd FI Plan	Zone 9
1506	P	(LG)	200	Rev -	Proposed LG FI Plan	Ceiling Layout
1506	P	(00)	200	Rev -	Proposed Grnd FI Plan	Ceiling Layout
1506	P	(01)	200	Rev -	Proposed 1st FI Plan	Ceiling Layout
1506	P	(02)	200	Rev -	Proposed 2nd FI Plan	Ceiling Layout
1506	P	(LG)	001	Rev -	Proposed LG FI Plan	Demolitions Openings and Infills
1506	P	(00)	100	Rev -	Proposed Grnd FI Plan	Demolitions Openings and Infills
1506	P	(01)	100	Rev -	Proposed 1st FI Plan	Demolitions Openings and Infills
1506	P	(02)	100	Rev -	Proposed 2nd FI Plan	Demolitions Openings and Infills
1506	P	(D)	001	Rev-	Proposed Door Details	Door Schedule and
1506	P	(S)	001	Rev-	Proposed	Partition Details Fire Stopping Details for Pipework
1506	P	(B00)	050	Rev -	LG FI Plans & Sections	Proposed Bin Store

Reason: For the avoidance of doubt

3. Notwithstanding the submitted plans and documentation, No works shall be commenced in any room or space within the building or to any part of its exterior until such time as the proposed works have been detailed to the local planning authority in the form a Coal Exchange 'Building Fabric Worksheet' which shall have been submitted to and approved by the Local Planning Authority in writing prior to the commencement of works.

The Building Fabric Worksheet shall photographically record the condition of the affected room/space or affected building fabric, provide a written statement of intention, and a methodology of working against a pre-agreed room/space reference number.

Reason: To ensure for an appropriate assessment and approval for each detailed element of works and for the compilation of an appropriate building record as restoration/conversion works in the building progress.

4. Notwithstanding the submitted plans and documentation, No alteration of existing, or provision of new, external surfaces, external steps or handrails to the building shall be undertaken until such time as the proposed works have been detailed to the Local Planning Authority in the form a Coal Exchange 'Building Fabric Worksheet' which shall have been submitted to and approved by the local planning authority in writing prior to the commencement of works.

The Building Fabric Worksheet shall photographically record the condition of affected area/steps or handrail, provide a written statement of intention, and specification of works or product detail.

Reason: To ensure for an appropriate assessment and approval for each element of works and for the compilation of an appropriate building record as restoration/conversion works to the building progress.

5. Prior to insertion, full details of the proposed new internal staircases shall be submitted to and approved in writing by the Local Planning Authority, together with a methodology of fixing, and finishing details,  
Reason: To ensure that the aesthetic of the staircases will be appropriate to the building, and that no damage will result to the building as a result of their insertion.
6. Prior to the conversion of any lightwell to an internal space, full details of the works shall be submitted to and approved in writing by the Local Planning Authority, including a methodology for providing foundations; roof support; and drylining and finishing details.  
Reason: To ensure that the works will not result in any undue damage to the historic structure and that existing window provisions will be adequately protected within the conversion of the space.
7. No penetration of the existing building fabric shall be made to accommodate M&E insertions without full details of the necessary works first having been submitted to and approved in writing by the Local Planning Authority.  
Reason: To ensure that the works will not result in any undue damage to the historic structure.
8. Notwithstanding the submitted plans and documentation this consent does not approve any works to windows or works of stone repair.  
Reason: For the avoidance of doubt and because such works are consented elsewhere under Listed Building Consents 16/02026 and 16/02037.

## **1. DESCRIPTION OF WORKS**

- 1.1 The application seeks Listed Building Consent for proposed modification of external and internal fabric of the building, including provision of new finishes, and decoration to provide for approximately 170 hotel rooms and ancillary spaces; a reception area; function space; restaurants; bars; spa; heritage zone; and circulation and access changes to the building.

## **2. DESCRIPTION OF SITE/SURROUNDS**

- 2.1 The site encompasses the whole of The Exchange building central to Mount Stuart Square.

- 2.2 The building is Grade II\* (Two Star) listed for its historic importance as a one of the most important commercial buildings in Wales.
- 2.3 Architecturally, the building is a cream and grey limestone composition of three floors over basement in French Renaissance style. The Western elevation of the building differs significantly from the other elevations in that it is poorer in terms of construction and materials (Brickwork) and has a more utilitarian appearance. The Main trading hall is the principal asset of the building both architecturally and historically and is capped with a rooftop lantern, but this was obscured by the insertion of a false ceiling in the 1970s, which was recently replaced to improve the interior aesthetic. Externally, two asymmetrical projecting wings enclose a Circa 1970s concrete forecourt which is also the roof of a fortified concrete carpark which is topped by cast concrete baluster urns to the street.
- 2.4 The building has been in a semi-derelict condition for very many years, but over the last nine months has been acquired by new owners, and has seen significant ongoing repair works to address issues of water ingress, fire damage, dry and wet rot, and to replace missing or unviable floors and ceilings. Repairs to the external envelope of the building are ongoing in terms of roof repairs and drainage systems; and repairs to the external elevations and rooftop masonry are due to commence shortly, including stonework and brickwork repairs and the removal of destructive vegetation.
- 2.5 Mount Stuart Square Conservation Area comprises a variety of buildings of differing architectural form and scale, from Classical Victorian Terraced buildings to late 20<sup>th</sup> Century flatted development, and also includes a number of other Listed Buildings .
- 2.6 The Exchange is surrounded by Baltic House offices to the south, A surface level car park to the South West, Mixed use (office and residential) properties to the west (Aberdare House and St. Stephen's Mansions), further residential accommodation to the north (Empire House and St. James' Mansions), interspersed with office uses, and other commercial (A3) and office premises (A2/B1) to the east.

### 3. **PLANNING HISTORY**

16/01024	PP	-	Change of use of the coal exchange to form circa 200 bed hotel with function rooms, restaurant / bar, heritage exhibition space and spa Granted July 2016
16/1727	LBC	-	Demolition of Car Park Granted October 2016
16/ 01764	LBC	-	Hard Strip Granted October 2016

16/1879	DoC	-	Disch Conds 20/21 of 16/01024 Granted August 2016
16/1935	LBC	-	Show Rooms Granted February 2017
16/2026	LBC	-	Stone Repairs Granted October 2016
16/2037	LBC	-	Window Restoration Granted November 2016
16/2656	LBC	-	Replacement false ceiling within main hall Granted January 2017
A/14/56	ADV	-	Lettering and images to perimeter safety hoarding Granted March 2014
13/374	VAR	-	Variation of condition 1 of listed building consent 06/764/c to extend the time period within which the works must be begun; so that the permitted works shall begin no later than 4th march 2018 (s19 - planning (listed buildings and conservation areas) act 1990. Withdrawn
13/371	VAR	-	Removal of condition 8 of listed building consent 06/764/c to enable the approved demolition works to take place prior to a contract for the new build works being signed (s19 - planning (listed buildings and conservation areas) act 1990. Withdrawn
12/15	VAR	-	Variation of condition 1 of planning permission 06/00760/c to extend the commencement period of development by five years Resolved to Grant April 2012 (Subject to Deed of Variation, never signed )
06/764	LBC	-	Partial demolition and mixed use development comprising: residential, commercial office, retail and cafe/restaurant space including the exchange hall retained for public access Ministerial approval further to 'call in' April 2008.
06/760	FPP	-	Mixed use development comprising: residential units; commercial office space; retail and cafe/restaurant uses at ground and lower ground

floors. The exchange hall retained for public access.  
Permitted March 2007

04/00633/C	FPP	Disabled Ramp Permitted 2004
04/00632/C	LBC	Disabled Ramp Granted 2004
01/02225/C	LBC	Extension to Existing Bar Facility, Provision of Cellar within Basement and Ground Floor Access via Lift and Staircase Granted 2002
86/01849/R	FPP	Demolition of existing "lean-to" porch and making good walls; Form new fire escape door within existing window opening Granted 1987

#### **4 RELEVANT PLANNING POLICY**

##### 4.1 Planning Policy Wales Chapter 6

WO circular 61/96 Planning and the Historic Environment

WO Circular 1/98 Planning and the Historic Environment

##### 4.2 Other Material Considerations

Cardiff Local Development Plan 2016

KP17: BUILT HERITAGE

EN9: CONSERVATION OF THE HISTORIC ENVIRONMENT

##### 4.3 Mount Stuart Square Conservation Area Appraisal

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

##### 5.1 None Undertaken

#### **6. EXTERNAL CONSULTEE RESPONSES**

##### 6.1 The 7 **Amenity Bodies** have been consulted:

No representations have been received

**The Victorian Society** have asked if they may visit the building. This request has been passed to the building owner.

## 6.2 **South Wales Fire Service**

Have written to advise of the applicant's responsibility to ensure adequate water supply and access arrangements are in place for fire fighting purposes. This communication is not relevant to this application, but has been forwarded to the applicant to set up a dialogue with the fire service to ensure their advice/requirements are addressed in any fire strategy .

## 7. **REPRESENTATIONS**

7.1 The application has been advertised on site and in the Local Press.

7.2 Eighteen representations have been received from:

"Save the Coal Exchange Ltd" (SCE)\*\* and from individuals, at Brynbala Way, Trowbridge; Wentloog Road Rhymney; Lewis Road Llandough; Leamington Road Rhiwbina; Llwyn-on Close, Caerphilly; Plasturton Ave, Pontcanna; Taff Embankment, Riverside; Corporation Road, Grangetown; Holmesdale Street, Grangetown; Caerphilly Road, Birchgrove; Hunter Street, Butetown; Westgate Street, City Centre; Roath Court Road, Roath; Mount Stuart Square, Butetown; Penstone Court Butetown; Fairfield Avenue Canton; and Dr Elaine Davey.

*\*\* n.b. This organisation has no connection with "The Coal Exchange Ltd" who are an unrelated, but similarly named organisation.*

7.3 The grounds of objection are

- Insufficient progress has been made
- The development is not the same as printed in the papers
- The car park is no longer to be removed as shown in early images
- The Roof lantern is no longer to be exposed as seen in early images
- Roof not restored
- Walls not restored
- Drainage not resolved
- Plant Growth yet to be removed
- Reneged on promise to fix the roof and make the building watertight
- Lack of external works are a pre-cursor to demolition proposals
- Fear of the building being condemned or demolished
- Fluidity of Proposals
- No programme of work
- No prioritisation of work
- The developers use social media to illicit support
- Procurement of the building
- Use of Public Monies
- Loans given to the developer
- Funding Mechanism/Perceived Lack of funding
- Conduct of the Council/ Lack of Action by the Council
- Proposals do not follow those recommended by Capita to Welsh Government

- Lack of collaborative working between WG, the Council, and the Developer
- Reservations in respect of Window Glazing
- Lack of appointment of professional conservation architects /surveyors/advisers
- Lack of historic reference and understanding of surrounding spaces
- No Safeguarding of heritage features within the building
- No/Non compliant Disabled Access provisions
- Relocation of the War Memorial
- Proposed sharing of space between the Heritage zone and Bute Town History and Art society.
- Will not provide for small businesses; Cooperatives, Artists and will not be publicly accessible
- Out of Accord with Memorandum Of Understanding
- Distrust of the developer
- Fire Security
- Absence of a conservation management plan
- No statement of how areas of significance will be retained for the future funding

7.4 The grounds of Support are:

- The proposals are predicated on the preserving/reinstating the existing structure
- Hotel use complementary to the cellular form of the building
- Museum on Ground Floor
- Café/Bar Restaurant in former bank
- Smart re-use of darker deep plan spaces as Spa and gym areas

## 8. **ANALYSIS**

### 8.1 **Background/Update**

8.2 Members will recall their approval of Planning Permission for the change of use of the Exchange building to a hotel in July 2016; at that time, it was noted that a Listed Building Consent application(s) which would detail how the conversion would be undertaken would be forthcoming.

8.3 Further to the approval of planning permission last summer, a number of Listed Building Consent applications have already been submitted and approved to allow for the stripping back of the building, and in respect of establishing a control framework to manage the magnitude of repair works which will be necessary.

8.4 Soft strip works have seen the building cleared of the majority of rubbish and furniture and other loose items in order to reveal the underlying arrangement of rooms and finishes; It has been surveyed, and all rooms and spaces have been identified and allocated a reference as per conditions applied to the planning

permission to establish a baseline for proposed future works. This has also been undertaken in respect of the external envelope of the building.

- 8.5 The building has been 'hard stripped' of non-historic fixed fittings and furnishings (shelves and wall heaters, modern toilet cubicles; office fixtures; over cladding, suspended ceilings, modern partitions etc); and has, and is continuing to be cleared of unviable fabric (dry and wet-rot damaged fabric and detritus, and of fabric subject to fungal decay etc) which is far more extensive than was first envisaged, but which has been revealed as repair works and reinstatement of floors and ceilings have been undertaken.
- 8.6 The South East fire damaged wing of the building has been opened up to investigate the condition of the internal skin of the building, and its connection (or not) with the outer facade, any masonry loss and lintel damage and to investigate options to ensure the future integrity of the structure. Currently a methodology to allow for new joist insertions to be made are being developed to allow for the reinstatement of floors which were lost in the fire.
- 8.7 The South West corner of the building is subject of an engineering survey and the roof structure in the NW corner remains inaccessible at the current time. Engineering recommendations for an appropriate methodology of stabilisation /repair of the structure are currently being considered by the applicant.
- 8.8 External roof repairs have been undertaken, and drainage systems exposed and repaired or modified. These works are ongoing.
- 8.9 All of the above works have been agreed/monitored by the Planning Officer and the contractors are in regular dialogue with the Planning Officer in respect of proposals and repairs which are also photographed for record purposes as a part of the consenting process.
- 8.10 Treatment of Buddleia and of other destructive vegetation is reported to be imminent, and the plant roots will thereafter be removed and stonework and brickwork repairs undertaken in due course.
- 8.11 **This application**
- 8.12 This application is the first major Listed Building Consent submission, and describes how it is intended to convert the building in terms of the use of rooms and spaces within the building, the typical philosophies and methodologies to be employed, the extent of any demolitions and interventions proposed, as well as the likely phasing of works to enable the hotel to become operational, and thereafter the building to be restored.
- 8.13 This application confirms the applicant's intentions in respect of the nature of the conversion proposed; the basis of proposals for repair, alteration, extension and reinstatement, and new works over the four floor levels of the building. The application confirms intentions for the building at this point in time, and identifies which works are currently proposed as 'Phase 1' works, and sub phases thereof, and those which are proposed as 'Phase 2' works. These



phases may be subject to change for technical, practical or operational reasons. The Planning Officer has also been advised that a further LBC submission is imminent which will detail further longer term aspirations for the building such as the re-revealing of the roof lantern and trusses above the main hall, but these proposals are not detailed or considered here.

8.14 It is not therefore the intention of this report to seek Committee's approval for every finite change in every room or space within the building ( although this will be the role of officers in the future as works progress); but rather more to advise and seek the approval of Members in respect of the principle of how the building is intended to be converted, and of the philosophies and typical methodologies to be employed.

8.15 The detailed assessment and proposals for each room and space is recommended to be controlled by the use of planning condition, as has been proven to be an effective mechanism of control in respect of former approvals for hard stripping of the building; and which has also been accepted by Cadw in respect of a control mechanism for future window repairs and stonework repairs.

#### 8.16 **Statute, Regulation and Guidance**

The Coal Exchange is Listed as a building of Architectural and Historic Interest Grade II\*. (Two Star)

8.17 As such, the Planning Listed Buildings and Conservation Areas Act 1990 (As Amended) places a duty on Local Planning Authorities, when considering Applications for Listed Building Consent 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.

8.18 Further Guidance is provided by Welsh Office Circular 61:96 Planning and the Historic Environment; Most relevantly guidance contained in Annexe D to that document and the appendix to that annexe.

8.19 A British Standard BS7913 also exists; as do many other practical, philosophical and theoretical texts from which a number of maxims of conservation have been derived.

8.20 When faced with proposals for the change of use of Listed Buildings, the generally adopted approach is to attempt to realise the change of use of the building with minimum change to the building structure; to work with the layout and fabric of the building; and to achieve any conversion with the minimum necessary intervention; Repairs are recommended to be undertaken with traditional materials and using traditional repair technologies; and for any new works to be sympathetic; and ideally to be structurally reversible, without loss or damage to the building; and to retain and celebrate its most important features.

8.21 The proposed works are therefore considered in the context of such guidance and best practice.

## 8.22 **The Works Proposed Under this Application**

### 8.23 Structural Building Changes/Extensions/Alterations

### 8.24 Structural Building Changes

The submitted drawings indicate that the proposed conversion is based on the existing cellular layout of rooms. The envisaged end product is fundamentally based in the repair and reinstatement of the existing building structure. There are no substantial demolitions or changes to the existing layout proposed and this is wholly welcomed.

### 8.25 Extensions

Extensions are limited to the provision of some additional interior spaces in the area of the building's lightwells. This will provide for additional kitchen and operational spaces, and the new roof areas created will accommodate Air Conditioning condensers and plant to avoid an excess of rooftop accretions, or unsightly installations on the exterior of the building. These works are also considered beneficial in removing areas which have been problematic to access and maintain in the past as well as providing useful and serviceable additional space in areas not readily visible to users of the building.

### 8.26 Elements of building alteration/interventions

Submitted drawings show the extent of the removal of limited areas of masonry walls, the blocking of some existing doorway openings and provision of new openings to deliver the desired arrangement of rooms within the cellular layout. Overall these interventions are quite modest in respect of the scale of works proposed and this is considered appropriate and to follow both national and local conservation policy.

### 8.27 **Use of different floor levels**

Submitted drawings and documentation indicate that the Basement level will provide for service areas for the hotel; for a restaurant, spa/gym, a heritage zone, and plant and back of house areas, as well as second phase hotel rooms.

The Ground floor is shown to consist of a reception area, lounge/lobby, the main hall, and ante room spaces, as function space and bar, Hotel rooms and an open access restaurant within the former bank at the NE corner of the building for hotel guests and non-guest use.

The First and second floors will consist of hotel rooms only.

All floor levels will contain ancillary storage and operational spaces.

## 8.28 Key Spaces

It is intended that the higher order spaces will be retained as such,

**The main hall and ante rooms** lend themselves to use as the main multi-function space within the hotel for wedding receptions, conferences, exhibitions etc. There are no works of alteration to this space proposed at this time, however as indicated above, it has been confirmed that future proposals will likely include for the restoration and exposure of the roof lantern and trusses, however these proposals are not yet finalised and are not considered here. The retention and use of this space as the principal asset of the building is appropriate and welcomed.

The M&E strategy for this area of the building suggests that underfloor heating would be the most appropriate way of heating such a large space and would avoid the need for external piping and radiators, or electrical cabling to radiant heaters. No details are submitted with the application, but the concept is not objected to in principle and will likely be beneficial to the interior joinery in maintaining a constant temperature level as opposed to extreme variances in temperature which can occur from radiant heaters.

The exiting bar area within the ante rooms will be retained and upgraded to accept more modern fixtures and fittings. This will not impact on any historic fabric. New WCs, including an accessible WC are proposed to be constructed behind the ante-rooms, which will provide for WC provision immediately accessible from the multi-function space.

The detail of construction of all of the light well insertions will need to be subject of detailed control, and will also need to incorporate provision for the illumination of the windows currently fronting the space. However the benefits of capping the lightwells at a low level, and of resolving previously problematic drainage is considered to outweigh the loss of the originally conceived space, which will in any event remain at upper levels of the building. As such these works are supported.

8.29 **The lobby entrance area** at ground floor will be subject to minimal alterations and will be used as a reception and lounge bar area / breakout space for when the main hall is in use. The other spaces within the lobby area are proposed to be used as offices and back of house areas associated with the hotel.

It should be noted that significant effort has already been made to secure the retention of the ornate ceiling plasterwork in this area, as the above floor was subject to significant dry rot and had to be replaced. The contractors should be commended on their efforts to retain this ceiling.

Within the lobby space an opening is proposed to be formed to connect the proposed bar lounge with the main reception area. This will result in the loss of original fabric, but this fabric is only of modest significance and the removal of an element of the wall is not considered to impact unduly on the character of the building and will allow for the space to be used more meaningfully as a

reception/lobby. Connecting the two spaces together will have minimum impact on the existing features, and on this basis there is no objection to this proposal.

The existing fireplaces and features within the entrance lobby and hall ante rooms are to be retained, although it is proposed to relocate the tidal clocks (Lion Clocks) back into the main hall where they were previously sited. Again there is no objection to this.

- 8.30 **The former Bank**, located to the NE corner of the ground floor of the building is proposed to be used as a restaurant with access from the rear of the hotel as well as from the hotel interior. The conversion will retain the timber panelled former Manager's Office as a private dining room. and will see the light well adjacent to the bank capped and dry lined up to first floor level to provide kitchen space directly adjacent to the restaurant.

The bank, when opened up had lost most of its ceiling and beam coverings, and was an academic exercise in fruiting bodies and fungal growth. Remaining beam coverings and unviable fabric have now been removed and the interior will be refinished with new surface finishes. The timber panelling to the former manager's office will likely need to be removed to address dry rot behind it, but intentions are to investigate the manner in which the panelling has been applied and it is hoped to be able to remove and then reinstate it after treatment of the walls. The relatively modern teller's counters and security screens were not of any architectural significance and have now been removed.

### 8.31 **Offices**

- 8.32 The conversion of the former office spaces into hotel rooms is proposed to follow the approach adopted for the three trial room fit outs granted listed building consent earlier this year. For external rooms this provides for the repair of the internal side of the external wall, including the repair and servicing of windows where viable, or provision of new corded sash windows of replica design where not; the addition of secondary glazing to improve sound and thermal insulation; the making good of skirting boards and preservation/restoration of any period features such as interior grills or ventilators together with the redecoration of the interior wall to the full room height. Further into the room, this work is then supplemented by the provision of a coffered ceiling and ultimately the provision of a dropped bulkhead ceiling to the room entrance and bathroom areas. These works together with a system of overcladding of the remaining walls allows for the room to be brought up to appropriate fire resistance ratings and also to be finished in whatever interior finish is desired (panelling, tiling, paper or fabric finishes etc) without the necessity to interfere with existing fabric, or to chase plasterwork or modify joinery to accommodate new pipework, cabling and air conditioning installations.
- 8.33 It must be noted that this approach cannot be considered to constitute a restoration of the existing fabric, and would be resisted by many purist building conservators, as it does not repair or restore existing finishes, rather more it utilises the existing fabric as a support framework to accommodate new

finishes, and this has therefore been subject of extended dialogue with, and cause of further justification of the approach to Cadw.

- 8.34 The downside of the approach in historic building restoration terms is that although the system retains the existing cellular layout of rooms in the majority of instances, it also obscures the majority of existing finishes and detailing of the rooms. Welsh Office Circular advice would encourage existing cornice and plasterwork details to be repaired, and joinery profiles to be similarly renovated and supplemented with matching profiles as opposed to being obscured.
- 8.35 However, this must be balanced against the quality of the actual fabric concerned, which, is not particularly unusual or decorative, and must also be noted to have been lost, adapted, damaged or removed in many rooms as a result of many previous conversions and adaptations of the building, including the previous systematic removal of all fire places, provision of stud walls, and provision of surface mounted electrical switches, sockets and coms cables to skirting/joinery profiles.
- 8.36 Positively the approach does not destroy or remove any existing skirtings or cornice details, but simply obscures them. It should also be noted that much of the areas proposed for hotel room conversion correspond to the areas of secondary fabric detailed within the inspector's report for a former conversion of the site, which again would likely have been needed to be modified under that scheme which was approved by WG Minister.
- 8.37 The applicant has provided additional justification for this methodology in terms of meeting required fire safety standards, in terms of concealing otherwise visually poor but necessary plant and M&E installations; cost and time, and in respect of providing new finishes which are fit for purpose for the new use.
- 8.38 Overall the benefits of this methodology are considered to outweigh the impact of the works of the existing fabric, which as noted is of very variable condition, and which would not be lost as a result of the works which are also noted to be relatively easily reversible if desired in the future.
- 8.39 In dialogue, Cadw have suggested that there may be rooms within the building where overcladding is less appropriate and where greater energies should be expended in exploring the use of intumescent coatings to achieve compliant fire resistance. The proposed conditions recommended to Committee would allow for that possibility, as rooms would be considered on a room by room basis.
- 8.40 **The North West lightwell** Most recently this area was used as a back of house area to service the main hall. It has also been a convenient location to locate operational plant, but also as a dumping ground for old equipment. Broken or blocked drainage gutters and downpipes have also scarred the interior elevations of the lightwell with algae and fungal growth.
- 8.41 The proposal is to retain the back of house access on the lower ground floor of the lightwell as a service area. At ground floor level, a new floor will be

constructed to provide additional storage space to the main hall and a back of house entrance to the staff room and kitchen areas.

8.42 Again, subject to the approval of detail, there are no objections to these proposals.

#### 8.43 **Phasing**

Outside of ongoing repair and maintenance works, the works applied for here are proposed in two principal phases over the three floors levels of the building and basement.

8.44 The indicated Phase 1 works exclude works to the basement and to the rear NE and NW corners of the building at ground floor level, and to approximately the northern half of the building at first and second floor levels. All of these works are indicated as being Phase 2 works.

8.45 There are no objections to the phasing proposed, subject to the integrity of the building being maintained.

#### 8.46 **Issues Raised By Objectors**

8.47 Members will note from the representations section of this report that the conversion of the building to a hotel by the applicant remains an emotive subject for a particular group and for individuals, and that there are a number of representations expressing particular opinions and concerns as to how the building was procured, how the development should be managed; what the development should consist of; of the prioritisation of works; timescale of execution; and fluidity of intentions for the building.

8.48 It is quite understandable, that those with an interest in the building, will be keen to understand what is proposed and what the short and long term plans of the owner are for the building; However such matters are ultimately at the discretion of the building owners; and Members are advised that the applicant's programme of works, speed of execution, or order of priority are not generally matters which fall to be considered under a Listed Building Consent application.

8.49 The planning Officer would also remind Members that there are other mechanisms available within the Planning Acts which allow the Local Planning Authority to intervene if the Local Planning Authority consider that actions or inactions of the building owner are putting the building at risk, but that currently there is no intention to use these, as the applicant is evidently making best efforts to address the problems inherent in the building.

8.50 Members are therefore advised that Committee's role here is to consider only the acceptability, or otherwise, of the works proposed.

8.51 From those issues raised by objectors, the following are considered material to the determination of this application and are considered here.

#### 8.52 *Reservation in respect of Window Glazing*

Window repair/refurbishment/replacement is considered in detail and controlled under Listed Building Consent 16/02037. Matters of secondary glazing provision are controlled under this application as part of any new works proposals. The applicant has indicated that they will make best efforts to refurbish all existing window stock, but that there are instances where windows are rotten and missing, and it will be intended to replace them with replica frames where this is the case.

It has also been confirmed that it will not be necessary to replace any original glazing where secondary glazing is proposed as there will be significantly less risk of breakages where secondary glazing is in place. Alternatives to replacement glazing, such as applied safety film are also being considered where warranted.

Each window will be considered on its merit in respect of age, approximate age of glass, frame condition, etc.

Secondary glazing design will also be considered on a window by window basis dependant on the design of the window frame; architrave and window reveal design and materials.

#### 8.53 *Relocation of the War Memorial*

There are no proposals to move the war memorial under the proposals in this application. However there would seem no particular requirement to keep the war memorial in its current location if a suitable alternative location were to be proposed, and the merit or otherwise of any such proposals would be considered as a building alteration.

#### 8.54 *Non DDA compliance*

Access provision for those who are mobility impaired is often a challenge in historic buildings, especially those where the concept of design sought to express the grandeur or importance of a building via the provision of an elevated principal floor level served off stepped entrances.

The proposals submitted indicate the provision of Lifts within the building, and concept designs for the building frontage have suggested a platform lift, or utilisation of the existing ramp for those with access needs, these are being considered.

As a business providing a service, the hotel will need to make reasonable efforts to provide services on an equal basis to all users of the facility, and the interpretation of what is reasonable, will need to include for an assessment of what impact any changes to the building will have on its architectural interest. What is clear however that is whatever the final arrangement, that these issues are being considered by the applicant, and any alterations will be covered by

the process of LBC control. A condition is therefore recommended to allow for the consideration of any proposals.

#### 8.55 *No Conservation Plan*

Firstly it must be acknowledged that a Conservation Management Plan is not a statutory component of a Listed Building Consent Application Submission. The determination of this application is not reliant on the submission of such a document.

This said, the applicant accepts the value of such a plan as a very useful document for capturing and understanding the value of the building as a historic asset, of quantifying its special interest, and of the constituent physical parts of the building, or historical events, or changes, that make up that interest; and thereafter describing how those things will be protected, and preserved, and managed in the future.

The applicant has started such a plan, and has been in dialogue with the Local Planning Authority as to the most appropriate content of the plan, of its nature, direction and usefulness as a meaningful guiding document to describe proposals and intentions for the immediate, mid and long term management of the conservation of the building.

It is unfortunate therefore that a plan has yet to be made for the building, however it is evident that the developer is committed to the preservation of the building, and the absence of such a document should not distract members of committee or the public from the very positive works that are being undertaken on site, and which are applied for here.

#### 8.56 *Proposed sharing of space between the Heritage zone and Bute Town History and Art society.*

The management of floorspace within the building is again a matter for the applicant/hotel operator to decide. However it is clear that as well as providing a heritage zone, for use as an archive depository for the Butetown History and Arts Society, that the applicant envisages the unique offer of the hotel to be based around the history of Coal, of its export through Cardiff Docks and the role the Coal Exchange played in its sale. Memorabilia, physical objects and references to the same will be displayed throughout the hotel, which will in itself be a vehicle for promoting the history and architecture of the area.

#### 8.57 *Lack of appointment of professional conservation architects /surveyors/advisers*

The submitted Design and Access Statement suggests that the statement is to be read in conjunction with the previous design and access statement prepared by Purcell, recognised conservation professionals, and the applicant advises that they have also appointed a number of other professional advisors, the most recent being Burroughs Engineers who have advised on the restoration of



the SE Tower and who are to make recommendations in respect of the NW corner of the building.

Ultimately there is no scheme of accreditation for conservation advisors in Wales, nor any requirement for applicants to use them to advise or submit schemes for planning permission or Listed Building Consent. Planning Authorities and Members of Committees must therefore make decisions on the basis of information provided, which in this case the planning officer considers sufficient to understand the proposals to the level of detail necessary to make a recommendation to Planning Committee.

The submitted drawings indicate typical solutions proposed to be employed to particular areas of the building, and will allow finite details of the conversion to be agreed with the Local Authority Conservation Officer with Reference to Cadw.

This is considered appropriate on such a large scale project.

- 8.58 - *Lack of historic reference and understanding of surrounding spaces*  
- *No Safeguarding of heritage features within the building*  
- *The building will not be publicly accessible*

Not concurred with. The applicant appears very aware of the context of the development, of what is valuable in terms of heritage features, and their future incorporation into the project, and as a hotel with a heritage zone, bar / restaurant and function space, the facility will be accessible to the public.

## **10. CONCLUSION**

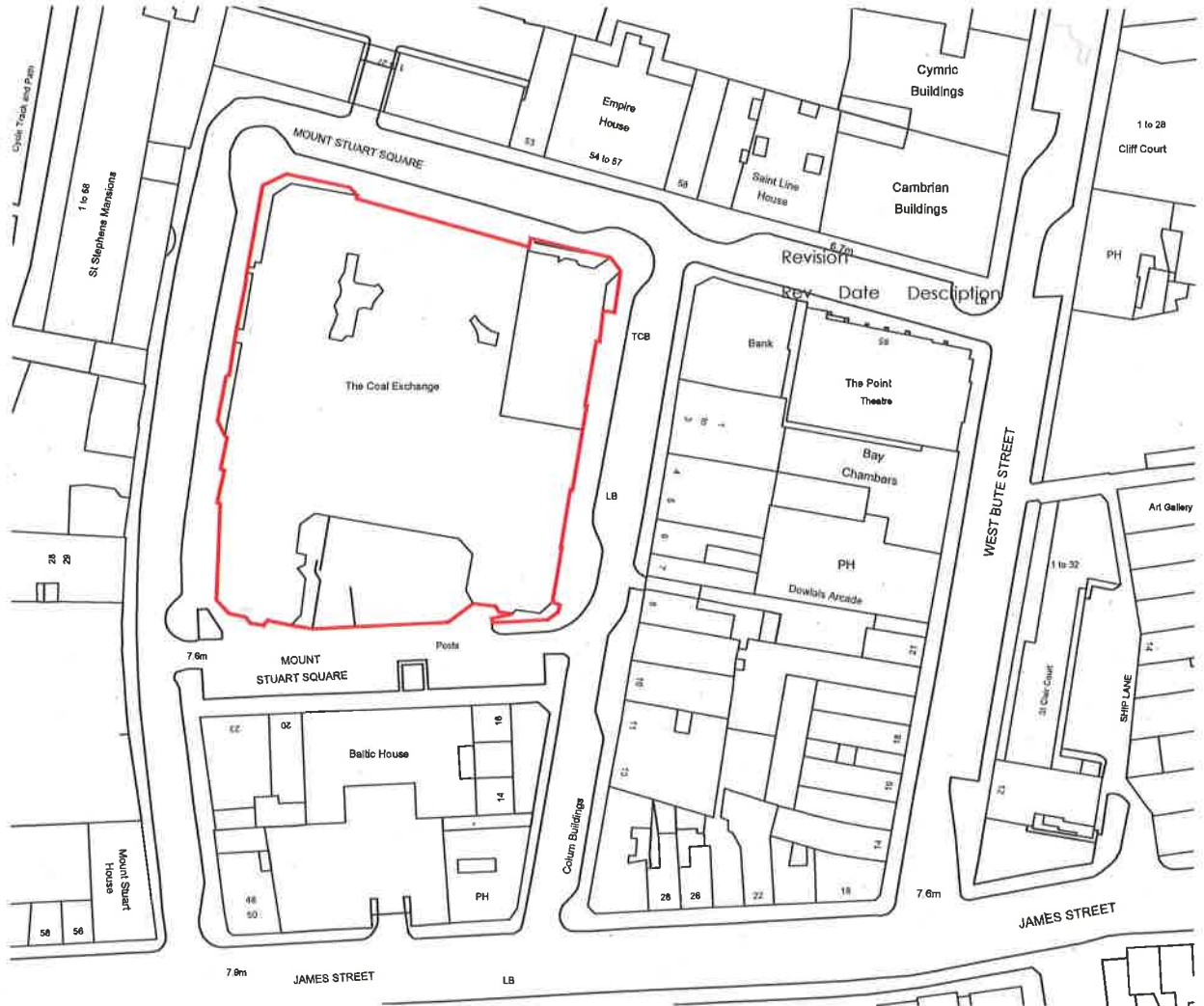
- 10.1 The proposals have been considered in the light of extant advice and best practice, but also considered against the extremely poor condition of the building; and the enormity of the scope of works necessary to restore the building to a standard where it shows both special regard for elements of architectural and historic interest whilst providing for a viable building fit for purpose for the proposed hotel use.
- 10.2 It is accepted that the conversion does not accord with conservation advice in some areas, most notably the overcladding of wall surfaces in former offices; However, neither do the works damage or harm the fabric of the building, and given the merit of the fabric affected, are considered to be acceptable.
- 10.3 It is also considered that the works proposed do broadly accord with building conservation advice and guidance in respect of causing no harm to the existing building; in being able to be undertaken with minimum intervention or change to the existing fabric; in being sympathetic; and ultimately reversible with no undue harm to the existing structure.
- 10.4 Overall the works proposed are concluded to be beneficial to the building, and the Planning Officer remains of the opinion that the conversion of the building to

a hotel, continues to be the best chance that the building has of being saved for future generations.

- 10.5 On this basis, subject to the consideration of detailed matters, which can be appropriately controlled by means of condition, it is recommended that Listed Building Consent be GRANTED.

Revision

Rev	Date	Description
A	16.06.16	Car Park area identified
B	09.08.16	Show rooms identified
C	17.11.16	Full planning application



SITE LOCATION PLAN  
1:1250

APPLICATION SITE ———

NOTES  
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All dimensions to be checked on site

16 / 02939



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Status	PLANNING/LBC	Drawn	-	Checked	-
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The Coal Exchange Mount Stuart Square Cardiff - CF10 5EB					
Title	Site Location plan- Car Park structure				
Dwg No	1506-E-(Site) 001	Revision	C		
Scale	1:1250	Date	November 2016		

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