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AGENDA

Committee	PLANNING COMMITTEE
Date and Time of Meeting	THURSDAY, 11 JANUARY 2024, 10.30 AM
Venue	CR 4, COUNTY HALL - MULTI LOCATION MEETING
Membership	Councillor Stubbs (Chair) Councillors Humphreys, Ahmed, Hunt, Joyce, Michael, Reid-Jones, Robson, Sattar, Shimmin and Wong

1 Apologies for Absence

To receive apologies for absence.

2 Declarations of Interest

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

3 Minutes

To approve as a correct record the minutes of the meeting held on 21 December 2023.

4 Petitions

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

Application 20/00187/MJR – Land at De Braose Close, Danescourt, Cardiff

5 Development Control Applications

- a 22/02673/FUL - Cardiff East Park And Ride Eastern Avenue Old St Mellons Cardiff CF23 8HH
- b 20/00187/MJR - Land at De Braose Close, Danescourt, Cardiff
- c 23/01427/FUL - 35 St Isan Road, Heath, Cardiff, CF14 4LU

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

6 Applications decided by Delegated Powers

1 December - 29 December 2023

7 Urgent Items (if any)

8 Date of next meeting

The next meeting of the Committee is on Thursday 8 February 2024 at 10.30 am.

Debbie Marles

Interim Monitoring Officer

Date: Friday, 5 January 2024

Contact: Mandy Farnham, 029 2087 2618, Mandy.Farnham@cardiff.gov.uk

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PLANNING COMMITTEE

21 DECEMBER 2023

Present: Councillor Stubbs(Chairperson)
Councillors Humphreys, Ahmed, Hunt, Joyce, Michael, Reid-
Jones, Robson, Shimmin and Wong

58 : APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Sattar.

59 : DECLARATIONS OF INTEREST

No declarations of interest were received in accordance with the Members Code of Conduct.

60 : MINUTES

The minutes of the meeting held on 7th December were approved as a correct record of the meeting and signed by the Chair.

61 : DEVELOPMENT CONTROL APPLICATIONS

The Committee considered the schedule of development control applications in accordance with the Town and Country Planning Act 1990:

RESOLVED: Pursuant to this Committee's delegated powers the following development control applications be determined in accordance with the recommendation set out in the reports of the Director of Planning, Transport and Environment, subject to any further amendments as detailed below and notification be given of the decisions in accordance with Section 70 of the Town and Country Planning Act 1990 or Section 74 of the Planning (Listed Building & Conservation) Act 1990.

APPLICATIONS GRANTED

23/02286/FUL - CATHAYS

HOWELLS OF CARDIFF, 14 – 18 ST MARY STREET, CATHAYS, CARDIFF, CF10 1TT

Proposed redevelopment (Phases 2 and 3) of part of the former Howells department store, including partial demolition, to deliver studio apartments (Use Class C3) and flexible commercial floorspace (Use Classes A1, A2, A3, B1, D1 and D2); restoration of Bethany Chapel and Sunday School plus upward extension (additional storeys) to the Percy Thomas Wharton Street block; public realm; related infrastructure and engineering works.

23/02287/LBC – CATHAYS

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62 : URGENT ITEMS (IF ANY)

There were no urgent items.

63 : DATE OF NEXT MEETING

11th January 2024, 10:30am.

The meeting terminated at 11.10 am

COMMITTEE DATE: 11th JANUARY 2024

APPLICATION No. 22/02673/FUL

APPLICATION DATE: 21/11/2022

ED: PENTWYN / LLANRUMNEY

APP: TYPE: FULL

APPLICANT: Curtis Hall Ltd

LOCATION: Cardiff East Park and Ride, Eastern Avenue, Old St Mellons, Cardiff CF23 8HH

PROPOSAL: Demolition of existing structures and redevelopment of the site to provide commercial floorspace (Use Classes B1, B2, B8, A3) and/or ancillary Class A1), associated drive-thru and car parking; the re-provision of the park and ride; a bridge across the Rhymney River; site wide landscaping and associated works.

RECOMMENDATION 1:

That planning permission be **GRANTED** subject to the relevant parties entering into a binding legal agreement 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 paragraph 9.298 of this report and the conditions listed below in section 12.

RECOMMENDATION 2:

That delegated authority is given to the Head of Planning &/or Operational Manager: Strategic Development & Placemaking, to make changes to the conditions and/or Heads of Terms of the required legal agreement, subject to consultation with the Chair of Planning, up to the point where the legal agreement is signed and planning permission issued.

1. BACKGROUND INFORMATION

1.1 This application is reported to Committee as it comprises 'major' (and EIA) development on a site owned by the council, with the proposals also being of general public interest.

2. DESCRIPTION OF THE SITE AND AREA

2.1 The application site comprises approximately 23.4 Hectares of land located to the immediate southeast of the A48. The site includes the existing Park and Ride which has approximately 900 car parking spaces, as well bus drop-off and pick-up points, an office/amenity building and various compounds. The Site is accessed from the A48 (Eastern Avenue).

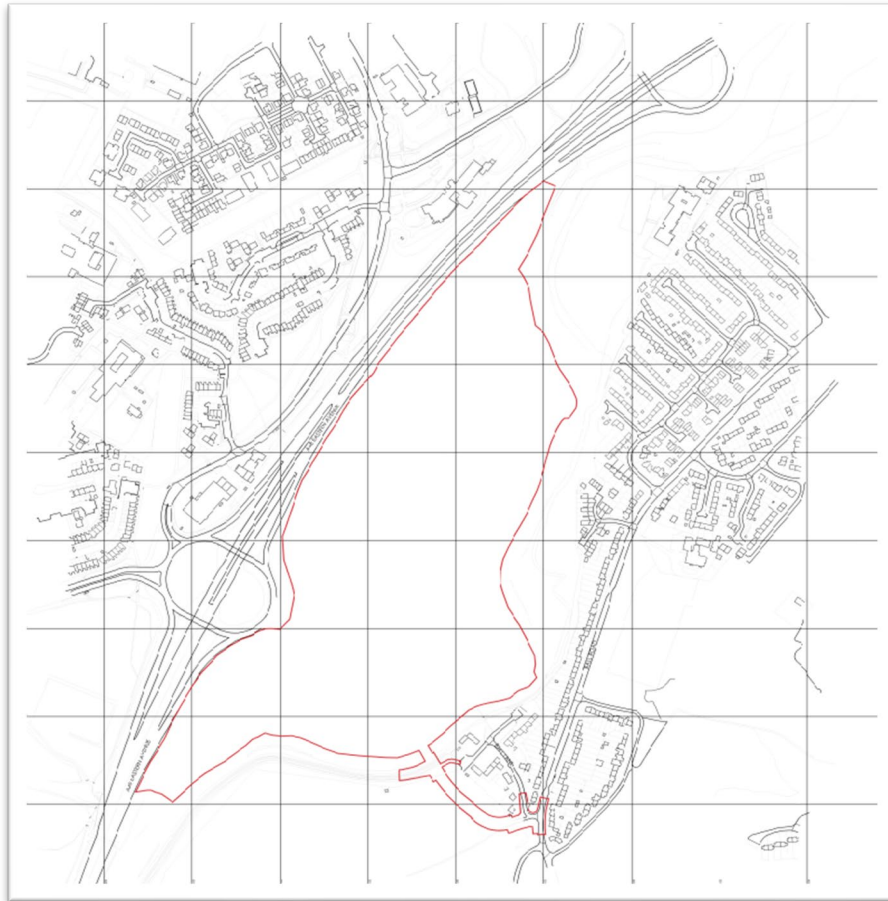


Figure 1: Site Location Plan

- 2.2 In addition to the Park and Ride, the site includes areas of woodland (including Ancient Woodland and TPO trees) and amenity/scrub land and is crossed by public rights of way and informal footpaths. The Rhymney River runs along the southern boundary of the site, with the Rhymney Trail running parallel to the river. The Rhymney Trail crosses the river via an existing footbridge to the south of the site.
- 2.3 The total developed site area would comprise approximately 8.6 ha (including the park and ride).
- 2.4 The north of the site and a corridor along the River Rhymney lies in an area of high flood risk from rivers and the rest of the site lies in low flood risk. The site lies within the River Rhymney River Corridor.
- 2.5 Beyond the A48 to the north lies the residential area of Pentwyn, while to the east lies the residential area of Llanrumney. To the south, on the opposing side of the river, planning permission for a residential scheme of 98 residential units has commenced development (approved under application ref:18/02594/MJR). The Llanrumney sports pitches / Cardiff Academy lie beyond the residential site.

3. DESCRIPTION OF DEVELOPMENT

Background to the Project

3.1 Following amendments made during the course of the application, detailed planning permission is now sought for the demolition of existing structures and redevelopment of the site to provide the following:

- Commercial floorspace including B1/B2/B8 industrial units, and drive-thru units (A3)
- New vehicular bridge road linking the A48 Eastern Avenue with Pentwyn and Llanrumney.
- Improvement to the existing park and ride facility, providing 440 car parking spaces (down from 900) with 34 accessible spaces.
- Landscaping enhancements to provide recreational uses for the Rhymney Trail for walking and cycling.
- Engineering works to improve the Flood Risk level of the Site.

3.2 The Site layout comprises a total of 23.4 ha (57.82 acres) of which 7.05 ha (17.41 acres) consists of the overall plot areas including building, car parking, and service yards.

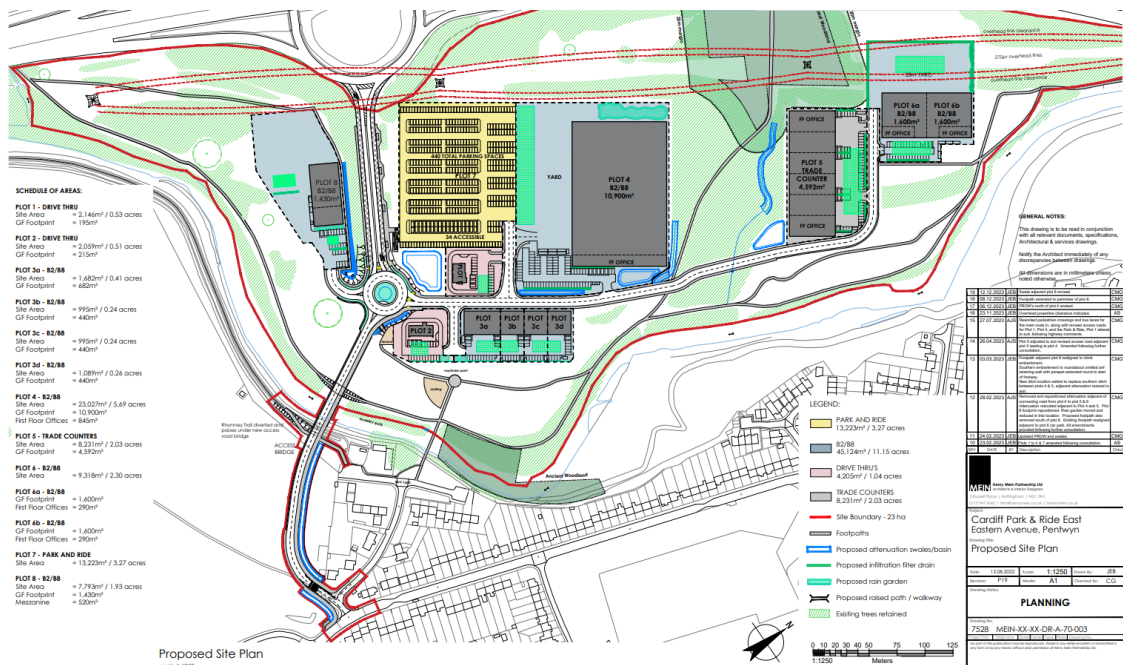


Figure 2: Proposed Site Plan

3.3 The proposals comprise 22,534 sq.m. of commercial development across 12 plots of between 0.24 and 5.69 acres in size, comprising 2 x Drive Through units, the park and ride plot and 9 no. B2/B8 plots, as identified on table 1 below.

Plot	Site Area (acres)	Use	Sqm GEA
Plot 1	0.53	Drive Through	195
Plot 2	0.51	Drive Through	215
Plot 3A	0.41	Class B2/B8	682
Plot 3B	0.24	Class B2/B8	440
Plot 3C	0.24	Class B2/B8	440
Plot 3D	0.26	Class B2/B8	440
Plot 4	5.69	Class B2/B8	10,900
Plot 5	2.03	Class B2/B8	4592
Plot 6A	2.30	Class B2/B8	1,600
Plot 6B	INCL.	Class B2/B8	1600
Plot 7	3.27	Park and Ride	
Plot 8	1.93	Class B2/B8	1,430
TOTAL	17.41		22,534

Table 1: Proposed Units / Floorspace

3.4 The new buildings range in height from 7.095m to 15.5 metres and are proposed to be constructed using a palette of materials (subject to approval under condition) to include smooth black cladding, silver profiled cladding, anthracite profiled cladding, external glazing, black fire escape doors, and black low-level brickwork. The design would use cladding with a horizontal emphasis and large areas of glazing. Buildings will have active frontages where possible, and office areas will have windows overlooking the river and landscaped areas. External materials for the seating areas and signage will include timber, slate and stone. Example elevations (plots 2 and 3) are shown in Figures 3 and 4 below.

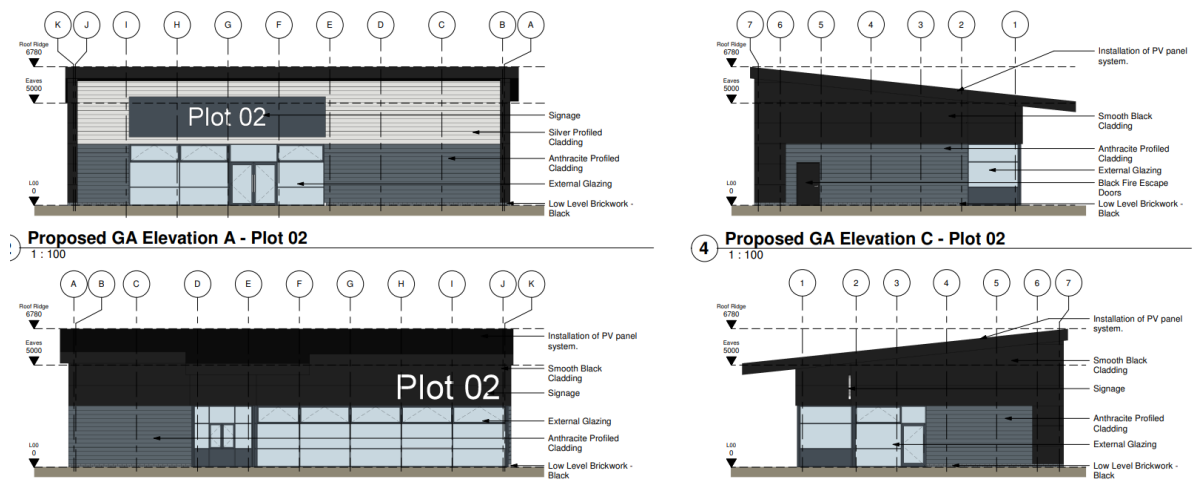


Figure 3: Plot 2 Elevations

impacts of development, including using native hedgerow, Woodland edge and Standard native trees to close the gap between existing vegetation while aiding to screen the development from Eastern Avenue. An enhanced landscape buffer would also be planted between the riverside and the development plots.

Access & Parking

- 3.7 The site will be accessed via the A48 Pentwyn roundabout, with a through route - and thus access from the south - created via the connecting bridge link. The bridge will have an overall width of 11.4m, including a 3.5m shared cycleway/footway and 6.3m carriageway, and would connect to the south with Ball Road (with an updated junction to Ball Lane).
- 3.8 The existing Public Right of Way / Rhydney Trail on north and south side respectively would pass through an underpass (via minor diversions), and would be retained throughout construction and operation. In addition, the intention is to connect and divert Public Rights of Way (PRoW) access routes across the central placemaking area of the Site at the roundabout and connect the existing informal walking/cycle route towards the north of the Site. The Rhydney Trail riverside walk through the Site will be retained and enhanced as part of the works, with better surfacing, amenity points and information points

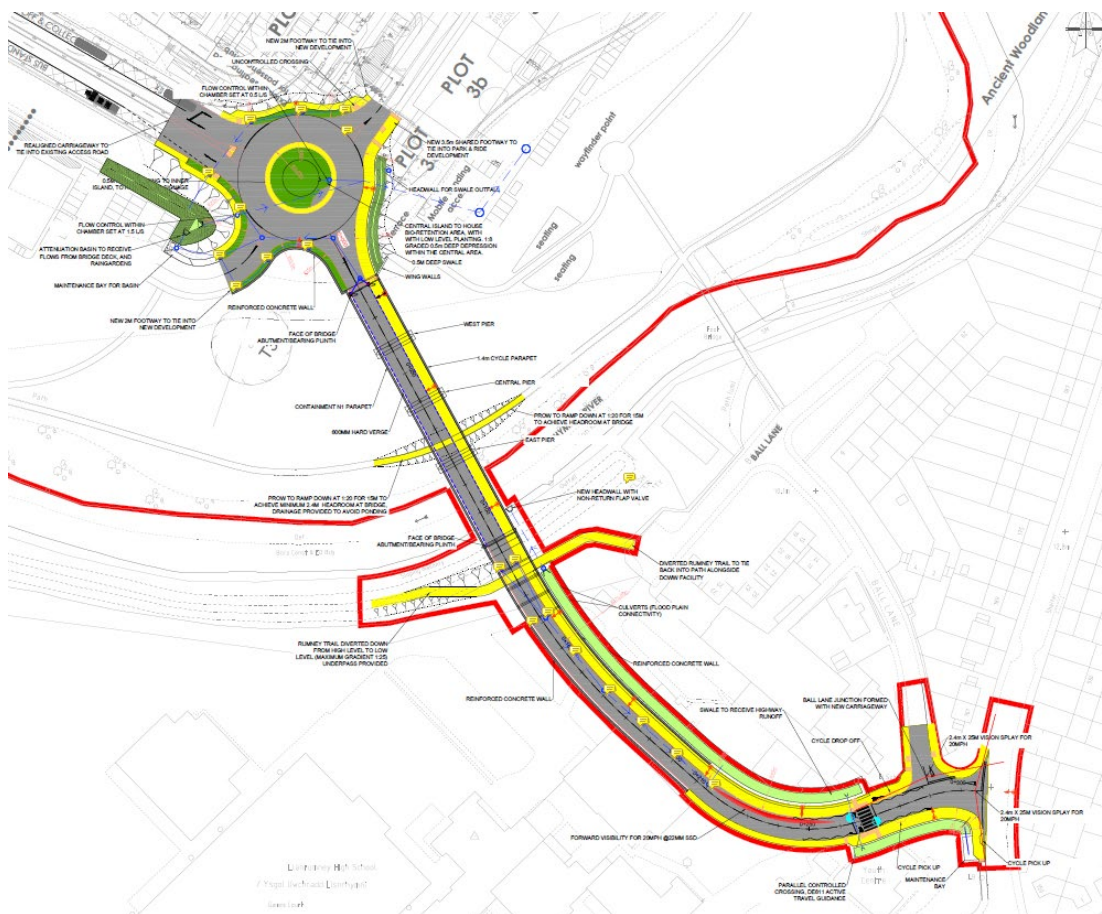


Figure 6: Proposed Llanrumney Bridge Link

- 3.9 In addition to the 440 parking spaces proposed for the park and ride (a reduction from the existing 900 spaces), a further 257 car parking spaces would be provided across the other 12 plots, to include the provision of electric vehicle (EV) charging in line with Future Wales guidance, which requires a minimum of 10% of all parking spaces to include for electric vehicle charging facilities.
- 3.10 Bike racks / cycle parking is also proposed in various locations across the 13 plots, with a minimum of one cycle storage unit at each plot.

Supporting Information

- 3.11 In view of the nature and scale of the Proposed Development and recognition that it has the potential to give rise to significant environmental effects, the Applicant voluntarily commissioned an EIA. The proposal is one that could fall within Category 10(a) and 10(b) of Schedule 2 of the EIA Regulations (Wales), as either an 'industrial estate development project' where the overall area of the development exceeds 5 hectares, or an 'urban development project' where the development includes more than 1 hectare of urban development which is not dwellinghouse development.
- 3.12 Cardiff Council provided their EIA scoping response in May 2022 confirming the ES requirements and agreeing that the development was EIA development.
- 3.13 The application has thus been identified as an EIA application as defined by the [Town and Country Planning \(Environmental Impact Assessment\) \(Wales\) Regulations 2017](#), ('the EIA Regulations') and an Environmental Statement (ES) has been provided. The EIA process aims to ensure that any significant effects arising from a development are systematically identified, assessed and presented to help local planning authorities in determining planning applications. If measures are required to minimise or reduce effects then these are clearly identified.
- 3.14 The submitted Environmental Statement (comprising non-technical summary, main text and technical appendices) has identified 'the baseline conditions', and assessed the potential effects of the development, in relation to:
- Air Quality (Chapter 4)
 - Ecology and Preliminary Ecological Appraisal (Chapter 5)
 - Landscape and Visual Impact (Chapter 6)
 - Socio-economics (Chapter 7)
 - Transport and Access, and Transport Assessment (Chapter 8)
 - Water Resources and Flood Risk (Chapter 9)
 - Residual Impacts, Mitigation and Cumulative Effects (Chapter 10)
- 3.15 With regard to the Environmental Statement, an Environmental Statement Compliance Note (August 2023) has been prepared which details why the submission of additional information does not affect the conclusions of the ES with regard to likely significant environmental effects. The Environmental Statement Compliance Note identifies that there are no further environmental effects which would need to be addressed under the EIA Regulations as a result

of the changes to the scheme and further survey work. Given that there are no further environmental effects to be considered, the ES has not been updated and the Note details why the amendments and additional survey work do not (in their opinion) change the conclusions on the likely significant effects of the development.

3.16 Technical reports appended to Environmental Statement ('ES') include:

- Air Quality Assessment
- Preliminary Ecological Appraisal
- Socio Economics Assessment
- Transport Assessment including Travel Plan
- Flood Consequences Assessment
- Noise and Vibration

3.17 In respect of Further Environmental Information as a result of amendments through the course of determination of the application, supporting Documents include: -

- Sustainability Statement
- Design and Access Statement
- Employment Justification Report
- Energy Report
- Geo-environmental Investigation and Assessment
- Landscape Design Statement
- Statement of Community Involvement / Pre-Application Consultation Report
- Utility Summary
- Health Impact Assessment
- Arboricultural Impact Assessment
- Woodland Management Plan
- Tree Constraints Plan
- Dormouse Impact Assessment
- Ecological Impact Assessment
- Shadow Habitat Regulations Assessment
- Air Quality Assessment
- Red Lighting Technical Design Note
- External Lighting Strategy Report / Plans
- Flood Consequences Assessment
- Water Framework Directive Assessment
- Landscape and Visual Impact Assessment (LVIA)
- Hydraulic Modelling Report
- Transport Assessment
- Travel Plan
- Open Space Assessment
- Planning and Retail Statement
- Construction Environmental Management Plan (CEMP)
- Landscape and Soil Resource Survey

- Drainage Strategy
- Noise Impact Assessment
- Landscape Earthworks Specification

3.18 The assessment below has had regard to all environmental information submitted within the ES (and further environmental information) along with the comments of statutory consultees on the information supplied, and the comments, observations and representations provided by members of the public have been taken into consideration in the recommendation.

3.19 All documentation relating to the application, including plans, can be viewed on the Council's website using the following link: [22/02673/FUL](https://www.cardiff.gov.uk/22/02673/FUL)

4. PLANNING HISTORY

4.1 The site has the following relevant planning history:-

- **SC/21/00018/MJR** Request for Scoping Opinion in relation to the development proposals at the existing Cardiff Park and Ride East, Pentwyn, Cardiff, CF23 8HH. Scoping Opinion Provided 26/05/2022
- **SC/21/00006/MJR** Request for a formal EIA Screening opinion for commercial development. EIA required 24/08/2021
- **09/00586/E** Revised layout to previously approved park and ride facility to incorporate facilities building, security building with nus operational office and lorry/coach parking area (previous planning permission 07/1374/E). Granted 11/6/2009
- **07/01374/E** Construction of park and ride facility and associated works. Granted 21/02/2008

5. POLICY FRAMEWORK

National Policy

5.1 The **Well-being of Future Generations (Wales) Act 2015** (WFG) imposes a duty on public bodies to carry out 'sustainable development' in accordance with the 'sustainable development principle'.

5.2 'Sustainable development' means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the well-being goals.

5.3 'Sustainable development principle' means that Local Authorities must act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

5.4 Well-being goals identified in the Act are:

- A Prosperous Wales
- A Resilient Wales
- A Healthier Wales
- A More Equal Wales
- A Wales of Cohesive Communities
- A Wales of Vibrant Culture and thriving Welsh Language
- A Globally Responsible Wales

5.5 The **Environment (Wales) Act 2016** has been designed to complement the WFG Act. It imposes a duty to require all public authorities, when carrying out their functions in Wales, to seek to “maintain and enhance biodiversity” where it is within the proper exercise of their functions. In doing so, public authorities must also seek to “promote the resilience of ecosystems”.

National Planning Policy

5.6 [Planning Policy Wales](#) (Edition 11) was revised and restructured in February 2021 to coincide with the publication of, and take into account the policies, themes and approaches set out in, [Future Wales - the National Plan 2040](#) (see below) and to deliver the vision for Wales that is set out therein.

5.7 The primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being of Wales, as required by the Planning (Wales) Act 2015 and the Well-being of Future Generations (Wales) Act 2015.

5.8 PPW11 takes the seven *Well-being Goals* and the five *Ways of Working* as overarching themes and embodies a placemaking approach throughout, with the aim of delivering *Active and Social Places*, *Productive and Enterprising Places* and *Distinctive and Natural Places*. It also identifies the planning system as one of the main tools to create sustainable places, and that placemaking principles are a tool to achieving this through both plan making and the decision-making process.

5.9 Planning Policy Wales 11 was partially updated on 11 October 2023 when an updated [Chapter 6](#) came into effect, which places a stronger emphasis on taking a proactive approach to green infrastructure, securing net benefit for biodiversity, strengthening the protection of Sites of Special Scientific Interest (SSSIs) and giving more consideration to the protection and enhancement of trees and woodlands.

5.10 It states that ‘development plan strategies, policies and development proposals should be formulated to look to the long term protection and enhancement of the special characteristics and intrinsic qualities of places, be these of natural, historic or built environments, ensuring their longevity in the face of change. This means both protecting and enhancing landscapes, habitats, biodiversity,

geodiversity and the historic environment in their own right as well as other components of the natural world, such as water resources or air quality.’

Technical Advice Notes

- 5.11 PPW is supported by a series of more detailed [Technical Advice Notes](#) (TANs), of which the following are of relevance: -
- TAN 5: Nature Conservation and Planning (2009);
Noting also the Chief Planning Officer letter dated 23/10/19: securing bio-diversity enhancement;
 - TAN 11: Noise (1997)
 - TAN 12: Design (2016)
 - TAN 13: Noise (1997)
 - TAN 14 Coastal Planning
 - TAN 15: Development and Flood Risk (2004)
 - TAN 20: Planning and the Welsh Language (2017)
 - TAN 24: The Historic Environment (May 2017)
- 5.12 On 16th July 2020 the Welsh Government published [Building Better Places: The Planning System Delivering Resilient and Brighter Futures](#) which provides planning policy guidance for local planning authorities and the development industry on priorities for the planning system to deliver post Covid-19. The guidance is to be read in conjunction with PPW, which contains the principles and policies needed for Wales to recover from Covid-19 in a positive manner, putting placemaking at the heart of future development.
- 5.13 It also emphasises that development management decisions should focus on creating healthy, thriving active places with a focus on a positive, sustainable future for our communities. The planning system has an important role in supporting healthier lifestyles and reducing inequalities. This includes both direct and indirect opportunities such as the allocation of land for health facilities, ensuring good design and barrier free development, jobs and skills, improving air quality, soundscapes and protecting and improving access to recreation and natural green spaces. These can provide both physical and mental health benefits, improve well-being and help to reduce inequality.

The Development Plan

- 5.14 Section 38 (6) of the Planning and Compulsory Purchase Act 2004, requires that, if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.
- 5.15 [Future Wales - the National Plan 2040](#) now forms part of the Development Plan for all parts of Wales, comprising a strategy for addressing key national priorities through the planning system, including sustaining and developing a vibrant economy, achieving decarbonisation and climate-resilience, developing strong ecosystems and improving the health and well-being of our communities. All

Development Management decisions, strategic and local development plans, planning appeals and all other work directed by the development plan need to accord with Future Wales. In particular:

- Policy 1 (and 33) identifies ‘Cardiff Newport & The Valleys’ as one of three ‘National Growth Areas’ within which there will be growth in employment and housing opportunities and investment in infrastructure.
- Policy 33 emphasises that the Welsh Government supports Cardiff’s status as an internationally competitive city and a core city on the UK stage. Cardiff will retain and extend its role as the primary national centre for culture, sport, leisure, media, the nighttime economy and finance.
- Policy 3 – Supporting Urban Growth and Regeneration – encourages the Public Sector to unlock the potential of their land; take an increased development role, showing leadership and applying placemaking principles to support growth and regeneration for the benefit of communities across Wales.
- Policy 6 – Town Centre First. Significant new commercial, retail, education, health, leisure and public service facilities must be located within town and city centres. They should have good access by public transport to and from the whole town or city and, where appropriate, the wider region. A sequential approach must be used to inform the identification of the best location for these developments and they should be identified in Strategic and Local Development Plans.
- Policy 9 – Resilient Ecological Networks and Green Infrastructure. In all cases, action towards securing the maintenance and enhancement of biodiversity (to provide a net benefit), the resilience of ecosystems and green infrastructure assets must be demonstrated as part of development proposals through innovative, nature-based approaches to site planning and the design of the built environment.

5.16 The Local Development Plan is the [Cardiff Local Development Plan 2006-2026](#) which was adopted in January 2016, and within which the following policies are of relevance:

KEY POLICIES

- KP4 Masterplanning Approach
- KP5 Good Quality and Sustainable Design
- KP6 New Infrastructure
- KP7 Planning Obligations
- KP8 Sustainable Transportation
- KP15 Climate Change
- KP16 Green Infrastructure
- KP 18 Natural Resources

DETAILED POLICIES

Economy

- EC1 Existing employment land

Environment

- EN3 Landscape Protection
- EN4 River Corridors
- EN5 Designated Sites
- EN6 Ecological Networks and Features of Importance for Biodiversity
- EN7 Priority Habitats and Species
- EN8 Trees, Woodlands and Hedgerows
- EN11 Protection of Water Resources
- EN12 Renewable Energy and Low Carbon Technologies
- EN13 Air, Noise, Light Pollution and Land Contamination
- EN14 Flood Risk

Retail

- R1 Retail Hierarchy
- R8 Food and Drink Uses

Transport

- T1 Walking and Cycling
- T2 Strategic Rapid Transport and Bus Corridors
- T5 Managing Transport Impacts
- T6 Impact on Transport Networks and Services
- T8 Strategic Recreational Routes

Community

- C3 Community Safety/Creating Safe Environments
- C4 Protection of Open Space
- C5 Provision for Open space, outdoor recreation, Children's play and sport
- C6 Health

Waste

- W2 Provision for Waste Management Facilities in Development

Supplementary Planning Guidance:

- 5.17 The following [Supplementary Planning Guidance](#) (SPG) is of relevance to this application: -

- Archaeology and Archaeology Sensitive Areas (July 2018)
- Food, Drink and Leisure Uses (November 2017)
- Green Infrastructure (including Technical Guidance Notes relating to: Ecology and Biodiversity; Trees and Development; Public Rights of Way and Development; River Corridors; Protection and Provision of Open Space in New Developments; Soils and Development) (November 2017)
- Managing Transportation Impacts (Incorporating Parking Standards) (July 2018)
- Planning for Health and Wellbeing (November 2017)
- Planning Obligations (January 2017)
- Waste Collection & Storage Facilities (October 2016).

6. INTERNAL CONSULTEE RESPONSES

- 6.1 The Council's **Ecologist** has been extensively involved in discussions throughout the course of the application, notably related to the essential importance of compensating (on and off-site) for the impacts on Protected Species and habitats.
- 6.2 In summary, the County Ecologist, while raising a number of areas of potential concern, has nevertheless raised no objection to the development subject to a significant number of conditions to address the identified impacts and need for mitigation, together with an appropriate legal agreement under section 106 relating to off-site habitat provision, tree planting and management, together with mechanisms to control the long-term (25 years) management of habitat within the site. Conditions are also recommended relating to matters including construction management, biodiversity enhancement, green infrastructure/landscaping, lighting, Invasive species, bat assessments, badger walkovers, and reptiles.
- 6.3 The applicant has submitted a [Shadow Habitats Regulation Assessment](#) (HRA) which concludes that without mitigation in place, there would be no Likely Significant Effect on the air quality of the Severn Estuary SAC, SPA and Ramsar during the construction and operational phases of works. As no Likely Significant Effects are anticipated as a result of the proposed development, either alone or in combination with other developments, an Appropriate Assessment is not considered necessary.
- 6.4 Following clarification on a number of queries, it is considered appropriate that the HRA "Shadow Habitats Regulations Assessment Cardiff Park and Ride East, Delta-simons, issue 6, August 23", can be adopted with regards to the Severn Estuary European Marine Site.
- 6.5 The **Operational Manager (Traffic and Transportation)** has been involved in ongoing discussions with the applicant throughout the course of the planning process. While there remain the following outstanding issues that need to be agreed, in summary she advises as follows and raises no objection subject to conditions:

- Usage of the bridge must be managed/controlled from day 1. The ANPR system must be installed and operational as soon as the bridge is constructed. The periods of control and potential users of the bridge will be determined by the Council;
- There will need to be controls introduced (TROs and signing) banning pedestrian access to the site via the gyratory system.
- The Ball Road junction will need to be re-designed and incorporate traffic signals, waiting restrictions and consider the existing traffic calming measures as part of the detailed design and S278.
- The link road between Ball Road and the bridge must be designed to accommodate two 12m buses passing each other without clashing.
- Construction Management Plan is required to minimise the impact on the highway arising from on-site and off-site construction activities during the construction period
- The proposed development impacts upon several existing walking and cycling facilities and public rights of way as well as the alignment of future routes included in the Council's approved Active Travel Network Map (ATNM). The routes on the ATNM are directly affected by the spine road of the development and the footprints of the buildings in the northern portion of the site. These routes could potentially provide useful links for walking and cycling journeys to the development from the Llanrumney, Pentwyn and Llanedeyrn areas. All these routes fall within the red line boundary of the application site. Therefore, it is reasonable to expect that provision be made within the scheme to develop these to an acceptable standard. All the active travel route improvements featured on the plans in the Annex would help to mitigate the movement impacts of the development by maximising access by walking and cycling.
- However, aside from the new section of path discussed above, the following measures should be regarded as priorities:
 1. Provide a suitable crossing of the spine road at the point marked with a red X on the plan – this could incorporate a table to minimise vehicle speeds and ensure the safety of pedestrians and cyclists.
 2. Upgrading of the rougher sections of path (coloured blue on the plans) with a 3- metre-wide bound surface.
 3. Widening of path (marked yellow on plans) with 3-metre-wide bound surface to link in with new section of path (marked red) in northern portion of the site.
 4. Lighting of subways to north and south of the site for security (marked by yellow spots on plans)
 5. Replacement of steps on western side of pedestrian bridge over River Rhymney (marked with red spot on plans) with graded ramp integrated with paths on western side of river.

- There may be a requirement to divert the Public Rights of Way Paths. Realignment of recorded Public Footpaths require a Section 257 Town and Country Planning Act Legal Order which is open to public consultation. To formalise the Rhymney Trail, the shared use cycle paths will require a Legal Order under the Cycle Track Conversion Act.

6.6 The **Operational Manager (Waste Management)** advises that changes to the Environment (Wales) Act 2016 are expected to make it a legal requirement for all businesses and non-domestic waste producers to separate waste streams for collection. As a result of this proposed change, recycling and waste storage areas will need to be designed to accommodate the needs of the above and the expansion of the business and anticipated increase in waste. Site plans need to clearly identify appropriate storage areas for separated waste and recycling materials, along with the proposed collection points.

6.7 A3/D2 uses should include adequate on-site refuse storage facilities for litter generated by the business. Refuse bags or receptacles left outside the premises, or on a nearby street, are not considered an acceptable means of storage. All class A3 units are required to provide a litter bin in order to prevent littering which could occur as a result of this development. This is particularly relevant when a take-away service is provided. See section 5.12 Food Drink and Leisure Uses SPG (www.cardiff.gov.uk/planning). These litter bins must be owned and maintained by the management. Please remind the agent/applicant that a commercial contract is required for the collection and disposal of all non-domestic waste. By law (Environmental Protection Act, 1990, section 34) all non-domestic premises have a duty of care to ensure that their waste is transferred to and disposed of by a registered waste carrier.

6.8 The **Operational Manager, Parks & Sport** responds as follows: -

Loss of Open Space

The Council's Technical Guidance Note for the Protection and Provision of Open Space provides detailed guidance in which the Council assesses development proposals which involve the loss of open space. The main factors against which proposals are listed below followed by our comments:

(i) Existing local provision of open space

The supporting Open Space Assessment states that "the site does not constitute designated open space and is not used as a public garden or for the purposes of public recreation". The site is used for public recreation – it is an accessible natural green space predominantly used for walking with a network of paths and trails including the Rhymney Trail.

The Council's open space survey classes the land as amenity functional accessible natural greenspace (ANG). While we have an adopted standard for functional open space we do not have a standard for accessible natural green space which could provide some guidance on the sufficiency of existing provision and what impact this proposal would have. Fields in Trust, which

issues guidance on open space provision referenced by Welsh Government, recommends 2ha per 1000 population for natural/semi-natural green space provision. This is the same level previously recommended by the Countryside Council for Wales (Natural Resources Wales). In applying this standard in Pentwyn and Llanrumney immediately adjacent, it would appear the wards have sufficient accessible natural green space to withstand the proposed loss. However, while there might be good provision across the wards, it is important to take account of the site's unique qualities and contribution to local provision which is addressed under (ii) and (iii).

ii) The functional or amenity value of the open space

The application site contains informal recreational space and a network of formal and informal footpaths including the Rhymney Trail which are well used. As well as the trail along the river, the site provides a viable traffic-free, non-road link between the two communities of Pentwyn and Llanrumney. As such it has high social value for those wards. When last assessed by Parks Services, it was ranked in the top quartile for both quality and value when compared with other natural and semi natural greenspace sites in the city.

Again while there is good provision of natural/semi-natural green space in both wards, the application is quite distinct in that it is predominantly scrub and bracken whereas other sites are mostly woodland.

iii) The quality of the open space (4.4)

As a natural green space the main appeal of the site is to offer visitors the opportunity to escape from built development and immerse themselves in greenery and nature. Research has shown that contact with nature benefits our health and wellbeing. As mentioned above, the site was ranked in the top quartile for quality when compared with other natural and semi-natural green spaces in the city. It is recognised that the main routes will be retained but the extent of the proposal means that the site's natural character will be affected.

iv) Any significant nature or historic conservation importance of open space which may be lost (4.5)

The application site comprises broadleaved semi-natural woodland (some of which is classified as ancient woodland) and large areas of dense scrub and bracken on the banks of the Rhymney River which is a Site of Importance for Nature Conservation (SINC).

The proposal involves a significant loss of habitat (including 2.3ha of woodland which act as vital corridors to the ancient woodland) and a bridge bisecting the SINC both of which will negatively impact biodiversity. The Ecological Impact Statement acknowledges "given that certain areas of woodland will need to be removed to facilitate the proposals, it may not be possible to achieve a net gain in biodiversity on-Site".

There is particular concern about the impact on dormice. Before the existing Park and Ride was developed, the site was known to have one of the densest populations in Cardiff. Surveys conducted as part of this application have found dormice on site in low numbers which suggests that the Park and Ride has had a significant impact and the extended development will reduce the population further.

To reduce the negative impact of the proposal, the Ecological Impact Assessment emphasises appropriate mitigation and close accordance with various plans including in particular the 25 year Woodland Management Plan. Adequate resources will be needed to ensure this plan is implemented properly. We request further details of proposed mitigation and early consultation.

v) Any compensatory provision for loss of open space (4.6)

It is stated that the remaining open space will benefit from improved accessibility, the footpaths will be brought into active management and the Rhymney Trail will have sensitive lighting installed. This is limited compensation considering a loss of open space of equating to 4ha so further improvements are suggested below.

Provision of Open Space

For large scale commercial developments, the Planning Obligations SPG requires provision of open space and/or improved links to nearby open space. The proposal does not provide new open space, instead it involves a loss of open space, but there will be improved links to the remaining space. In order to fully comply with this criterion, improved compensation is requested in lieu of provision of open space.

The Council has aspirations to improve the section of the Rhymney River corridor immediately south of the application site but funding is required. The concept proposals include new surfacing, natural play areas, artwork, picnic areas and softscape requiring a budget of approximately £600k.

Loss of Trees/Green Infrastructure

Policy EN8 Trees, Woodlands and Hedgerows of the LDP seeks to protect trees with mitigation required for any losses. The proposal involves the loss of 158 B category, 24 C category Trees which equates to a loss of woodland area of 2.3 ha. In mitigation, the planting or funding the planting of 2.3 ha of new native woodland in the 'local area' is proposed. However, it will take many decades for the new planting to achieve the same size and impact of the lost mature trees.

The Welsh Government now requires all local authorities to undertake annual carbon sequestration accounting for land in their ownership. This is carried out on the basis of 3 typologies - trees, grassland and water. As mentioned above, it will take many decades to replace the proposed loss of trees and the loss of grassland will be a significant issue too.

Clarification is sought on the location of the new planting as any areas suitable for planting on Council land have already been identified as part of the Coed Caerdydd target of an additional 836ha of extra woodland planting by 2030. If it is on Council land and already identified for planting then we will need to find a further 2.3ha to make up for this loss and stay on course for our target. We request further details of all mitigation tree planting.

Design

Illegal motorcycles are a severe problem at the site with all existing entrances currently designed with the aim of preventing their access. While the proposal improves the accessibility of the site for walking etc it also provides unrestricted access for motorcycles. The main concern is the new bridge over the Rhymney and the cycle route over the A48 to Pentwyn.

Consideration also needs to be given to unauthorized occupation and grazing of the open spaces. Suitable measures/barriers should be put in place but they are not evident in the designs.

New tarmac roads and pathways are proposed but their impact on adjacent trees needs to be considered. The supporting Arboricultural Impact Assessment acknowledges that where a new road or footpath is to be put in place within the Root Protection Areas of retained trees where there is no existing surface, it must be formed using a No-Dig method that will spread the weight to prevent compaction. No more than 20% of the RPA of retained trees can be covered by a hard surface.

We request full details of both hard and soft landscaping works relating to the open space and other green infrastructure including but not limited to existing and proposed finished levels of open space, scaled planting plans including schedules, tree pit sections and plan views, construction details of hard surfacing, construction details of access points/enclosure including fencing and site furniture.

Management and Maintenance

The majority of the application site is vested with Parks Services. The **Landscape Design Statement** states that the soft landscape will, for the initial 1 year period after Practical Completion, be maintained by the Landscape Contractor responsible for implementation of the works. After this period I presume the soft landscape/open space will be handed back to Parks Services? If so, we will need to inspect and decide whether or not practical completion has been achieved. If satisfied that all works have been completed to the agreed standard we will issue a Certificate of Practical Completion and the 1 year maintenance period can begin.

On completion of the 1 year maintenance period we will inspect the soft landscape/open space again and provided we are satisfied with the works we will issue a Certificate of Final Completion and transfer to Parks Services can take place.

The Landscape Design Statement lists several management and maintenance objectives for the landscape e.g. ensure successful establishment of trees during the development period and thereafter. Currently minimal maintenance takes place with the site left as a natural green space. Therefore, in order to meet the mentioned objectives funding will be required in the form of a commuted sum.

Japanese knotweed is an extensive problem but not mentioned in the Landscape Design Statement. This will need to be treated (incorporated into a soft landscape implementation programme) and on an ongoing basis as it unlikely to be completely eradicated due to the river – the Rhymney being the worst for knotweed in Cardiff. The commuted sum will need to reflect this obligation.

There is a separate 25 year **Woodland Management Plan** . Parks Services will be responsible for its implementation which involves a significant increase in our obligations compared to the existing. The Plan suggests this work will be funded by an annual charge on commercial tenants or possibly provision of a pre-determined sum to fund the 25 year programme. Parks Services will need to calculate the required annual charge/25 year sum.

6.9 The Council's **Tree Officer** requested additional submissions to address issues raised, and (in summary) comments as follows:

This site is a floodplain and the semi-natural vegetation that has developed on it will have adapted to the prevailing conditions of soil hydrology. This vegetation and the underlying soil intercepts, stores, utilises, filters and slows the flow of water. Certain species that feature in the TPO and ancient woodland such as common alder (*Alnus glutinosa*) are adapted to cope with inundation and waterlogging and in the case of common alder, a mutualistic association is formed with soil bacteria to increase nitrogen uptake by the tree. In turn, this allows alder to 'build' soil and create suitable conditions for succession by larger, longer lived trees such as our native oaks, that will not tolerate repeated inundation and waterlogging. Sudden changes in soil hydrology such as increased or decreased runoff, or infiltration, will impact on the vegetation and soil that has taken many hundreds (probably many thousands in the case of soil) of years to adapt and can impact catastrophically on the health of such vegetation because soil may become depleted in oxygen or suffer seasonal drought or more extreme fluctuations of dryness and wetness. Currently the movement of water towards the river through and beyond the woodland is able to spread in 'deltaic' fashion - i.e. it is able to fan out, being intercepted, stored, utilised and slowed by the expansive vegetation and soil coverage. In squeezing the vegetation corridors as proposed, water movement will also be squeezed and this may be exacerbated by increased or decreased runoff and infiltration due to the platform and hard surfaces of development.

Aside from potential impacts on vegetation due to changes in soil hydrology, the development will necessitate the loss of trees and other vegetation on a large scale along with the loss of soil (or loss of soil functionality) on an even greater

scale. The scale of this loss and consequently the scale of the impact in terms of amenity alone is significant. Most of the losses comprise 'B' category trees which I would expect to be retained and protected as part of development. Mitigating such losses can only be achieved in the long-term, not within the 20 years or so when the impacts of climate change will begin to hit hard. With regard to amenity tree planting in verges, car-parks etc, considering the scale of the impacts, one might reasonably expect car-parking designed to achieve near complete canopy cover for example – this would mean that essentially the entire car-parking areas need to be underlain by soil cells, sufficient to support the healthy, long-term growth of large, long-lived trees. Supermarket style planting with rowans and birch in grossly constrained verges for example, would not represent mitigation.

Ancient woodland requires a 'buffer zone' much larger than 15m. The 15m figure is relevant to woodlands in general as a default (and refers specifically to ecotones, measured as per our Trees and Development TGN), but ancient woodland that is also wet woodland as in this case should see 'buffer zones' (ecotones) of at least 30m in my view. Veteran trees for example are considered to have Root Protection Areas calculated by multiplying the trunk diameter by x15 rather than x12. So a 'normal' tree of 600mm trunk diameter would have a radial root protection distance of 7.20m, but a veteran would have a radial protection distance of 9m. Ancient woodland is a hugely complex ecosystem with innumerable potential sensitivities beyond the needs of individual trees and ancient wet woodland is even more problematic because of the particular soil hydrology. Currently the woodland has such ecotones in place, but these are removed in part or eroded by development. The ancient woodland is also vulnerable to 'storm resilience felling' due to the oversailing power cables – essentially power companies are afforded rights to clear and cut back trees that may interfere with their apparatus. This vulnerability is another reason why the 'buffer zone' requires increasing substantially.

No Soil Resource Survey (SRS) or Plan (SRP) compliant with our Soils and Development TGN has been prepared to characterise or quantify the soil resource. This is critical in determining the impact on this resource and its usability in the context of the proposed landscape types. Large scale soil loss, sealing and disturbance is clearly contrary to the principles of KP15 and when soil that has developed over thousands of years to the peculiarities of a site is stripped, stored, disturbed, compacted etc., its functionality is typically lost or impaired and the pedological clock set to zero. A nominal SRS is included amongst the new submissions but it has been prepared by geologists and unsurprisingly therefore has a geotechnical/geo-environmental emphasis, rather than comprising trial pit and laboratory investigation of soils from across the site to establish fitness for purpose in supporting the proposed planting types, both in-situ or stripped, stored and emplaced. The SRP should include full details on the suitability of site topsoil and subsoil to support different landscape types, stripping, storage, remediation, amelioration and placement methodologies (including profile depths) and full details of auditable site monitoring by the soil scientist. An SRS and SRP should be prepared by a soil scientist suitably experienced in this sort of work and this should then inform a finalised earthworks specification (the generic principles in the Barry Chinn

document are supported but it needs to be informed by an SRS and SRP, which it states itself it isn't) and in turn a finalised, detailed planting plan and planting and aftercare methodology (the broad planting strategy, tree pit details and woodland management plan are not objectionable, but the tree pit details may require amendment following the SRS and SRP and may require elaboration to cover different site scenarios such as constrained beds in car-parks, where soil cells may be required to extend root available soil volumes).

I would wish to see the above details upfront, but if conditions are proposed then the following should be appropriate: -

- A Soil Resource Survey - SRP should include full details on the suitability of site topsoil and subsoil to support different landscape types, stripping, storage, remediation, amelioration and placement methodologies (including profile depths) and full details of auditable site monitoring by the soil scientist.
- In turn a finalised, detailed planting plan and planting and aftercare methodology (the broad planting strategy, tree pit details and woodland management plan are not objectionable, but the tree pit details may require amendment following the SRS and SRP and may require elaboration to cover different site scenarios such as constrained beds in car-parks, where soil cells may be required to extend root available soil volumes).

6.10 The Council's **Public Rights of Way Team** advises that some sections of the Public Rights of Way footpaths will require diversion legal orders under section 257 if this application is approved. The sections which are then to be upgraded as shared use, regardless if they become adopted highway, will also require Cycle Track Conversion order. These are two separate legal order processes. These legal orders are open to public consultation and therefore having a good balance of leisure routes and active travel routes will help towards these being successful and the orders confirmed.

6.11 Unfortunately this area is known for fly tipping and illegal motorbike access. The site design needs to consider how the path network can be protected so that visitors and locals have a safe and enjoyable network they can use. Physical barriers obviously help at key junction and access points - this can be in the form of steel post and rail fences with kissing gates - however habitat planting can also help create natural barriers to areas as well. The leisure routes may not all require formal surfacing and could remain in their current natural condition. There may be some that may require some tarmac surfacing for the direct links but this could be agreed at a later stage.

6.12 **Shared Regulatory Services (Environment Team)**, having considered the application and accompanying Environmental Statement, notes that the submission includes a contamination and ground gas assessment based on a detailed desk study and limited site investigation works in 2021. The assessment identified localised hydrocarbon contamination in made ground within the existing park and ride facility which will need supplementary investigations to delineate the extent of the affected area and then provide an

appropriate remediation and verification strategy. An amended contamination condition is included in relation to this.

- 6.13 Given the limited nature of the 2021 investigation, SRS recommends that the applicant incorporate a strategy for dealing with any unforeseen contamination encountered during the development process as part of their environmental management procedure. If contamination is encountered during the development process, the developer will need to comply with the requirements of the requested 'unforeseen contamination' condition.
- 6.14 The development includes significant earthworks and the applicant has indicated a need for site won and imported materials. The 'landscape earthworks specification' report by Barry Chinn Associates Limited includes a scheme for the contamination assessment and screening of imported and site won material; to ensure the suitability of materials used at the development. Subject to adherence to this document does not consider there to be a need for additional conditions.
- 6.15 Shared Regulatory Services requests the inclusion of conditions and informative statement in accordance with CIEH best practice to ensure that the safety of future occupiers is not prejudiced in accordance with Policy EN13 of the Cardiff Local Development Plan:
- 6.16 **Shared Regulatory Services (Noise and Air)** raise no objections and (in summary) note as follows –
- Construction Environmental Management Plan (CEMP) required
 - Prior to beneficial use and implementation, a noise assessment shall be carried out and submitted to the Local Planning Authority to ensure the noise emitted from additional fixed plant and equipment on the site achieves a rating noise level below background at the nearest noise sensitive premises if operational during the day and night when measured and corrected in accordance with BS 4142: 2014 (or any British Standard amending or superseding that standard).
 - All vehicles, machinery and equipment fitted with reverse signals at site are to be of the 'white noise' signal variety when operating onsite.
 - Working hours (to be within CEMP) to be : 08:00 – 18:00 Monday to Friday 08:00 – 13:00 Saturday, with no noisy construction works to take place on a Sunday or public holiday. Plus any piling works are to be conducted between the hours of 10:00 – 16:00 from Mondays to Fridays.
 - In respect of air quality, advise that:
 - An air quality assessment (AQA) has been provided in chapter 4 of the environmental statement (ES). The AQA examines baseline and projected future pollutant concentrations at existing receptors for the operational phase of the development. A construction phase assessment is also included to assess the impact of demolition and construction on local air quality.

- The effects of all measured pollutants, NO₂, PM₁₀ and PM_{2.5} have been assessed and are considered **negligible** and **not significant** at all modelled receptors.
- Using the provided traffic data, which includes an allowance for the committed developments, the effect of the development is predicted to be 'negligible' at all receptors in the assessment year of 2023 which is considered **not significant**.
- The construction phase assessment has rated the potential impact of dust emissions as 'medium risk' without mitigation measures. The construction phase assessment lists site specific mitigation measures. It is anticipated that with these appropriate mitigation measures in place, the risk of adverse effects due to dust emissions from the construction phase will not **be significant**.
- Provided the site-specific construction phase mitigation measures are implemented. Shared Regulatory Services have no further concerns or observations regarding the proposed development and air quality.

6.17 **Drainage Team:** No objections. Sustainable Drainage Approval will be required and will deal with drainage matters. Ongoing discussions raise no significant issues of concern.

7. EXTERNAL CONSULTEE RESPONSES

7.1 **Dŵr Cymru Welsh Water:** Raise no objections, advising that the proposed development site is crossed by a public sewer with the approximate position being marked on the attached Statutory Public Sewer Record. The position shall be accurately located and marked out on site before works commence and no operational development shall be carried out within 3 metres either side of the centreline of the public sewer. Also confirm that capacity exists within the public sewerage network in order to receive the foul only flows from the proposed development site; and (potable water) that capacity is currently available in the water supply system to accommodate the development.

7.2 **Natural Resources Wales** has provided a number of representations and been involved in detailed discussions in respect of the development, notably in respect of its impact on dormice (a European Protected Species), flood risk and flood defences, each of which have required additional submissions from the applicants. Final formal comments are still awaited at the time of writing this report, however following consultation on the most recent submissions, NRW has confirmed that they raise no objection. Previous advice on critical areas is summarised below: -

- *Bats:* We welcome the surveys of additional trees on the east bank of the site that will be impacted by the development, undertaken in June 2023. We note these trees have been assessed to have low potential to support roosting bats and are satisfied there will be no significant risk to this species from impacts to trees.
- *Otter:* We previously advised that otter use the River Rhymanydd. We welcome

the design of the proposed new Rhymney bridge which we note sits above the western riverbank, which will allow otter to pass under the bridge freely along the bank during normal river flow. However, provision to enable otters safe passage during high flows is not included on the Proposed Viaduct General Arrangement drawing (70071035-STR-001, P05). We advise that provision for otter to pass safely under the bridge at high flows should be provided in the form of otter ledges. We would advise ledges 600mm wide, and 600mm below the bridge soffit. The ledges need to be connected to the dry riverbank, including during flood conditions. We advise this design feature is included on the approved plans, if permission is granted.

- *Dormice* : The creation of the existing park and ride was subject to a European Protected Species licence for dormouse in 2008. We note that recent submissions have confirmed the ongoing presence of this species on site and that dormouse habitat is to be removed to facilitate the proposed development. Dormouse mitigation/compensation habitat associated with the 2008 Park and Ride development and its European Protected Species licence, is proposed to be removed. The creation, successful establishment and long-term security of such habitat is a legal requirement of that licence. Therefore, in the first instance we advise against proposals that will impact these areas. As such, whilst we have no objection to the principle of the road and bridge, we continue to have concerns over the scale of loss of dormouse habitat on the site, required to facilitate the proposed commercial units.

Offsite Habitat creation proposal : We note the mitigation proposals outlined in the DIA, which includes creation of dormouse habitat off-site. In this instance, we consider that an off-site habitat creation area could contribute to the overall compensation package.

We note the submission of the 'Precedent Lighting Design' sketch which shows minimal light spill beyond the footprint of an example highway project. Delivery of a lighting scheme for the roads, bridges and PROWs which more closely meets this example would address our concerns in this regard. Similarly, proposals to manage the hours and/or intensity of light use, types of light and use of passive infrared sensors, could form part of the proposal.

- Flood Risk:

The planning application proposes less vulnerable development (mixed use). Our Flood Risk Map confirms the site to be within Zone C2 of the Development Advice Map (DAM) as contained in TAN15. The Flood Map for Planning (FMfP) identifies the application site to be at risk of flooding and falls into Flood Zones 2 and 3 (Rivers).

Section 6 of TAN15 requires the Local Planning Authority to determine whether the development at this location is justified. Therefore, we refer you to the tests set out in section 6.2 of TAN15. If you consider the proposal meets the tests set out in criteria (i) to (iii), then the final test (iv) is for the applicant to demonstrate, through the submission of a flood consequences assessment (FCA), that the potential consequences of flooding can be

managed to an acceptable level.

To help expedite matters, we have carried out a full review of the FCA as submitted (notwithstanding the fact an update may be required). Our technical advice on the current FCA is as follows:

Acceptability of Flooding Consequences and TAN15 Criteria

A1.14 Criteria

During a 1% (1 in 100 year) plus climate change annual probability fluvial flood event, the FCA confirms most of the development site is designed to be flood free during this event. However, some areas will continue to be at risk of flooding during this event. Specifically, Plot 8 is predicted to flood within the access and edges of the yard (see section 4.1.1 of the FCA). Section 3.3 of the FCA confirms depths are less than 300mm with a corresponding low flood hazard classification. There is no flooding within the building of Plot 8 itself. On this basis, given the limited amount of flooding within the ancillary areas of Plot 8, the flooding is predicted to be shallow (a low flood hazard classification) we consider this predicted flood risk could be manageable. Therefore, subject to your authority being satisfied the proposal is acceptable and that the risk is manageable, we would not require any further changes or information to be submitted in accordance with A1.14 criteria.

A1.15 Criteria - Flood Depths

During a 0.1% (1 in 1000 year) annual probability fluvial flood event, depths of flooding presented in Section 3.3 of the FCA indicate depths will be generally no greater than 600mm. These flood depths are within the tolerable limits of A1.15 criteria (maximum flood depths of less than 600mm in the 0.1% event). However, you should note the areas within the edge boundary of Plot 8 may exceed 600mm within the access and yard areas.

A1.15 Criteria - Flood Velocities

Section 3.2 of the FCA indicates that most of the proposed development has been designed to ensure that the velocities during the 0.1% extreme event are limited i.e., less than 0.3 m/s, with corresponding low flood hazards. Velocity of less than 0.3m/s is within the tolerable limits of A1.15 criteria (maximum velocity of floodwaters 0.2 m/s in the 0.1% event). The flood depths during this scenario would support this conclusion. However, no specific values for velocity have been stated within the FCA.

A1.15 Criteria - Rate of Rise and Speed of Inundation

This has been covered Section 3.3 of the FCA for both the 1% (1 in 100 year) plus CCA and 0.1% (1 in 1000 year) events. The majority of the development site meets with the requirements of A1.15, but there is some exceedance in relation to depth within Plot 8.

A1.12 Criteria

All criteria (relevant to this proposal) under A1.12 of TAN 15 has been complied with apart from flooding elsewhere.

Flooding Elsewhere

Section 4.5 of the FCA confirms there are predicted increases in flooding elsewhere which does not accord with the policy position in TAN15. These increases are located within land under the ownership of Cardiff Council. The FCA states 'may therefore be considered suitable if they consider that the change in risk is acceptable'.

The change (increase) in flood risk within the playing fields of Glan yr Afon School immediately upstream of the site have been accepted by the Programme Director for School Organisation within Cardiff Council. This is evidenced within Appendix C of the FCA. however other areas of land within Cardiff Council's ownership is predicted to be at an increased flood risk. This is a matter we have previously highlighted in our response dated 3rd March 2023 (reference: CAS-204404-S4W9) we advised:

'Section 4.5 of the FCA confirms that the increase occurs (as detailed above) within land under the ownership of Cardiff Council and may therefore be considered suitable if they consider that the change in risk is acceptable. We recommend your Authority confirms this prior to determination of the application. If your authority is satisfied with the change in risk to these areas, we would not seek further information from the developer on these increases of flooding'.

Therefore, if your Authority is satisfied with the change in risk to these areas, we would not seek further information from the developer on these increases of flooding, subject to reviewing an updated FCA, if submitted to address our above concerns over inconsistencies with the application. If an updated FCA fails to demonstrate that the consequences of flooding can be acceptably managed over the lifetime of the development, then we may object to this application.

Please inform us, in accordance with paragraph 11.7 of TAN15, if you are minded to grant permission for the application contrary to our advice.

As it is for your Authority to determine whether the risks and consequences of flooding can be managed in accordance with TAN15, we recommend that you consider consulting other professional advisors on the acceptability of the developer's proposals, on matters that we cannot advise you on such as emergency plans, procedures, and measures to address structural damage that may result from flooding. We refer you to the above information and the FCA to aid these considerations. Please note, we do not normally comment on or approve the adequacy of flood emergency response and procedures accompanying development proposals, as we do not carry out these roles

during a flood. Our involvement during a flood emergency would be limited to delivering flood warnings to occupants/users.

- **NRW Maintained Flood Defences**

We note the development site is near to a NRW maintained flood defence wall and embankment. Section 4.1.2 of the FCA confirms there is no reduction in the Standard of Protection (SoP) because of the new development.

With reference to the 'Off Site Dormice Habitat Landscape Plan', Drawing Number 2190-21-07/S5 Revision P1, there is a significant area of habitat creation/planting proposed immediately along the landward toe of the flood embankment. Also, the proposed dormice bridges may have an impact on our flood alleviation scheme.

No detail on the future operation, maintenance and improvements, in relation to access to the flood defence or maintenance has been submitted for us to provide an informed response to this element of the dormice mitigation/compensation package.

These proposals will require a Flood Risk Activity Permit (FRAP) from us, which may be refused if we assess the proposal to have a negative impact on our operational requirements or future improvements.

Access requirements to our flood scheme are still not agreed as per our email (from Richard Davies, NRW) of 31st August 2023. Any proposed dormice compensation habitat, and on-going management, in this area could further complicate issues, either from an access perspective or a dormice habitat loss / creation perspective. We continue to advise further consideration on how access and the maintenance of NRW flood defences can be acceptably retained post development prior to determination. However, if your Authority consider this can be appropriately controlled through a planning condition, we would welcome further discussion with you.

- *Flood Risk Activity Permit (FRAP)*

The proposed works to construct a new bridge/viaduct (reference to FCA, Appendix A: Proposed Viaduct – General Arrangement, Drawing No. 70071035-STR-001/P05) across the River Rhymney and its floodplain (defended and undefended) will require a FRAP. This will also need to include details relating to how NRW can suitably access the existing flood scheme for operational and maintenance activities, including future improvements. Please be aware that NRW may refuse a FRAP application if this aspect is not acceptable. All guidance and details for FRAPs are available on this link [Natural Resources Wales / Flood risk activity permits](#)

- **Pollution Prevention**

The development site is adjacent to the River Rhymney which is hydrologically linked to and has supporting Annex 1 habitats for the Severn

Estuary European Marine Site. Therefore, we consider the construction stage represents a risk to this sensitive water environment.

We note the following documents submitted in support of the above application:

- '*Construction Environmental Management Plan*', prepared by Curtis Hall, revision 2, dated September 2022 (revised CEMP)
- '*Drainage Strategy*', prepared by Pinnacle Consulting Engineers, document reference 210204-PIN-XX-ZZ-RP-C-00021, dated 3rd August 2023

We have reviewed the revised CEMP and our previous advice is unchanged. We repeat our advice below for your convenience.

We welcome that soil storage will be on the western side of the site (away from the River Rhymney) and no nearer than 15m away from a hydrological receptor (Sections 4.51 and 4.80).

We note reference to a pollution prevention plan being in place prior to the commencement of works however, no specific methods of locations are mentioned (i.e. what/where mitigation is needed and the locations of stockpiles etc.). We recommend this detail be included with any subsequent CEMP.

Section 4.86 states all chemicals including fuels will be stored in a way that can be easily moved in the event of a flood. We recommend the CEMP be amended to include that fuel and other chemicals should be stored in a 110% volume equivalent bunded area. Please also note, that the locations of the above activities should be over 10m from surface water drains and watercourses. Furthermore, we recommend any subsequent CEMP ensures that wheel/plant washing is carried out in a bunded area, and the contaminated water is either discharged to foul sewer or tankered away.

Section 4.66 mentions silt fencing being used to filter run-off, however this should not be the only barrier. We recommend that settlement lagoons are also considered and if deemed inappropriate for the site, the reasoning must be clearly stated within the CEMP. The intended maintenance regime and regular inspection of installed silt fencing and other mitigation must also be clearly stated within the CEMP prior to approval and works commencing on the site.

We recommend specific reference must be made to NetRegs GPP5 in Section 4.68, the proposed sediment management and water quality monitoring should be included in the CEMP (Section 4.79) and that NRW will be contacted in the event of a pollution incident on our hotline.

In the absence of additional information in a comprehensive Construction Environmental Management Plan being provided in support of this proposal, we advise that sufficient control of pollution prevention is

achieved by imposition of the following condition, or an amended version is attached to the planning permission:

- **Severn Estuary European Marine Site**

The application site lies approximately 5km from the Severn Estuary Special Area of Conservation (SAC), Special Protection Area (SPA), Wetland of International Importance (Ramsar Site) and Site of Special Scientific Interest (SSSI).

The application site is hydrologically connected to the Severn Estuary by the River Rhymney. We would recommend the competent authority carry out a test of likely significant effect under Regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended).

- **Ancient Woodland**

We note part of the application site is Semi-Natural Ancient Woodland. We further note without an overlay of the proposed development over the ancient woodland designation boundary, it is difficult to be clear as to whether there will be semi-natural ancient woodland loss and if so the extent of it.

More information can be found on our website, which details our advice to Planning Authorities considering proposals affected ancient woodland Natural Resources Wales / Advice to Planning Authorities considering proposals affecting ancient woodland. In particular, we draw your attention to the following advice:

‘Should a planning application be submitted, we would advise the Local Planning Authority that Planning Policy Wales recognises the significant value of ancient woodlands and makes provision for their protection against damage or loss. We advise that planning permission should be refused if development will result in the loss or deterioration of ancient woodland, given that ancient woodland is irreplaceable unless there are wholly exceptional reasons. Where a decision maker is satisfied there is a wholly exceptional reason, every endeavour should be made to minimise and compensate for loss.’

They also advise that based on the information submitted to date, a condition regarding pollution prevention should be attached to any planning permission granted. Without the inclusion of this condition, we would object to this planning application.

OFFICER NOTE: Further responses are expected from NRW on potential additional control mechanisms / conditions to address any remaining areas of concern.

- 7.3 **Glamorgan Gwent Archaeological Trust (GGAT)** note that the Historic Environment Record shows no noted buried archaeological features or findspots within the area of the proposed development. The proposed development is in an area which has been already developed for some time, therefore the impact upon any archaeological resource is considered to be low. It is considered unlikely that significant archaeological remains would be encountered during the proposed development. Consequently, as the archaeological advisors to your Members, it remains the case we have no objections to the positive determination of this application.
- 7.4 **South Wales Police** (Designing Out Crime Officer) have provided observations, including the need to condition/control matters such as: - Perimeter security, vehicular access when unoccupied, CCTV, lighting, secure bike and bin stores, building shell security (first two metres of external walls), access control, door/window security.
- 7.5 **South Wales Fire & Rescue** has no objection to the proposed development and refers the Local Planning Authority to any current standing advice by the Fire Authority about the consultation.

8. REPRESENTATIONS

Pre-Application Consultation (PAC)

- 8.1 The application was subject to statutory Pre-Application Consultation ('PAC'), which ran for 28 days beginning on the 26th of September 2022 and concluded on the 24th of October 2022. This included notifications to 151 adjoining landowners / addresses, and Statutory consultees, including Pentwyn and Llanrumney ward members.
- 8.2 Following submission, the application was advertised on the Council Website and by way of neighbour notification letters, site notices and advertisement in the local press (as EIA development).
- 8.3 Following receipt of additional information in support of the application in respect of biodiversity and nature conservation, and flood risk, additional publicity was undertaken in accordance with Regulation 24 of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (requiring site and press notice providing an additional 30 day's consultation).
- 8.4 In response, to date two letters of representation have been received, neither 'objecting' but raising following (summarised) areas of concern: -
- HGV access/use others. Assume coaches will use to access Cardiff City Academy/BMX/Rugby Club etc.
 - Cycle lanes on new bridge - if included, why? The current footbridge is a safer route
 - Vandalism prevention - will the structures become a target for spray painting? Will lighting/security measures be improved sufficiently?

- On & off slips A48 - are these to be improved?
- Flood alleviation - the current BMX development has not been developed to initial plans in respect of drainage. The rugby fields and BMX development plot are now worse than ever in terms of drainage. The combined developments within this catchment will add further to the inability of the catchment to naturally soak away. Measures are needed to mitigate this. The focus on drainage & flooding seems casual at the very least!
- Have measures been implemented to prevent any significant protests within Llanrumney or the A48?
- The link to the A48 is very much needed & most residents are pleased that it is to be developed.
- Bridge / new road from Ball Road - Can a weight limit be put on the bridge? The bridge and new road must not be an option for HGVs and must not be available on HGV sat-navs. The traffic surveys in the application process showed no/very few HGVs on Ball Road, and it should stay that way. It must not be possible for HGVs to use the bridge as a cut through to the Newport Road and drive through residential areas of Llanrumney.
- Potential for rat run. The planning application notes that access to the bridge may be limited to bus/cycle/pedestrians at peak times. Surely this defeats the object of reducing traffic from Llanrumney accessing Newport Road at peak times and prevents Llanrumney residents having another option for leaving the estate at peak times. Is it possible to have an 'out' only flow for cars in the morning peak and an 'in' only flow for cars at the evening peak?
- Junction on to Ball Road. The new bridge junction on to Ball Road is very close to the junction of Hartland Road/Ball Road. Has there been a local junction assessment on the safety of these being so close, and to show that there will be no adverse effects on queueing or backlog on Hartland Road especially in view of the new housing and sports facilities to be accessed via Hartland Road. Currently at peak usage times for the existing sports facilities there are already long queues at the junction, tailing back and gridlocking Hartland Road.
- In relation to the new housing. Has there been an assessment of the potential impact of the bridge and road to Ball Road on the new housing being built on the old Llanrumney High School site, as the road will skirt the edge of the new housing. What is the potential impact for noise and privacy? What will be the height of the new road passing the housing? The plans show the road going past an empty field or past the now demolished Llanrumney High School
- Flooding. Is it certain that the flood mitigation measures proposed for the new development on the north side of the river will not increase the flood risk on the south side especially to residential properties? After the storms of early 2020 the river level was up to the height of the current footbridge and the water was running all through the 'wild' area around the Park and Ride site on the north bank, which is the area of the proposed development. The flood bank on the south side was overwhelmed in some places leading to flooding of the Llanrumney Riverside playing fields. The damaged flood bank has not been repaired.

8.5 All public representations made on the application are available to view in full on the Council's website at: - [22/02673/FUL](https://www.llanrumney.gov.uk/22/02673/FUL)

9 ANALYSIS

9.1 The key material considerations in the determination of this application are:

- Land Use / Principle of Development
- Landscape and Visual Impacts
- Trees / Green Infrastructure
- Transportation / Highway Impacts
- Heritage and Archaeology Impacts
- Impact on Amenity
- Flood Risk
- Impact on Biodiversity / Ecology
- Renewable Energy / Low Carbon Technology
- Waste
- Socio-Economics

Land Use / Principle of Development

Park and Ride

9.2 Since the application was submitted, the Park & Ride no longer operates a service to the city centre (due to the X59 service being stopped), and instead currently operates a service to/from the University Hospital.

9.3 The principle of a park and ride use on the site has been established by its existing use and the proposed development would update the existing facilities and improve the operation of the facility (albeit currently for the University Hospital). The proposed development seeks to retain 440 spaces at the park and ride and would update the existing facilities and improve the overall operation of the park and ride, including improvements to the amenity space and landscaping. Through the provision of the new bridge and bus facilities, the site would also continue to provide opportunities of enhanced accessibility, which in turn would reduce vehicular traffic into the City Centre and local area.

New Active Travel Bridge to Llanrumney

9.4 The proposed development would facilitate (and through the associated legal agreement, largely fund) the delivery of a vehicular, pedestrian and cycle bridge to link the site and wider area with Pentwyn and Llanrumney to the east.

9.5 The bridge would run between the existing site and connect to the south with Ball Road (with an updated junction to Ball Lane) and would represent a significant new piece of transport infrastructure in enhancing accessibility and connectivity to the A48, the rest of Cardiff and the Strategic Road Network. The proposed new bridge connection would allow faster bus journeys westwards towards the city centre and Heath Hospital, while also providing the opportunity for future rapid bus connections to the new railway station proposed at Cardiff Parkway in St Mellons.

- 9.6 The bridge has been designed with an overall width of 11.4m, including a 3.5m shared cycleway/footway and 6.3m carriageway, to ensure that the link would facilitate two way bus use plus enhanced cycle and pedestrian linkages north and south over the River.
- 9.7 One of the LDP objectives is to 'respond to evidenced economic needs and provide the necessary infrastructure to deliver development' including ...
- To quantify critical strategic infrastructure required to realise development aspirations and set out clear mechanisms for delivery including sustainable transport solutions for strategic sites;
 - To establish Cardiff as a sustainable travel city by reducing the need to travel, increasing the use of sustainable travel modes and networks (particularly walking and cycling), decreasing private car use and improving the city's key transport hub based at the adjacent central bus and train stations.
- 9.8 Policy KP4 states that major development should accord with masterplanning General Principles, including the need to set out "*the phasing of development along with a timely provision of supporting infrastructure*". Policy KP6 then seeks to ensure that new developments, irrespective of their size, location, or land use, make appropriate provision for infrastructure. It further notes that specific infrastructure requirements will be dependent upon the scale and nature of proposed development, and may be required to facilitate development (essential/enabling) or to make development acceptable (necessary).
- 9.9 Policy T1 – Walking & Cycling – states that to enable people to access employment, essential services and community facilities by walking and cycling the Council will support developments which incorporate:
- i. High quality, sustainable design which makes a positive contribution to the distinctiveness of communities and places;
 - ii. Permeable and legible networks of safe, convenient and attractive walking and cycling routes;
 - iii. Connections and extensions to the Cardiff Strategic Cycle Network and routes forming part of the Cardiff Walkable Neighbourhoods Plan;
 - iv. Measures to minimise vehicle speed and give priority to pedestrians and cyclists;
 - v. Safe, convenient and attractive walking and cycling connections to existing developments, neighbourhoods, jobs and services;
 - vi. Infrastructure designed in accordance with standards of good practice including the Council's Cycling Design Guide;
 - vii. Supporting facilities including, signing, secure cycle parking and, where necessary, shower and changing facilities; and
 - viii. The provision of Car-Free Zones
- 9.10 Policy T2 (Strategic Rapid Transport and bus Corridors) then addresses the need for bus corridor enhancements, including the Eastern Bus Corridor (which relates well to the application site and proposals). These corridors form a

central element of the city's strategic public transport network, with a significant proportion of daily inbound commuter journeys to Cardiff from the region being by car. These movements create congestion on the city's strategic highway network which makes bus journeys longer and services less reliable.

- 9.11 Policy T2 seeks to address these issues by making provision for improvements to maximise the efficiency and attractiveness of bus services through reducing journey times and improving journey time reliability. Improvements to the city's wider bus network, including the provision of new infrastructure and the introduction of new routes and services will be supported where these are necessary to provide sustainable travel options and address the movement impacts of new development.
- 9.12 Within the above Policy context, it is important to emphasise that the bridge is being delivered first and foremost as an active travel link between communities and is not proposed as a 24/7 vehicular access to address any existing deficiencies. It is also being proposed as part of an 'enabling' development that seeks to enable its delivery (i.e. the wider business park scheme is proposed to part-finance delivery of the bridge, which would not be delivered alone). The assessment below, however, considers the principle of the bridge alone, with the impacts and benefits of the development as a whole considered later in this report.
- 9.13 The East Cardiff Industrial Strategy specifically outlines the need for investment in connectivity to improve the economic outcomes of the area:
- “New and improved cross-area active travel links allowing access to work and skills development and linking staff to social infrastructure, open space and local retail facilities, supporting the local economy. Links may double as recreational routes and safe routes to schools.”*
- 9.14 Delivering environmental improvements and better access arrangements for existing communities is an important aspect of the strategy. In particular, the strategy aims to ensure that residents of existing communities in the East of Cardiff have better access to new job opportunities on their doorstep, and a key project in this regard is the proposed new bridge linking the Llanrumney community to the A48 to provide improved public transport connectivity.
- 9.15 The Strategy also sets out the need to address natural barriers within the local area, notably the River Rhymney, and in particular states that “The railway, River Rhymney and A-road network are major barriers to movement between residential and employment areas, increasing reliance on cars for access to work and limiting accessibility to the coastal area...Routes across the Rhymney River are limited, with access only available at Lamby Way and Newport Road, with hostile environments around highway junctions. Other routes through the area are also disconnected and poorly identified.”
- 9.16 In addition to the improvements to bus routes/journeys referred to above, the new bridge will enable improved cycleway links between the communities of Llanrumney, Rumney, Pentwyn and Llanedeyrn providing better links to

schools in the area and green spaces including the Rhymney Trail. It is also anticipated that new Active Travel infrastructure as part of the North East Cardiff development will further enhance and complement connectivity of the emerging Cycle Super Highway networks links.

- 9.17 The principle of providing the new active travel bridge is thus considered to accord with Policies KP4, KP6, T1 and T2.
- 9.18 The intention will be to encourage a significant improvement to bus priority measures and consequently attract more bus passengers as service provision will become more reliable. A direct link onto the A48 at peak times for buses will also provide access to existing bus priority measures and enable quicker (limited stop services) access into the city centre.
- 9.19 However, as an unrestricted road bridge would not meet the same tests for acceptability (insofar as it would not achieve the required benefits to active travel through encouraging improvements to bus journeys and corridors) it is considered essential that vehicular access across the bridge is controlled at morning and evening peaks to encourage modal shift in line with the Council's transport objectives and targets.
- 9.20 Access across the bridge would therefore need to be controlled through condition, including provision of appropriate control mechanisms on site, such as bus gates and/or ANPR cameras. Further modelling will also be required, and measures enacted accordingly to avoid creating new 'rat runs' by limiting through traffic from the A48 using the residential streets on the Llanrumney estate.
- 9.21 During off-peak hours, use of the bridge would open up for 'regular' vehicular traffic, which has the potential to help to reduce traffic flows on local and residential roads to the east of the A48.
- 9.22 It is noted that the new active travel connection would be unlikely to be achieved without the enabling development proposed through this application. The above benefits of providing the new bridge are therefore considerable, and while provision of the bridge in this context is considered to be acceptable, the benefits are also considered further as part of the overall planning balance later in the report.

Employment Uses

- 9.23 One of the LDP objectives is to 'respond to evidenced economic needs and provide the necessary infrastructure to deliver development' including ...
- To effectively respond to Cardiff's role as capital city for Wales, seat of the National Government and centre of the city-region in terms of providing a range and choice of economic opportunities that will drive the prosperity of the region;
 - To ensure a range and choice of employment land and business

premises at sustainable locations across the city is provided to assist economic competitiveness, encourage entrepreneurship, promote the growth of indigenous businesses of all types and size and attract inward investment.

- 9.24 While the site is not allocated for employment use and is not designated under Policy EC1 as existing employment land to be protected for B Use Class Employment, Policy EC7 permits B Use Class employment on unallocated land provided:
- i. the proposal cannot reasonably be accommodated on existing employment land;
 - ii. the site falls within the settlement boundary and has no specific designation;
 - iii. the use is compatible with the surrounding area, and;
 - iv. the proposal is well related to the primary highway network and accessible to sustainable modes of transport.
- 9.25 The Planning Statement submitted in support of the application provides evidence to demonstrate the employment floorspace proposed satisfies the above criteria and can therefore be considered policy compliant.
- 9.26 Furthermore, the Employment Justification report submitted in support of this application identifies that Cardiff's industrial and logistics property market is undersupplied and there is urgent demand for new floorspace, particularly B2 and B8, due to a historic shortfall in delivery of industrial floorspace when compared with Cardiff's Local Plan targets for providing 4-7 hectares of industrial (B1b/c, B2 and B8 space annually).
- 9.27 There is a strong demand and a lack of supply of B use class floorspace in the A48 corridor and this site would provide approx. 5.74 ha of industrial space. The Employment Justification report has reviewed alternative sites and identified that all other sites are not suitable and/or available. The site is located within a settlement and has no specific land use allocation or designation.
- 9.28 An employment use is considered compatible with the existing park and ride use of the site, and it is sufficiently located away from any sensitive users. The nearby residential dwellings would also provide a potential workforce for the proposal. The site has direct access via the A48 and would be attractive to the type of occupiers which are likely to take space at the proposed development while the improved bus service opportunities / park and ride would also provide a sustainable mode of transport into the City Centre.
- 9.29 It is noted that Future Wales Policy 6 – Town Centre First – states that 'significant' new commercial, development must be located within town and city centres, where they have good access by public transport. This development is not considered to be 'significant' in scale such that a sequential approach to site location is required.

- 9.30 In summary the principle of employment floorspace at the site accords with Policy EC7.

Ancillary Retail

- 9.31 The scheme proposes 2 no. A1/A3 'drive through' commercial retail units which would be operated as a coffee shop/café (Class A1/A3). As a retail proposal in this out-of-centre location, LDP Policies R1, R6 and R8 are of relevance, along with advice in Planning Policy Wales 11.

- 9.32 LDP Policy R1: Retail Hierarchy identifies the Central Shopping Area (CSA) as the head of the retail hierarchy supported by a range of district centres and smaller local centres which are identified on the Proposals Map. Retail proposals outside these identified centres are assessed against Policy R6: Retail Development (Out of Centre) which only allows for retail development outside the Central Shopping Area, District and Local Centres if the proposal would meet the following criteria:-

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

- 9.33 Nevertheless, while Policy R6 relates strictly to any proposals that introduce additional retail floorspace, Policy R8: Food and Drink Uses sets out the most appropriate locations for food and drink uses. In this respect, although the guidance generally directs such uses to designated centres, it is recognised that food and drink uses may be acceptable in other commercial areas, depending on the character of the area and whether there are residential properties nearby.

- 9.34 In this instance, the applicant sets out that the commercial units would be operated as a coffee shop/café which would provide a complementary food and drink use for employees on the site and commuters using the park and ride facilities and therefore would be a compatible use in this location.

- 9.35 Policy EC2 also supports such conclusion insofar as it considers the provision of food and drink uses to be appropriate in industrial and warehousing developments, provided the facility is of an appropriate scale and nature and intended primarily to meet the needs of workers in the vicinity and therefore not

attract significant levels of visitor traffic into the area of exacerbate existing traffic conditions.

- 9.36 In this instance, the retail floorspace proposed comprises 410sq m (i.e. less than the TAN 4 threshold of 2,500sq.m). At this scale the retail floorspace is considered an ancillary/complementary component of the wider redevelopment of the site, catering predominantly for employees and those using the park and ride facility and would not act as retail destination attracting significant levels of visitor traffic. As such it is considered there would be no detrimental impact on the vitality and viability of designated centres.
- 9.37 However, having regard to the application submissions, it is recommended that the A3 retail is conditioned to a coffee shop/cafe only.

Impact on River Corridor / Open Space

- 9.38 The majority of the site (excluding the existing park and ride) is identified as open space in the most recent open space survey and the whole site lies within the River Rhydney River Corridor defined on the LDP Proposals Map.
- 9.39 In view of this Policy C4 Protection of Open Space and EN4 River Corridors of the adopted Local Development Plan (LDP) and approved Supplementary Planning Guidance (SPG) including the Green Infrastructure SPG Technical Guidance Notes (TGNs) relating to Protection and Provision of Open Space in New Developments and River Corridors (November 2017) are relevant.
- 9.40 Looking first at Open Space, Policy C4 (Protection of Open Space) sets out to protect open space of significant functional, conservation, environmental or amenity value, stating that development will not be permitted on areas of open space unless:
- i. it would not cause or exacerbate a deficiency of open space in accordance with the most recent open space study; and
 - ii. the open space has no significant functional or amenity value; and
 - iii. the open space is of no significant quality; or
 - iv. the developers make satisfactory compensatory provision; and, in all cases;
 - v. the open space has no significant nature or historic conservation importance.
- 9.41 LDP Policy C4 reflects guidance contained within [Technical advice Note \(TAN\) 16: Sport, Recreation and Open Space](#) (2009) which defines 'Open Space' as "*all open space of public value, including land, and water areas like rivers, canals, lakes, reservoirs and disused dock basins which offer opportunities for sport, recreation and tourism.*"
- 9.42 The application site is classified as an area of 'Amenity Functional' open space (natural / semi-natural green space) as shown in green on figure 7 below.



Figure 7: Designation of Open Space

9.43 Paragraph 3.12 states *“Open space, particularly that with a significant amenity, nature conservation or recreational value should be protected. Local planning authorities should identify these areas in the development plan and establish criteria against which sites should be assessed if development pressures arise. It is important that urban vacant and underused land is not unnecessarily protected from development where the land is not of significant amenity, nature conservation or recreational value, as it may potentially relieve development pressures in more sustainable locations.”*

9.44 Planning Policy Wales 11, also states the following:

Formal and informal open green spaces should be protected from development particularly in urban areas where they fulfil multiple purposes. As well as enhancing quality of life, they contribute to biodiversity, the conservation of the historic environment, nature and landscape, better air quality, the protection of groundwater and as places of tranquillity. Such open spaces also have a role in climate protection and in enabling the adaptation of urban areas to the impacts of climate change, for example by contributing to flood management and helping to reduce the effects of urban heat islands.

9.45 In order to fully comply with Policy C4 of the adopted LDP, the application needs to be considered and assessed against the following criteria, found within Section 4.1 of the TGN:

- Existing local provision of open space
- The functional or amenity value of the open space
- The quality of the open space
- Any significant nature or historic conservation importance of open space which may be lost; and

- Any compensatory provision for loss of open space

9.46 The applicant has submitted an Open Space Assessment in support of the planning application. This assessment considers the impact of the proposed development on the existing open space provision on the site assessed against the policy framework set out above.

i) Existing Provision

9.47 The submitted open space assessment notes that quantitatively the existing site consists of approximately 23.4ha of land, with a hard-surfaced area of 3.8 ha, comprising the Park and Ride and surrounding roads. The total developed site area would comprise 8.6 ha (including the park and ride), resulting in a 4.8Ha reduction in open space on the site.

9.48 The Open Space Survey 2022 classifies the whole of the site as amenity functional accessible natural greenspace (ANG), which contributes to the overall figures for recreational open space within the Pentwyn (and adjacent Llanrumney) wards.

9.49 The applicants have noted that the findings of the Pentwyn Open Space Survey (2021), identifies 121.68ha of existing amenity open space in Pentwyn, and that this quantum of amenity open space is significantly higher than neighbouring areas such as Llanrumney (61.01 ha) and Rumney (73.03 ha).

9.50 While there is no adopted standard for accessible natural green space (such as exists for functional open space) Fields in Trust, which issues guidance on open space provision referenced by Welsh Government, recommends 2ha per 1000 population for natural/semi-natural green space provision. In applying this standard in Pentwyn and Llanrumney immediately adjacent, the Parks Officer advises that the wards have sufficient accessible natural green space to withstand the proposed loss.

9.51 However, while there might be good provision across the wards, he notes the need to take account of the site's unique qualities and contribution to local provision which is addressed below.

ii) Functional and amenity value of the open space;

9.52 Although noting a 4.8Ha loss of amenity open space lost in the River Corridor, the applicant concludes that this amenity space has no significant value as it has limited accessibility and any loss of visual amenity value will be offset through the proposed Woodland Management Landscape Strategy.

9.53 The Assessment further states that "this area is not designated open space, and the areas of woodland and scrubland and other features of ecological significance would not be developed on. Therefore, no open space of significant functional or amenity value would be lost, and the impact of the proposals on such open space would be negligible, in line with LDP Policy C4".

9.54 The above assessment is, however, considered to underplay the value of the site or the potential impacts of the development on the area. The site contains informal recreational space and a network of formal and informal footpaths including the Rhymney Trail which are well used. As well as the trail along the river, the site provides a viable traffic-free, non-road link between the two communities of Pentwyn and Llanrumney. As such it has high social value for those wards, and the information from the Parks team is noted insofar as they state that when last assessed, it was ranked in the top quartile for both quality and value when compared with other natural and semi natural greenspace sites in the city.

iii) Quality of Open Space

9.55 When looking at the quality of the open space it is considered that the submitted open space assessment does not adequately recognise the amount of people who access and use this area and given this the important value of this area of open space. The assessment also fails to recognise the important wider role it plays as a continuous river corridor of open space linking the urban area with the countryside as evidenced by the footpaths/trails running through the area.

9.56 The following paragraphs of the Protection and Provision of Open Space TGN are particularly relevant in this respect:

4.3.5 The amenity value of some areas of open space is important both locally and in the context of the whole city, including major parks like Roath Park and Bute Park and the designated Country Parks at Forest Farm and Parc Cefn Onn.

4.3.6 The river corridors of the rivers Ely, Taff, Rhymney, Nant Fawr and Nant Glandulais provide continuous corridors of open space linking the urban area with the countryside. These areas although not all publicly accessible create features of city wide importance and have potential for further improvements. Proposals which could cause unacceptable harm to the integrity of these areas will be opposed. The River Corridors SPG provides further information about this.

9.57 In considering qualitative matters, it is noted that: -

- The application site contains informal recreational space and a network of formal and informal footpaths including the Rhymney Trail which are well used.
- As well as the trail along the river, the site provides a viable traffic-free, non-road link between the two communities of Pentwyn and Llanrumney.
- As such it has high social value for those wards, being ranked in the top quartile for both quality and value when compared with other natural and semi natural greenspace sites in the city.
- As a natural green space the main appeal of the site is to offer visitors the opportunity to escape from built development and immerse themselves in greenery and nature.

9.58 As a natural green space the main appeal of the site is to offer visitors the opportunity to escape from built development and immerse themselves in greenery and nature, and while the scheme has been significantly amended since submission, to build on part of the existing park and ride and avoid areas of existing open space, it is clear that the development will have a negative impact on parts of the site such that the site's natural character will be affected. Nevertheless, it is also the case that the main route through the site in E-W and N-S directions will be retained, re-directed as necessary and (through this application) enhanced.

iv) Any significant nature or historic conservation importance of open space which may be lost

9.59 The application site comprises broadleaved semi-natural woodland (some of which is classified as ancient woodland) and large areas of dense scrub and bracken on the banks of the Rhymney River which is a Site of Importance for Nature Conservation (SINC).

9.60 The proposal involves a significant loss of habitat (assessed below under biodiversity / trees) and the report identifies the need for impacts to be offset on and off-site, as well as considered as part of the 'planning balance'.

9.61 Subject to the detailed mitigation and compensation plans secured through conditions and legal agreement, no objections are raised under point (iv).

v) Any compensatory provision for loss of open space (4.6)

9.62 The original submissions indicated an intention to provide additional lighting as part of a proposal to improve accessibility through active management. Lighting has, however, been removed due to potential issues with ecological mitigation. Instead, a condition is attached which will secure active travel enhancements including: Provision of new footpaths and upgrades to width and surfacing of existing/relocated footpaths within the site ; Replacement of steps on the western side of the existing pedestrian bridge over River Rhymney with a graded ramp integrated with paths on western side of river; and suitable measures/barriers to control access other to the site than by pedestrians/cyclists.

9.63 Such enhancements would, while not offsetting loss of open space, provide some compensatory provision. Nevertheless, the scheme is considered to broadly comply with Policy C4 given its acceptability under criterion (i) to (iv).

River Corridor

9.64 In addition to the above, Policy EN4 (River Corridors) also outlines the Council's position on protecting and enhancing Cardiff's River Corridors, stating that "*The Natural Heritage, character and other key features of Cardiff's river corridors will be protected, promoted and enhanced, together with facilitating sustainable access and recreation.*"

9.65 The River Rhymney is one of Cardiff's four river corridors, and is designated as making a unique contribution to the character and form of the city providing continuous green corridors between the Severn Estuary and the countryside beyond the urban edge. Supporting paragraph 5.97 states the following:

The watercourses and adjoining open spaces possess high recreational, biodiversity, historic, cultural and landscape value. Additionally, they are located close to local communities and offer excellent opportunities for off-road access routes that can provide part of the wider strategic recreational routes and everyday network of routes.

9.66 The area of the site which lies within the designated river corridor is shown on figure 8 below.

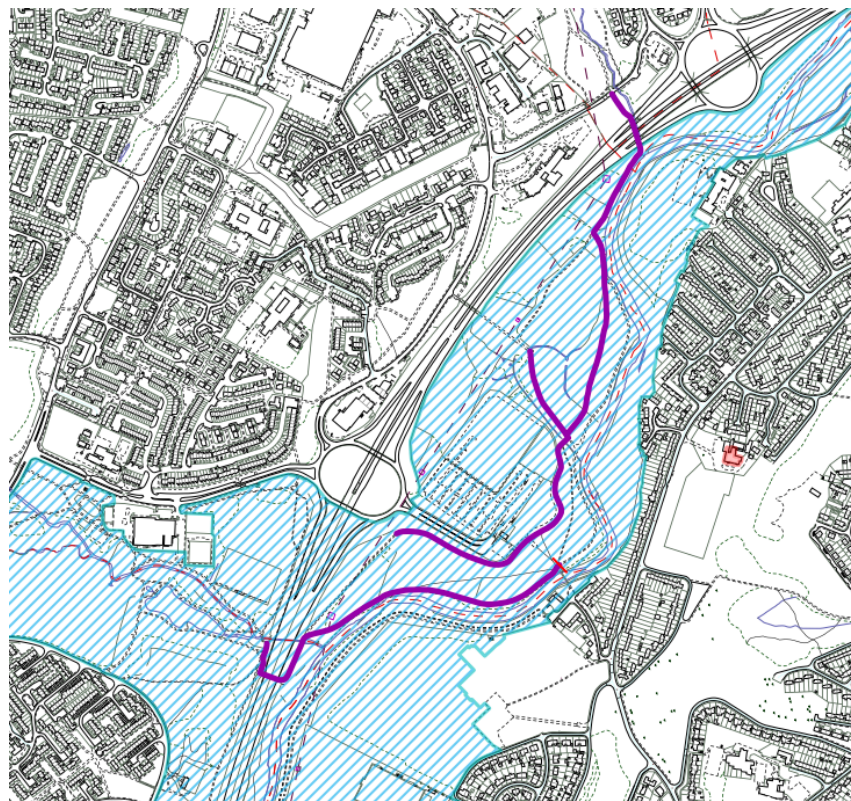


Figure 8: Extent of River Corridor (Policy EN4)

9.67 Policy EN4 emphasises the importance of the River Corridors, but does not amount to a ban on development in such areas where they fall within the settlement boundary and are considered acceptable against other policies within the Plan.

9.68 The assessment under Policy C4 identifies that the scheme is broadly compliant and, while there is acknowledgement that the construction of new development on existing areas of open space, and involving the loss of woodland/trees, will have a demonstrable impact on character in the NW part of the site, the scheme has also sought to address and balance the need to protect and integrate green infrastructure into the scheme.

9.69 The Cardiff Green Infrastructure SPG (November 2017), in section 2, states that *“Planning submissions that are likely to significantly impact upon green infrastructure will be considered to ensure that:*

- The existing green infrastructure resource on the development site, and the potential impacts upon it, have been adequately considered
- The benefits of green infrastructure are reconciled with benefits of development
- Green infrastructure is integrated into proposals
- Opportunities for enhancement of green infrastructure, for the benefit of the community, have been taken as far as is reasonably possible.

9.70 It is clear that the proposals will have an impact on the River Corridor through loss of open character by building on the NW parts of the site. Nevertheless, the main part of the corridor is retained, as are the routes through it. Moreover, green infrastructure has been integrated into the proposals, with a key objective to protect and enhance the areas of nature and conservation importance, with a focus on ecological improvements, including: -

- Native hedgerow, Woodland edge and Standard native trees proposed to close the gap between existing vegetation while aiding to screen the development from Eastern Avenue.
- An enhanced landscape buffer between the riverside and the development plots to aid in diminishing the scale of the massing of the built form from the public right of way and Rhymney Trail.
- Tree planting to enhance Park and Ride, with car parking zones broken up by rows of native trees set within native hedgerows and bordered by shrub planting.
- Scrub mosaic and invasive weeds would be maintained and managed in accordance with ecologist’s recommendations, in order to enhance biodiversity, amenity and usability of the riverside for people, flora and fauna.
- Similarly, scrublands would also be retained and managed to prevent encroachment into native grassland areas. These areas would also be seeded with native wildflowers

9.71 Having regard to the above, while acknowledging a degree of harm to the character and setting of the River Corridor, given the extent of new built development proposed on existing open areas of the site, the integration of green infrastructure in the scheme (controlled through condition and s106 agreement) is considered to have maximised opportunities to enhance access to green infrastructure space. Moreover, the SPG specifically notes the need to ensure “The benefits of green infrastructure are reconciled with benefits of development”, such that any degree of harm is considered also as part of the planning balance later in this report.

Access to and Improvement of River Corridor Open Space

9.72 The Parks team has confirmed that there are aspirations to improve the section of the Rhymney River corridor immediately south of the application site. The

concept proposals include new surfacing, natural play areas, artwork, picnic areas and softscape (requiring a budget of approximately £600k). In addition, both parks and public rights of way teams note the need to give consideration to unauthorised occupation and grazing of the open spaces, including the need for suitable measures/barriers to be put in place (albeit these are not evident in the designs).

- 9.73 As noted earlier, enhancements to the pathways etc through the site are to be secured through condition, along with a hard and soft landscaping scheme which will seek to enhance the quality of the space and encourage greater use. These works can be considered alongside other potential options for enhancement identified by Parks. Overall, the proposals serve to protect, promote and enhance the value and character of the open space and river corridor, in line with LDP Policies C4 and EN4.

Landscape and Visual Impact

- 9.74 Policy KP5 states that all new development will be required to be of a high quality, sustainable design and make a positive contribution to the creation of distinctive communities, places and spaces by ... responding to the local character and context of the built and landscape setting so that layout, scale, form, massing, height, density, colour, materials, detailing and impact on the built and natural heritage are all addressed within development proposals.
- 9.75 Chapter 6 of the submitted ES presents an assessment of the likely significant landscape and visual effects of the proposed development, and notes that the main landscape effects on the application site itself will be a result of:
- Site clearance, including the removal of grassland and topsoil strip (Short term effect during construction).
 - Removal of a number of trees and blocks of native scrub.
 - Changes in landform to establish development platforms.
 - Construction of a combination of unit sizes together with associated access and internal estate road, parking and service yards.
 - Creation of soft landscape green infrastructure associated the Proposed Development, internally between plots and to site boundaries.
- 9.76 From outside of the site, notably to the north and west, views into and towards the site are in the majority of views obscured by the significant belts of mature planting that form the boundary of the Site with the A48 such that the impact of additional new built development will be limited in wider views.
- 9.77 The zone of existing woodland located along the northern boundary with the A48 is to be retained and managed. This provides a significant level of screening to the development when viewed from the north and west and forms a strong back drop to the development. Along the south-eastern boundary with the river corridor the mature vegetation will be retained. These are an important feature of the landscape and contribute to the setting of the Rhymney Trail and river corridor.

9.78 Views from the south / east are only partially-screened in closer views by the planting along the River Rhymney corridor, with the site visible from in and around Ball Lane and Road (see figures 9 and 10).



Figure 9 : View from Ball Lane (adjacent pedestrian river crossing)



Figure 10 : View from Ball Road

9.79 As the ground rises towards the residential area of Llanrumney there are greater views back towards the site, as shown in the views (and associated wireframe) from Glastonbury Terrace. In such longer range views there will be an inevitable change in character of the site, due to the introduction of new built development in an otherwise open site (including lighting of the main area). However, such new development will be partially-screened and sit within the

longer backdrop of vegetation, and the LVIA views are accepted insofar as they conclude that the high-quality design, retention of large zones of vegetation and trees around the perimeter of the site and along the southern edge of the river corridor will combine with the proposed mitigation planting to absorb the proposed development and soften the overall effect.

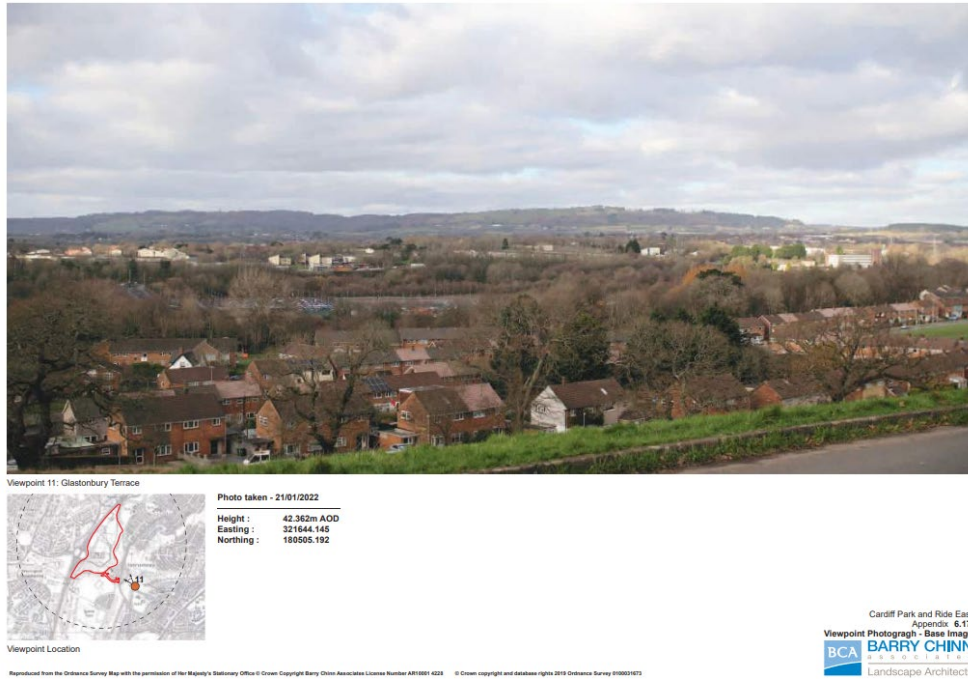


Figure 11 : View from Glastonbury Terrace

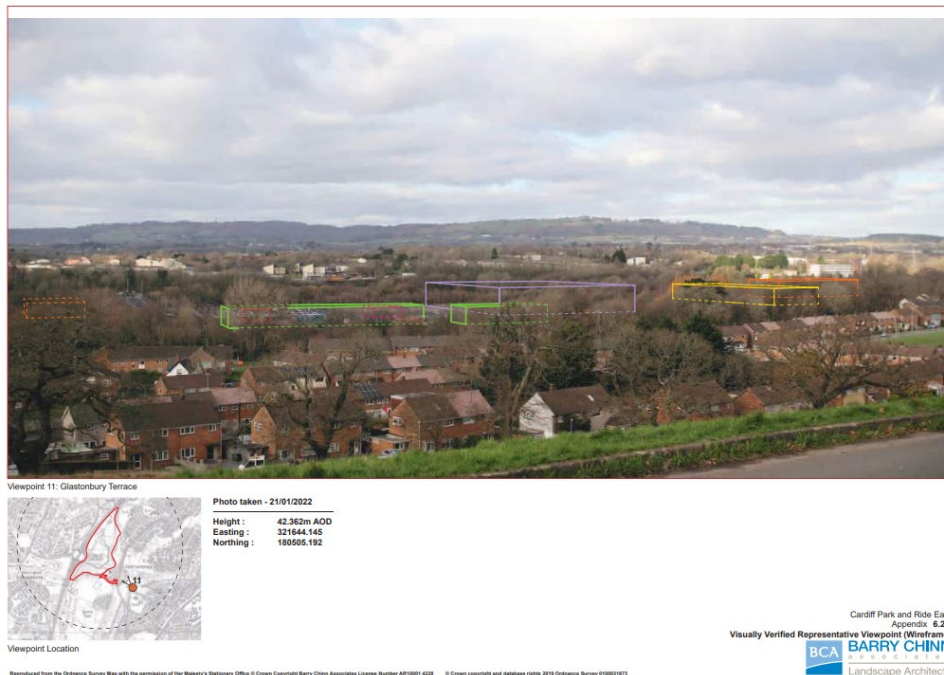


Figure 12 : View from Glastonbury Terrace (Wireframe added)

9.80 While users moving towards the area will have their views largely obscured from distance due to the mature vegetation and flatter low lying topography, as they approach and move through the application site the impact of the changes

in landform to create the development plateau, and new built development, will be much greater such that it will inevitably change the existing natural character of the north/western part of the site.

- 9.81 The landscape design strategy identifies the impacts and principles underlying the design approach as follows: -

“The design principles are based on provision of a high-end industrial development, using a mixture of higher quality wall panels, larger areas of glazing, generous roof overhangs, and interesting roof/building forms for the key buildings near the centre of the Site. The large building types required for the development cannot easily be hidden within a natural environment, and the economics of the development do not allow for large swathes of landscaping to conceal the proposed buildings from all directions

The design stance taken with the scheme is to provide well detailed buildings against the backdrop of the natural, existing landscape. The landscape to the main routes through the Site is enhanced to soften the visual impact of the buildings from within the Site, and the proposal for significant site signage and internal wayfinding will provide a strong site character and visual cohesion. The buildings are in muted, dark/neutral colours which will have them visually recede within the setting. The introduction of a strong, primary colour in limited but key locations will draw the eye to these key features, and again provide a visual coherence through the development.”

- 9.82 The above, and the layout and design of the site and buildings, is considered to be an appropriate response to views of the site from within the site. There remain some concerns about the general layout insofar as there could be improvements made to the areas around the drive-throughs and the amenity terrace and seating areas, alongside pedestrian movement, cycling facilities and crossing points to encourage greater active travel. Further consideration of such matters however can be the subject of a condition.
- 9.83 The landscape effects of the development are thus largely confined to local views, and through implementation of the landscape strategy the shrub and tree planting proposed will mature to provide an attractive landscape setting, which in time will ensure the new development assimilates into the immediate surroundings.

Lighting

- 9.84 While the application originally proposed additional lighting of public rights of way, there has been considerable discussion over the potential impact of such lighting on protected species. As a consequence, the scheme has been amended to exclude new lighting to footpaths, and to carefully design/ limit the lighting of other areas, to ensure there would be no unacceptable light spill which would affect existing or new habitats created.
- 9.85 The submissions indicate that the lighting design strategy has been informed by ‘Ecological Lighting Design Principles’, which states that in order to mitigate

against the impact of artificial lighting on bats, their roosting, migration, and feeding patterns, further stipulations include: -

- The use of lights utilising light emitting diodes (LED) without UV elements, therefore reducing the attraction of invertebrates to the lights.
- Only luminaires with 0% upward light ratio should be used and fitted on the horizontal to avoid excessive up-lighting, back lighting and light spill onto boundary hedgerows and trees.
- A warm white spectrum (between 2000-3000 degrees Kelvin) should be used in order to reduce blue light component, therefore reducing the number of invertebrates attracted to the lights.
- Luminaires should feature peak wavelengths higher than 550nm to avoid the component of light most disturbing to bats.
- Ideally the Site boundary lux level should be below 1 lux as this is within the range of natural moonlight.
- The vegetation planted on site and any roosting habitats should be unlit.

9.86 Lighting plans have been submitted which seek to demonstrate that acceptable levels can be achieved without comprising such interests of acknowledged importance. This scheme is largely considered to be acceptable, but given the essential need to ensure that there would be no unacceptable impacts on the habitats required to mitigate for the impact on dormouse, a detailed lighting scheme condition is attached to ensure that full and detailed attention is given to all such matters, and once approved to ensure that there can be no incremental changes thereafter that might undermine the overall objectives of an approved lighting strategy.

Trees / Green Infrastructure

9.87 Key objectives of the Welsh Government Natural Resources Policy are to maintain and enhance the resilience of ecosystems and the benefits they provide, with Planning Policy Wales outlining how the planning system should contribute towards these goals and Future Wales setting out specific policies that: safeguard areas for the purposes of improving the resilience of ecological networks and ecosystems services, to identify areas for the provision of green infrastructure and to secure biodiversity enhancement (net benefit).

9.88 As noted in section 5, during the course of determination of the current application Planning Policy Wales 11 was partially updated on 11 October 2023 when an updated [Chapter 6](#) came into effect, which places a stronger emphasis on taking a proactive approach to green infrastructure, securing net benefit for biodiversity, strengthening the protection of Sites of Special Scientific Interest (SSSIs) and giving more consideration to the protection and enhancement of trees and woodlands.

9.89 Future Wales Policy 9 – Resilient Ecological Networks and Green Infrastructure – also emphasises the importance in all cases, of action towards securing the maintenance and enhancement of biodiversity (to provide a net benefit), stating that the resilience of ecosystems and green infrastructure assets must be demonstrated as part of development proposals through innovative,

nature-based approaches to site planning and the design of the built environment.

- 9.90 Policy KP16 (Green Infrastructure) recognises the need to protect, enhance and manage Cardiff's network of green infrastructure, albeit that this needs to be reconciled with the benefits of development. Proposed development should therefore demonstrate how green infrastructure has been considered and integrated into the proposals. If development results in overall loss of green infrastructure, appropriate compensation will be required.
- 9.91 Policy EN8 Trees, Woodlands and Hedgerows of the LDP seeks to protect trees with mitigation required for any losses. Development will not be permitted that would cause unacceptable harm to trees, woodlands and hedgerows of significant public amenity, natural or cultural heritage value, or that contribute significantly to mitigating the effects of climate change.
- 9.92 There are three blocks of existing woodland on-site that are covered by Tree Preservation Orders (TPO) and comprise of mainly Oak and Alder. These include:
- TPO 22 Ref: W07 (part of woodland cross convert parcel no. 563)
 - TPO 22 Ref: A14 (trees along the west bank of the Rhymney River within parts of parcel no's. 575, 574, 573 and 572.)
 - TPO 22 Ref: A15 (trees along the north bank of the Rhymney River parts of parcels no. 633, 579 and 578).
- 9.93 Figure 13 identifies the TPOs (green outline) and the extent of tree loss (hatched in red). In total:
- B Category Trees - Eight tree groups with a total area of 8,444.38 m² and one individual tree (T6) will require removal.
 - C Category Trees - Seven groups with a total area of 2,911.35m²; 32 trees within the groups (TG15, TG17, and TG19) and one individual tree (T16) will require removal
- 9.94 While the initial scale of woodland loss has been reduced through negotiation, that loss still remains as 1.14ha.

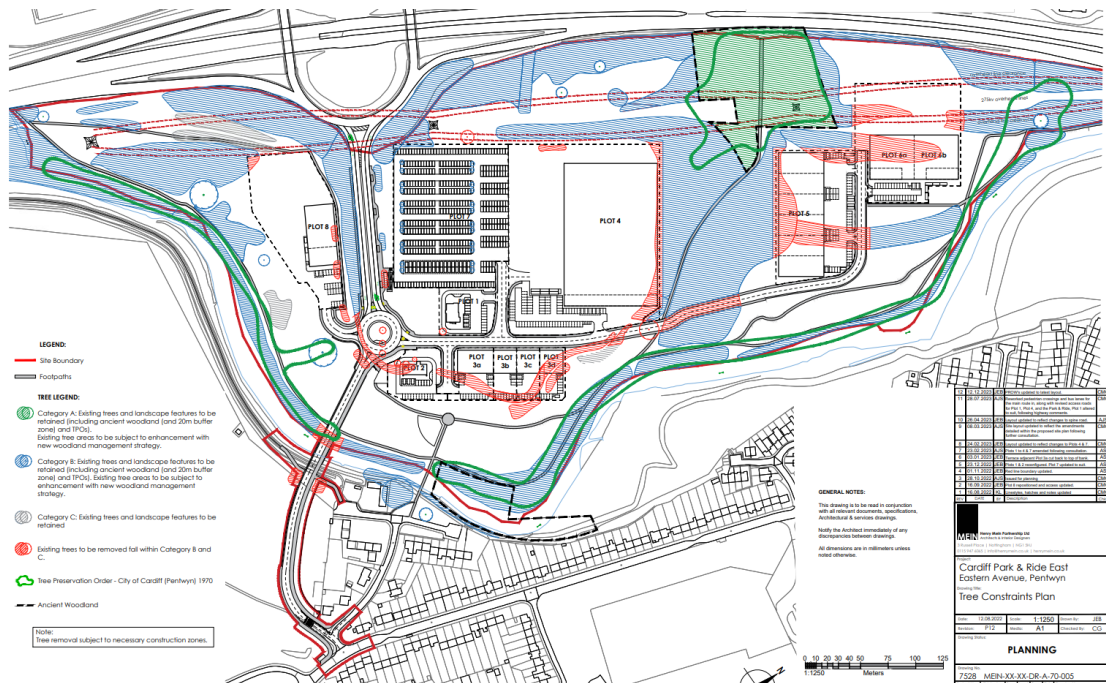


Figure 13: Tree Constraints / Tree Loss

- 9.95 The submitted Tree Report identifies that, from an Arboricultural standpoint, the proposed development will involve the loss of around 8% of the trees on site. However, they consider that the combination of proposed new tree planting and implementation of a 25-year Woodland Management Plan will represent a significant increase in tree cover species diversity in the local area. In total 8508 new trees will be replanted (6000 in the WMP and 2508 off site) a replacement ratio of 17 new trees for each one lost. The considerable funding provided by the project will ensure the sustainable management of the site and prevent its slow degradation for the benefit of local wildlife and local residents alike.
- 9.96 The loss of any trees is, of course, regrettable, notably so when it involves the loss of a significant number of Category B trees that should normally be retained. Nevertheless, in cases where the benefits of development are considered to outweigh the conservation interest (such matters being addressed later), mitigation and/or compensation measures will be required to offset adverse effects and appropriate planning obligations sought.
- 9.97 In this regard, as well as the green infrastructure / landscape proposals within the site, and the off-site planting (dormouse mitigation) which will cover approx. 3.5Ha and in time provide a woodland resource, the applicant has agreed mitigation in the form of funding a further 1.14ha of a mixture of parkland trees (complimenting existing veterans/veteranizing trees) and native mixed broadleaved woodland planting with a mix of standards, scrub and ecotone in the 'local area', to be secured through the legal agreement. However, it must be acknowledged that it will take many decades for the new planting to achieve the same size and impact of the lost mature trees. Therefore, while the long term could see additional tree coverage and more sustainable management of the site, the short-term loss of canopy coverage etc. must be considered as part of the overall planning balance.

- 9.98 In terms of specific impacts, it is noted that new tarmac roads and pathways are proposed and their impact on adjacent trees needs to be considered. The supporting Arboricultural Impact Assessment acknowledges that where a new road or footpath is to be put in place within the Root Protection Areas of retained trees where there is no existing surface, it must be formed using a No-Dig method that will spread the weight to prevent compaction. No more than 20% of the RPA of retained trees can be covered by a hard surface.
- 9.99 Submitted details are not currently at acceptable levels in terms of the information on matters such as root soil volume etc. however these can be suitably controlled through conditions, including the need for hard and soft landscaping works relating to the open space and other green infrastructure including but not limited to existing and proposed finished levels of open space, scaled planting plans including schedules, tree pit sections and plan views, construction details of hard surfacing, construction details of access points/enclosure including fencing and site furniture.

Transportation / Highway Impacts

- 9.100 The site will be accessed via the existing access to the P&R site from the A48 roundabout as shown on the Site Layout plan at Figure 2. An internal roundabout junction will provide access to the different land uses at the proposed development, with a new road constructed from the internal roundabout across the Rhymney River to connect to Ball Road, providing access from Llanrumney to the site. This road would be lit to appropriate highway design standards so it can be used by pedestrians, cyclists and vehicles.
- 9.101 The application has been accompanied by a Transport Assessment, which itself has been updated following extensive discussions with the Council's Highway Officers.
- 9.102 In terms of traffic analysis (covering traffic forecasting, distribution and capacity assessments), there has been extensive discussion with highways colleagues from early on in the consultation process. The revised Transport Assessment does begin to consider inter-network peak times, primarily the peak of school closing and local sport facility use, however issues remain over the limited assessment of through movement, the reluctance to restrict general traffic at peak times and the forecast use of other modes where potentially these may not now perform as originally intended and consequently car use may be higher than forecast.
- 9.103 Some concern has also been expressed about the severance which exists due to the A48, given the limited number of connection points and their quality in combination raise issues with the ability of the employment uses and leisure and retail areas to be accessed in a sustainable way. There is also a potential issue that the A48 roundabout, whilst not designed for pedestrian use, could instead be targeted to cross into the development areas due to the presence of lighting and the largely hard landscaped surface of maintenance routes. It may be that the focus on provision and enhancement of safe connections could now

be diverted to this location, such that there is a requirement to include a condition / S106 requirement to introduce a pedestrian ban on the gyratory to deter pedestrian access.

9.104 In that context, the Highway officer also notes that the above findings may also prevent the Travel Plan from reaching intended mode share transference goals.

9.105 The internal access arrangements from the A48 roundabout have been developed following discussions and bus lanes are now shown in place along both the access and egress to the site. Minor changes may be required to ensure these are cut back to finish ahead of both external and internal roundabouts to allow for better general traffic lane access and circulation, however this can be dealt with this via an appropriately worded planning condition.

9.106 Although the submitted report suggests that the proposed highway design could be constructed with future proofing in mind for installation of traffic exclusion and monitoring infrastructure, in order to fully satisfy Highway Authority requirements, this infrastructure would be required to be installed and made operational from the onset. This is addressed through an appropriate condition.

9.107 In summary, no objection has been raised by the highway Authority to the scheme taking into account the content of the revised Transport Assessment. While the following matters require further approval of details it is agreed that these are matters that can be controlled through condition: -

1. Usage of the bridge must be managed/controlled from day 1. The ANPR system must be installed and operational as soon as the bridge is constructed. The periods of control and potential users of the bridge will be determined by the Council
2. There will need to be controls introduced (TROs and signing) banning pedestrian access to the site via the gyratory system
3. The Ball Road junction will need to be re-designed and incorporate traffic signals, waiting restrictions and consider the existing traffic calming measures as part of the detailed design and S278
4. The link road between Ball Road and the bridge must be designed to accommodate two 12m buses passing each other without clashing.

9.108 The above matters will require addressing through conditions and/or s278 process before the internal carriageway and bridge are a candidate for adoption by the Council.

Construction Impacts

9.109 The number of HGV movements resulting from the demolition and construction work is anticipated to vary from phase to phase, dependent on the build out rate of commercial/ industrial units, and other infrastructure activities. It is noted that there will be some overlap between the phases during which time there may be a higher number of daily movements depending on when the peak construction traffic is for each phase.

9.110 All construction traffic will enter and leave the site via the A48, and the impact of construction vehicles will be controlled via an agreed Construction Environmental Management Plan (CEMP) which will set out how construction traffic will be managed on the local highway network during the anticipated construction period. The CEMP will control the timings, routing and volume of traffic entering/leaving the Site during this period. The vehicle movements will be spread over the course of the working day, with the prescribed hours of work to be agreed.

Active Travel / Travel Plan

9.111 A framework Travel Plan has been prepared as a guide to managing travel to and from the Proposed Development, with the overarching strategy of promoting sustainable travel to and from the site and limiting the number of single occupancy car trips to and from the proposed development.

9.112 The Highway Officer notes that the current draft Travel Plan does not contain any meaningful measures to reduce car use beyond standard considerations such as travel packs, awareness of alternatives and personalised travel planning, and therefore requires further work through condition to ensure as far as practicable the Travel Plan can be effective in suggesting and also sustaining alternative modes to car use.

9.113 While final Travel Plan(s) will be required through condition, the submissions indicate that the developer will commit to incentives, such as financial contributions towards a travel bond for cycle vouchers and holding various events to encourage walking and cycling as part of everyday commuting. The Travel Plan will also encourage car sharing from the proposed development, with preferential spaces for car sharers. The development may also provide future improved bus services to the site in due course through the new link road from the development to Ball Road across the Rhymney River.

Car Parking Provision

5.18 In addition to the 440 parking spaces proposed for the park and ride, a further 257 spaces would be provided across the other 12 plots. The number of parking spaces proposed per plot is outlined in the table below:

Plot 1	Class A1/A3 Drive Through	19
Plot 2	Class A1/A3 Drive Through	20
Plot 3A	Class B2/B8	32
Plot 3B	Class B2/B8	
Plot 3C	Class B2/B8	
Plot 3D	Class B2/B8	10
Plot 4	Class B2/B8	76
Plot 5	Class B2/B8	48
Plot 6A	Class B2/B8	29

Plot 6B	Class B2/B8	
Plot 7	Park and Ride	440
Plot 8	Class B2/B8	23
TOTAL		697

9.114 The level of provision is in line with the Council’s SPG and raises no objection from the highway authority.’

Impact on Rights of Way

9.115 LDP Policies T1, T6 and T8 look to enhance people’s accessibility to sustainable transport routes and the provisions for walking and cycling.

9.116 There are no footways present on the A48 Eastern Avenue/Bryn Celyn Road junction or on the access road to the P&R and, as identified above, a condition seeks to ensure the provision of appropriate barriers (as applicable) and /or signage preventing access to the A48 gyratory. There are however a number of Public Rights of Way that cross the application site and wider character area. The existing formal PRow are identified in purple on Figure 14 below, with other unmarked informal paths also shown crossing the site (and connecting into the formal PRow) E-W and N-S, the latter in particular facilitating movement across the River towards Pentwyn through the existing site and beyond the A48 (over the footbridge).

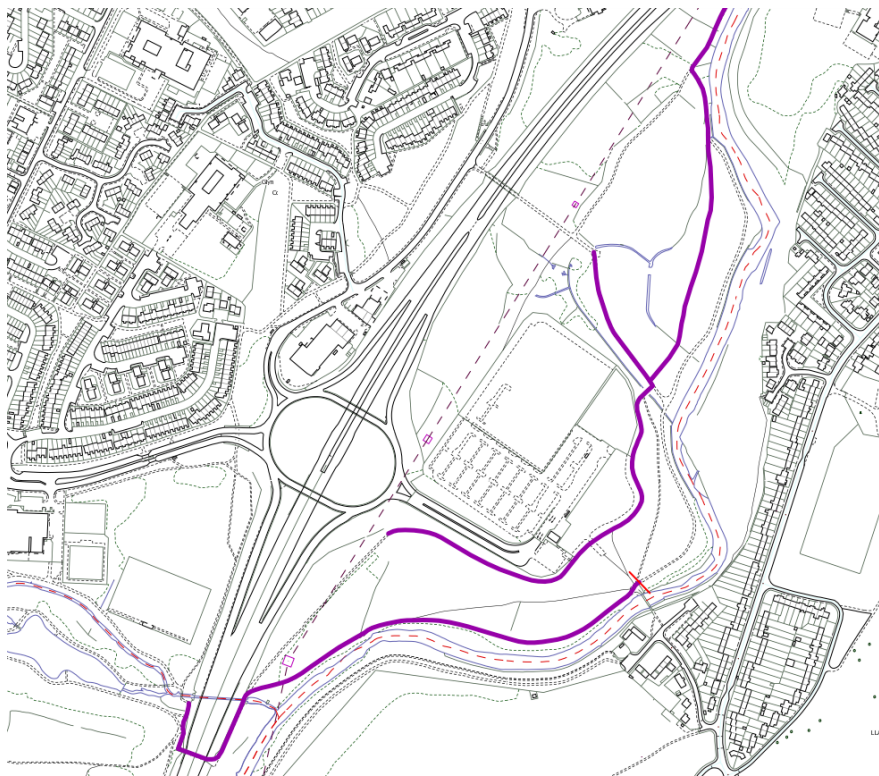


Figure 14: Formal Public Rights of Way (PRow)

9.117 These PRow / walking routes provide connectivity to the north, east, west and south of the site. To the east of the site, PRow routes connect with Ball Lane via a footbridge over the Rhymney River. Ball Lane includes footways on either side of the carriageway and connects with the wider walking network along Ball Road. To the north of the site, PRow routes connect with a footbridge over the A48. This provides connectivity to Pentwyn Road which also includes footways, and a number of local facilities.

9.118 The Active Travel Act requires local authorities in Wales to produce maps of walking and cycling networks, and to deliver year-on-year active travel improvements along the mapped routes and their related facilities. These routes should be coherent, direct, safe, comfortable and attractive. The maps are known as Active Travel Network Maps (ATNM) – showing existing routes and future routes which shall combine the Existing Routes Map and the Integrated Network Map required by the Act.

9.119 The proposed development impacts upon several existing walking and cycling facilities and Public Rights of Way, with the alignment of future routes included in the Council's approved Active Travel Network Map (ATNM) (shown in dashed red line in Figure 15 below) directly affected by the spine road of the development and the footprints of the buildings in the northern portion of the site.



Figure 15 : Active Travel Network Map (ATNM)

9.120 As part of the application, these footpath routes are to be retained or (subject to separate regulatory process) re-directed, all as identified on Figure 16 below. These routes could potentially provide useful links for walking and cycling journeys to the development from the Llanrumney, Pentwyn and Llanedeyrn areas and, as they fall within the boundary of the application site, it is

reasonable to expect that provision will be made within the scheme to develop these to an acceptable standard thereby improving the recreational resource.

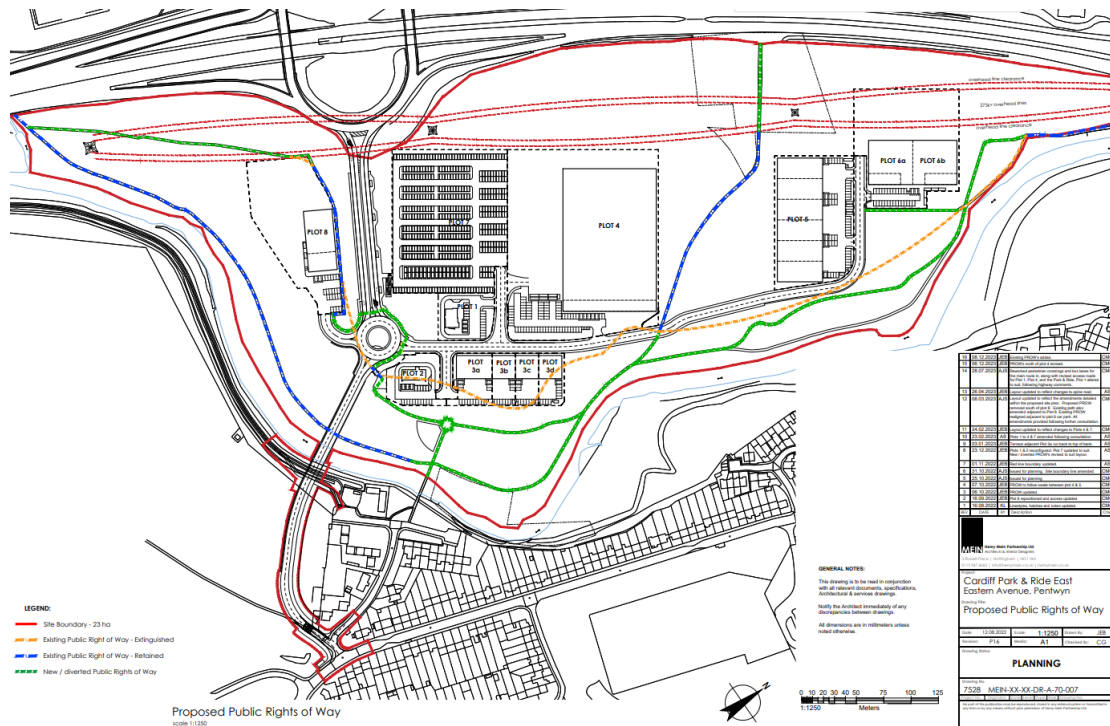


Figure 16 : (Existing and) Proposed Rights of Way

9.121 The proposed link road/ bridge will interrupt the existing right of way and Rhymney Trail, but access will be retained through a lowered PRow level and cycle underpass respectively, as identified on figure 17 below.

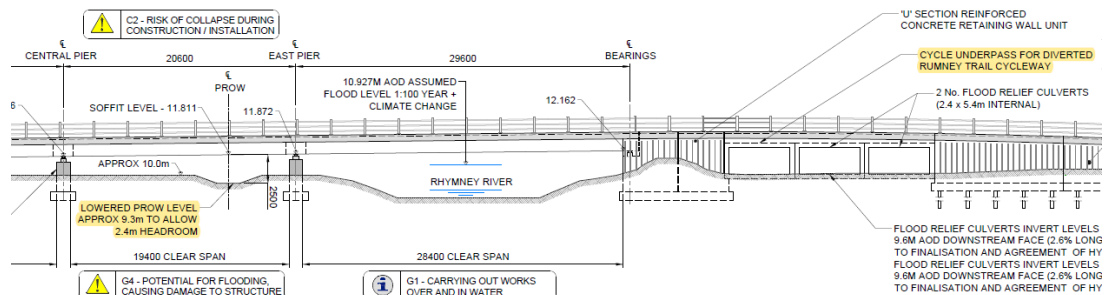


Figure 17 : Extract from Highway Plan identifying changes to levels to accommodate routes of existing PRow to north and south of the River below new bridge structure

9.122 The submitted documents emphasise the need to ensure the site can integrate and link with communities both sides of the A48. While the lighting upgrades proposed have now been removed due to ecological (protected species) constraints, it is proposed to provide improved Crossing Facilities to construct a new Zebra crossing with adjacent cycle crossing across Pentwyn Road, as at present there is no clear continuation of the route. This would allow users to safely traverse Pentwyn Road from the existing bridge crossing of the A48 (see Figure 18 below), and thus access the pedestrian network leading to Pentwyn. This is covered in the required s106 legal agreement Heads of Terms.



Figure 18: Existing bridge crossing PRoW across A48

- 9.123 The applicant also indicates that additional signage / finger posts can be provided throughout the site at the junctions of the PROW to direct the users of the routes, which can be extended to the south of the site from the river to Ball Road and to the north of the site to direct pedestrians and cyclists to the existing network of routes to the north of the A48. This is dealt with through condition.
- 9.124 The Highways team have also reviewed potential necessary improvements, which include the opportunity to upgrade / widening specified pathways to a 3m wide bound surface, minor reconfiguration of the path as it passes near Plot 6a and Plot 6b to avoid sharp angled turns for cyclists and ensure good forward visibility for users; provision of a suitable crossing of the spine road; Lighting of subways at far east and west of site; and replacement of steps on western side of pedestrian bridge over River Rhymney with graded ramp integrated with paths on western side of river. A condition is attached to require approval of such details.
- 9.125 The Rights of Way Officer has reviewed the Public Right of Way alignment and raises no objections subject to the above matters being addressed through conditions.
- 9.126 All of the active travel route improvements would help to mitigate the impact on rights of way and associated movement impacts of the development by maximising access by walking and cycling. The scheme will also encourage increased recreational use of the area by providing a convenient and attractive route in accordance with the national principles of Planning Policy Wales (Edition 11) and the Wellbeing of Future Generations (Wales) Act 2015, thus complying with Policies T1, T6 and T8 of the Local Development Plan.

Construction Impacts on Rights of Way

- 9.127 During the construction period, existing rights of way entering and leaving the site from the west and east, and the Rhymney Trail, will be retained throughout. The intention as highlighted in Figure 3.11 (drawing ref: 7528-XX-XX-DR—A-70-007), is to connect and divert Public Rights of Way (PRoW) access routes across the central placemaking area of the Site at the roundabout and connect the existing informal walking/cycle route towards the north of the Site.

Heritage and Archaeology Impacts

- 9.128 LDP Policy EN9 (Conservation of the Historic Environment) requires any development relating to historic assets (including their settings) to demonstrate that it preserves or enhances that asset's architectural quality, historic and cultural significance, character, integrity and/or setting.
- 9.129 The Council's archaeological advisors, GGAT, note that the proposed development is in an area which has been already developed for some time, therefore the impact upon any archaeological resource is considered to be low. Given their knowledge of the historic environment in the immediate area, it remains they consider it unlikely that significant archaeological remains would be encountered during the proposed development. Consequently, they raise no objections to the positive determination of this application, nor consider any need for conditions.

Impact on Amenity

- 9.130 LDP Policy EN13 (Air, Noise, Night Pollution and Land Contamination) states that 'Development will not be permitted where it would cause or result in unacceptable harm to health, local amenity, the character and quality of the countryside, or interests of nature conservation, landscape or built heritage importance because of air, noise, light pollution or the presence of unacceptable levels of land contamination'.

Noise / Dust Impacts

- 9.131 Technical Advice Note 11 (Noise) remains extant guidance, albeit the Welsh Government has recently consulted on proposed changes to the 'Noise and Soundscape Action Plan' which seek to move from traditional noise control to a more inclusive soundscape-based approach, taking on board local communities' views on their sound environments, in terms of both what they value and what they think needs to be improved.
- 9.132 The application has been accompanied by a Noise Impact Assessment (K R Associates) (attached as an Appendix to the Environmental Statement), which considers in general terms the noise and vibration associated with the operation of the proposed development on the surrounding environment including noise sensitive properties.

9.133 For the purposes of the assessment, the nearest noise sensitive receptors (NSR) were identified as the following (see Figure 19):

- Group 1 246 Bryn Celyn : 2 Storey semi-detached residential dwelling
- Group 2 3 Ball Lane : 1st floor residential flat
- Group 3 10 Ball Close : 2 storey detached residential dwelling

9.134 It is also noted that new dwellings are currently being constructed off Ball Lane, albeit the impacts of the development can be appropriately considered having regard to the above NSRs.

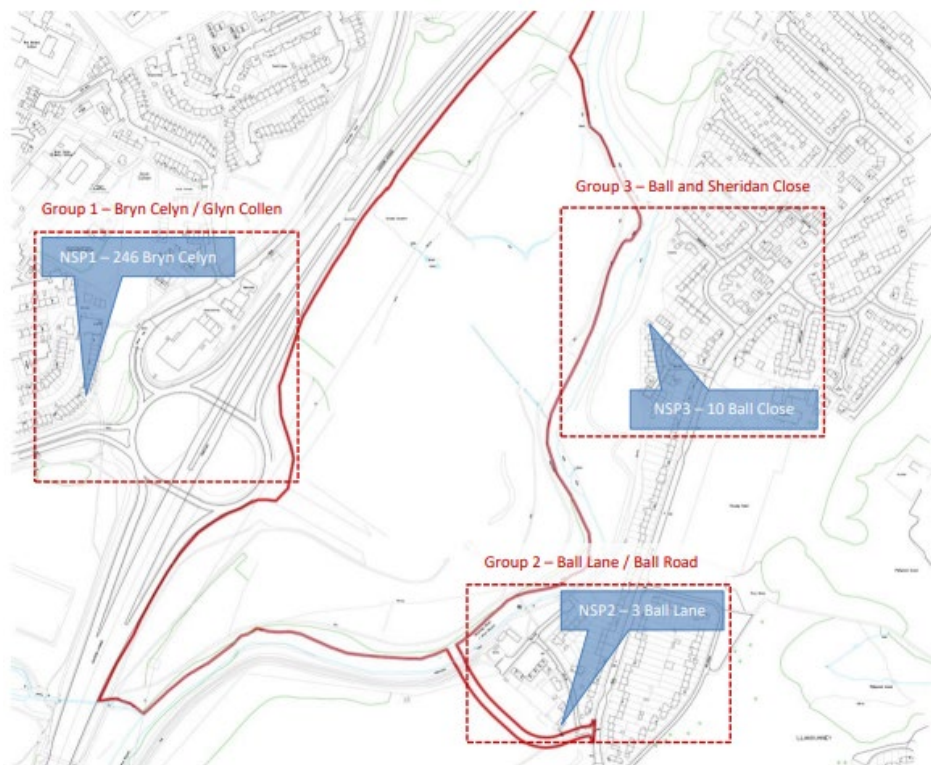


Figure 19: Nearest Noise Sensitive Receptors

9.135 The submissions indicate that the existing background noise levels are driven by the noise of traffic on the A48 Eastern Avenue, albeit there is a significant drop between 22:00 and 06:00 hours. The assessment recommends that in terms of the sensitivity of residential dwellings the period 22:00 to 07:00 should be considered sensitive due to the underlying background noise levels falling 6 – 8 dB(A) depending on the day of the week.

Construction Impacts

9.136 The indicative delivery programme for the Proposed Development is estimated to be approximately 3 years.

9.137 During the construction phase, there are likely to be impacts in terms of the impact on landscape features and landscape character, from noise 'pollution' due to the operation of machinery including piling activities and excavation of landscape features, together with associated dust and general movements/

activities. For example, the submissions indicate that limited piling will be required, but will only be undertaken between 10:00 and 16:00 on weekdays with the resultant noise and vibration levels very unlikely to have an adverse impact on any residential dwellings. This activity is estimated to take no more than around 10 working days to complete for Plots 5 and 6.

- 9.138 Dust emissions escaping the work area may cause nuisance through, for example, surface soiling, loss of visibility due to deposition, and effects on nearby flora and fauna. Measures will be required to prevent dust from being generated at source and good practice site mitigation measures, such as covering of stockpiles, on-site traffic management, wheel washing and good plant and vehicle maintenance, will be employed to minimise these effects as far as practicable.
- 9.139 All such potential construction impacts arising will be addressed through the development of a detailed Construction Environmental Management Plan (CEMP) that sets out the controls to be implemented during construction to effectively manage environmental risks such as noise, dust and tranquillity, pollution, amenity and health are minimised. This will be required by condition.

Operational Impacts

- 9.140 The key noise sources are considered the traffic movements generated by the development, the use of the various car parks, mechanical service noise from the air source heat pumps (or other equipment) and deliveries to each of the sites.
- 9.141 The Assessment indicates that due to the high residual noise level at the three noise sensitive properties, the noise from the development will not be audible above the existing traffic noise. It also concludes that *“The proposed development will generate noise and some vibration but will not have an adverse impact on the existing noise sensitive properties. The design of the scheme has been maximised with passive mitigation measures to ensure that impact of noise and vibration is kept to a minimum. The site speed limit has been set at 20mph which will ensure the noise emitted from cars, buses and delivery vehicles will be from the engine only as the speed will be below threshold at which tyre noise becomes audible”*.
- 9.142 The Council’s Pollution Control officer has raised no objections to the development subject to conditions addressing the construction and operational impacts including that: -
- Prior to beneficial use and implementation, a noise assessment shall be carried out and submitted to the Local Planning Authority to ensure the noise emitted from additional fixed plant and equipment on the site achieves a rating noise level below background at the nearest noise sensitive premises if operational during the day and night when measured and corrected in accordance with BS 4142: 2014 (or any British Standard amending or superseding that standard). Rationale: To ensure the prevention of Background creep due to additional plant equipment/ machinery at site.

- All vehicles, machinery and equipment fitted with reverse signals at site are to be of the 'white noise' signal variety when operating onsite. Rationale: To prevent noise disturbance to the nearest sensitive receptors.
- Working hours are 08:00 & 18:00 Monday to Friday; 08:00 & 13:00 Saturday, with no noisy construction works to take place on a Sunday or public holiday.
- The specifics around piling, i.e. Any piling works are to be conducted between the hours of 10:00 & 16:00 from Mondays to Fridays are satisfactory.

9.143 Subject to such matters being controlled by condition the development is considered to have no unacceptable impacts on nearby amenity, thus according with Policy EN8.

Air Quality

9.144 An Air Quality Assessment (AQA) has been provided in chapter 4 of the environmental statement (ES), which examines baseline and projected future pollutant concentrations at existing receptors for the operational phase of the development. A construction phase assessment is also included to assess the impact of demolition and construction on local air quality.

9.145 In summary this assessment concludes that: -

- Construction Phase: The potential effects during the demolition and construction phases include fugitive dust emissions from site activities, such as earthworks, construction and trackout. During the construction phase, site specific mitigation measures will be implemented, and with these mitigation measures in place, the effects from the construction phase are not predicted to be significant.
- Operational Phase: Detailed dispersion modelling of traffic pollutants has been undertaken for the proposed development. The impacts during the operational phase take into account exhaust emissions from additional road traffic generated due to the proposed development. The long-term (annual) assessment of the effects associated with the proposed development with respect to Nitrogen Dioxide (NO₂) is determined to be 'negligible'. With respect to PM₁₀ and PM_{2.5} exposure, the effect is determined to be 'negligible' at all identified existing sensitive receptor locations.

9.146 Mitigation measures include adoption of the 'highly recommended' and 'desirable measures in the IAQM Guidance on the Assessment of Dust from Demolition and Construction (table 7.1 and 7.2 of AQA), all of which will be required through approval of a final Construction Environmental Management plan (CEMP).

9.147 The Air Quality Officer has accepted that the effects of all measured pollutants are considered *negligible* and *not significant* at all modelled receptors, and provided the site-specific construction phase mitigation measures are implemented, confirms that they have no further concerns or observations regarding the proposed development and air quality.

Flood Risk / Drainage

9.148 Technical Advice Note 15 and Local Development Policy EN14 (Flood Risk) are relevant, with EN14 stating development will not be permitted: -

- i. Within tidal or fluvial flood plains unless it can be demonstrated that the site is justified in line with national guidance and an appropriate detailed technical assessment has been undertaken to ensure that the development is designed to alleviate the threat and consequences of flooding over its lifetime;
- ii. Where it would increase the risk of flooding from fluvial and/or tidal flooding or from additional run-off from the development in any location;
- iii. Where it would hinder future maintenance or improvement schemes of flood defences and watercourses;
- iv. Where it would cause adverse effects on the integrity of tidal or fluvial defences;
- v. Where ground floor bedrooms are proposed in areas at high risk of flooding.
Where appropriate the developer should demonstrate that they have considered the need to incorporate environmentally sympathetic flood risk mitigation measures such as Sustainable Urban Drainage Systems (SUDS).

9.149 The purpose of Policy EN14 is to divert development from where it would be at risk from river, ordinary watercourse, coastal, surface water flooding or where it would increase the risk of flooding or additional run off from development elsewhere.

9.150 A site-specific Flood Consequences Assessment (FCA) has been prepared (WSP(UK)Ltd) to support the planning application for the proposed development which provides greater detail on flood risk and mitigation measures being taken, which include the delivery of a sustainable drainage strategy. The proposed strategy seeks to manage surface water runoff through the provision of a network of features, including swales, detention basins, filter drains and bioretention systems, to restrict the rate of surface water runoff discharging from the site to the greenfield runoff rate. This will ensure the risk of flooding both on-site and within the surrounding area is mitigated, minimising the risk to both future residents and property.

9.151 The submitted FCA notes that: -

- The site is bound to the east by the Rhymney River (Afon Rhymni), a main river flowing north to south past the site, and to the west by the

A48/Eastern Avenue.

- The site slopes generally from the west to the east, towards the river, with a high point of approximately 17.0 m AOD along the boundary of the A48 and a low point of approximately 9.0 m AOD along the edge of the river.
- In the wider hydrographic environment, there are three watercourses flowing west to east:
 - i. The Nant Pontprennau a main river which passes under the A48 and confluences with the Rhymney River 50 m to the north of the site boundary,
 - ii. An unnamed water feature that historic mapping suggests may arise in Cross Covert and may be culverted under the A48,
 - iii. The Nant Glandulais a main river which passes under the A48 and confluences with the Rhymney River on the southern edge the site.

Existing Flood Risk

9.152 In terms of existing flood risk, the majority of the site is considered to have an elevated risk of flooding, emanating from the Rhymney River on its eastern boundary. The Natural Resources Wales (NRW) Development Advice Map (DAM), identifies that most of the site falls within DAM Zone C2 (land not currently defended by significant flood defence infrastructure) with some limited areas along the western boundary on higher grounds adjacent to the A48 in Zone A (considered to be at little or no risk of fluvial or coastal/tidal flooding) and Zone B (areas known to have flooded in the past) around the arm of the A48 roundabout.



- Zone C1: Served by significant infrastructure, including flood defences
- Zone C2: Without significant flood defence infrastructure
- Zone B: Areas known to have been flooded in the past
- Zone A: Considered to be at little or no risk of fluvial or coastal/tidal flooding

Figure 20: NRW Development Advice Map (DAM)

9.153 The Flood Map for Planning (FMfP) – which is now up-to-date and reflecting more recent flood modelling - shows a variation to the DAM, with less of the site falling within Flood Zone 3 (which is broadly reflective of the current C2 classification in TAN15).

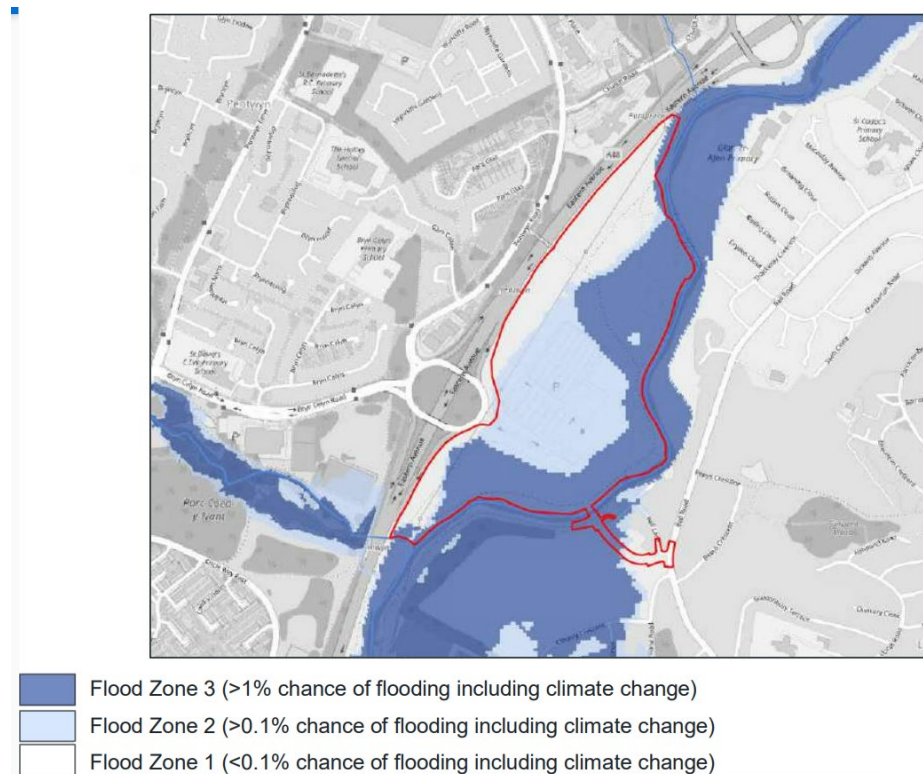


Figure 21: NRW Flood Map for Planning (FMfP)

9.154 The submitted FCA has sought to achieve a goal of being dry in the design event (1%CE AEP) with external shallow water flooding in the extreme event (0.1%) and acceptable off-site effects. Following various iterations of design and modelling, design changes have included: -

- To ensure compliance with TAN15 requirements, ground levels need raising across the site.
- The level of the proposed spine road within the development site needed to be raised to provide access to the northern areas as well as additional flood protection to the Park and Ride and the units adjacent to it.
- The development area in the north of the site could not extend too close to the river or too far north and east without resulting in an afflux which would generate unacceptable third party impacts.
- The development area east of the existing Park and Ride could not extend too close to the river or too far north and east without resulting in an afflux which would generate unacceptable third party impacts.
- There was sufficient space to accommodate an appropriately sized development parcel to the south of the A48 roundabout arm (Plot 8), with external shallow flooding to the yard and carpark in the design event (but the building remaining dry) extreme event (0.1%) and acceptable off-site

effects.

- The underpass beneath the proposed link road over the river needed to be of sufficient size to convey flows out of bank in the extreme event, and to accommodate the continuation of the Rhymney Trail.
- A bypass/secondary channel between the built form of the development and the river to mitigate the effect of the development proposals would impact on existing trees and habitat area.
- The raising existing flood defences to mitigate the effect of the development proposals would need to be extensive and would further raise flood levels within the river channel, across the site and upstream. It would also increase the reliance of those that are protected on the integrity of the flood defence infrastructure.

9.155 The FCA modelling then outlines the post-development scenario with the scheme in place, with figure 22 below indicating the change from baseline in the 'design' (1%CE) event and figure 23 in the 'extreme' 0.1%CE event.

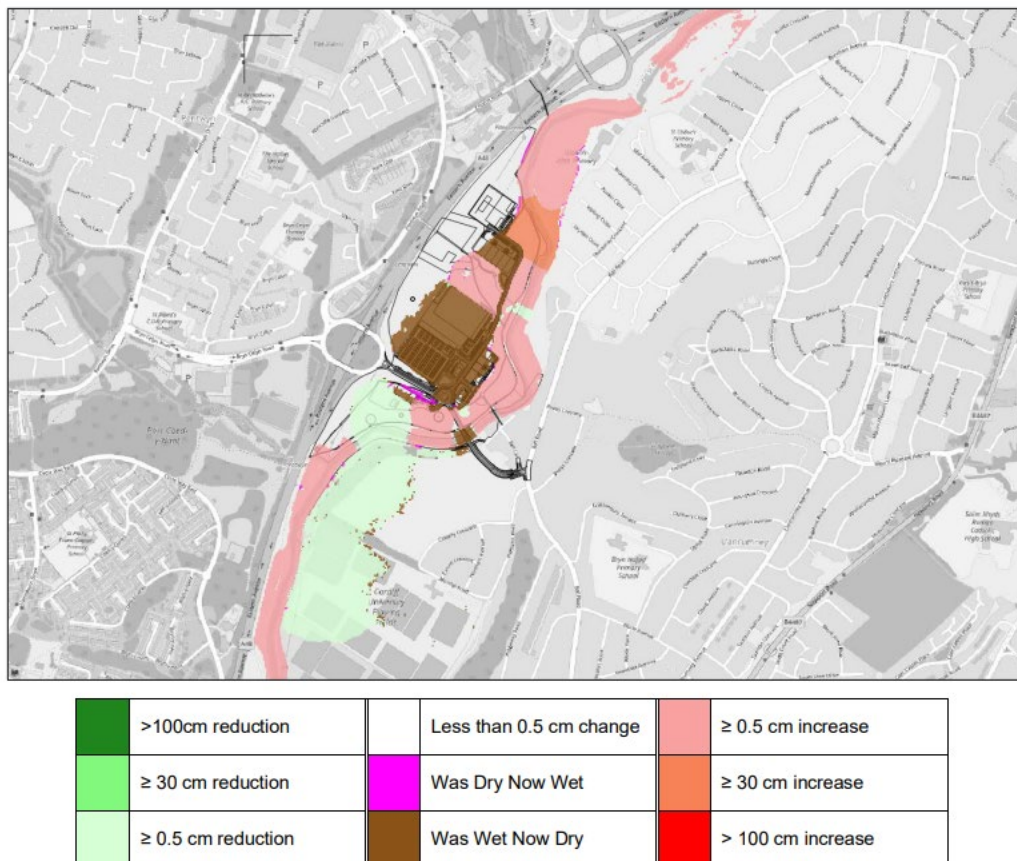


Figure 22: Max. Flood Stage Comparison - Change from baseline in the 'design' (1%CE) event



>100cm reduction	Less than 0.5 cm change	≥ 0.5 cm increase
≥ 30 cm reduction	Was Dry Now Wet	≥ 30 cm increase
≥ 0.5 cm reduction	Was Wet Now Dry	> 100 cm increase

Figure 23: Max Flood Stage Comparison - Change from baseline in the 'extreme' (0.1%CE) event

9.156 In summary this means that for the worst case 'extreme' event: -

- The proposed development is predicted to flood to shallow depths in some internal areas. The deepest flooding to onsite external areas (excl. drainage features) occurs at the interface between the development and the existing Park and Ride where levels need to tie-in, excluding the last section of access road sloping down to the Park and Ride, the rear of Plot 1 and Plot 4 flood to a maximum depth of circa 0.55 m with a moderate hazard over the majority of the rear of Plot 4 and a significant hazard on the rear of Plot 1.
- Internal flooding is predicted at Plots 8 (0.15 m), and plot 1 (0.20 m) both at a low hazard classification. Whilst the site still floods, the increased ground levels at the northern end prevent the river overtopping, and bypassing the meander to flood the site as it does in the Baseline Scenario, however this increases floodwater levels immediately upstream up to circa 66 cm around Ysgol Glan yr Afon playing fields (see below re. third party detriment) and then tailing off to a negligible quantum before the A48 river crossing near Bronte Crescent.
- There is additional overtopping into the buffer alongside the Cardiff Living Scheme, but impact to the playing fields to the south of this scheme are generally beneficial including up to Mendip Road, with negative downstream effects remaining in-channel or between channel and A48. Further the Cardiff Living Scheme benefits from the proposed bridge approach channelling flows into the riparian buffer and reducing flood risk to key

features.

- There is also increased overtopping around the existing footbridge at the end of Ball Lane, but all detrimental effects occur within Council owned land.
- Whilst the existing Park and Ride still floods as it does in the baseline depths are reduced by a substantial amount (16 cm).

Assessment

9.157 TAN 15: Development and Flood Risk categorises the development proposals as 'Less Vulnerable', with section 9 stating that less vulnerable developments may be permissible in Zone C2, subject to a *Justification Test*.

9.158 Section 6 of TAN15 outlines the Justification Test, stating that Development, including transport infrastructure, will only be justified if it can be demonstrated that:

- i. Its location in zone C is necessary to assist, or be part of, a local authority regeneration initiative or a local authority strategy required to sustain an existing settlement; or,
- ii. Its location in zone C is necessary to contribute to key employment objectives supported by the local authority, and other key partners, to sustain an existing settlement or region.
And:
- iii. It concurs with the aims of PPW and meets the definition of previously developed land (PPW fig 4.1); and,
- iv. The potential consequences of a flooding event for the particular type of development have been considered, and in terms of the criteria contained in sections 5 and 7 and appendix 1 found to be acceptable.

9.159 Having regard to these tests, the proposed development is considered to meet test (ii) insofar as development of the site would meet economic objectives, while also providing for a new active travel link to Rhymney and beyond, and potential to link into future links to Cardiff Parkway (subject to consent being forthcoming).

9.160 The existing park and ride site is 'previously developed' complying with criterion (iii). Development of the remaining greenfield parts of the site comprise a technical divergence from TAN15, but not to the extent that it is considered the scheme as a whole would breach the TAN, such that it allows the scheme to progress to test (iv) in terms of the acceptability of the consequences of the development.

9.161 The submitted FCA has considered the consequences of flooding at this site, and makes recommendations as to how the risks and consequences can be reduced, and these have been considered by NRW in their consultation response who have not raised objection on flooding grounds, subject to the following: -

Flood Compensation / Third Party Effects

9.162 The existing site is at risk of fluvial flooding and the submitted FCA identifies that ground levels will be raised to reduce flooding to a manageable level. Without mitigation this would consequently increase flood levels locally; however, the hydraulic model study identifies that this increase occurs solely within land under the ownership of Cardiff Council.

9.163 In summary all detrimental effects identified in the extreme event are constrained to the channel itself, the undeveloped riparian corridor and the open playing fields of Glan yr Afon School immediately upstream of the site. It should be noted that these areas show an increase in depth and are predicted to be flooded in the Baseline event, during this storm event it is highly unlikely that they would be in use.

9.164 The change in flooding to Glan yr Afon School is accepted by the Programme Director for School Organisation within Cardiff Council who notes that:

The north east side of the Glan yr Afon school boundary is currently used as playfields for the school but access is limited due to the difference in levels on site and also the proximity to the river and the fact that the area is low lying. This area of the school playfields are often flooded and therefore there is no additional impact on the school. We therefore have no objection to this arrangement continuing as the area has limited school use.

9.165 Two other Council-owned sites/buildings are identified as being adversely affected: -

- The 'Scruffy Pups' cafe (former TA building) is predicted to increase in flood depths by circa 20 cm to circa 10.57 m AOD in this extreme event, noting the building has a raised threshold surveyed at > 11 m AOD (i.e. no internal flooding).
- The compound at the end of Mill Lane (below Bronte Crescent), it is believed only the riparian structure(s) are predicted to flood and the increase in stage level is predicted to be 2 cm, depths in the compound adjacent to the river in this extreme event are predicted to be between circa 70 to 100 cm.

9.166 While increasing flooding elsewhere is not in line with TAN15 requirements, meaning that any scheme that results in such detriment cannot fully comply, emails have been provided from the Council's departments confirming acceptance of the third-party flooding on Cardiff Council land. The FCA has thus considered and assessed the relevant requirements of TAN15 and provides sufficient information to inform a decision. NRW accepts this position.

9.167 The applicant has also emphasised that, whilst TAN15 gives limited emphasis to beneficial effects, the following are of note:

- There is a substantial reduction in risk predicted to the existing Park and Ride with the onset of flooding reduced from the 10% AEP present day event to an event in excess of the design event and lowering predicted

depths in the extreme event by a substantial amount (circa 16 cm).

- There is a reduced amount of overtopping at the lowpoint on the defences by the southern end of the site. This reduces flood levels in the fields downstream in the design event by a couple of centimetres, and whilst the magnitude remains similar in the extreme event, the area benefitting from this expands to cover Mendip road and the eastern side of Hartland Road including the Rumney RFC.
- The third and final key area of benefit is to the Cardiff Living Scheme, where the proposed approach road to the new bridge re-directs the currently predicted flowpath (in the extreme event) away from properties in the northern corner of the scheme. The elevated highway is predicted to divert this floodwater into the housing scheme's associated riparian buffer. Despite the fact that there is a large area of existing hardstanding surface within the site boundary, the proposals will result in an increase of impermeable area; however, SuDS features included within the Drainage Strategy will ensure no increase in runoff rates and will convey surface water flows safely around the site.

9.168 Section 7.2 of TAN15 states that whether a development should proceed or not will depend upon whether the consequences of flooding of that development can be managed down to a level which is acceptable for the nature/type of development being proposed, including its effects on existing development.

9.169 Flood warnings are available in this location and ground levels are understood to be set high enough to enable safe access. Section 7.3 of TAN15 notes that if a development is justified, mitigation measures should be incorporated into the design to make it as safe as possible. While this does not eliminate risk entirely, it is considered that the developer has accepted the acceptability of consequences, with NRW raising no objections on such matters. Accordingly, subject to mitigative measures to reduce the level of risk and the consequences of flooding being incorporated into the detailed design, addressed through condition, there is no objection on grounds relating to flood risk and thus the development complies with TAN15 and Policy EN14.

Sustainable Drainage

9.170 The development will require separate approval from the Sustainable Drainage Approving Body (SAB), with the Drainage team raising no issues of concern in respect of the submitted scheme.

Impact on Biodiversity / Ecology

9.171 Future Wales Policy 9 Resilient Ecological Networks and Green Infrastructure requires developers to ensure the enhancement of biodiversity, the resilience of ecosystems and provision of green infrastructure. In all cases, action towards securing the maintenance and enhancement of biodiversity (to provide a net-benefit), the resilience of ecosystems and green infrastructure should be demonstrated as part of development proposals.

- 9.172 LDP Policy EN 8 states development will not be permitted that would cause unacceptable harm to trees, woodlands and hedgerows of significant public amenity, natural or cultural heritage value, or that contribute significantly to mitigating the effects of climate change.
- 9.173 PPW recognises the importance of protecting and enhancing biodiversity and the resilience of ecosystems, guidance which has been strengthened in October 2023 by the update to chapter 6 (see policy section above).

Statutory Designated Sites - Severn Estuary European Marine Site

- 9.174 European sites are those designated under The Conservation of Habitats and Species Regulations 2017 (as amended) (“Habitats Regulations”) as Special Protection Areas (“SPAs”), Special Areas of Conservation (“SACs”) or Sites of Community Importance (“SCIs”).
- 9.175 The application has been accompanied by a Shadow HRA – August 2022 (*sic* 2023) (Delta Simons) which found that without mitigation in place, there would be no Likely Significant Effect on the air quality of the Severn Estuary SAC, SPA and Ramsar during the construction and operational phases of works. As no Likely Significant Effects are anticipated as a result of the proposed development, either alone or in combination with other developments, an Appropriate Assessment is not considered necessary. The County Ecologist agrees and has adopted the shadow Habitats Regulation Assessment (HRA).

Statutory Designated Sites – SSSI, Local Nature Reserves

- 9.176 SSSIs and LNRs have been appropriately assessed and the CEMP is considered the appropriate medium to prevent dust deposition to these sites within 2km. A CEMP has been provided and will be subject to condition for a number of amendments. Subject to conditions this would be considered compliant with the Wildlife and Countryside Act 1981 (as amended), National Parks and Access to the Countryside Act 1949 and Policy EN5.

Non-Statutory Sites – Sites of Importance for Nature Conservation

- 9.177 The River Rhymney SINC is on and directly adjacent to the site. The County Ecologist is satisfied that the CEMP will ensure the River Rhymney SINC will be protected during construction and operation. This is considered in relation to water pollution- chemical to silt runoff. Further, details have been provided on how the bridge will be constructed, this indicates limited foundational works, with the deck precast and bought to site.
- 9.178 Lighting has been subject to significant control following comments, with lighting excluded directly above the River Rhymney SINC and along its length through removal from footpaths, which is welcomed and reduced the significance of impacts upon this ecological network, the river corridor also being considered a dark corridor in this area. This conclusion was reached following assessment of pathways through the active travel audit tool. Light spill will be further refined via a Lighting Design Strategy condition.

- 9.179 A specific Green Infrastructure and Landscape Management Plan - Onsite, as an amendment to the Woodland Management Plan via condition, will appropriately include the long term management of the SINC, and surrounding habitats. Enhancements will be added along the river especially in relation to bat boxes and the removal of rubbish from within the river, this specified within the Net Benefits for Biodiversity Condition.
- 9.180 Llanedeyrn Woodlands Complex SINC and Pontprennau Wood SINC have been appropriately assessed and the CEMP is considered the appropriate medium to prevent dust deposition to these sites. A CEMP is provided and subject to condition requiring amendments.
- 9.181 With respect to the River Rhymney SINC and additional SINC, compliance with the Environment (Wales) Act 2016, Planning Policy Wales 11 (PPW) chapter 6 and Policy KP16, EN4 and EN6 is considered met.

Habitats

- 9.182 Broadleaved semi-natural woodland, large area of dense scrub, bracken, hardstanding, scattered scrub, scattered trees, a building, bare ground, poor semi-improved grassland, seasonal standing water and running water amongst others are present at the site. The values associated are appropriate. Ancient woodland has also been identified. The mosaic of habitats, especially connected to the river is also of importance at the site for providing for the lifecycle of many species.
- 9.183 The loss of woodland from the site is regrettable in consideration of PPW11. Nonetheless, a number of relevant documents have been put forward that indicate management of retained woodland and wider site habitat for 25 years (likely 30 years as part of the dormouse licencing process). Whilst the Woodland Management Plan has relevant information related to woodland and other onsite habitats, that indicate appropriate management, the document will be subject to retitle and amendment via a Green Infrastructure and Landscape Management Plan - Onsite condition. This will ensure all landscaping associated with the build out and not just the retained green infrastructure of the site is considered. Further detail at condition will include greater detail on follow up management of planted areas, the monitoring requirements and a fire plan. This will be considered appropriate to ensure habitat long term at the site is protected and managed.
- 9.184 In respect to woodland loss the initial scale of loss has been reduced, however that loss still remains as 1.14ha. There is an argument that part of the dormouse mitigation off-site planting will provide a woodland resource, through a hazel coppice with oak standards (this woodland type planting will cover ~3.5ha). In addition, an additional commuted sum of £80,800, is to be required through the 106 legal agreement to Cardiff Council for the planting of a further 1.14ha of a mixture of parkland trees (complimenting existing veterans/veteranizing trees) and native mixed broadleaved woodland planting with a mix of standards, scrub and ecotone within Cardiff. These woodland stands will also aim to connect an existing woodland resource. It is however recognised that this is offsite and not

of the same type as being lost. The implementation and management of offsite areas will be controlled through Section 106 agreement.

- 9.185 Further, retained woodland within the site will be subject to management and replanting, to benefit dormouse and vegetation regeneration. Whilst it is suggested in the Woodland Management Plan, that planting within woodlands on site, during management, will make up for tree loss, this is more likely to be retarded than any new potential woodland resource outright. Thus, a combination with offsite planting is more appropriate to indicate that the resource is not reduced within a county context.
- 9.186 Whilst planting ~3.5ha of scrub/woodland resource for dormouse, 1.14ha through a mixture of parkland and native mixed broadleaved woodland and onsite retained woodland habitat management, it is accepted that this is not an exacting model, of that suggested by PPW Chapter 6 October 2023 update. That said, the area is equivalent, and subject to the correct management, would provide managed and appropriate woodland types for the local area in the future.
- 9.187 Reduced impacts on retained habitats have been made through a significant reduction in light spill at the site, especially the removal of lighting from the path network. A condition is imposed “Lighting Design Strategy”, to further control remaining light spill to retained habitats.
- 9.188 A specific Green Infrastructure and Landscape Management Plan - Onsite, as an amendment to the Woodland Management Plan (including the title) to be provided via condition, will appropriately include the long-term management of all site habitats. A further “Net Benefits to Biodiversity” condition is applied in respect to ensuring an appropriate number of enhancements applicable to the site are provided. A Soft Landscape Audit condition to cover arboricultural protection, compliance with soil resource survey and the landscape plans, will track and ensure these elements are applied as per documents supplied and agreed through other conditions. This condition is imposed, as a result of poor compliance with ecological conditions within Cardiff generally and ensures we actively tackle/stop this issue and the Nature Emergency.
- 9.189 Subject to application, these aspects with regards to habitats would be considered acceptable with respect to the Environment (Wales) Act 2016, PPW11 chapter 6 and Policy EN6 and EN7.

European Protected Species

- 9.190 Dormice, otter and all species of British bats are European Protected Species (EPS), legally protected under The Conservation of Habitats and Species Regulations 2017 (as amended). Legal protection relates to the animals themselves and the places they use to rest and breed.
- 9.191 Where a European Protected Species is present and development proposal is likely to contravene the legal protection they are afforded, the development may only proceed under licence issued by Natural Resources Wales, having

satisfied the three requirements set out in the legislation. One of these requires that the development authorised will ‘not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status (FCS) in their natural range’.

- 9.192 These requirements are translated into planning policy through Planning Policy Wales (PPW) February 2021, section 6.4.22 and 6.4.23, and Technical Advice Note (TAN) 5, Nature Conservation and Planning (September 2009). The planning authority should take them into account when considering development proposals where a European Protected Species is present.
- 9.193 Planning Policy Wales advises (at 6.4.22) that “the presence of a species protected under European or UK legislation, or under Section 7 of the Environment (Wales) Act 2016 is a material consideration when a planning authority is considering a development proposal which, if carried out, would be likely to result in disturbance or harm to the species or its habitat and to ensure that the range and population of the species is sustained”.
- 9.194 At 6.4.23 it further advises that “Proposals for which development works would contravene the protection afforded to European protected species require derogations from the provisions of the Habitats Directive. A derogation may only be authorised if there is no satisfactory alternative and if the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range. The development works to be authorised must be for the purposes of preserving ‘public health or safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment’. Derogations are granted by a licence issued by NRW who should notify planning authorities when a licence application has been granted. Planning authorities are under a duty to have regard to the requirements of the Habitats Directive in exercising their functions. To avoid developments with planning permission subsequently not being granted derogations in relation to European protected species, planning authorities must take the above three requirements for derogation into account when considering development proposals where a European Protected Species is present.

Hazel Dormouse

- 9.195 The site contains Dormouse, which are a European Protected Species, and includes land which has previously been subject of an EPS License due to presence of dormouse as part of the original development of the park and ride.
- 9.196 The County Ecologist finds it regrettable that dormouse surveys did not cover a greater extent of the site and used more tubes, especially when the site area was expanded and was subject of previous dormouse mitigation. In this context, although the submitted EclA considers that the population of dormouse had decreased, the county Ecologist disagrees due to the limited extent of the survey that took place. He also considers the population to be of County value (even up to regional) given previous survey results and mitigation.

Regardless, mitigation in the order of 2:1 is required for the site to ensure that the favourable conservation status of dormouse is maintained.

9.197 Following extensive discussions he notes that all scrub and woodland is considered suitable dormouse habitat, and requires mitigation if lost. The development proposals will result in the permanent loss of approximately 2.6 ha of suitable dormouse habitat (equating to circa 20.6% of total suitable dormouse habitat present on-Site), including circa 1.22Ha of woodland. The development will also result in the loss of small areas of the compensatory habitat that was created as part of the previous 2008 licence. A small further area surrounding Plot 5 will be impacted through temporary ground protection which involves the removal of scrub and understorey, this will be considered temporary loss of dormouse habitat.

9.198 Throughout the course of the application there have been extensive discussions with the applicant's ecologists, as well as Officers within Natural Resources Wales. These discussions have resulted in significant changes to the original submissions, largely to address the concerns relating to landscape character and impact on protected species within the site.

9.199 The final submissions have now included a revised Hazel Dormouse Impact Assessment, which in summary states as follows: -

- The revised Site Plan shows a considerable reduction in tree loss with an additional 0.8 ha of woodland now retained.
- The Woodland Management Plan (WMP) area totals 17.23 ha of which 3.18 ha is open ground leaving around 14.8 ha of retained woodland containing an estimated 2,960 trees.
- The revised Hazel Dormouse Impact Assessment (HDIA) reflects the revised lesser impacts to the habitat of the dormouse and also further details the benefit of the 25-year Woodland Management Plan (WMP) alongside the management and maintenance that will be specified with in the required European protected Species Licence (EPSL) will greatly enhance and protect the onsite habitats, therefore maintaining a Favourable Conservation Status (FCS) of the on-site dormouse population.
- It is acknowledged that there is some loss (0.99 ha) to the previous compensatory habitat created in 2008 under licence WAG 1279 for the creation of the original park and ride. However, the retained habitats and newly created areas support large amounts of invasive weeds, Japanese knotweed and Himalayan balsam which have degraded these habitats. If left in its current state, the site will deteriorate further and valuable habitat for dormice and many other species will be lost.
- The mitigation hierarchy has been followed where practical with careful planning of the development to retain and enhance the existing woodland habitats (approximately 9.9 ha of woodland, scrub and areas of bracken), maintain habitat connectivity and reduce habitat fragmentation.
- The development has been designed with footprints away from the key sensitive dormouse habitat alongside the A48 and ancient woodland. It is proposed to create 0.8 ha of suitable dormouse habitat on Site
- In addition to the proposed on -Site habitat planting and woodland

- The off-Site compensation area currently supports areas of amenity grassland currently used as sports fields, areas of poor semi-improved grassland that are subject to less management, and areas of scattered scrub and small areas of woodland.
- It is proposed to plant up areas adjacent to the River Rhymney connecting up to an area of amenity grassland and poor semi improved grassland (old sports fields) which will also be subject to additional planting of species suitable to support dormice. In addition to the areas of grassland, the areas of scrub and woodland are also present and will be enhanced as part of the proposals
- The area will total approximately 4.2 ha and connect existing areas of woodland and scrub, therefore, providing additional habitat and connectivity should dormice be present in the immediate area.
- It is proposed to install dormouse bridges over the river to connect up the habitats and aid in the dispersal and breeding of dormice. The type and design has not been finalised but it is anticipated that an Animex bridge or similar structure will be used. <https://animexbridge.com/> (subject to s106/ consent).

9.200 The submissions also indicate the view that the funds generated by the development deliver two distinct benefits:

- Initial works to enhance and protect key dormouse habitat include the planting of over 0.5 ha of trees and scrub mix of native species favourable to dormice and over 2.1 km of new native hedgerows with species again favourable to Dormice. The immediate installation of 50 nest boxes in the retained woodland and scrub areas will mitigate the previous lack of monitoring and maintenance of the previous compensatory habitat and deliver immediate enrichment to the site for dormice.
- The 25-year WMP and management specifications within the future EPSL will set out how the woodlands and open ground will be managed over a twenty-five-year period on an ecologically sound and sustainable basis. The focus of the plan is enriching, retaining, and preserving important elements of the landscape and food source for the dormice and other floral and faunal species through the removal of invasive species, thinning of the woodland to allow stronger understory, and important coppicing of hazel. This will over time produce much-improved biodiversity and a far more resilient woodland for the successful enhancement of dormice and other species.

9.201 The County Ecologist has no objections to the development, subject (in summary) to a suite of ecological conditions and associated section 106 requirements (relating to off-site compensation), and addressing the following:-

- Dormouse Boxes – Number to be expanded and to cover off-site mitigation area
- The applicant is yet to address when planting will occur at the offsite mitigation area, or within the site itself, given the extent of clearance. This will be addressed through the licence, but risks delaying the

process, if not upfront or immediately prior to clearance. It is expected all management plans will run for 30 years, in line with dormouse licence documentation.

- Efforts in coordination with the Local Planning Authority have been made to identify a site of appropriate size to accommodate replacement dormouse habitat, close to and with the ability to connect to the site boundary, together with potential dormouse bridge locations and on-site habitat creation areas.
- An area of land totalling 4.81ha, has been identified to the south west of the site (offsite), surrounding an existing regenerating area of scrub, small woodland fragments and scrubby hedgerow. It is appropriately close to the river to support a connection. The site is on an existing SINC, but effort was made to place this replacement habitat sensitively, around the feature and avoid areas of species rich grassland. Approximately two thirds of the area is outside of the SINC, within existing open land. Further, planting will follow the river corridor to broaden connectivity in that area.
- In addition, areas totalling 0.45ha have been identified on the site itself, for appropriate planting
- Five dormouse bridges, four over the river and one over the access road will strengthen links and encourage the dormouse population to new expanded territories. The new planting will include a high proportion of hazel in mixture with a range of other woody shrubs providing food for dormice.
- The extent of lighting has been significantly reduced at the site, albeit it is considered that lighting can be further reduced via a Lighting Design Strategy condition.
- Further, conditions are also being applied to ensure dormouse is protected during development, including editing existing documents. This includes edits to the CEMP, provision of Landscape Implementation – onsite and a Green Infrastructure and Landscape Management Plan - Onsite.
- Updates to the Dormouse Impact Assessment, the provision of confirmed dormouse bridge locations, Landscaping Implementation – Offsite and a Green Infrastructure and Landscape Management Plan – Offsite, will be provided via the Section 106 agreement, including aligning all drawings.
- The overall site along with offsite elements are likely to be fully managed via a Management Company. Therefore, all Section 106 sign offs and conditions, will need to ensure they align and where required, refer back to the dormouse licence. It is assumed that an individual in the Management Company may ultimately hold the licence, through future licence amendment.
- Initial concerns about the funding of on and offsite habitat management have been addressed. It is considered via the Section 106, that the owner of the site will fund all initial works, including management in year one and two via construction. Following year two, the Management Company will be formed. The developer/ owner will fund management

from then on, regardless of whether units are rented. If any unit is sold, the new owner will still be obliged to pay their share of management costs through being a signatory to the Section 106 agreement and they will pay the Management Company the monthly/yearly amount to account for all onsite and offsite management.

9.202 The County Ecologist concludes that provided all Section 106 schedules be met and all conditions met and discharged, favourable conservation status of dormouse could be maintained, although the ultimate decision is made through a European Protected Species Licence being issued by NRW.

EPS License – 3 Tests

9.203 It will be necessary for the developer to apply for a development licence from the Welsh Government (relating to European Protected Species), and the applicants are fully aware of such legislative requirements.

9.204 Before a licence can be granted the “three tests” specified in the Habitats Directive have to be met, and where a European Protected Species is found to be present on site, the Local Planning Authority should consult with NRW to seek their advice on whether test (ii) is met before the granting of a consent.

9.205 The “Three Tests” are as follows: -

- (i) There is “no satisfactory alternative” to the derogation.
- (ii) The derogation is “not detrimental to the maintenance of the populations of the species concerned at a favourable conservation status in their natural range”.
- (iii) The derogation is “in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment”.

9.206 Of the tests, the Local Planning Authority is required to ensure that tests 1 and 3 have been satisfied and NRW need to ensure that test 2 is satisfied.

9.207 In considering test (i), it is accepted for all the reasons expanded upon in this report that there is no satisfactory alternative to the site / development, while similarly in relation to test 3, it is considered that the scale and nature of the application, and its acknowledged economic and other benefits, mean that there are overriding reasons why this test is met.

9.208 In respect of test (ii) the County Ecologist is satisfied, and NRW – following extensive consideration and detailed discussions, has confirmed that they are satisfied.

9.209 Accordingly, provided that the commitments are translated into, and implemented as, enforceable conditions as part of any planning permission, NRW has raised no objection, and therefore it is concluded that the applicants have satisfactorily demonstrated that test (ii) would be met in that there will be

no detriment to the favourable conservation status of protected species at the site.

9.210 As a result, it is considered the protection afforded via the Conservation of Habitats and Species Regulations 2017 (as amended) can be secured, along with the maintenance and enhancement of dormouse populations through the Environment (Wales) Act 2016, PPW11 and Policy EN7.

Birds

9.211 No Phase 2 birds surveys were undertaken at the site, only incidental records during the Phase 1 survey were noted. There is moderate habitat structure present, although the applicant argued moderate disturbance at the site. It was considered the impact upon birds prior to mitigation was moderate adverse.

9.212 Whilst there is woodland and scrub loss from the site. Replacement habitat provided by the Dormouse Impact Assessment would offset this (having expanded in size from that originally proposed), although, mostly beyond the site boundary. The management of existing habitats, especially the woodlands, should diversify the structure which will be beneficial, along with retaining scrub edge to grasslands. Whilst it is disappointing surveys were not undertaken, the overall habitat mitigation provided should ensure this is overcome. Enhancements for birds will be provided via Net Benefits for Biodiversity condition.

9.213 Subject to condition, these aspects with regards to habitats of benefit to birds would be considered acceptable with respect the Environment (Wales) Act 2016, PPW11 and Policy EN7.

Great Crested Newt (and other Amphibians)

9.214 No phase 2 surveys were undertaken for great crested newt, as they were considered unlikely to occur due to the lack of suitable waterbodies. One water body was overlooked by the proposals to the north of the A48, however, this is a dammed section of stream, and the County Ecologist was aware this contain carp and is an angling spot, significantly reducing risk of great crested newt occurrence. No records of great crested newt are known from the area.

9.215 Section 7 species toad were overlooked, however aspects in relation to the CEMP condition and especially reptile clearance supervision, would ensure the protection of individual toads should they occur.

9.216 Additionally, retained habitat and habitat management on site will be of benefit to the species. A number of conditions contain elements that will benefit the toad, short and long term, including those considering enhancement.

9.217 Subject to condition, these aspects with regards to habitats of benefit to amphibians would be considered acceptable with respect the Environment (Wales) Act 2016, PPW11 and Policy EN7.

Reptiles

- 9.218 Reptile surveys were undertaken within approximately 25% of the site, prior to a significant expansion in the development footprint. Further follow up surveys were not undertaken. No reptiles were found during the initial survey, but dense vegetation was also a limitation.
- 9.219 It is unfortunate that reptile surveys were not more extensive at the site and not limited, and it is considered that assumption of absence is premature. There are numerous areas of habitat above the floodplain that are suitable for common reptile species, although of declining quality due to scrub ingress as to be considered of moderate suitability. They remain excluded from the impact assessment.
- 9.220 To address this matter, it has been considered that to attach a condition requiring a Reptile Mitigation Strategy with caveats including additional procedures to be enacted if a certain number of reptiles is reached, will ensure legislative and policy commitments can be met. Reptiles will also be considered through the CEMP condition, referring back to key elements of the strategy.
- 9.221 As a result, subject to sign off and application of conditions, the protection afforded via the Wildlife and Countryside Act 1981 (as amended) can be achieved, along with the maintenance of any population through the Environment (Wales) Act 2016, PPW11 and Policy EN7.

Hedgehog

- 9.222 No specific onsite surveys have been undertaken for hedgehog, however this is acceptable given their current legislative and policy consideration. It has been assumed that hedgehog is present, which is considered correct, given the locality. Whilst there is loss of suitable habitat at the site, the off-site dormouse habitat, replacement woodland planting contributions and onsite habitat management will be of benefit to the species. Appropriate safeguards are suggested through the EclA and a CEMP condition is applied.
- 9.223 As a result, subject to sign off and application of conditions, the maintenance of any population through the Environment (Wales) Act 2016 can be secured, along with the consideration of PPW11 and Policy EN7.

Otter

- 9.224 One otter survey was undertaken on the 26th April 2022, and only appears to have been undertaken from the site side, this will have significantly limited this survey given the nature of this rivers width and debris/lack of access.
- 9.225 Whilst an otter survey was undertaken, there are notable limitation regarding lack of survey of the southern bank of the River Rhymney. Although, it is accepted that no otter signs were noted during the first survey. Equally with details of the bridge structure provided, much of the floodplain will remain open for otter to pass through during flood. No lighting will be found within the river

corridor except along the road and bridge, that is elevated and will be subject to further light spill control via a Lighting Design Strategy condition.

- 9.226 As otters are mobile animals and signs can be removed through river flooding, it is appropriate to impose a pre-commencement otter survey, this can be detailed as part of the CEMP condition. This would be a survey of both banks and should evidence of a holt or a layup be noted appropriate licencing could be put in place to secure the favourable conservation status. As part of the Net Benefits for Biodiversity condition, rubbish will be removed from the riverine environment adjacent to the site.
- 9.227 A condition will also seek details of otter passages/ledges in the final bridge design, as required by NRW.
- 9.228 As a result, subject to sign off and application of conditions, the protection afforded via the Conservation of Habitats and Species Regulations 2017 (as amended) can be secured, along with the maintenance of any population through the Environment (Wales) Act 2016, PPW11 and Policy EN7.

Water Voles

- 9.229 Water vole were ruled out during the PEA. No evidence of water vole was noted during the otter survey. This is acceptable, especially given the enclosed wooded nature of the river in this location, a propensity to flood over a large vertical area of bank and lack of water vole records in this area/mink and rats.

Fish

- 9.230 While it would have been advisable for fish surveys to be carried out, latter evidence of the design of the bridge structure has indicated limited foundational works, with the deck precast and brought to site. Lighting is being directly excluded above the river, and a condition will be applied to further reduce light spill along the road either side of the bridge. Further, a CEMP condition shall be applied to ensure finalisation of the pollution prevention measures required to protect the River Rhydney.
- 9.231 As a result, subject to sign off and application of conditions, the protection afforded via the Conservation of Habitats and Species Regulations 2017 (as amended) (specific fish species on Annex 2) can be secured, along with the maintenance of any population through the Environment (Wales) Act 2016, PPW11 and Policy EN7.

Bats

- 9.232 The existing building at the site has been determined to have negligible potential for roosting bats. There was also initial concern about the coverage of the Preliminary Ground Level Roost Assessment (PGLRA) of trees, however, the applicant confirmed the site was covered fully where impacts will occur. One area that remains un-surveyed is the location of the road bridge. Bat activity surveys covered approximately three quarters of the site (which could have been expanded following boundary changes), returning records of greater

horseshoe and myotis species which are light averse. Lighting was initially a concern regarding the favourable conservation status of this species group, however, this has been significantly overcome through the removal of lighting within the River Rhymney corridor, through the Ancient Woodland and directly above the river itself. Further efforts to reduce lighting can still be made to the retained green infrastructure and to ensure retained trees with bat potential are not lit.

9.233 A condition requiring the assessment of each tree to be felling via a Preliminary Ground Level Roost Assessment, will be applied during the development to ensure the data is accurate and further surveys undertaken if required. Nonetheless, it is considered that if a roost was located, the Favourable Conservation Status could be assured. The CEMP will further consider the construction level impacts on bats, and conditions surround landscaping implementation and management will be applied. The Woodland Management Plan to be amended, should ultimately be positive. Offsite habitat planting, especially woodland elements will be beneficial to the local bat population long term. The light spill at the site will be further reduced through a Lighting Design Strategy condition. A number of types of bat boxes will be erected on structures and trees at the site, including the river corridor, via a Net Benefits for Biodiversity condition.

9.234 As a result, subject to sign off and application of conditions, the protection afforded via the Conservation of Habitats and Species Regulations 2017 (as amended) can be secured, along with the maintenance and enhancement of bat populations through the Environment (Wales) Act 2016, PPW11 and Policy EN7.

Badgers

9.235 An initial survey for badger was undertaken as part of the Preliminary Ecological Appraisal, during which a number of disused badger setts were located. On a walkover of the site, the County Ecologist noted a potential further sett closer to the development footprint. It has been considered that any badger sett could come back in to use. The EclA whilst updated, had not made clear reference to a closer potential set noted by the County Ecologist.

9.236 Given the proximity of the potential sett noted by the County Ecologist to the development (and thus potential direct impact), a preconstruction Badger Walkover Survey via condition, will be employed to ensure badger setts are not impacted. The general green infrastructure at the site that remains will be managed thorough a Green Infrastructure and Landscape Management Plan via condition, that will build upon that initially provided in the Woodland Management Plan, this should be of benefit to badger. Diversified grassland locations should also be of benefit.

9.237 As a result, subject to sign off and application of conditions, the protection afforded to Badger via the Protection of Badgers Act 1992, consideration of the Wild Mammals (Protection) Act 1996 and the considerations of PPW11 and Policy EN7 should be met.

Plants

- 9.238 No targeted surveys have been undertaken for plants, especially given the Ancient Woodlands value, and possible greater extent (latterly confirmed as likely the extents noted). Initial botanical surveys were undertaken when snow was present. The Ancient Woodland remains protected and buffered by 20m or greater, although no ecotone is provided around plots. Other areas of higher diversity include banks near Plot 8, that will be lost. The woodlands and all habitats, including new landscaping will be subject to management, which will provide more niches for greater plant diversity. Equally, offsite ecotones to dormouse habitat creation will be managed and of benefit.
- 9.239 Areas of higher importance for plants are generally maintained, especially the Ancient Woodland. A Green Infrastructure and Landscape Management Plan condition is being applied, that will amend the supplied Woodland Management Plan. The Net Benefits for Biodiversity condition will include the requirement to move plant material and topsoil to increase species diversity in retained/created habitat areas.
- 9.240 Subject to application, these aspects with regards to plants, could be considered acceptable with respect to the Environment (Wales) Act 2016, PPW11 and Policy EN6 and EN7.

Invertebrates

- 9.241 It is regrettable that no further targeted invertebrate surveys were undertaken given the scale of the development. A number of changes have been made to the development which are positive, this includes the removal of lighting from the river corridor, and a reduction in spill around plots which would have otherwise been detrimental. Further, a management plan for all habitats will cover on and off sites elements.
- 9.242 A Green Infrastructure and Landscape Management Plan condition will be applied that amends the Woodland Management Plan for the site. Further enhancements will be provided via the Net Benefits for Biodiversity condition, such as bee banks. Offsite management will be secured via Section 106 agreement.
- 9.243 Subject to application, these aspects with regards to invertebrates could be considered acceptable with respect to the Environment (Wales) Act 2016, PPW11 and Policy EN6 and EN7.

Invasive Species

- 9.244 One of the objectives of the twenty-five year Woodland Management Plan prepared for the site (which also forms part of the wider strategy for EPS) is the eradication of all invasive species within the site, in particular Japanese Knotweed (*Reynoutria japonica var. japonica*) and Himalayan Balsam (*Impatiens glandulifera*). The aim is to begin the control measures in the first

year of the plan with complete eradication by year five. However, ongoing control of any new infestation will be continued throughout the plan period.

- 9.245 Without their control, these species could potentially negatively impact mitigation for a range of species, and reduce available remaining habitat at the site. It is expected the extent of these species is greater than known by the applicant.
- 9.246 Following expressions of concern from the County Ecologist and NRW to ensure invasive species are removed from many areas, and significantly retarded elsewhere, an Invasive Non-native Species Management Plan will be required to be addressed via condition.
- 9.247 Subject to discharge of conditions it is expected the legislative considerations/requirements of the Wildlife and Countryside Act 1981 (as amended) can be met and the consideration of Environment (Wales) Act 2016 with respect to maintaining biodiversity, PPW11 and Policy EN6 and EN7.

Net Benefits for Biodiversity (On-Site enhancements / Off -Site enhancements)

- 9.248 It has been argued that woodland management is considered an enhancement, but while this is considered to be part of the picture, a large proportion is considered mitigation in consideration of extensive woodland and scrub loss. There is also a lack of firm commitment to the elements in section 6.3 of the Ecological Impact Assessment, with many of the elements discussed not firmly designed at this stage.
- 9.249 The removal of invasive species should be beneficial, but is somewhat linked with mitigation due to the need to provide suitable areas for dormouse.
- 9.250 As such, the County Ecologist has considered the enhancements that should be provided to ensure the scheme looks towards achieving net benefits for biodiversity, given the initial habitat losses to the scheme (that are r subject to mitigation). This will be secured via condition.

Ancient Woodland

- 9.251 Ancient Woodland lies within and in close proximity to the site in two separate blocks. One of the woodlands is to the north of the site near Eastern Ave, whilst the other site edges the Rhymney River close to the proposed new bridge.
- 9.252 The ASNW woods to the north of the site are, in many places, surrounded by woodland which, while thought to be relatively recently naturally regenerated, are very similar in terms of tree size and species mix to the ASNW.
- 9.253 Planning Policy Wales recognises the significant value of ancient woodlands and makes provision for their protection against damage or loss, with NRW advising that planning permission should be refused if development will result in the loss or deterioration of ancient woodland, given that ancient woodland is irreplaceable unless there are wholly exceptional reasons. Where a decision

maker is satisfied there is a wholly exceptional reason, every endeavour should be made to minimise and compensate for loss.

- 9.254 The development does not involve the loss of any area of Ancient Woodland within the site, but does impinge on surrounding woodland, with a 20m buffer proposed for the central, larger Ancient Woodland area, which will be edged with 865 m of native mixed hedging where it meets the built environment.
- 9.255 As per the Woodland Management Plan, the existing areas of Ancient Woodland would be protected and enhanced through thinning/coppicing, which would be positively managed to enhance the quality of the ecology and general biodiversity. The smaller section would also be improved for better ecology and biodiversity.
- 9.256 The Tree Officer has expressed significant concern being of the view that Ancient woodland that is also wet woodland as in this case should see 'buffer zones' (ecotones) of at least 30m. He notes that Ancient woodland is a hugely complex ecosystem with innumerable potential sensitivities beyond the needs of individual trees and ancient wet woodland is even more problematic because of the particular soil hydrology. Currently the woodland has such ecotones in place, but these are removed in part or eroded by development. The ancient woodland is also vulnerable to 'storm resilience felling' due to the oversailing power cables – essentially power companies are afforded rights to clear and cut back trees that may interfere with their apparatus. This vulnerability is another reason why the 'buffer zone' requires increasing.
- 9.257 Having regard to these concerns, and the emphasis in PPW of the need to protect such trees and woodlands should be afforded "protection from development which would result in their loss or deterioration unless there are significant and clearly defined public benefits", the buffer zone has been increased from the 15m originally proposed to 20m. While this remains smaller than sought by the Tree Officer, the developer has been unable to make further changes (having already made significant changes to reduce overall woodland loss). This is considered, on balance, to achieve the necessary protection to ensure no unacceptable deterioration of the adjoining ancient woodland. Nevertheless, the inability to achieve the requested 30m buffer zone, and potential consequential impacts on the ancient woodland, are therefore matters to be considered as part of the overall planning balance.

Green Infrastructure

- 9.258 Whilst objectionable that 1.14ha of woodland is being lost to the development (in accordance with separate considerations of the Tree Officer), there is an argument that part of the dormouse mitigation off-site planting will provide a woodland resource, through a hazel coppice with oak standards (this woodland type planting will cover ~3.5ha). In addition, an additional commuted sum of £80,800, is to be provided to the Local Planning Authority for the planting of a further 1.14ha of a mixture of parkland trees (complimenting existing veterans/veteranizing trees) and native mixed broadleaved woodland planting with a mix of standards, scrub and ecotone. These woodland stands will also

aim to connect existing woodland resources in Cardiff. It is however recognised that this is offsite and not of the same type lost.

- 9.259 Further, retained woodland within the site will be subject to management and replanting, to benefit dormouse and vegetation regeneration. Whilst it is suggested in the Woodland Management Plan, that planting within woodlands on site during management will make up for tree loss, this is more likely to be retarded than any new potential woodland resource. Thus, a combination with offsite planting is more appropriate to indicate that the resource is not reduced.

Ecosystem Resilience

- 9.260 In terms of the general consideration of Ecosystem Resilience and Diversity, Extent, Condition, Connectivity, Adaptability (DECCA), the following remarks can be made following queries and changes to documents and plans.
- 9.261 Diversity – within the site itself, the diversity of habitats will remain and a broad mosaic of habitats along the river corridor. The diversity of species present is expected to stay the same, and many will benefit from more active management of woodland/scrub.
- 9.262 Extent – The extent of woodland and scrub at the site, will decrease. Nonetheless dormouse habitat proposed, should offset this impact, with a 2:1 ration being provided. Equally, the replacement planting, will not just benefit dormouse, but a range of species that rely on woodland and scrub. Management of all habitats on and offsite will take place.
- 9.263 Condition – It is not expected that the condition of any habitats shall decrease that is retained, with a management plan and implementation plans being secured via conditions and Section 106 agreement.
- 9.264 Connectivity – whilst on a broader sense some areas connecting the site more centrally are being lost to the development, connectivity from the Ancient Woodland the river corridor remains, and a band of vegetation remains around the site. The bridge proposed does not block connectivity.
- 9.265 Adaptability – Any loss of habitat natural or subject to significant human alteration, will inevitably have an impact on the adaptability of any ecosystem or habitat. Nonetheless, design alterations have sought to limit this, including a bridge on piers ensuring connectivity beneath, ensuring a corridor which species can move through, lighting on the most part removed from the corridor that has not only been shown to impact nocturnal species, but the lifecycle of many invertebrates, thus lighting removal is significantly positive.

Construction Impacts

- 9.266 The applicant has committed to produce a Construction Environmental Management Plan (CEMP) prior to commencement of works. The CEMP will detail the environmental management and mitigation actions required during the construction phase. Monitoring of the CEMP will be undertaken by the Environmental Clerk of Works (ECW). Supporting the ECoW would be an

appropriately qualified Ecologist (as an Ecological Clerk of Works, ECoW) and Archaeologist.

Conclusion

9.267 The assessment has identified that the development will result in a degree of harm to the site through creation of additional built development on areas of existing open space which have biodiversity value, including supporting protected species and ancient woodland. The scheme, has also, however, sought to mitigate for such identified impacts through a combination of design changes, on-site mitigation and off-site compensation.

9.268 Subject to conditions and legal agreement, the scheme has been found to be policy compliant in respect of biodiversity impacts, nevertheless, the impacts as a whole form part of the consideration of the overall planning balance, having regard to identified benefits of the proposal.

Renewable Energy / Low Carbon Technology

9.269 LDP Policy EN12 (Renewable Energy and Low Carbon Technologies) requires development proposals to “maximise the potential for renewable energy”, and states that the Council will “encourage developers of major and strategic sites to incorporate schemes which generate energy from renewable and low carbon technologies”.

9.270 In responding to the above Policy requirement, the application has been accompanied by an Energy Report (Hydrock) and Sustainability Statement (Iceni Projects). The proposed energy strategy is based upon the principles of the Energy Hierarchy on the basis that it is preferable to reduce carbon dioxide emissions through reduced energy consumption above decarbonisation through alternative energy sources.

9.271 The submissions advise that: -

- Solar thermal systems will be used to pre-heat water supplies and employment of highly efficient air source heat pumps (ASHP) systems will service space heating and cooling demands whilst incorporating guidance against Building Regulations Part L:2013 for best levels of CO2 emissions targets.
- Building materials have been specifically chosen to help minimise heat and air loss and promote the harnessing of natural daylight.
- Rainwater harvesting on Plot 4 and low-volume dual flush toilets and sensor taps will be fitted to help contribute to reduced water consumption on-site.
- By not installing gas utilities, installing photovoltaic panels and incorporating solar water heating panels, rain water harvesting, ultra-efficient LED lighting, we are supporting this policy in the reduction of carbon emissions. Sufficient energy metering will be install in order to enable the end user to effectively manage their energy consumption
- There is potential for large-scale, roof-mounted photovoltaic (PV) systems to be implemented to generate zero-carbon electricity on-site.

9.272 The Energy Report notes that further carbon dioxide emissions reductions may be achieved through the following:

- Employment of large-scale, roof-mounted photovoltaic (PV) systems to generate zero-carbon electricity on-site (with the roof structure enhanced to facilitate the fitting of a large-scale roof mounted Photo Voltaic system)
- Installation of CO2 sensors and motorised dampers within large meeting rooms
- Use of external lighting control air lux to allow for each external light fitting to be controlled individually

9.273 As identified earlier, and in order to comply with Future Wales, the scheme would also include a minimum of 10% of EV charging spaces, with duct/power infrastructure installed to facilitate extension by Tenants to meet the projected increase in electric vehicles on the road forecast in the next 20 years.

9.274 Given the above, the submissions are considered to sufficiently demonstrate an awareness of the need to minimise energy use and maximise opportunities for use of renewables, and subject to these measures being implemented (including the strengthening of roof structures to facilitate future fitting of a large-scale roof mounted Photo Voltaic system), the scheme is considered to be compliant with Policy EN12 and the objectives of Future Wales.

Waste

9.275 Policy W2 (Provision for Waste Management Facilities in Development) and the Council's approved SPG 'Waste Collection & Storage Facilities' seek to ensure appropriate controls for waste in construction and operation.

9.276 The management of waste to minimise impacts on the environment will be addressed through the required CEMP condition seeking a scheme for recycling/disposing of waste resulting from demolition and construction works.

9.277 In addition, as required by Waste colleagues conditions are imposed requiring appropriate storage areas for separated waste and recycling materials, along with the proposed collection points, together with litter bins to serve the A3 commercial units in order to prevent littering which could occur as a result of this development

Socio-Economics

9.278 PPW11 presents the land use policies of the Welsh Government in full consideration of the Well-being Goals as presented within the Well-being Act. It makes the link that the goal for a more equal Wales can be achieved by promoting employment and enterprise opportunities and building on economic strengths.

9.279 TAN 23 (Economic Development) also states (at para 1.2.5) that "*local planning authorities should recognise market signals and have regard to the need to guide economic development to the most appropriate locations, rather than*

prevent or discourage such development” and further emphasises that while planning should seek ‘win-win’ outcomes whereby economic objectives are not necessarily in conflict with environmental and social objectives 2.1.1 where economic development would cause environmental or social harm which cannot be fully mitigated, careful consideration of the economic benefits will be necessary (para.2.1.2).

9.280 Chapter 7 of the submitted ES addresses socio-economic factors relating to the development in detail. In particular, it notes that : -

- The [Cardiff Capital Region Industrial and Economic Plan \(2019\)](#) sets out the priorities facing the region over the next 20 years; Indicates that the region performs relatively poorly in terms of economic productivity and competitiveness when compared to other UK regions; Recognises that infrastructure is a key priority in boosting productivity and prosperity including employment spaces to meet the needs of businesses; and outlines the need to target the most deprived communities by supporting regenerative growth
- The [Cardiff Capital Region City Deal Strategic Business Plan Wider Investment Fund 2021-2026](#) sets out the current understanding of what is required to achieve Cardiff City Region’s long-term objectives, including (under prosperity and opportunity) the need to nurture the economic environment by providing the right infrastructure and supporting all businesses to become more productive such as by enhancing the business climate.

9.281 In establishing the baseline context, it is pertinent to note that the site is located in an area that is extremely deprived in terms of income, employment, health, education, community safety and physical environment. Moreover when focusing on the Employment and Income domains of deprivation – the site being in the 10% most **employment deprived** in Wales - the surrounding area shows a particularly high percentage of residents in receipt of employment and income-related benefits and tax credits, highlighting the need for the employment opportunities that the proposed development provides of which a proportion will be entry-level roles making them accessible to a wide range of skills levels.

Construction Effects

9.282 The submission indicates that the capital construction cost of the development is £52m. This will represent a significant injection of private sector investment within Cardiff in the short term which in turn will support direct and indirect employment as well as generate economic output. It is expected that the redevelopment of the Site will take approximately 20 months.

9.283 In terms of direct employment from construction, while the number of construction workers on-site at any one time will vary as the development phases progress, the ES calculates that there would be 437 construction jobs throughout the build, which is the equivalent of 273 jobs per year of

construction. The estimated level of employment over the construction period represents a 5% increase in the number of construction jobs in Cardiff.

9.284 Applying additionality assumptions to the estimated direct construction jobs it is estimated that the Proposed Development is likely to support a further 549 indirect jobs across Wales during the construction period and 290 jobs indirect jobs in Cardiff.

9.285 In terms of economic Value Added, the contribution of construction work to the economy can be measured by Gross Value Added (GVA)n which is a measure of the contribution to GDP made by an individual producer, industry, sector or in this case development. The average GVA in the Welsh construction industry is £75,823 per worker, such that applying this to the direct construction employment impact of the proposed development results in a direct GVA of over £33 million over the build period.

Operational Employment

9.286 It is anticipated that the proposed development will be operational in 2025. The precise number of jobs that will be supported will depend on the end-users that occupy the scheme, however it is possible to estimate the employment generation by applying average employment densities to the proposed commercial floorspace. In this respect it has been assumed that the scheme will deliver either 100% B2 space or 100% B8 floorspace (providing the highest and lowest estimation employment numbers).

9.287 It is estimated that there will be between 344 and 619 jobs created within the Proposed Development. To ensure that residents benefit from the new jobs created it is advised that the applicants should consider the development of an employment and skills plan with Cardiff Council to ensure local people have access to employment opportunities.

9.288 As identified on table 2 below, it has been estimated that the Proposed Development could support between 344 – 619 jobs.

Use Class Type	Floorspace GEA (sqm)	Employment Density	Conversion 1	Total Jobs	FTE Jobs
Drive Thru (Use Class E)	410	1 job per 20sqm2	0.8	16	11
B2/B8	22,788	B2 applies 1 job per 36sqm	0.95	326 to 601	297 to 573
		B8 applies 1 job per 70sqm	1		
Park and Ride	-	Operators estimate	-	2	2
Gross Jobs				344 – 619	310 – 586
Net Jobs (minus 2 jobs on Site)				342 – 617	308 – 584

Source: HCA Employment Density Guide (2015)

Table 2: Direct Employment (Operational)

- 9.289 It could reasonably be expected that the new jobs created will primarily fall within the retail and warehouse/distribution sectors, which would support jobs at a range of skill levels to provide employment opportunities for residents and help to diversify the local economy.
- 9.290 In addition to the 344 – 619 direct jobs, some indirect employment would also be created by additional spending on goods and services by the new employment-generating occupiers of the Site. In this context, the ES estimates that the development would support up to an additional 356 jobs in Cardiff and 464 across Wales. Overall, this represents an estimated indirect job providing an uplift in the total number of jobs in Cardiff by 0.2%.
- 9.291 In terms of economic Value Added, the average GVA in the Welsh wholesale and retail trade industry is £35,827 per worker, and applying this to the direct operational employment impact of the proposed development results in direct GVA of between £12 and £22 million per annum.

Local Employment Opportunities

- 9.292 The submissions also indicate the opportunity for measures or initiatives to maximise the local benefits of the scheme. Examples of such measures may include: providing full and fair employment opportunities, training and education opportunity for residents; encouraging procurement opportunities for local businesses to source products and services locally where possible and practical; and, establishing links with local businesses to offer training and employment opportunities via work experience and apprenticeship schemes.

SECTION 106 PLANNING OBLIGATIONS

- 9.293 Policy KP7 (Planning Obligations) states that “planning obligations will be sought to mitigate any impacts directly related to the development and will be assessed on a case-by-case basis in line with Planning Policy Guidance”.
- 9.294 The supporting text emphasises that new development often generates additional demands upon existing services, facilities, infrastructure and the environment, with planning obligations being a means of seeking contributions from developers towards these demands, as well as negotiating benefits that improve the standard of development proposals by providing necessary infrastructure and community benefits.
- 9.295 The Planning Obligations SPG sets out the Council’s approach to planning obligations when considering applications for development in Cardiff, providing further guidance on how the policies set out in the LDP are to be implemented.
- 9.296 The Community Infrastructure Levy Regulations 2010 came into force on 6th April 2010 in England and Wales. They introduced limitations on the use of planning obligations (Reg. 122 refers), and state that a planning obligation may only legally constitute a reason for granting planning permission if it is: (a) necessary to make the development acceptable in planning terms; (b) directly related to the development; and (c) fairly and reasonably related in scale and

kind to the development.

9.297 In view of the type and form of development proposed, having regard to local circumstances and needs arising from the development, the need for planning obligations which are considered necessary to make the development acceptable in planning terms and to meet the policy and legislative tests for planning obligations relate specifically to highway and biodiversity matters, each requiring off-site contributions or implementation of agreed works.

9.298 Such matters are addressed in the main body of this report, but in summary the proposed broad Heads of Terms for the required section 106 agreement are therefore as follows: -

- Timing / Delivery of Bridge Crossing, together with all necessary controls to restrict/enforce against use by all vehicles other than public transport during peak hours
- Delivery of or financial contribution to provide improved Crossing Facilities (new Zebra crossing with adjacent cycle crossing) across Pentwyn Road, as identified in Transport Assessment.
- Delivery of or financial contribution to provide improved lighting to 2 no. underpasses under A48 at each end of site
- Updates to the Dormouse Impact Assessment, the provision of confirmed dormouse bridge locations (to link Off-site habitat creation areas to existing habitat; including long term maintenance), Landscaping Implementation plan – Offsite (including as appropriate, any necessary bond/guarantee) and updated Green Infrastructure and Landscape Management Plan – Offsite
- Financial contribution of £80,800 towards off-site Woodland / Tree Planting.

9.299 Having regard to the legal and policy test outlined above, it is clear that the requested monies are necessary and reasonable to mitigate the impacts of the proposed development and thus ensure that the proposal accords with planning policy.

OVERALL ASSESSMENT – ‘THE PLANNING BALANCE’

9.300 PPW11 refers to the need to assess the Sustainable Benefits of Development and (at 2.27) emphasises that Planning authorities should ensure that social, economic, environmental and cultural benefits are considered in the decision-making process and assessed in accordance with the five ways of working to ensure a balanced assessment is carried out to implement the Well-being of Future Generations Act and the Sustainable Development Principle.

9.301 Paragraph 3.38 of PPW states that the countryside is a dynamic and multi-purpose resource. In line with sustainable development and the national planning principles and in contributing towards placemaking outcomes, it must be conserved and, where possible, enhanced for the sake of its ecological, geological, physiographic, historical, archaeological, cultural and agricultural value and for its landscape and natural resources. The need to conserve these attributes should be balanced against the economic, social and recreational needs of the local communities and visitors.

9.302 There may be occasions when one benefit of a development proposal outweighs others, and in such cases robust evidence should be presented to support these decisions, whilst seeking to maximise contributions against all the well-being goals.

9.303 Key factors in the assessment process include:

- *Social Considerations*, including: - who are the interested and affected people and communities; who will benefit and suffer any impacts from the proposal; what are the short and long-term consequences of the proposal on a community;
- *Economic Considerations* including: - the numbers and types of long term jobs expected to be created or retained; whether, and how far, the development will help redress economic disadvantage or support regeneration priorities, for example by enhancing local employment opportunities;
- *Cultural Considerations* including: - how far the proposal supports the conditions that allow for the use of the Welsh language; whether or not the development protects areas and assets of cultural and historic significance; have cultural considerations and their relationships with the tourism industry been appropriately maximised; and
- *Environmental Considerations* including: - will important features of the natural and built environment be protected and enhanced; are the environmental impacts of development on health and amenity limited to acceptable levels and the resilience of ecosystems improved.

9.304 At 2.29 it further refers to the need to have an integrated approach to balancing priorities against policy on an individual basis, which enables the full range of costs and benefits over the lifetime of development to be taken into account.

9.305 Section 5 of PPW11 provides further emphasis on the need to develop 'Productive and Enterprising Places' which promote our economic, social, environmental and cultural well-being by providing well-connected employment and sustainable economic development.

9.306 The role of the Local Planning Authority is therefore to balance the weight to be attributed to each of the positive and negative impacts of the development and come to a balanced conclusion as to whether the development is acceptable or not.

Balancing Environmental, Social and Economic Impacts

9.307 The assessment above has concluded (amongst other things) that: -

- the development broadly complies with Future Wales, and although there are identified impacts from the development, it would also in principle accord with the Cardiff Local Development Plan.

- The proposed development would have no unacceptable impacts on biodiversity in the long term, would ensure adequate on-and off-site compensation for impacts on protected species and trees, and would provide biodiversity enhancement, subject to implementation of the proposed mitigation and enhancement measures which can be required by condition and legal agreement;
- Amenity impacts from both construction and operation of the facility can be adequately controlled via planning conditions in order to avoid unacceptable impacts; and
- There would be no unacceptable impact on other matters including Highways, drainage, and heritage.

9.308 Notwithstanding the above, as noted in section 5, during the course of determination of the current application Planning Policy Wales 11 was partially updated on 11 October 2023 when an updated [Chapter 6](#) came into effect, which places a stronger emphasis on taking a proactive approach to green infrastructure, securing net benefit for biodiversity, strengthening the protection of Sites of Special Scientific Interest (SSSIs) and giving more consideration to the protection and enhancement of trees and woodlands.

9.309 The following impacts arising from the development, are matters that should be given significant weight following the Chapter 6 update: -

- The construction of new built development on open space in the River Corridor;
- The need to provide on- and off-site mitigation / compensation to ensure no unacceptable impact on protected species;
- A 1.14Ha loss of on site woodland. Including significant number of category B trees
- It will take many years (decades) for the compensatory on- and off-site woodland planting to achieve the same size and impact of the lost mature trees (albeit long term canopy coverage should increase)
- The scheme only achieves a 20m buffer zone to the Ancient Woodland, which is less than the 30m sought by the Council's Tree Officer

9.310 Set against these impacts, however, are the wider economic benefits that would arise from the development, notably as set out in 9.278 onwards above.

9.311 For planning purposes the Welsh Government defines economic development as "*the development of land and buildings for activities that generate sustainable long term prosperity, jobs and incomes*", and having regard to the above and all identified impacts within this report, the following matters are of particular note and should be given appropriate weight in the 'planning balance':-

- The proposed development will enable delivery of a new public transport / active travel bridge to improve links between the communities of Llanrumney, Rumney, Pentwyn and Llanedeyrn, providing better links to

employment, schools and green spaces including the Rumney Trail. Additionally, the new Active Travel infrastructure to be provided in the future as part of the LDP North East Cardiff development will further enhance and complement connectivity of the emerging Cycle Super Highway networks links.

Control of the use of the bridge at morning and evening peaks will encourage modal shift in line with the Council's transport objectives and targets. This will create a significant improvement to bus priority measures and should consequently attract more bus passengers as service provision will become more reliable. A direct link onto the A48 at peak times for buses will provide access to existing bus priority measures and enable quicker (limited stop services) access into the city centre.

Providing access to the park and ride facility will also increase the range and choice of bus service to local residents providing better access to employment destinations at Cardiff Gate, the city centre, Heath Hospital and further afield.

Outside of peak periods, car movements from and to Llanrumney will have improved access to the strategic highway network. The proposed new bridge connection would allow faster bus journeys westwards towards the city centre and Heath Hospital. It would also provide the opportunity for rapid bus connections to the new railway station being developed at Cardiff Parkway in St Mellons.

- Although there will be a reduction in car parking numbers, the changes to the park and ride along with the opportunity for buses to be routed through the site, will improve the facility and encourage greater use and improve sustainable travel into Cardiff. This will directly improve residents' access to services which will help improve the deprivation of the area.
- The delivery of a significant quantum of new employment floorspace, including trade counters and drive thru units, and the subsequent increase in employment for a range of occupations and skill levels.
- There will be short-term economic benefits during the construction phase, and long term/ permanent benefits at operational level, through direct employment of between 344 – 619 jobs, and supporting up to an additional 356 jobs in Cardiff and 464 across Wales.
- The mixed-use nature of the proposals has the potential to facilitate wider regeneration for this part of Cardiff and is likely to stimulate catalytic regeneration which will have a direct impact on the prosperity of residents, and further benefit the wider area through an increase in local spending.

9.312 It is also notable that Future Wales Policy 3 – Supporting Urban Growth and Regeneration – encourages the Public Sector to “unlock the potential of their land” and to “take an increased development role, showing leadership and

applying placemaking principles to support growth and regeneration for the benefit of communities across Wales”.

9.313 In this regard it is notable that the development has come forward on land owned by the Council, and forms part of a wider ‘Llanrumney Development Strategy’, seeking to enable delivery of the new bridge and road link (which would be predominantly funded and delivered through the development, with a partial contribution by the Council) to connect the A48 to the Llanrumney ward as part of the Council’s ‘East Cardiff Industrial Strategy’.

9.314 The East Cardiff Industrial Strategy: -

- identifies transport improvements as the key driver to unlocking access to employment opportunities for local communities, with the proposed new bridge link “*to provide improved public transport connectivity*” being identified as a key project.
- outlines the need for investment in connectivity to improve the economic outcomes of the area: “*New and improved cross-area active travel links allowing access to work and skills development and linking staff to social infrastructure, open space and local retail facilities, supporting the local economy. Links may double as recreational routes and safe routes to schools.*”
- aims to ensure that residents of existing communities in the East of Cardiff have better access to new job opportunities on their doorstep.

9.315 As noted earlier, the generally positive and permissive Technical Advice Note 23 (Economic Development) emphasises that where economic development would cause environmental or social harm which cannot be fully mitigated, careful consideration of the economic benefits will be necessary.

9.316 In this regard, and having particular regard to the advice in PPW and TAN23, along with the guidance on post Covid-19 recovery in Wales: *Building Better Places: The Planning System Delivering Resilient and Brighter Futures*, and having considered the likely significant effects of the development on the environment – which can largely be mitigated by conditions – it is concluded that in the overall planning balance the proposal would create significant social and economic benefits which would outweigh the identified impacts caused by the development.

9.317 Overall, these support the conclusion that subject to conditions and the requisite legal agreement to address the need for off-site compensation, planning permission should be granted for the development.

Other Matters Not Assessed Above

9.318 As identified earlier in this report, 2 no. representations were received in response to the publicity exercise, neither ‘objecting’ but raising areas of concern. In response to the main issues raised which have not been

addressed elsewhere in this report, the following comments are made:

- There are currently no proposals to limit access off-peak for HGVs, including any coaches using Cardiff City Academy/BMX/Rugby Club etc. nor is it considered that there are foreseen issues in respect of any potential unacceptable impacts arising from use by HGVs. However, the Highway Authority has powers to consider any further limitations should future use create unforeseen issues affecting the highway network;
- Cycle lanes are provided on the new bridge as a safer, active travel connection
- Potential vandalism is not a material planning matter, however the bridge and footpath underpasses will be appropriately lit.
- On & off slips A48 - There is no requirement identified for improvements to the existing slip roads.
- Drainage will be addressed through the need for Sustainable Drainage Approval.
- In response to suggestions for an 'out' only flow for cars in the morning peak and an 'in' only flow for cars at the evening peak, it is emphasised that the bridge is proposed primarily to enhance active travel infrastructure, and it is important to ensure any use by private vehicles does not undermine such objectives and justification.
- Subject to highway conditions, officers are satisfied that there would be no unacceptable effects on queueing or backlog on Hartland Road.

10 CONCLUSION

- 10.1 The decision to recommend planning permission has been taken in accordance with Section 38 of The Planning and Compulsory Purchase Act 2004, which requires that, in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises the Cardiff Local Development Plan (2011–2026) adopted January 2016. In addition, the Council, in accordance with Section 3(3) of the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017, has taken all the environmental information into consideration.
- 10.2 The technical assessments that have been prepared in support of the planning application have demonstrated that there will be no unacceptable effects arising from the proposed development in terms of landscape and visual impacts, while impacts on biodiversity / ecology can be mitigated through condition and legal agreement. Moreover, identified impacts will, in any event, be outweighed by the clear economic and social benefits arising from the development and the associated construction of the new bridge link to Llanrumney. Any short-term impacts of the construction phase of development will be mitigated through conditions.
- 10.3 The proposed development is fully in accordance with the provisions of national planning guidance as well as those policies of relevance within the Local Development Plan. As such, it is considered that there is a compelling case for approval of the development.

10.4 Accordingly, the proposed development is in accordance with Future Wales, in particular: Policies 1, 3, 9 and 33, and LDP Policies KP4, KP5, KP6, KP7, KP15, KP16, KP18, C4, C4, EN3, EN4, EN5, EN6, EN7, EN8, EN11, EN12, EN13, EN14, R1, R8, T1, T2, T5, T6, T8 and W2, and approved Green Infrastructure SPG.

11 OTHER MATTERS RELEVANT TO THE CONSIDERATION OF THIS APPLICATION

11.1 Crime and Disorder Act 1998. Section 17(1) of the Crime and Disorder Act 1998 imposes a duty on the Local Authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. This duty has been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable increase in crime and disorder as a result of the proposed decision.

11.2 Equality Act 2010. 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. It is considered that the proposed development does not have any significant implications for, or effect on, persons who share a protected characteristic, over and above any other person.

11.3 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. It is also noted that section 2(5) of the Planning (Wales) Act 2015 affords protection to decisions taken under Part 3 of the 1990 Act, in that the Well-being of Future Generations (Wales) Act 2015 does not alter whether regard is to be had to any particular consideration under section 70(2) of the 1990 Act or the weight to be given to any consideration to which regard is had under that subsection. This means the provisions of the development plan, so far as material to the application, and any other relevant other material considerations remain the primary considerations when determining planning applications.

11.4 Section 6 of Environment (Wales) Act 2016 subsection (1) imposes a duty that a public 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 subsection (1), a public authority must take account of the resilience of ecosystems, in particular the following aspects:

- (a) Diversity between and within ecosystems;
- (b) The connections between and within ecosystems;
- (c) The scale of ecosystems;
- (d) The condition of ecosystems (including their structure and functioning);
- (e) The adaptability of ecosystems.

It is considered that the LPA has considered its duty under this Act and has met its objectives for the reasons outlined above.

12 RECOMMENDATION

12.1 RECOMMENDATION 1:

That planning permission be **GRANTED** subject to the relevant parties entering into a binding legal agreement 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 paragraph 9.298 of this report and the conditions listed below.

12.2 RECOMMENDATION 2:

That delegated authority is given to the Head of Planning & Operational Manager: Strategic Development & Placemaking, to make changes to the conditions subject to consultation with the Chair of Planning, up to the point where the planning permission issued.

12.3 CONDITIONS

Time Limit

1. The development permitted shall be begun before the expiration of five years from the date of this planning permission.

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990.

Approved Plans

2. The development, unless otherwise required by the ensuing conditions, shall be carried out in accordance with the following approved plans and details:
 - Proposed Site Plan Dwg no. 7528 MEIN-XX- XX-DR-A-70-003 Rev P19 (in respect of building and hardscape only).
 - Proposed Public Rights of Way Dwg no. 7528-MEIN-XX-XX-DR-A-70-007 Rev P16
 - Public Rights of Way Dwg no. 7528-MEIN- XX-XX-DR-A-70-021 Rev P12
 - Tree Constraints Plan Dwg no. 7528- MEINXX-XX-DR-A-70-005 Rev P12
 - On and Offsite Supplementary Habitat Planting 7528-MEIN-XX-XX-DR-A-70-025 P12

- External Lighting Sec 1/3 Dwg no. 10341- EXT-100 Rev P14
- External Lighting Sec 2/3 Dwg no. 10341- EXT-101 Rev P14
- External Lighting Sec 3/3 Dwg no. 10341- EXT-104 Rev P1
- Existing Park and Ride Lux Levels Drawing no, 10341-EXT-103 Rec P01
- Proposed Block Plan Dwg no. 7528-MEIN- XX-XX-DR-A-70-004 Rev P9
- Landscape and Boundaries Plan Sheet 01 Dwg no. 7528-MEIN-XX-XX-DR-A-70-008 Rev P9
- Landscape and Boundaries Plan Sheet 04 Dwg no. 7528-MEIN-XX-XX-DR-A-70-011 Rev P8
- Landscape and Boundaries Plan Sheet 06 Dwg no. 7528-MEIN-XX-XX-DR-A-70-013 Rev P4
- Landscape and Boundaries Plan Sheet 07 Dwg no. 7528-MEIN-XX-XX-DR-A-70-014 Rev P5
- Indicative Landscape Strategy Plan Dwg no. 2190-21-01 S5 Rev P22
- Off Site Dormice Habitat Landscape Plan 2190- 21-07 S5 P3
- Proposed Drainage Layout Dwg no. 210204- PIN-XX-XX-DR-C-02302 Rev P14
- Photogrammetric Layout – 7528-70-003
- General Arrangement Dwg no. 70071035- WSP-XX-XX-CE-DR-101 Rev P04
- Proposed Highway Drainage Dwg no. 70071035-WSP-XX-XX-CE-DR-500 Rev P04
- Landscape and Boundaries Plan Sheet 02 Dwg no. 7528-MEIN-XX-XX-DR-A-70-009- Rev P4
- Landscape and Boundaries Plan Sheet 03 Dwg no. 7528-MEIN-XX-XX-DR-A-70-010 Rev P3
- Landscape and Boundaries Plan Sheet 05 Dwg no. 7528-MEIN-XX-XX-DR-A-70-012 Rev P4
- 3000mm Wide Self Bound Gravel Footpath Dwg no. 2190-21-04 S5
- Typical Planting Details Dwg no. 2190-21-03 S5
- External Levels Dwg no. 210204-PIN-XXXX-DR-C-02100 Rev P04
- Swept Paths Dwg no. 70071035-WSP-XX-XX-CE-DR-102 Rev P02
- Highways Contours Dwg no. 70071035- WSP-XX-XX-CE-DR-700 Rev P02
- Highways Chainages Dwg no. 70071035- WSP-XX-XX-CE-DR-701 Rev P01
- Highway Long Section Dwg no. 70071035- WSP-XX-XX-CE-DR-702 Rev P02
- Highways Lighting and Signals Dwg no. 70071035-WSP-XX-XX-CE-DR-1300 Rev P01
- Proposed Viaduct General Arrangement Dwg no. 70071035-STR-001 Rev P05
- GA Plan & Elevations - Plot 01 Dwg no. 7528-MEIN-XX-XX-DR-A-20-010
- GA Plan & Elevations - Plot 02 Dwg no. 7528-MEIN-XX-XX-DR-A-20-020
- GA Plan & Elevations - Plot 03 Dwg no. 7528-MEIN-XX-XX-DR-A-20-030 P3
- Proposed GA Plan L00 - Plot 04 Dwg no. 7528-MEIN-XX-XX-DR-A-20-040 P3
- Proposed GA Plan L01 - Plot 04 Dwg no. 7528-MEIN-XX-XX-DR-A-20-041 P3
- Proposed GA Elevations - Plot 04 Dwg no. 7528-MEIN-XX-XX-DR-A-20-042 P3
- Proposed GA Plans - Plot 05 Dwg no. 7528-MEIN-XX-XX-DR-A-20-050 P3
- Proposed GA Elevations - Plot 05 Dwg no. 7528-MEIN-XX-XX-DR-A-20-051 P3
- Proposed GA Plans - Plot 06 Dwg no. 7528-MEIN-XX-XX-DR-A-20-060 P2
- Proposed GA Elevations - Plot 06 Dwg no. 7528-MEIN-XX-XX-DR-A-20-061

P2

- Proposed GA Plan L00 - Plot 08 Dwg no. 7528-MEIN-XX-XX-DR-A-20-080 P2
- Proposed GA Plan Mez - Plot 08 Dwg no. 7528-MEIN-XX-XX-DR-A-20-081 P2
- Proposed GA Elevations - Plot 08 Dwg no. 7528-MEIN-XX-XX-DR-A-20-082 P2
- Site Location Plan Dwg no. 7528-MEIN-XX-XX-DR-A-70-001 P3
- Existing Site Plan Dwg no. 7528-MEIN-XX-XX-DR-A-70-002 P3
- Existing Constraints Plan Dwg no. 7528-MEIN-XX-XX-DR-A-70-006 P3
- Existing Public Rights of Way Dwg no. 7528-MEIN-XX-XX-DR-A-70-022 P2

Reason: To ensure satisfactory completion of the development and for the avoidance of doubt in line with the aims of Planning Policy Wales to promote an efficient planning system.

Pre-Commencement Conditions

3. No development shall commence until a **phasing schedule and plan**, to include the delivery of the bridge, phasing of Green Infrastructure and improvements to the Active Travel infrastructure within the site (see condition 13), has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved phasing plan.

Reason: To ensure an orderly form of development in accordance with Local Development Plan Policies KP4 (Masterplanning Approach) and KP5 (Good Quality and Sustainable Design).

4. Construction Environmental Management Plan
Notwithstanding the submitted details, no development, including site clearance, shall commence until such time as a finalised **Construction Environmental Management Plan (CEMP)** (updating the *Construction Environmental Management Plan Cardiff East Park and Ride Commercial Park, Curtis Hall, Rev 2*) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall, as a minimum, include the following:
 - i) details of site hoardings, site access and wheel washing facilities;
 - ii) a strategy for the delivery of plant and materials;
 - iii) the parking of vehicles of site operatives and visitors;
 - iv) loading and unloading of plant and materials;
 - v) storage of plant and materials used in constructing the development
 - vi) a plan identifying the location of any site compound;
 - vii) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - viii) Control of Nuisances: details of restrictions to be applied during construction including timing, duration and frequency of works; details of measures to minimise noise and vibration; details of dust control measures and measures to monitor emissions of dust arising from the development; measures to control light spill and the conservation of dark skies.

- ix) Traffic Management: access routes, wheel washing facilities, site hoardings, delivery and storage of plant and materials; dedicated vehicle access routes (including any temporary traffic regulation orders required), traffic management proposals and habitat protection measures.
- x) a scheme for recycling/disposing of waste resulting from demolition and construction works.
- xi) Pollution prevention: Measures to ensure relevant Guidelines for Pollution Prevention and best practice will be implemented, covering GPP1, GPP5, GPP8, and GPP21, including:
 - i. Storage of plant and materials (including details and approximate quantities of any chemicals and fuels) – including unloading, containment, bunding and/or appropriate buffer zones, including from any drain.
 - ii. How drainage will be controlled at source to prevent release of soil from the site, wastewater and contaminants, including wheel washing facilities, during construction to the storm water system
 - iii. Measures to monitor mobilisation of contaminants (water)
 - iv. Emergency spill procedures and incident response plan that will be followed in light of any spill at the site.
- xii) Soil Management: details of topsoil strip, storage and amelioration for re-use. (The Soil Resource section to be updated in line with the Soil Resources Plan with clear reference to the documents)
- xiii) A Biodiversity Section (updating the submitted 'Ecological Construction Method Statement' (EDP, January 2020) to include: -
 - a. The appointment and role and responsibilities on site, of a suitably competent Ecological Clerk of Works (EcoW) or similarly competent person, and recording/reporting procedures to cover all key ecological activities undertaken i.e. briefings, post construction surveys, habitat watching briefs and specific species/species group watching briefs and the general outcome (noting requirement to update with a table for inputting lines of communication and emergency contact details and that of the preferred Ecological Consultant. Emergency procedures for environmental incidents and response details shall be added, including that of NRW). ECoW daily logs shall be kept and provided to the Local Planning Authority on a monthly basis for the duration of works.
 - b. Identification of "biodiversity protection zones" (including amended ecotone) and the means to prevent impacts i.e. protection, modification etc;
 - c. Relevant protection and mitigation that has been determined to be required to be implemented to protect the Rhymney River SINC.
 - d. Expanded, site specific measures for the protection and initial survey, management of retained ecological and arboricultural assets:
 - Woodlands and Trees.
 - Grasslands.
 - Dormice.
 - Bats.
 - European hedgehog.

- Badger.
 - Otter (survey of both banks).
 - Birds.
 - Amphibians and Reptiles.
- e. Reference to supporting documentation that must be implemented during construction i.e. the SUDS Design, Lighting Design Strategy (for biodiversity), tree protection details in relation to BS5837:2012 (and any other relevant documents), that indicate mitigation/works during construction activities, that run in parallel with construction and are covered separately..
- f. The procedure for incidental finds.
- xiv) Details of the persons and bodies responsible for activities associated with the CEMP and emergency contact details.

All development shall be undertaken in full accordance with the approved CEMP.

Reason: In the interests of highway safety, and protection of the environment, biodiversity, pollution prevention and public amenity during construction in accordance with Local Development Plan Policies KP16, T5 (Managing Transport Impacts), T6 (Impact on Transport Networks and Services), EN6 (Ecological Networks and Features of Importance for Biodiversity), EN7 (Priority Habitats and Species), EN8 (Trees, Woodlands and Hedgerows), EN10 (Water Sensitive Design), and EN13 (Air, Noise, Light Pollution and Land Contamination).

5. No development, including site clearance, shall commence until such time as an **Invasive Non-native Species Management Plan** for the management of invasive non-native plant species that are extensive at the site, including measures to control, remove or provide long-term management of invasive non-native species both during construction and operation, has been submitted to and approved in writing by the local planning authority. The management plan shall follow the order of that below:
- Provide an introduction to the site, and the proposed works.
 - The legislation pertaining to the known invasive species (and others that could occur).
 - Appropriate buffer zones to prevent further spread/containment, which includes where roots may occur.
 - The methods/duration of control (this could be multiple years), supervision/operative involved, removal/disposal procedures (in line with waste transfer etc) should the species be impacted directly.
 - Methods to stabilise the ground (erosion matting), prevent runoff and prevent secondary colonisation by invasive species following eradication.
 - Biosecurity procedures for the decontamination of tools/machinery.
 - Drawing/s indicating location and extent that will be subject to eradication and/ or control.
 - A review procedure to update maps of invasive non-native species

extent and that of the whole document to relate to drawings and any additional invasive non-native species encountered.

- Monitoring duration.

All works within the approved INNS shall be implemented in accordance with the approved details.

Reason: Since INNS are known to be present at the site, control mechanisms are required for the general protection of biodiversity and prevention of the spread of invasive species to ensure accordance with Schedule 9 of the Wildlife and Countryside Act 1981 (as amended).

6. No development, including site clearance, shall commence until such time as the following have been submitted to and approved in writing by the Local Planning Authority (LPA) in accordance with the current British Standard 5837:

- An **Arboricultural Method Statement (AMS)** detailing the methods to be used to prevent loss of or damage to retained trees within and bounding the site (including use of no dig method, and ensuring no more than 20% of the RPA of retained trees can be covered by a hard surface where a new road or footpath is to be put in place within the Root Protection Areas of retained trees where there is no existing surface), and existing structural planting or areas designated for new structural planting.

The AMS shall include details of site monitoring of tree protection and tree condition by a qualified arboriculturist, undertaken throughout the development and after its completion, to monitor tree condition. This shall include the preparation of a chronological programme for site monitoring and production of site reports, to be sent to the LPA during the different phases of development and demonstrating how the approved tree protection measures have been complied with.

- A **Tree Protection Plan (TPP)** in the form of a scale drawing showing the finalised layout and the tree and landscaping protection methods detailed in the AMS that can be shown graphically.

The development shall be carried out in full conformity with the approved 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 in accordance with Policy KP15, KP16, and EN8 of the Cardiff Local Development Plan 2006-2026.

7. No development shall commence on any part of the site affecting the existing **access to Flood Defences** (for maintenance purposes) until such time as a new 4m wide flood defence access has been provided (off Clovelly Crescent adjacent to / through the new housing development), in accordance with details that shall first have been submitted to and approved in writing by the Local

Planning Authority. The new 4m wide access shall thereafter be retained at all times.

Reason: To ensure that Natural Resources Wales (NRW) has unimpeded managed access to their flood defences at all times.

8. Notwithstanding details provided within the submitted Woodland Management Plan, no development shall take place until 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:

- i) A statement setting out the design objectives and how these will be delivered;
- ii) earthworks showing existing and proposed finished levels or contours;
- iii) Detailed scheme for amenity areas around the drive-throughs and the amenity terrace and seating areas (having regard also to pedestrian movement, cycling facilities and crossing points to encourage greater active travel)
- iv) means of enclosure and retaining structures;
- v) other vehicle and pedestrian access and circulation areas;
- vi) hard surfacing materials;
- vii) minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, etc.),
- viii) water features.
- ix) A soft landscaping implementation programme.
- x) Soft landscape works shall include:
 - a. Scaled planting plans prepared by a qualified landscape architect.
 - b. Schedules of plant species, sizes, numbers and densities prepared by a qualified landscape architect.
 - c. Scaled tree pit sectional and plan drawings prepared by a qualified landscape architect that show the Root Available Soil Volume (RASV) as per the Cardiff Council Green Infrastructure Supplementary Planning Guidance, for each tree (as appropriate) and expressed in cubic metres, where the tree will be growing in a constrained bed such as a car park or narrow verge.
 - d. The inclusion of standard trees that will be of wholly native species, their cultivars or non-native species but whose genus is represented in Wales and has the potential to support native invertebrate species. It is also expected that within car parking areas, a large number of trees will be indicated that can reach substantial size (with appropriate root available soil volumes to match).
 - e. A methodology to ensure that should any hazel stool translocation take place, that this is in line with arboricultural best practice.
 - f. Topsoil and subsoil specification for all planting types, including full details of soil assessment in accordance with the Cardiff Council Soils and Development Technical Guidance Note (Soil Resource Survey and Plan), soil protection, soil stripping, soil storage, soil handling, soil amelioration, soil remediation and soil placement to ensure it is fit for purpose. The SRS and SRP shall be prepared by

a soil scientist in full accordance with the DEFRA Construction Code of Practice for the Sustainable Use of Soils on Construction Sites. The SRS and SRP shall incorporate trial pit and laboratory testing to characterise and quantify the soil resource and its suitability for re-use in-situ and site won, to support proposed landscape types. The SRP shall include full details of auditable site monitoring of soil handling operations by a soil scientist, to include reporting to the LPA to demonstrate compliance accordingly. Where imported planting soils are proposed, full specification details shall be provided including the parameters for all imported planting soils to demonstrate they are suitable for the specific landscape type(s) proposed. Parameters shall include profile depths, textural range, nutrient status, pH on placement, drainage performance and other factors relevant to their functionality in supporting the landscape type. The SRS, SRP and topsoil and subsoil specification shall inform planting plans, tree pit sections, planting methodologies and aftercare specifications.

- g. Planting methodology and post-planting aftercare methodology prepared by a qualified landscape architect, including full details of how the landscape architect will oversee landscaping implementation and report to the LPA to confirm compliance with the approved plans and specifications.
- h. Evidence to demonstrate that existing and proposed services, lighting, CCTV, drainage and visibility splays will not conflict with proposed planting.
- i. an implementation programme (including phasing of work where relevant).

The submitted 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 and environmental value of the area, to offset loss of trees, enhancing biodiversity and mitigating the effects of climate change and to monitor compliance in accordance with Local Development Plan Policies KP5, KP15 and KP16 of the Cardiff Local Development Plan 2006-2026.

9. Reptile Mitigation Strategy. Prior to any works commencing in respect of vegetation removal and/or earth works, a Reptile Mitigation Strategy shall have been submitted to and approved in writing by the Local Planning Authority. The Strategy shall include:

- An introduction to the site, baseline data and reasoning for the overarching strategy;
- Discussion of UK reptile species that could be encountered, including reference to relevant legislation and the Environment (Wales) Act 2016.

- The methods for habitat clearance, duration, limits on the clearance area per day, how destructive searching will take place (and limits), and how the site will remain unsuitable for reptiles.
- Time of year.
- An agreed appropriate release site for reptiles.
- The requirements of Ecological Clerk of Works supervision;
- Stop works procedure – If more than 5 reptiles of any species are found and a requirement for immediate consultation with the County Ecologist, to agree an amended strategy and receptor site, prior to any works recommencing. This is in light of the limited reptile survey extent.
- The logging of actions/species numbers during the works;
- Delivery of a toolbox talk for operatives, this shall include a signing sheet at the end of the strategy, so that this document can also act as a Toolbox Talk.
- Additional requirements to be considered in light of identifying reptiles at the site:
 - Potential requirement for a more defined translocation i.e., use of artificial refugia and an agreed trapping duration.
 - Identification of an appropriate receptor site, that will be subject to initial management, inclusion of appropriate feature for reptiles i.e., refugia/hibernacula.
 - Site management requirements following translocation to the onsite receptor from between 5-25 years;
 - Who will undertake management and the funding arrangements;
 - Monitoring requirements;
 - Appropriate drawings; and
 - An overarching table summarising keys work/monitoring/management timings.

Reason: To ensure compliance with The Wildlife and Countryside Act 1981 (as amended), the duty to maintain biodiversity as required as part of the Environment (Wales) Act 2016 as part of Local Planning Authority functions and to comply with EN7 of the City of Cardiff Council Local Development Plan.

10. Prior to any works commencing in respect of vegetation removal and/or earth works, a **Badger Walkover Survey** (which shall have been undertaken no greater than 3 months prior to vegetation removal or earth works) shall have been conducted, with a report in line with CIEEM Guidelines for Ecological Report Writing, submitted to and approved in writing by the Local Planning Authority. The survey shall follow that of Surveying for Badger (Harris et al., 1989) and Badger Protection: Best Practice Guidance for Developers, Ecologists and Planners (Wales) (Badger Trust, 2023) and take into account all noted previous sett locations and potential sett locations. The County Ecologist must be contacted if an active badger sett is to be impacted by the works.

Reason: To ensure the protection of badgers in compliance with the Protection of Badgers Act 1992, Schedule 6 of the Wildlife and Countryside Act 1981 (as amended) and Cardiff Council Local Development Plan Policy EN6.

Action Conditions

11. Prior to development commencing on the construction of the new bridge crossing across the River Rhymney, amended plans shall be submitted (in conjunction with the Section 278 process) to address the following: -

- Re-design of the Ball Road junction to include incorporation of traffic signals, waiting restrictions and consideration of existing traffic calming measures; and
- Changes to link road between Ball Road and the bridge to ensure the design can safely accommodate two 12m buses passing each other (without clashing).
- Minor changes to bus lanes on access/egress to ensure these are cut back to finish ahead of both external and internal roundabouts to allow for better general traffic lane access and circulation
- Details of otter passages / ledges

Reason: In the interest of highway safety, and to encourage sustainable transport to limit the impact of the development on use of the adjacent highway in accordance with Local Development Plan Local Development Plan Policies T5 (Managing Transport Impacts) and T6 (Impact on Transport Networks and Services).

12. The new bridge across the River Rhymney shall not be brought into beneficial use until such time as an **ANPR system** (and any other necessary measures) to prevent and enforce against its use by vehicles (other than public transport) during peak periods have been implemented in full on site in accordance with details that shall first have been submitted to and approved in writing by the Local planning Authority.

The ANPR system (and any other necessary measures) shall thereafter be retained and shall at all times ensure that vehicular use of the bridge shall thereafter be restricted to public transport only between the hours of 07:00 and 10:00 and 15:00 and 19:00.

Reason: To encourage sustainable transport to limit the impact of the development on use of the adjacent highway and effect modal shift to non-car modes in accordance with Local Development Plan Local Development Plan Policies T5 (Managing Transport Impacts) and T6 (Impact on Transport Networks and Services).

13. Prior to first beneficial occupation of any unit hereby approved, **Active Travel improvements** shall be implemented within the site in accordance with a detailed scheme, that shall first have been submitted to and approved in writing by the Local Planning Authority, addressing the following: -

- Provision of new footpaths and upgrades to width and surfacing of existing/relocated footpaths within the site
- Replacement of steps on the western side of the existing pedestrian bridge over River Rhymney with a graded ramp integrated with paths on western side of river,
- Any necessary minor changes required to routes to ensure good visibility for users
- Provision of directional signage at entrances to and within the site
- Suitable measures/barriers to control access other to the site than by pedestrians/cyclists

Reason: Upgraded and new active travel links are necessary in the interests of highway safety by facilitating safe commodious access to and use of the proposed development, in accordance with Policy KP14, T1 and C6 of the adopted Local Development Plan (2016).

14. No part of the development hereby permitted shall be brought into beneficial use until such time as barriers (as applicable), together with associated signage, preventing **pedestrian access to/from the A48 gyratory** have been provided on site, in accordance with details that shall first have been submitted to and approved in writing by the Local Planning Authority. Thereafter the agreed measures shall be retained in accordance with such approved details.

Reason: In the interest of highway safety, and to ensure accordance with Local Development Plan Local Development Plan Policies T5 (Managing Transport Impacts) and T6 (Impact on Transport Networks and Services).

15. Prior to their use in the development hereby permitted, samples of the **external finishing materials** for the development hereby approved 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 a satisfactory finished appearance of the development in accordance with Local Development Plan Policy KP5 (Good Quality and Sustainable Design).

16. No unit hereby approved shall be occupied until such time as **secure cycle parking** has been provided to accord with the standards contained in the 2018 Managing Transport Impacts SPG, and in accordance with details which shall first have been submitted to and approved in writing by the Local Planning Authority. The approved cycle parking shall thereafter be retained for the use of cycle parking.

Reason: To ensure that adequate provision is made for the sheltered and secure parking of cycles, in accordance with Policy T5 of the adopted City of Cardiff Local Development Plan (2006-2026).

17. No unit hereby approved shall be occupied until such time as **boundary treatments / means of enclosure** have been provided in accordance with full details which shall first have been submitted to and approved in writing by the Local Planning Authority. Thereafter the site shall not be enclosed other than in accordance with the approved details.

Reason: To ensure a satisfactory finished appearance of the development in accordance with Local Development Plan Policy KP5 (Good Quality and Sustainable Design).

18. **Lighting Design Strategy** : Notwithstanding the submitted lighting strategy / scheme (including Hydrock KTA, External Lighting Sec 1/2, drawing number: 10341-EXT-100 rev P14 and Hydrock KTA, External Lighting Sec 2/2, drawing number: 10341-EXT-101 rev P14), no part of the development hereby permitted shall be occupied until such time as a revised/updated site-wide Lighting Scheme / Strategy (for biodiversity), having particular emphasis on the need to implement additional measures to minimise light spill beyond site / plot boundaries and associated illumination of dormouse habitat (<1 lux), and considering bats and other nocturnal species, has been submitted to and approved in writing by the Local Planning Authority.

To ensure ecological receptors are not unacceptably impacted by light spill, the updated Strategy shall seek to: -

- Ensure the P ratings are the lowest in line with BS5489 for all stretches of road – adoptable or otherwise.
- Include internal back louvers to light fitting to reduce light spill to below 1 lux, where they are adjacent to retained, managed or created dormouse habitat (also protecting other nocturnal ecological receptors as a consequence).
- Consider reduced column height in locations associated with the A48 access and south of the roundabout, to reduce light spill.
- Show additional contours of 2 and 5 lux isolines.
- Provide hours of lighting operation, where associated with site “units and yards”.
- Confirm that plans meet that of S38 and S278 agreements of the Highways Act 1980.

Thereafter, no individual unit shall be occupied until such time as the lighting relating to that part of the site has been implemented in accordance with the specifications and locations agreed, which shall be maintained thereafter.

Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

The strategy will align with the Institute of Lighting Professionals Guidance Note 08/23, BS5489-1:2020 and BSEN13201-2:2015 and fully accord to the requirements of S38/S278 agreements.

Reason: To manage the impact of the development upon protected species, to ensure Favourable Conservation Status of dormouse and bats will be maintained as per the Conservation of Habitats and Species Regulations 2017 (as amended), considerations of maintaining and enhancing biodiversity in line with the Environment (Wales) Act 2016 and to accord with Policies KP16, EN6 and EN7 of the Cardiff Local Development Plan (2006-2026).

19. Green Infrastructure and Landscape Ecological Management Plan (GILEMP) : Notwithstanding details provided within the submitted Woodland Management Plan, a Green Infrastructure and Landscape Ecological Management Plan (GILEMP) (updating the WMP) shall be submitted to the Local Planning Authority within 12 months of the development commencing. This must cover no less than 10 years post development, and be amended to include the following:

- a) Review of vision and objectives in light of the full scheme.
- b) Appropriate management prescriptions for each landscape feature added to the site such as Attenuation basins, Rain gardens, Ponds, Shrub planting, Standard trees, Any additional in accordance with agreed landscaping scheme (Landscape Implementation); and Ecological enhancements.
- c) More detail on the follow up management, but especially areas of newly planted scrub and trees – especially related to off-site areas, especially in respect to watering in drought, triggers/frequency, the duration (years), the volume of water required per standard/scrub and by whom.
- d) Ecological constraints on site that might influence management or require separate management,
- e) Preparation of a work schedule with timings (including an annual work plan capable of being rolled forward over a five-year period, but looking up to 10 years).
- f) Details of the body or organisation responsible for implementing the plan, including any updates required.
- g) The monitoring requirements to determine the success of landscaping, its management and specific features for wildlife, in years 2, 5 and every 5 years thereafter. This will follow the aims and objectives to determine if they have been achieved. The plan shall also set out (where the results from monitoring show that management aims and objectives of the GILEMP are not being met) how contingencies and/or remedial action will be identified, agreed with the Local Planning Authority and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.
- h) Appropriate drawing(s) indicating habitats, areas of the site for specific species and the enhancements to be managed.
- i) The inclusion of a Fire Plan to ensure that replacement planting on site, retained habitat and general landscaping is not damaged by fire. This will include: Water access points, access routes and machine/equipment requirements to reach each broad landscape compartment; Actions to reduce fire risk, direct and indirect interventions, including by site businesses; Alarm procedures; and Remedial measures for landscaping in case of fire.

The submitted 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: For the overall protection of biodiversity and to ensure the site's landscape and environmental features are adequately managed long term. This aligns the Environment (Wales) Act 2016, with PPW11 Chapter 6 and with policies KP5, KP16, EN6, EN7 and EN8 of the Cardiff Local Development Plan (2006-2026).

20. Data Shelf Life : If site clearance in respect of 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, all the approved ecological measures and those secured through other planning conditions and ecological reports, shall be reviewed and, where necessary, amended and updated, with careful consideration of "new" ecological receptors. The review shall be informed by update or further ecological surveys commissioned to:

- i. establish if there have been any changes in the presence and/or abundance of habitats and species,
- ii. identify any likely new ecological impacts that might arise from any changes; and
- iii. and identify any changes to legislation, policy or best practice that may alter the conclusions of the assessment.

Where the survey results/desk study indicate that changes have occurred that will result in ecological impacts, having not been previously addressed in the approved scheme, the original approved ecological measures will be revised. 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 new approved ecological measures and timetable.

If a current ecological report suggests the reassessment of a particular feature before 2 years, that recommendation takes precedence.

Reason: To ensure the assessment of impacts from the development upon the species concerned, and any measures to mitigate those impacts, are informed by up-to-date information in accordance with legislation, national planning policy and the Cardiff Local Development Plan Policy 2006-2026, KP16, EN4 to EN8.

21. No part of the development hereby approved shall be occupied until an **Employment Travel Plan (ETP)** (updating the submitted Travel Plan) has been submitted to and approved in writing by the Local Planning Authority in relation to that particular part. The ETP shall set out proposals and targets, measures to encourage use of alternatives to the private car, together with a timetable to limit or reduce the number of single occupancy car journeys to and from that part of the site, and to promote travel by sustainable modes. The ETP shall set

out proposals to implement and manage the Travel Plan through a designated Travel Plan Coordinator. The ETP shall be implemented in accordance with the timetable which shall be set out in the plan or in accordance with a revised timetable which shall first be agreed in writing by the Local Planning Authority. Reports demonstrating progress in promoting the sustainable transport measures detailed in the Travel Plan shall be submitted annually to the Local Planning Authority for approval in writing for a period of 5 years beyond final occupation of each particular part of the employment development, commencing from the first anniversary of beneficial occupation.

Reason: To encourage sustainable transport to limit the impact of the development on use of the adjacent highway and effect modal shift to non-car modes in accordance with Local Development Plan Local Development Plan Policies T5 (Managing Transport Impacts) and T6 (Impact on Transport Networks and Services).

22. Prior to first beneficial use of any unit hereby approved, an **Operational Noise Management Plan (ONMP)** shall have been submitted to and approved in writing by the Local Planning Authority. The ONMP shall detail the necessary controls to ensure there would be no unacceptable impact on nearby residential properties, including (as a minimum): -

- Location of Mechanical Services Equipment, including the results of noise assessment to ensure the noise emitted from additional fixed plant and equipment on the site achieves a rating noise level below background at the nearest noise sensitive premises if operational during the day and night when measured and corrected in accordance with BS 4142: 2014 (or any British Standard amending or superseding that standard);
- A Service Management Plan to ensure noise from deliveries are minimised as far as possible;
and
- the use of 'white noise' reverse signals when operating onsite.

The ONMP shall be subject to periodic review not less than every 24 months (or in response to a request made in writing by the Local Planning Authority in response to receipt of any justified complaints), with the results of such review submitted to the Local Planning Authority for its approval in writing, and any recommended changes to operational activities that may be recommended within such revised ONMP thereafter implemented in accordance with a timetable to be agreed in writing by the Local Planning Authority.

All operations at the site shall be carried out in full accordance with the ONMP (as approved or revised) for the duration of its operation.

Reason: To protect the amenity of nearby residential properties and wider locality and to accord with Policies KP5 and EN13 of the Cardiff Local Development Plan 2006-2026.

23. The construction of each industrial unit hereby approved shall be in accordance with the energy saving measures identified within the submitted Energy report: **Energy Efficient & Low Carbon Strategies** (Hydrock KTA October 2022). Prior to first beneficial occupation of each unit, a further energy report shall be submitted on behalf of each tenant/operator which demonstrates consideration of the implementation of additional recommendations in the energy report (or additional measures), including: -

- Employment of large-scale, roof-mounted photovoltaic (PV) systems to generate zero-carbon electricity on-site (with the roof structure enhanced to facilitate the fitting of a large-scale roof mounted Photo Voltaic system)
- Installation of CO2 sensors and motorised dampers within large meeting rooms
- Use of external lighting control air lux to allow for each external light fitting to be controlled individually

Reason: In the interest of sustainability and to comply with the requirement within Policy EN12 (Renewable Energy and Low Carbon Technologies) to maximise the potential for renewable energy having regard to the decarbonisation objectives of Planning Policy Wales and Future Wales.

24. Prior to first beneficial occupation of any part of the development hereby approved, a scheme of **crime prevention measures** (with associated implementation timetable), to include perimeter security, means to control vehicular access when unoccupied, CCTV, external lighting (see associated condition *), and building shell security (relating to the first two metres of external walls), shall have been submitted to and approved in writing by the Local Planning Authority. All measures within the agreed scheme shall be implemented in accordance with the approved timetable, and thereafter retained on site as approved.

Reason: In the interest of managing and 'designing out' crime and creating communities which are safer and feel safer, and to accord with LDP Policy KP13 (Responding to Evidenced Social Needs)

25. No unit hereby approved shall be occupied until appropriate storage areas for separated **waste** and recycling materials, along with the proposed collection points, have been provided on site in accordance with details that shall first have been submitted to and approved in writing by the Local Planning Authority. Thereafter the waste storage and collection points shall be retained in accordance with such approved details.

Reason: To ensure appropriate waste management provision to serve all units is provided and retained, in accordance with LDP Policy W2 (Provision for Waste Management Facilities in Development) and the Council's approved SPG 'Waste Collection & Storage Facilities'.

26. The Class A3 / Café Drive Through Units hereby approved shall not be occupied until such time as **litter bin(s)** – which shall be the responsibility of the occupied units (or site management company) - have been provided on and in proximity to each of the units, in accordance with a scheme and associated management plan which shall first have been submitted to and approved in writing by the Local Planning Authority. The litter bins shall thereafter be retained and managed in accordance with the approved details.

Reason: To ensure appropriate waste provision to serve the drive-through units is provided and retained, in accordance with LDP Policy W2 (Provision for Waste Management Facilities in Development) and the Council's approved SPG 'Waste Collection & Storage Facilities'.

27. **Soft Landscaping Audit.** An audit of arboricultural/ landscape /soil compliance against agreed plans/conditions, shall be undertaken on a 6 monthly basis, and provided to the Local Planning Authority commencing from the date of clearance works commencing at the site.

The audit (s) shall demonstrate that the soft landscaping/arboricultural protection and soil resources are being protected/implemented as per agreed plans/conditions and that there is less than 5% non-compliance, by species, number, area of soft landscape input, handling of soil and protection of trees.

Should a greater than 5% non-compliance be found at any stage of the audit above, prior to submission of the audit, evidence must be provided that the non-compliances have been rectified and/or a timeframe given for soft landscaping, soil remediation or tree protection to be implemented, included the original and final audit provided to the Local Planning Authority in that case.

No later than 12 months following the beneficial occupation of the last phase (or within two years of occupation of the first building, whichever is the sooner), a final audit shall be provided to the LPA demonstrating provision of all necessary soft planting in full compliance with the approved landscaping / GILEMP conditions.

Reason: To ensure the landscaping provides long term benefits to the environment of the site, including vegetated soil and carbon retention, Net Benefits for Biodiversity, improving the amenity and environmental value of the area, and ensure defects are remedied. This aligns with the expectation of PPW Chapter 6 and policies KP15, KP16, EN6, EN7 and EN8 of the Cardiff Local Development Plan (2006-2026).

Regulatory Conditions

28. The retail floorspace hereby permitted shall be used for the purpose specified in the application (**coffee shop/cafe**) and for no other purposes falling in Class A3 of the Town and Country Planning (Use Classes) Order 1987 (of in any provision equivalent to that class in any statutory instrument amending, revoking or re-enacting that Order).

Reason: To prevent other retail uses which would need to be fully considered separately by the Local Planning Authority in terms of development plan policies and/or national guidance.

29. No part of the development hereby permitted shall be occupied until such time as **Electric Vehicle (EV) charging infrastructure** has been provided on, and is operational to serve, each unit / part of the site, with a minimum of 10% of the overall number of spaces for that unit/part provided, and a further 20% of all car parking provided with the necessary ducting for future electric charging points.

Reason: To ensure the provision of a satisfactory car park layout and that appropriate provision is made for Electric Vehicle charging in accordance with Future Wales Policy 12 (Regional Connectivity).

30. The following **ecological enhancements** covering green infrastructure to individual ecological receptors, shall be installed at the development to ensure along with relevant avoidance to mitigation, Net Benefits for Biodiversity can be achieved as part of the Step Wise Approach:

- The enhancements specified in Section 6.3 of "Delta Simons, Ecological Impact Assessment Cardiff East Park and Ride Issue 14, dated 15/12/2023". Further detail will be assessed against future landscape plans for compatibility.
- Removal of rubbish particularly from the river as per "A.T. Coombes Associates Ltd, Woodland Management Plan at Cardiff East Park and Ride, Eastern Avenue Pentwyn, dated 23rd August 2023"
- Herbicides will only be used on hard surfaced areas, to prevent damage to hard landscaping over time, as a less carbon intensive way of maintaining the hard landscaped environment and ensuring semi-natural habitat remain herbicide free.
- Attenuation basins will contain 100% native species. Rain gardens will contain a minimum of 75% native species by diversity and extent. Planting overall, must look to source local provenance stock.
- 2 of the attenuation basins will contain a pond a minimum of 5m x 5m in size, with shallow sloping margins.
- All retaining walls shall include planting of Hedera helix, Lonicera periclymenum and Clematis vitalba (with appropriate supports), and planting beds at the base of the walls to facilitate this. This can be appropriately factored into detailed designs of retaining walls and yards.
- All disturbed ground not planted with scrub, will be planted with a diverse meadow flower mix suitable for the soil type identified by the Soil Resource Plan.
- Grasslands will be diversified at the site with slot seeding/light harrowing suitable for a floodplain. This will preserve native species diversity and soil carbon. This may include the spreading of material/100mm of topsoil from the species rich bank of plot 8.

- 1 x large bespoke bat box, attached to the south west side of the bridge or a pillar, with access to direct sunlight.
- 4 x bat boxes along the River Rhymney in locations least likely to be disturbed.
- 1 x hibernation bat box in the area of Ancient Woodland.
- 2 x bat boxes suitable for maternity use, on Plot 4 and 5. This should face south or west, but with access to cover adjacent.
- A kestrel box on the edge of the Offsite Supplementary Habitat Planting area.
- 4 x house sparrow terraces and 4 starling boxes.
- 2 x bee banks, south facing, in grassland areas, comprised of nutrient poor substrate from the site.
- 2 x large hibernacula to benefits invertebrates, amphibians and reptiles.
- A continuous gap beneath fences of 100mm or holes of 130mmx130mm under fences, gates, walls etc to allow passage of hedgehog.
- The 40 + apple trees that have been planted in the location of Plot 8, shall be donated to Coed Caerdydd or other charities in Cardiff to be replanted to benefit the community and pollinators.
- To benefit the retention of native provenance trees, young oak trees (or other trees species) (saplings, feathered specimens or potentially as young standards), shall be lifted and used accordingly in site landscaping or at the offsite dormouse habitat creation area.

A drawing indicating the location of enhancements and photographic evidence they have been installed, both close up and at a distance (to indicate their location generally on the site) in line with guidance/best practice, must be provided to Cardiff Council each year (if implementation will take more than 1 year), or no later than one month after the buildings first beneficial use whichever is sooner.

Reason: To comply with the Environment (Wales) Act 2016, to “maintain and enhance biodiversity” and “promote the resilience of ecosystems”, the Section 6 duty. Future Wales – The National Plan 2040 - Policy 9, Planning Policy Wales Section 6 and policies KP16, and EN4 to EN8 of the Cardiff Local Development Plan 2006-2026 and those elements discussed in “Cardiff Green Infrastructure SPG Ecology and Biodiversity Technical Guidance Note, 2017”.

31. 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.

32. All new planting, seeding and turf laying relating to the specific phase shall be completed during the first available planting/seeding season post beneficial occupation of that phase, or the completion of development (whichever is soonest). Any new planting, seeding or turf laying which within a period of 10 years from the beneficial occupation or completion of the development dies, is removed, becomes seriously damaged or diseased, or in the opinion of the Local Planning Authority (LPA) otherwise defective, shall be replaced.

Replacement planting, seeding or turf laying shall take place during the first available planting/seeding season, to the approved specification, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of the visual amenity of the area, enhancing biodiversity and mitigating the effects of climate change in accordance with Policy KP5, KP15 and KP16 of the Cardiff Local Development Plan 2006-2026.

33. All use of **site won materials and Imported Soils and Aggregates** shall only be undertaken in full accordance with the 'landscape earthworks specification' report by Barry Chinn Associates Limited (which includes a scheme for the contamination assessment and screening of imported and site won material to ensure the suitability of materials used at the development).

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

34. **Supervision of Trees – Bats.** Prior to the felling of any tree at the site, the Ecological Clerk of Works (ECoW) must ensure a Preliminary Ground Level Roost Assessment (PGLRA) confirms the level of potential of that tree remains as indicated by the Ecological Impact Assessment. If any tree is observed with moderate/high potential, the ECoW will determine what further surveys will be required prior to felling. All PGLRAs and actions will be logged. The log will be supplied to the Local Planning Authority no later than 1 month after felling works are complete.

Reason: To ensure surveys follow best practice and that all trees including those associated with the bridge construction are surveyed. This will ensure that any additional mitigation is addressed with regards to bats and principally the Conservation of Habitats and Species Regulations 2017 (as amended) and Policies EN5, EN6, EN7 and KP16 of the Cardiff Council Local Development Plan.

INFORMATIVES

1. *Flood Risk Activity Permit (FRAP)* : The proposed works to construct a new bridge/viaduct (reference to FCA, Appendix A: Proposed Viaduct – General Arrangement, Drawing No. 70071035-STR-001/P05) across the River Rhymney and its floodplain (defended and undefended) will require a FRAP. This will also need to include details relating to how NRW can suitably access the existing flood scheme for operational and maintenance activities, including future improvements. Please be aware that NRW may refuse a FRAP application if this aspect is not acceptable. All guidance and details for FRAPs are available on this link [Natural Resources Wales / Flood risk activity permits](#)

Existing Surface Water Outfall: We would like to remind the applicant that where the existing surface water outfall is to be maintained on the eastern boundary, this appears to feed into the combined sewer on our mapping system and therefore, should not flow directly into the Rumney River.

2. In respect of the CEMP (condition*) Natural Resources Wales advise as follows:-
 - a) Section 4.86 states all chemicals including fuels will be stored in a way that can be easily moved in the event of a flood. We recommend the CEMP be amended to include that fuel and other chemicals should be stored in a 110% volume equivalent bunded area. Please also note, that the locations of the above activities should be over 10m from surface water drains and watercourses. Furthermore, we recommend any subsequent CEMP ensures that wheel/plant washing is carried out in a bunded area, and the contaminated water is either discharged to foul sewer or tankered away.
 - b) Section 4.66 mentions silt fencing being used to filter run-off, however this should not be the only barrier. We recommend that settlement lagoons are also considered and if deemed inappropriate for the site, the reasoning must be clearly stated within the CEMP. The intended maintenance regime and regular inspection of installed silt fencing and other mitigation must also be clearly stated within the CEMP prior to approval and works commencing on the site.
 - c) We recommend specific reference must be made to NetRegs GPP5 in Section 4.68, the proposed sediment management and water quality monitoring should be included in the CEMP (Section 4.79) and that NRW will be contacted in the event of a pollution incident on our hotline.

3. In respect of the Drainage Strategy (Oil Interceptors), Natural Resources Wales advise as follow: -

Guidance states that car parks with more than 50 spaces or that are over 800m² should have an oil interceptor. Given the large number of parking spaces and the sensitivity of the receptor site (Severn Estuary European Marine Site), we advise oil interceptors are included within the SUDS management train. Whilst oils and other hydrocarbons can be filtered out through SUDS basins and degrade over time within retention basins, the size of the site with hardstanding

throughout means that a large volume of surface water will be entering the retention basins and it is unclear whether the retention basins will retain the surface water long enough for breakdown of hydrocarbons before discharge. We request that oil interceptors are installed to ensure water pollution will not impact on the river Rhymney and the Severn Estuary European Marine Site.

4. To allow tracking of the project, especially with respect to landscaping, a copy of the EPS (Dormouse) License should be sent to the Local Planning Authority as soon as reasonably practicable after it has been issued
5. There will be a requirement to divert the Public Rights of Way Paths. Realignment of recorded Public Footpaths require a Section 257 Town and Country Planning Act Legal Order which is open to public consultation. To formalise the Rhymney Trail, the shared use cycle paths will require a Legal Order under the Cycle Track Conversion Act.

PETITION

COMMITTEE DATE: 07/12/2023

APPLICATION No. 20/00187/MJR

APPLICATION DATE: 07/02/2020

ED: Llandaff

APP: TYPE: Full Planning Permission

APPLICANT: Taff Housing Association Ltd

LOCATION: Land at De Braose Close, Danescourt, Cardiff

PROPOSAL: Residential development comprising 36 dwellings together with associated infrastructure, public open space and woodland management

RECOMMENDATION 1:

That SUBJECT to a requirement that no decision notice may be issued unless a written authorisation is received from the Welsh Ministers pursuant to its Direction dated 31st March 2021 made under Article 18 of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012:

That planning permission be **GRANTED** subject to the relevant parties entering into a binding legal agreement 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, and the conditions listed below in section 12.

RECOMMENDATION 2:

That delegated authority is given to the Head of Planning &/Or Operational Manager: Strategic Development & Placemaking, to make changes to the conditions and/or Heads of Terms of the required legal agreement, subject to consultation with the Chair of Planning, up to the point where the legal agreement is signed and planning permission issued.

ALTERNATIVE RECOMMENDATION (following deferral at 7th December 2023 Committee): -

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

1. The development, by reason of its location within an identified area of Open Space, would exacerbate the existing deficiency of Open Space within the Llandaff ward, as identified by the Open Space Survey (2022), contrary to the provisions of Policy C4 of the adopted Local Development Plan (2016) and guidance contained within Planning Policy Wales (Edition 11, February 2021) (paragraph 4.5.3).

2. The creation of an extensive, engineered vehicular access through the woodland, including the removal of trees, would cause unacceptable harm to the established character and appearance of the existing mature and established woodland and public footpath network which cannot be mitigated by replanting, or the translocation scheme proposed, or outweighed by any other benefits of the development. The proposal is therefore contrary to the provisions of KP5, EN6, EN7 and EN8 of the Local Development Plan (2016), Supplementary Planning Guidance Green Infrastructure (including Technical Guidance Notes relating to: Ecology and Biodiversity and; Trees and Development) (November 2017), as well as Chapter 6 of Planning Policy Wales (Edition 11, February 2021 – with Chapter 6 updated October 2023) and Policy 9 (Resilient Ecological Networks and Green Infrastructure) of Future Wales: The National Plan 2040.
 3. The development, by virtue of its siting and the quality of proposed connections for both walking and cycling, does not provide safe, legible and otherwise well designed connectivity to nearby shops, facilities and schools for the proposed affordable housing development, contrary to Policies KP5, T1 and C6 of the adopted Local Development Plan (2016) and guidance within the adopted Cardiff Residential Design Guide.
-

0.1 This application was reported to Planning Committee on 07 December 2023. After consideration, Members unanimously voted to DEFER the determination of the application to enable officers to draft reasons for refusal based on the Committee's objections to the proposal.

0.2 The following paragraphs outlines the discussion held during the Planning Committee on 07 December 2023, and summarises potential reasons for refusal of planning permission.

Open Space

0.3 As noted in Sections 9.4 – 9.44 of the report below, the application site lies within an identified area of Open Space, which is protected by Policy C4 of the adopted Local Development Plan (2016).

0.4 The report references the planning history of the site, noting that matters relating to the loss of open space have been considered at appeal previously, in 2006 (APP/Z6815/A/05/1177735) and most recently in July 2014 (APP/Z6815/A/13/2207479). In the most recent appeal, which was dismissed on 28 July 2014, the Inspector's review of open space stated that the proposed development would not be detrimental to the open space resource in the area, and concluded that the site did not contribute either functionally or visually to the open space provision in the area. The development was therefore not considered to be detrimental in this regard.

0.5 The application under consideration proposes to retain a greater area of open space than that previously proposed ([12/01454/DCO](#)), and, in addition, proposed to mitigate for the loss of open space through the improvement and

management of the adjacent woodland. Given this, it was previously considered that it would be difficult to reach an alternative conclusion to that reached by the Inspector, and as such, the proposed mitigation was considered to offset the impact of the development in terms of the loss of open space, and on balance, it was considered that the development was compliant with Policy C4 of the adopted Local Development Plan.

- 0.6 Members did not agree with this position, noting that there is an existing deficiency of Open Space within the ward of Llandaff, set out within the Open Space Survey 2022. It was noted that the Open Space Survey post-dates the previous planning appeals, and therefore it was the opinion of Members that more weight should be placed on the loss of Open Space caused by the proposed development.
- 0.7 The area is evidentially considered and perceived as significant with its own integrity, as demonstrated by the level of local opposition raised. Whilst subjective, it is obvious that the perception of value and value placed on this area of Open Space is as much a consideration in the determination of this application as its functional and practical value.
- 0.8 The level of opposition to the scheme should not be disregarded without due consideration. The area is clearly well-used by local residents and provides a functional and green amenity space adjacent to an established urban area, valued for its biodiversity, air quality, climate change, visual appeal, cultural and historical significance as well as for its positive impact on physical and mental well-being. The loss of this space is not insignificant, and having regard to the fact that there is already a deficiency in Open Space within the Llandaff ward, preserving this area of Open Space is considered by members to outweigh any benefit accruing from the provision of affordable housing, when considering the scheme as a whole.
- 0.9 Members also assessed the proposed compensatory provision for the loss of Open Space in the form of woodland management, but considered that this would not address the loss of Open Space sufficiently, and therefore the development would cause detriment to the provision of Open Space, contrary to Policy C4 of the adopted Local Development Plan (2016).

Trees

- 0.10 Sections 9.157 – 9.170 of the report outlines one of the main areas of contention in consideration of this application; its impact on trees.
- 0.11 As noted below, the scheme proposes a vehicular access point via the existing turning head at De Braose Close, which differs from the previous planning applications (04/02044/W and 12/01454/DCO refer), which both proposed access to the site from Radyr Court Road.
- 0.12 In attempting to address the previous reason for the refusal of planning permission and subsequent appeal dismissal, the applicant has sought an alternative vehicular access point to serve the development, mitigating the issue of highway safety.

- 0.13 However, in seeking to address the highway safety issue, the development proposes a far greater impact on trees, which as noted below, is a primary concern for the Tree Officer, and one whereby confirmation cannot be provided to demonstrate “that unacceptable harm won’t result to trees of amenity value as a consequence of the development”.
- 0.14 Members considered that the harm caused to the woodland by the implementation of the proposed access road would be detrimental to the character and appearance of the existing woodland, and queried whether the provision of an access road off De Braose close to address the previous reasons for refusal on highway safety grounds was sufficiently justified. In addressing one matter (highway safety), significant harm is caused to established and mature trees within a woodland area, and Members considered that the access road would add to the destruction of the woodland.
- 0.15 In considering the proposed translocation of the identified category ‘A’ Hazel tree as well as the 20 juvenile Oak specimens, Members concluded that this mitigation would not offset the harm. Insufficient information has been submitted to demonstrate the success of the translocation, and no evidence has been provided to demonstrate that the trees will survive and thrive, if translocated. As such, Members considered that the development may result in the loss of category ‘A’ trees as well as juvenile Oak specimens, which are described by the Tree Officer as ‘gold dust’. As such, the development was considered to be contrary to the provisions of Policy EN8 of the Local Development Plan (2016).
- 0.16 In addition to the above, reference was made during the discussion to updated Chapter 6 of Planning Policy Wales (Edition 11, February 2021), which came into effect on 11 October 2023. Chapter 6 of PPW11 now places a stronger emphasis on taking a proactive approach to green infrastructure, securing net benefit for biodiversity, strengthening the protection of Sites of Special Scientific Interest (SSSIs) and importantly for the consideration of this application, giving more consideration to the protection and enhancement of trees and woodlands. Paragraph 6.4.24 states the following:

Trees, hedgerows, groups of trees and areas of woodland are of great importance for biodiversity. They are important connecting habitats for resilient ecological networks and make an essential wider contribution to landscape character, culture, heritage and sense of place, air quality, recreation and local climate moderation. They also play a vital role in tackling the climate emergency by locking up carbon, and can provide shade, shelter and foraging opportunities, wider landscape benefits such as air and diffuse pollution interception, natural flood management, and building materials. The importance of trees, in particular urban trees, in creating distinctive and natural places which deliver health and well-being benefits to communities, now and in the future should be promoted as part of plan making and decision taking. Planning authorities must promote the planting of new trees, hedgerows, groups of trees and areas of woodland as part of new development.

- 0.17 Chapter 6 of PPW11 emphasises the importance of retaining and protecting existing trees and stipulates at paragraph 6.4.25 that the “permanent removal

of trees, woodland and hedgerows will only be permitted where it would achieve significant and clearly defined public benefits”.

- 0.18 As noted in Sections 9.257 – 9.262 below, affordable housing is a matter which often presents a complex trade-off, especially when it involves the removal of trees, woodlands, or ecosystems which are considered by local residents to be places of solace with amenity value. In this case, Officers considered that the provision of 36 units of affordable housing, on balance, outweighs the environmental impacts of the proposed scheme, including its impact on trees, having specific regard to the mitigation offered through the development proposed and planning obligations.
- 0.19 This was not accepted in this case by Members, who considered that the provision of affordable housing cannot be without exception, and in this case, the benefits of affordable housing provision do not outweigh the harm caused to trees and green infrastructure. Whilst it was regarded that affordable housing is needed and is a very important consideration in this case, and one which is not to be set aside lightly, the impacts of the development on trees and green infrastructure are considered to be significant, and are considered to be matters which cannot be addressed through further planting or translocation, which cannot be guaranteed to be successful. Given this, it was agreed that the application should be deferred for reasons of refusal on such grounds.

Accessibility

- 0.20 The report below refers to the accessibility of the application site, noting that pedestrian and cycle provision is along indirect and illegible routes with poor surveillance along significant stretches.
- 0.21 Whilst some routes are proposed to be enhanced through the provision of lighting and resurfacing, it is considered that the quality of the existing connections are insufficient, having particular regard to the fact that the scheme is for 100% affordable housing, and a reason for refusal is also recommended on such grounds.

1. BACKGROUND INFORMATION

- 1.1 This application is reported to Committee to consider the significant number of objections received from local residents in response to the consultations undertaken, and following receipt of a petition which has 2,300 signatories.
- 1.2 The planning application was originally submitted to the Local Planning Authority on 20 January 2020 proposing the erection of 45 residential units, with subsequent amendments, including the reduction of units, and additional information submitted on 05 February 2021, 15 November 2021, 10 May 2022, 10 July 2023 and 30 October 2023, respectively.
- 1.3 The application currently under consideration, whilst described in detail within Section 3 of this report, now proposes the development of 36 residential dwellings with associated infrastructure, public open space and woodland management.

2. DESCRIPTION OF THE SITE AND AREA

- 2.1 The application site is located to the north west of Cardiff City Centre in the suburb of Danescourt, which forms part of the Llandaff ward. It is located to the immediate east of an established residential area, to the north and west of a residential property known as Ty Isaf, and to the west of the Cardiff-RCT/Merthyr/Aberdare railway line, as shown below:

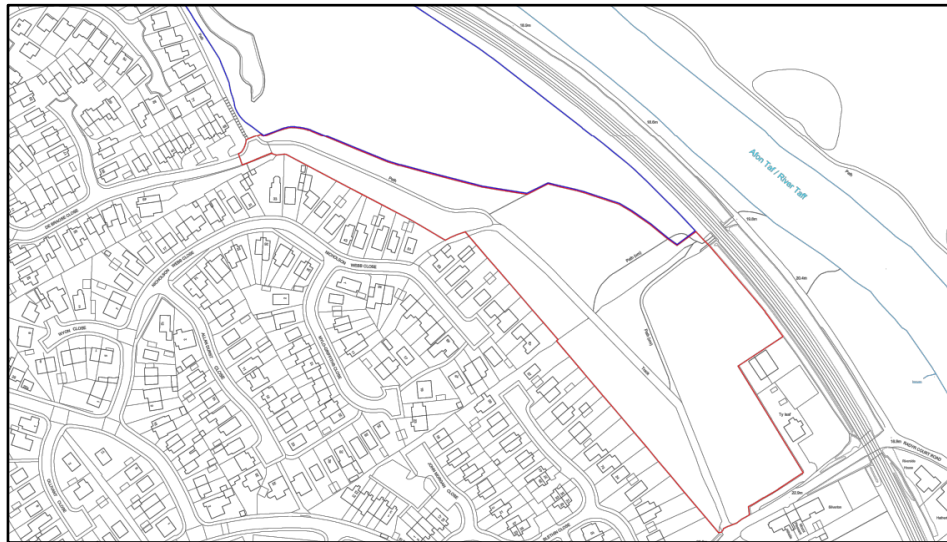


Figure 1: Site Location Plan

- 2.2 The River Taff lies beyond the railway line to the east of the site and runs north-south. Given the location of the River, the site is wholly located within a River Corridor as defined by Policy EN4 of the adopted Local Development Plan (2016). The site is also identified as an area of Open Space, defined by Policy C4 of the adopted Local Development Plan (2016); an area which has a significant functional, conservation, environmental or amenity value.

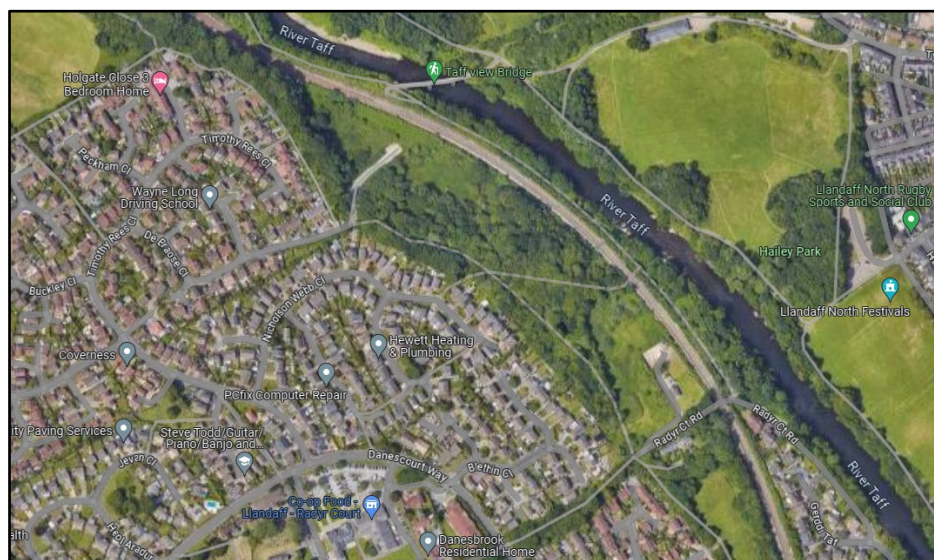


Figure 2: Aerial Image of Application Site

- 2.3 The site extends to 2.88 Hectares, and is roughly rectangular in shape, with a projection in the northern area which links the site to De Braose Close adjacent to its north-western boundary.

- 2.4 There are two Public Rights of Way (PROW) within the application site; Radyr 48 and 56, as shown in purple in Figure 3 below. PROW 48 (Footpath 791) runs roughly in a north-south direction from De Braose Close in the north western corner of the application site to Radyr Court Road along the southern site boundary. PROW 56 (Footpath 236) runs in an east-west direction from the pedestrian cut-through in Nicholson Webb Close on the western site boundary to the bridleway (Cart 975) which runs north-south adjacent to the railway line to the east of the site.

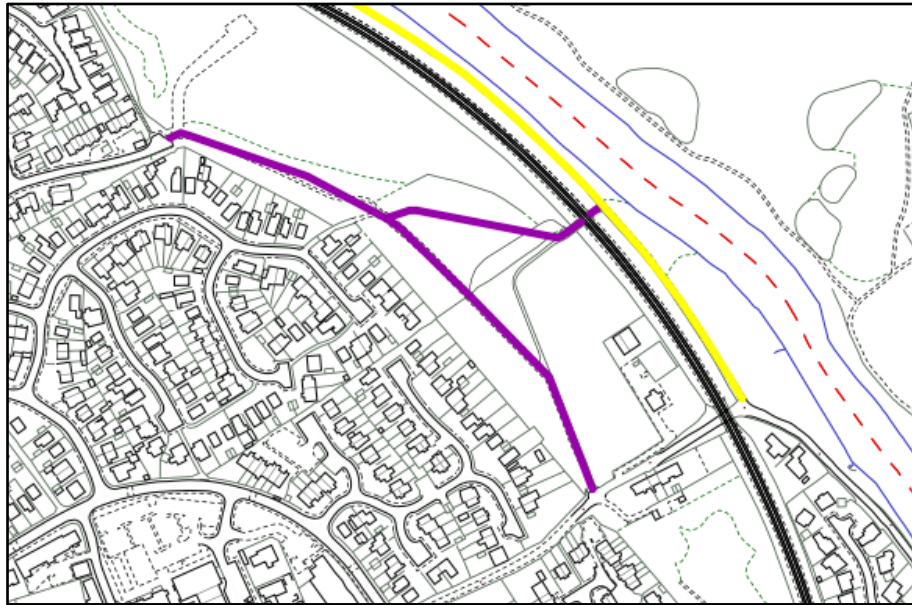


Figure 3: PROW 48 and PROW 56

- 2.5 There is currently no vehicular access to the application site, but it is accessible on foot from the above PROWs off De Braose Close, Nicholson Webb Close and Radyr Court Road.
- 2.6 A partial area of the application site is covered by City of Cardiff (Radyr Court) 1975 Tree Preservation Order (TPO), which is described as a wooded belt mainly comprised of Ash, Sycamore, Thorn, Oak, Beech and Crab Apple, located on a wooded escarpment west of Radyr Quarry, as shown hatched in green on Fig. 4 below.



Figure 4: Extent of TPO shown hatched in green

- 2.7 The nearest Site of Importance for Nature Conservation (SINC) lies to the east of the site, beyond the railway line, and is known as the River Taff SINC. It is identified as important for migratory fish, otters, wildfowl and bankside vegetation, which acts as a major wildlife corridor. Hailey Park SINC lies beyond the River to the east.
- 2.8 In addition, Radyr Community Woodlands SINC lies around 250 metres to the north of the residential development area, and is approximately 30 metres to the north of the access road proposed to serve the development. It is described as a semi-natural Oak/Ash/Alder and Beech woodland with diverse ground flora with Tufted Sedge, Solomon's Seal and Toothwort, together with rough grassland and ponds. Part of this SINC is a Local Nature Reserve.
- 2.9 The nearby SINC areas are shown in Figure 5 outlined in blue, with the Local Nature Reserve in green.

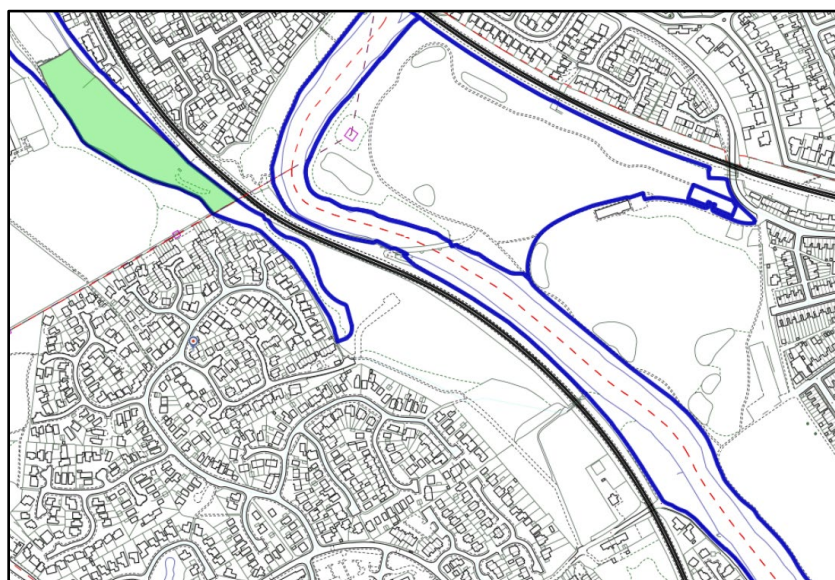


Figure 5: SINC and Local Nature Reserve Areas

2.10 The site lies partially within Zone A and Zone B of the Development Advice Maps (DAM) contained within Technical Advice Note (TAN) 15: Development and Flood Risk (2004). The Flood Map for Planning shows no change to such designation, identifying the site as falling outside of Zones 2 and 3. A small area of the eastern site boundary, adjacent to the railway line, is also identified as being at low risk of surface water flooding.



Figure 6: Development Advice Map

- 2.11 The site in general terms can be described as a green buffer, set between an established residential area to the west and the railway line and River Taff to the east. It is set down topographically from the existing residential area to the west, as the land slopes quite steeply eastwards towards the River. The site is mostly made up of walking routes (mostly along the PROWs, but also extending into the wider woodland area) which has an abundance of mature trees, established vegetation and greenery.
- 2.12 The trees form a canopy over the walkways and create a semi-rural characteristic, as shown in the photographs at Fig. 7 below.
- 2.13 The green infrastructure is diverse, in that it has pockets of mature woodlands with established ecotones, with native shrub and understorey planting. It mostly features untamed, natural areas, which contribute to its semi-rural character.
- 2.14 There are no heritage assets within the vicinity of the application site.



Figure 7: Images of Application Site

3. DESCRIPTION OF DEVELOPMENT

- 3.1 This application seeks full planning permission for the erection of 36 residential units (all affordable) with associated infrastructure, public open space and woodland management on land at De Braose Close, Danescourt, Cardiff.
- 3.2 The site is being brought forward by Taff Housing Association, one of Cardiff Council's partner Registered Social Landlords (RSL), who will deliver affordable homes built to the Welsh Development Quality Requirements (DQR) standards.
- 3.3 This scheme comprises the introduction of 36 affordable units, with a dwelling mix as follows:

Type/Tenure	No. of Units
3-bed house	9
2-bed house	15
1-bed flat	12

Site Layout

- 3.4 The area proposed to accommodate the dwellings is set in the south eastern area of the wider site, to the immediate north of Radyr Court Road and to the north and west of the existing dwelling known as Ty Isaf, as shown on Figure 8 below.

- 3.5 The dwellings are set off the main spine road, to the east, as well as off three secondary roads annotated, and hereby referred to, as 'Road 1', 'Road 2' and 'Road 3'.
- 3.6 The dwellings which face west onto the access road, and which are positioned on the eastern side of the road comprise Block 1, Block 3, Block 6 and Block 8, as annotated. The dwellings principally face the west, with private garden areas set to the rear (east), and are a mix of House Type 'A' and House Type 'B'.
- 3.7 House Type 'A' comprises a hallway, living room, kitchen/dining room and shower room at ground floor level, with three bedrooms and a bathroom at first floor level.
- 3.8 House Type 'B' also comprises a hallway, living room, kitchen/dining room and shower room at ground floor level, but has two bedrooms and a bathroom at first floor level.

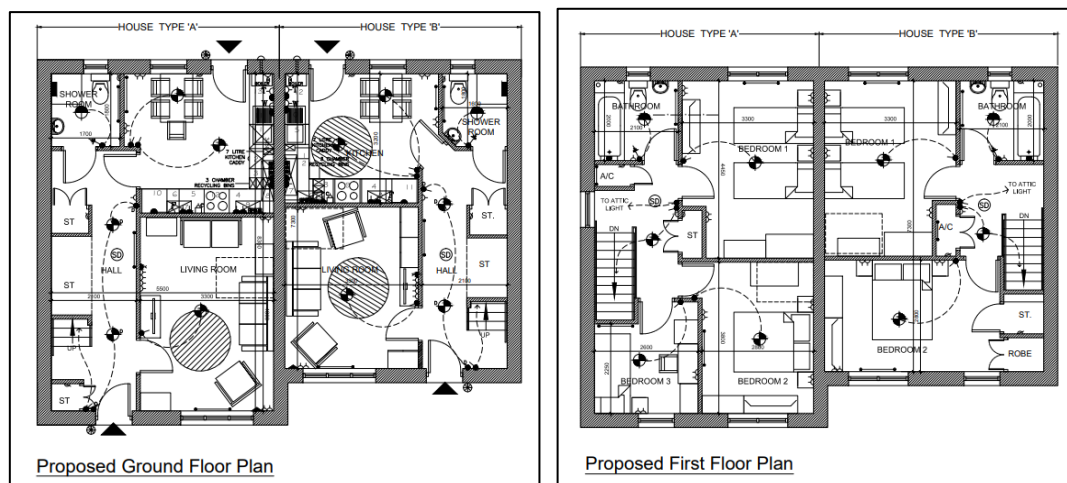


Figure 9: Ground and First Floor Plans – House Type A and B

- 3.9 The dwellings facing the access road are set in terraces of three-four dwellings, with typical elevations as follows:



Figure 10: Block 1 and Block 3 Streetscene / Elevation Proposed

- 3.10 Road 1, set to the north of the developable area, provides access to a three storey apartment block situated on the southern side of the road, which comprises a total of six residential units. Hereby referred to as 'Block 2', the apartment block proposes two, 1-bed apartments at ground floor level within individual access points into a hallway which leads to an open-plan kitchen/living/dining room, a bathroom and store. The first and second floors are duplicated, but each unit is accessed off a central staircase.

- 3.11 The block will principally face north and is provided with car parking to the front and a rear amenity space for residents, which includes a bike and bin store, as shown in more detail here:

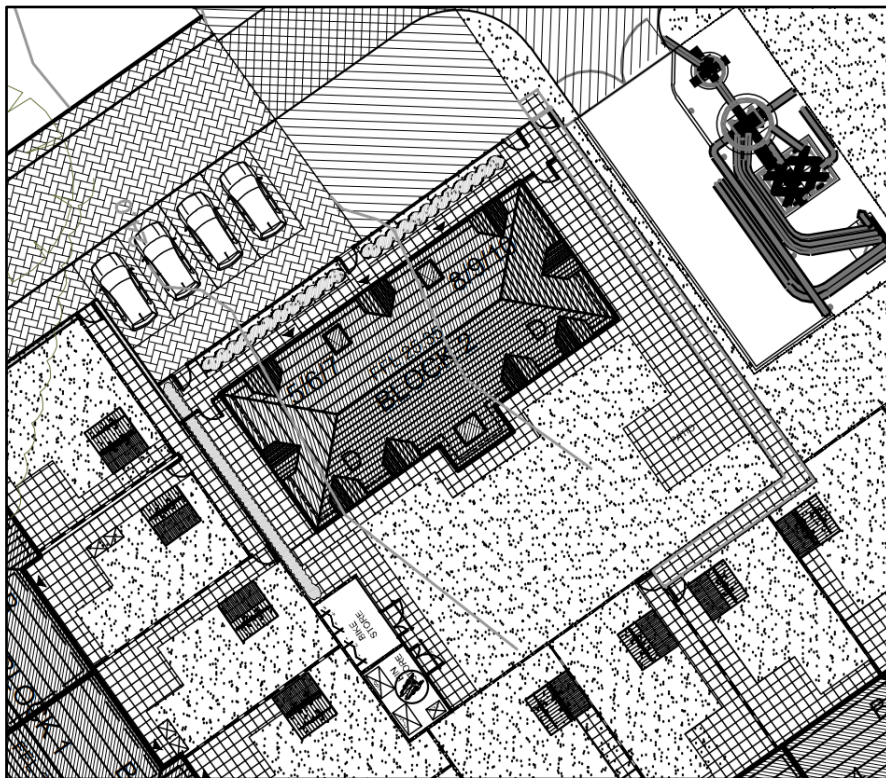


Figure 11: Block 2 (Site Layout Plan Extract)

- 3.12 No dwellings are proposed to the northern side of Road 1.
- 3.13 Road 2 provides access to Blocks 4 and 5, as annotated, which comprise a terrace of four properties and a semi-detached unit, with a mix of House Type 'A' and 'B'. The properties are positioned to face the south, with rear amenity space to the north, adjoining the rear amenity space serving apartment Block 2.
- 3.14 Block 7 is also proposed to be accessed from Road 2, and lies on its southern side. It comprises two residential units, split over two storeys with a hallway, kitchen, lounge/living room, double bedroom and a bathroom, as shown below:

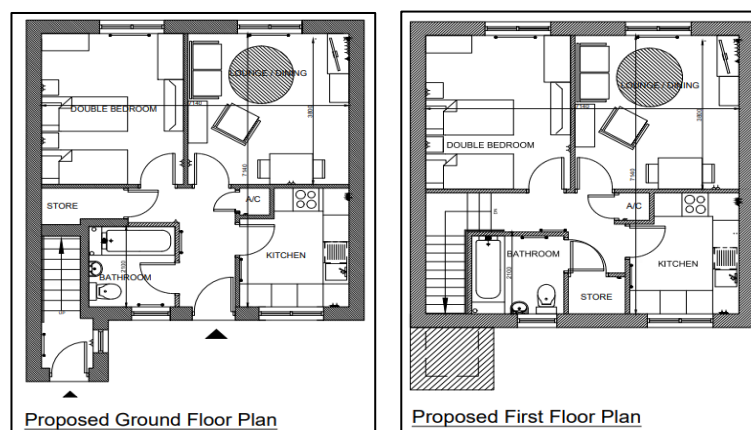


Figure 12: Ground and First Floor Plan – Blocks 7, 9 and 12

- 3.15 Four further units of the same layout are provided off access Road 3 (one on the northern side and one on the southern side) annotated as Block 9 and Block 12. Each unit has a separate access point from its principal elevation, with access to a shared rear garden and patio area. The elevations for this unit type are shown below:

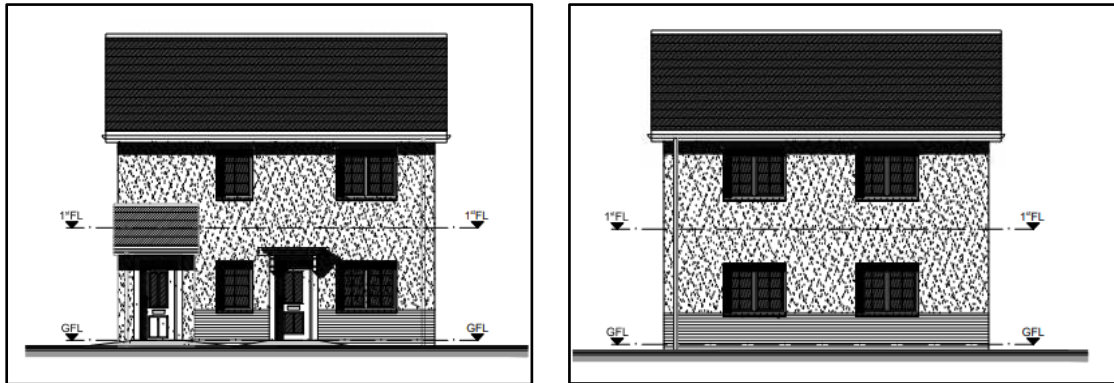


Figure 13: Elevations Proposed Blocks 7, 9 and 12

- 3.16 Road 3 also provides access to Blocks 10 and 11, positioned on the southern side of the road. The blocks comprise two pairs of semi-detached units, all of which are House Type 'B'. The dwellings face the north with amenity space to the south.
- 3.17 The residential units have been designed traditionally and are indicatively shown to be finished in a mix of light cream through-colour roughcast render with red multi-clay facing brick. Roofs will be charcoal grey concrete tiles with white uPVC windows, doors and cills.
- 3.18 A pumping station is proposed to serve the development, located close to the railway embankment to the east, and accessed from Road 1, as shown:

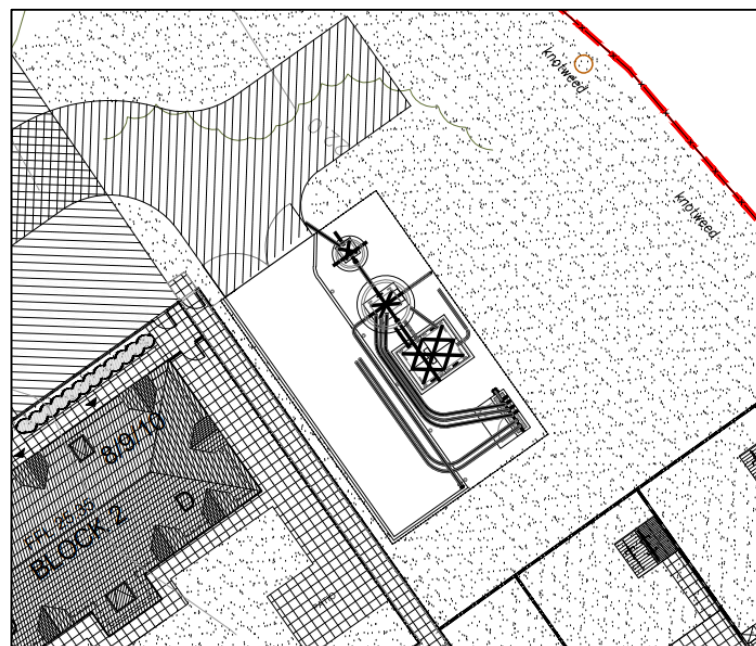


Figure 14: Proposed Pumping Station

Access

- 3.19 The principal access to the site is proposed from De Braose Close, adjacent to its north eastern corner. The access road is proposed to lead southwards from the existing turning head at De Braose Close, to the developable area, as shown below:



Figure 15: Access Point off De Braose Close (Google Maps Image)

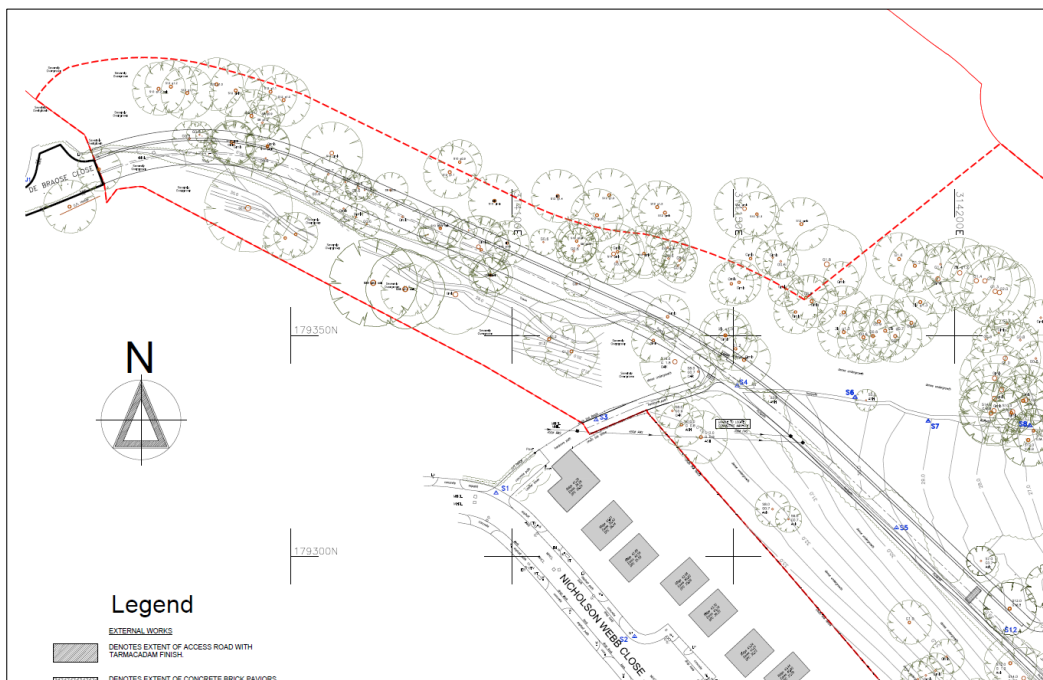


Figure 16: Extract from Site Layout Plan showing Proposed Access Road from De Braose Close

- 3.20 The access road proposed has a carriageway width of 4.8 metres (plus 0.5 metre service strip on the northern side), with a 2 metre wide footway on the northern side of the road.
- 3.21 The access road will be supported by a 1 in 1 embankment on its northern side, which is proposed to be landscaped with a meadow mixture for woodlands and mixed native whip planting:

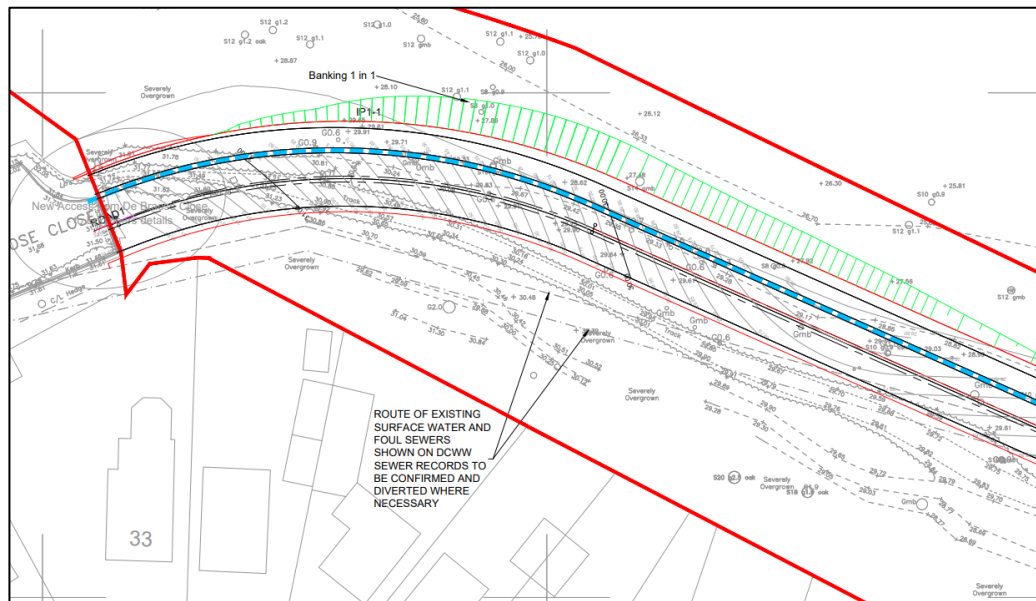


Figure 17: Embankment shown in hatched green

- 3.22 Vehicular Tracking and Visibility drawings have been submitted to support the application.

Community Woodland

- 3.23 In addition to the above, the applicant is also proposing to improve and manage a 2.56 hectare area of woodland to the north of the application site, which would be transferred to the Council for adoption as a 'community woodland', along with funding to manage the woodland in the future. The woodland area proposed for adoption is shown below:



Figure 18: Community Woodland Boundary

- 3.24 The rationale for this Community Woodland Strategy is to facilitate the restoration, management and maintenance of the Community Woodland as a Green Infrastructure asset for the locality with respect to its arboricultural, ecological and landscape value.
- 3.25 Full details of the proposal can be found within the Community Woodland Strategy submitted in support of the application, as well as Section 9.30 – 9.37 below.
- 3.26 All documentation relating to the application, including plans, can be viewed on the Council's website here: [20/00187/MJR](https://www.barnet.gov.uk/council/council-agenda/20/00187/MJR).

4. PLANNING HISTORY

4.1 The site has the following relevant planning history:

- 04/02044/W Proposed residential development – five dwellings. Refused 16/12/2004 – Appeal Dismissed
- 12/01454/DCO Outline application for the development of 48 dwellings. Refused 26/04/2013 – Appeal Dismissed ([APP/Z6815/A/13/2207479](https://www.barnet.gov.uk/council/council-agenda/APP/Z6815/A/13/2207479)). See illustrative layout plan below, showing slightly larger site and different access arrangements.



Figure 19: Illustrative Layout PP. REF. 12/01454/DCO

- SC/17/00009/MJR Screening opinion - residential development of up to 45 dwellings. Not EIA Development.

5. POLICY FRAMEWORK

National Policy

- 5.1 The **Well-being of Future Generations (Wales) Act 2015** (WFG) imposes a duty on public bodies to carry out 'sustainable development' in accordance with the 'sustainable development principle'.
- 5.2 'Sustainable development' means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the well-being goals.
- 5.3 'Sustainable development principle' means that Local Authorities must act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.
- 5.4 Well-being goals identified in the Act are:
 - A Prosperous Wales
 - A Resilient Wales
 - A Healthier Wales
 - A More Equal Wales
 - A Wales of Cohesive Communities
 - A Wales of Vibrant Culture and thriving Welsh Language
 - A Globally Responsible Wales

- 5.5 The **Environment (Wales) Act 2016** has been designed to complement the WFG Act. It imposes a duty to require all public authorities, when carrying out their functions in Wales, to seek to “maintain and enhance biodiversity” where it is within the proper exercise of their functions. In doing so, public authorities must also seek to “promote the resilience of ecosystems”.

National Planning Policy

- 5.6 [Planning Policy Wales](#) (Edition 11) was revised and restructured in February 2021 to coincide with the publication of, and take into account the policies, themes and approaches set out in, [Future Wales - the National Plan 2040](#) (see below) and to deliver the vision for Wales that is set out therein.
- 5.7 The primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being of Wales, as required by the Planning (Wales) Act 2015 and the Well-being of Future Generations (Wales) Act 2015.
- 5.8 PPW11 takes the seven *Well-being Goals* and the five *Ways of Working* as overarching themes and embodies a placemaking approach throughout, with the aim of delivering *Active and Social Places*, *Productive and Enterprising Places* and *Distinctive and Natural Places*. It also identifies the planning system as one of the main tools to create sustainable places, and that placemaking principles are a tool to achieving this through both plan making and the decision-making process.
- 5.9 Of particular relevance to this application is the updated [Chapter 6](#) of PPW11, which came into effect on 11 October 2023, and places a stronger emphasis on taking a proactive approach to green infrastructure, securing net benefit for biodiversity, strengthening the protection of Sites of Special Scientific Interest (SSSIs) and giving more consideration to the protection and enhancement of trees and woodlands.
- 5.10 It states that ‘development plan strategies, policies and development proposals should be formulated to look to the long term protection and enhancement of the special characteristics and intrinsic qualities of places, be these of natural, historic or built environments, ensuring their longevity in the face of change. This means both protecting and enhancing landscapes, habitats, biodiversity, geodiversity and the historic environment in their own right as well as other components of the natural world, such as water resources or air quality.’

Technical Advice Notes

- 5.11 PPW is supported by a series of more detailed [Technical Advice Notes](#) (TANs), of which the following are of relevance: -
- TAN 2: Affordable Housing (2006)
 - TAN 5: Nature Conservation and Planning (2009);

Noting also the Chief Planning Officer letter dated 23/10/19: securing bio-diversity enhancement;

- TAN 10: Tree Preservation Orders (1997)
- TAN 11: Noise (1997)
- TAN 12: Design (2016)
- TAN 15: Development and Flood Risk (2004)
- TAN 16: Sport, Recreation and Open Space (2009)
- TAN 18: Transport (March 2007)
- TAN 21: Waste (February 2017)

5.12 On 16th July 2020 the Welsh Government published [*Building Better Places: The Planning System Delivering Resilient and Brighter Futures*](#) which provides planning policy guidance for local planning authorities and the development industry on priorities for the planning system to deliver post Covid-19. The guidance is to be read in conjunction with PPW, which contains the principles and policies needed for Wales to recover from Covid-19 in a positive manner, putting placemaking at the heart of future development.

5.13 It also emphasises that development management decisions should focus on creating healthy, thriving active places with a focus on a positive, sustainable future for our communities. The planning system has an important role in supporting healthier lifestyles and reducing inequalities. This includes both direct and indirect opportunities such as the allocation of land for health facilities, ensuring good design and barrier free development, jobs and skills, improving air quality, soundscapes and protecting and improving access to recreation and natural green spaces. These can provide both physical and mental health benefits, improve well-being and help to reduce inequality.

The Development Plan

5.14 Section 38 (6) of the Planning and Compulsory Purchase Act 2004, requires that, if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

5.15 [*Future Wales - the National Plan 2040*](#) now forms part of the Development Plan for all parts of Wales, comprising a strategy for addressing key national priorities through the planning system, including sustaining and developing a vibrant economy, achieving decarbonisation and climate-resilience, developing strong ecosystems and improving the health and well-being of our communities. All Development Management decisions, strategic and local development plans, planning appeals and all other work directed by the development plan need to accord with Future Wales.

5.16 Policy 1 of Future Wales: *Where Wales will Grow* identifies Cardiff as a National Growth Area, whilst Policy 33 distinguishes Cardiff as an area for strategic economic and housing growth.

5.17 Policy 7: *Delivering Affordable Homes*, recognises the importance of providing housing in Wales at levels which meet the identified needs, and this is stated

as a key priority for the Welsh Government, indicating that the provision of affordable homes should become a key focus for housing delivery.

- 5.18 The Local Development Plan is the [Cardiff Local Development Plan 2006-2026](#) which was adopted in January 2016, and within which the following policies are of relevance:

KEY POLICIES

- KP1 Level of Growth
- KP4 Master Planning Approach
- KP5 Good Quality and Sustainable Design
- KP6 New Infrastructure
- KP7 Planning Obligations
- KP8 Sustainable Transportation
- KP12 Waste
- KP13 Responding to Evidenced Social Needs
- KP14 Healthy Living
- KP15 Climate Change
- KP16 Green Infrastructure
- KP 18 Natural Resources

DETAILED POLICIES

Housing

- H3 Affordable housing
- H6 Change of use or redevelopment to residential use

Environment

- EN4 River Corridors
- EN5 Designated Sites
- EN6 Ecological Networks and Features of Importance for Biodiversity
- EN7 Priority Habitats and Species
- EN8 Trees, Woodlands and Hedgerows
- EN10 Water Sensitive Design
- EN11 Protection of Water Resources
- EN12 Renewable Energy and Low Carbon Technologies
- EN13 Air, Noise, Light Pollution and Land Contamination
- EN14 Flood Risk

Transport

- T1 Walking and Cycling
- T5 Managing Transport Impacts
- T6 Impact on Transport Networks and Services

Community

- C1 Community Facilities
- C3 Community Safety/Creating Safe Environments
- C4 Protection of Open Space
- C5 Provision for Open space, outdoor recreation, Children's play and sport
- C7 Planning for Schools

Waste

- W2 Provision for Waste Management Facilities in Development

Supplementary Planning Guidance:

5.19 The following [Supplementary Planning Guidance](#) (SPG) is of relevance to this application: -

- Green Infrastructure (including Technical Guidance Notes relating to: Ecology and Biodiversity; Trees and Development; Public Rights of Way and Development; River Corridors; Protection and Provision of Open Space in New Developments; Soils and Development) (November 2017)
- Infill Sites (November 2017)
- Managing Transportation Impacts (Incorporating Parking Standards) (July 2018)
- Planning for Health and Wellbeing (November 2017)
- Planning Obligations (January 2017): including Education Memorandum (July 2023)
- Residential Design Guide (January 2017)
- Residential Extensions and Alterations (November 2017)
- Waste Collection & Storage Facilities (October 2016).

6. INTERNAL CONSULTEE RESPONSES

- 6.1 **Shared Regulatory Services (Contaminated Land)** raises no objection in a consultation response dated 17 February 2020 and recommends the inclusion of pre-construction conditions relating to contaminated land, ground gas protection, imported soil and aggregates and the use of site won materials. Subject to the imposition of the recommended conditions, the application is considered acceptable in respect of contaminated land.
- 6.2 The **Affordable Housing Development Manager** raises no objection to the proposed development in a consultation response dated 01 November 2023. The application is submitted by Cardiff Council's partner Registered Social Landlords (RSL) Taff Housing Association, and for this reason, the Housing Development Team are supportive of the scheme and will collaborate with Taff Housing Association to ensure its successful delivery.
- 6.3 The **Tree Officer** objects to the application, on grounds that the mitigation proposals are considered insufficient to address the very substantial loss of trees and woodland, contrary to the provisions of the new Chapter 6 of PPW11 and Policy EN8 of the adopted Local Development Plan (2016).

- 6.4 **Operational Manager (Traffic and Transportation)** has recommended the inclusion of appropriately worded planning conditions in a response dated 29 November 2023.
- 6.5 The **County Ecologist** raises significant concerns with the application in a response dated 24 November 2023, but considers that the numerous ecological considerations for which further detail is required, can be appropriately assessed through the imposition of the recommended planning conditions.
- 6.6 **Waste Management** raise no objection to the proposed development in a consultation response dated 25.03.2021, subject to the developer entering into a Section 106 Agreement requiring the purchase of bins totalling £2,305.00.
- 6.7 No objection is raised to the development proposed by **Neighbourhood Regeneration** in a consultation response dated 23 February 2021, subject to the developer entering into a Section 106 Agreement to secure a contribution of £36,081.02.
- 6.1 The **Public Rights of Way (PROW) Officer** acknowledges that there are two Public Rights of Way Footpaths, Radyr 48 and Radyr 56 crossing the site, both of which are very popular woodland leisure routes providing connections to the trails alongside the River Taff and to Radyr Woods.
- 6.2 Whilst the existing PROW will be retained, the path from De Braose Close to Radyr Court Road will be changed to a footpath adjoining the access road, and will no longer be a woodland leisure walk, but a footpath adjacent to a road, which is a concern.
- 6.3 In addition, further information is required in respect of the links to be provided between the existing and the proposed footpaths. Further information should also be submitted to understand how public access will be permitted during the development.
- 6.4 Whilst no objection is raised, the Public Rights of Way (PROW) Officer does raise concerns and does request the submission of additional information in support of the application.
- 6.5 **Shared Regulatory Services (Noise)** has recommended the inclusion of planning conditions in a consultation response dated 19 March 2020 which relate to railway noise and vibration, construction site noise, construction site dust and waste management. Subject to the inclusion of the recommended conditions, no objection is raised.
- 6.6 **Parks Services** raise no objection to the development, subject to the developer entering into a Section 106 Agreement to secure a contribution of £45,375, in lieu of on-site open space provision.

7. EXTERNAL CONSULTEE RESPONSES

- 7.1 **Natural Resources Wales (NRW)** confirmed in a consultation response dated

02 November 2023 that they continue to have concerns with the application, but are satisfied that the concerns can be overcome through the imposition of the recommended planning conditions relating to land contamination and controlled water, as well as European Protected Species. Without the inclusion of the recommended conditions, an objection would be raised.

- 7.2 **Dŵr Cymru Welsh Water** raise no objection to the proposal in a consultation response dated 13 November 2023, subject to the inclusion of a condition requiring the submission of a drainage scheme prior to the commencement of development. It is noted that capacity exists within the public sewerage network to receive the domestic foul only flows from the proposed development site.
- 7.3 However, it is also noted that the proposed development site is crossed by a public sewer and the applicant intends to divert the existing 225mm foul sewer and 1200mm surface water sewer. Given the size of the surface water sewer, **Dŵr Cymru Welsh Water** consider it to be a strategic asset and the developer would need to apply for a Sewer Requisition in order to confirm whether diversion on a strategic asset of this size will be achievable. Prior to the issuing of planning consent, the developer should confirm that it is considered acceptable in principle to divert such a large asset and should it not be achievable, the applicant will be required to reposition the proposed development to accommodate for the required protection zones of these assets.
- 7.4 Notwithstanding this, if the Authority are minded to grant planning consent, conditions are recommended to be included which ensure no detriment to existing residents or the environment, and to Dŵr Cymru Welsh Water's assets.
- 7.5 **Network Rail** raised no comments to the consultation undertaken on 30 October 2023, in a response dated 08 November 2023.
- 7.6 The **Glamorgan-Gwent Archaeological Trust** raise no objection to the positive determination of the planning application in a response dated 02 November 2023.
- 7.7 **South Wales Fire and Rescue Service** raises no objection to the proposed development in a consultation response dated 24 November 2023, and refers the Local Planning Authority to any current standing advice by the Fire Authority about the consultation.
- 7.8 Amey Infrastructure Wales (AIW), acting on behalf of **Transport for Wales**, provided the following comments in a consultation response dated 14 August 2023:

The land to be developed and areas of the railway are impacted by Invasive Non Native Species, including Himalayan Balsam and Japanese knotweed, as such Transport for Wales and Amey Infrastructure Wales Limited needs to understand how these species will be managed during and post the development of the land.

The majority of the development appears to be at a distance from the railway property, however we do request further details on the drainage plans in order to ensure that any changes to flows do not impact the operational rail.

7.9 The **Designing Out Crime Officer** (South Wales Police) provided a consultation response on 30 August 2023 which stated that the response originally received on 09 March 2021 is still relevant, and no further matters were raised. No objection is raised, subject to the developer being made aware of the observations and recommendations raised.

8. REPRESENTATIONS

8.1 As noted above, the application was initially submitted to the Council on 28 January 2020, and several iterations have been received in response to the consultation responses and representation received.

8.2 The initial consultation took place by way of neighbour notification letters, sent on 12 February 2020, the display of site notices and advertisement in the local press (Western Mail), on 27 February 2020. Around 200 objections were received in response to the initial consultation undertaken.

8.3 A secondary consultation was undertaken in response to amended plans and documents submitted on 05 February 2021. The secondary consultation took place by way of neighbour notification letters, sent on 22 February 2021, and the display of site notices dated 19 February 2021. This consultation resulted in the submission of 162 objections.

8.4 A further set of amendments were received on 15 November 2021, which resulted in further letters being sent to neighbours. In response to this iteration, 57 letters of objection were received.

8.5 Subsequently, on 10 May 2022, amended Site Layout Plans with associated Engineering and Landscaping drawings were submitted to the Authority. 26 objections were received in response to the amendments submitted.

8.6 In an attempt to address the objections received, a full suite of amended documents and plans was submitted to the Authority on 10 July 2023. A further consultation took place which included neighbour notification letters, sent on 17 July 2023 and the display of site notices which were posted on 27 July 2023. A total of 93 objections were raised.

8.7 Further, additional information including the submission of a revised Arboricultural Impact Assessment, Ecology Update, Community Woodland Strategy, Landscaping Plans and amended Site Layout Plans were submitted on 30 October 2023. Again, a consultation was undertaken with neighbouring residents, which resulted in the submission of 33 additional objections, at the time of writing.

8.8 Overall, around 570 objections have been received in response to the multiple consultations undertaken, since the initial consultation began in February 2020.

8.9 In addition, a petition has been received which includes 2,300 signatures, 2,020 of which were signed in 2021, 99 signed in 2022, and 181 signed in 2023.

8.10 All of the objections received related to the following summarised grounds.

Community Interest

Many of the objections refer to the lack of community desire for a development of this nature within the locality. It is claimed that the nearby development of Plas Dŵr is providing enough housing within the locality (7,400 houses, including over 2,200 affordable), and there is no need to provide more within this much-loved area of open space.

Impact on Trees

Almost every objection raises the matter of trees, and the harmful impact caused if the development is permitted. There is a significant tree loss resultant from the most recent proposals, which is seen as detrimental to the local community.

The removal of trees and disruption of woodland areas can lead to a significant negative environmental impact. Trees play a crucial role in air purification, carbon reduction, and maintaining biodiversity. Cutting down trees and eliminating woodland can disrupt local ecosystems, reduce green spaces, and potentially harm wildlife habitats.

Trees often contribute to the visual appeal of an area, enhancing its beauty and character. Objectors argue that the removal of trees negatively impacts the aesthetics of the open space, diminishing its attractiveness and altering its natural ambiance.

Some objectors refer to the crucial role of trees in mitigating the effects of climate change, by reducing levels of carbon dioxide. Removing trees would reduce the area's capacity to combat climate change, contributing to increased carbon emissions and exacerbating the wider environmental issues.

Some letters of objection received refer to the translocation of the Hazel tree (T60) and state that it should be retained in situ, and not moved to avoid its potential loss.

Access Road

The creation of an access road off De Braose Close will result in the destruction of natural habitats, and inevitably damage to the root systems of adjacent TPO trees.

It is considered by a significant number of objectors to damage the natural beauty and tranquillity of the existing area. Its construction would negatively damage the landscape, disrupt natural habitats, and visually clash with the existing environment, detracting from its scenic appeal.

Impact on Open Space and Amenity

The objectors claim that the woodland area is much needed in the community, and its loss will negatively impact the mental and physical well-being of residents who utilise the area for recreation and stress relief.

Open spaces and woodlands often serve as essential community assets, offering spaces for leisure activities, exercise, and relaxation. It is argued throughout, that the loss of this open space to accommodate affordable housing would reduce the available green areas, limiting residents' access to nature and outdoor activities.

The site is described by one objector as an “easily accessible rural breathing space a short distance from many homes”.

Climate Change & Heat Island Effect

Some argue that the application site could act as a buffer against extreme weather events by absorbing excess water and providing natural defences. Allowing this consent may leave local communities more vulnerable to the impacts of climate change, such as flooding and heatwaves.

In addition, concern is raised that the loss of trees and woodland will exacerbating climate-related challenges through the increase of heat resulting from the loss of natural surfaces with impervious materials such as concrete and asphalt.

Flooding and Drainage

Areas on the drawings which are referred to as illustrative access routes and community woodland areas are frequently flooded, do not lead anywhere and have no footpaths, they are unsuitable for use in place of existing footpaths as the plans suggest.

The applicant has failed to demonstrate that SUDs can be achieved at the site, and show that the development is acceptable in this regard.

River Taff Corridor

The site lies within the River Corridor, which is protected, and so the development should not be considered as an exception to this allocation within the Local Development Plan (2016).

Housing Need

Cardiff Council have recently announced that no further greenfield land is required to meet current housing needs, so clearly the application should either be refused or withdrawn on such grounds.

Ecological Impact

Many of the objectors are concerned about the impact of the development on the local ecological network, claiming that the development will detrimentally disrupt biodiversity, local ecosystems, destroy habitats, and fragment wildlife corridors. The site is a haven for wildlife including bats, slow worms, weasels, voles, rabbits, foxes, hedgehogs and a wide variety of bird, bee, butterfly and insect species within a biodiverse meadow.

Transport Impact (Highway Safety)

The objectors raise concern that the increased traffic associated with the development will put a strain on the existing infrastructure, and increase congestion within the wider Danescourt area.

De Braose Close and Nicholson Webb Close are used as a 'rat run' for parents collecting children from school, and increased traffic associated with the construction phase of the development, as well as the development itself, will be detrimental to highway safety. The area is significantly congested during peak school hours, and this will exacerbate this issue.

Sense of Place

The space proposed for development holds cultural, sentimental and historical significance for the local community. The approval of this application may erode this identity, leading to a sense of loss or change in community character.

The application site creates a sense of place which offers a distinct feel and character that will alter dramatically if the development is approved.

The objections outlined above stem from concerns about the trade-off between providing affordable housing and preserving the environmental and social benefits that open spaces and woodlands offer to a community.

8.11 Since 2020, the following Councillors have objected to the development:

- (Former) Councillor Roderick McKerlich
- (Former) Councillor Philippa Hill-John
- Councillor Sean Driscoll (Llandaff)
- Councillor Rhys Taylor (Gabalfa)
- Councillor Calum Davies (Radyr and Morganstown)
- Councillor Helen Lloyd Jones (Radyr and Morganstown)
- Councillor Neil McEvoy (Fairwater)

8.12 The responses received from the ward Councillor will be outlined in detail below. However, the objections received can be summarised as follows:

Protection of Open Space

The application goes against Cardiff Council's long-standing commitment to protect this green area from development.

Excessive Development

There are significant developments under construction within the proximity of the site (Plas Dwr) which provide more housing, including affordable housing, for residents in Cardiff. Developing this area against the local community seems excessive, as it only provides 36 houses.

Health and Well-being

The scheme will result in the loss of this highly valued parcel of land, and people will use it less for recreational purposes. This is detrimental to the physical health and well-being of local residents. The woodland is a perfect example of how the outdoors and fresh air can restore people when seeking solace away from the day-to-day lives within an urban environment.

The loss of this rural breathing space to the existing community would contradict the intentions of the Wellbeing of Future Generations Act Wales 2015.

Heat Island Effect and Climate Change

The woods provide a cool and tranquil setting, away from the heat of the nearby urban areas, and the loss of woodland and trees will have a negative impact on climate change and the Council's commitment to reducing the impact of climate change.

Loss of Trees

Removing a woodland at a time when the Council are seeking to achieve a 25% canopy target is counterproductive, and the application should be refused on such grounds.

Allocation of Land

The land is not allocated for housing development in the adopted Local Development Plan (2013).

Flooding

The area is known to flood at times of high rainfall, and access from Radyr Court Road would be dangerous during these times.

Penrhys Pilgrimage Route

The route used by pilgrims goes through this woodland, and it is representative of the historic medieval route which would have traditionally been taken. Introducing an access road here with footpath would impact the historical significance of this area for pilgrims, which must be considered as having a negative impact.

Highway Safety

The proposed access through De Braose Close is not adequate, and will be detrimental to highway safety if used. The road is not suitable to carry more traffic.

Impact on Ecology

The approval of this scheme can be considered as environmental vandalism and the loss of wildlife and habitat within the local environment will be permanent.

8.13 **Cllr Sean Driscoll** raised an objection to the scheme in March 2021 on the following grounds:

- Protection of Woodland in River Corridors;
- Impact on the road network;
- Impact of loss of community amenity space;
- Lack of plan to deal with run-off surface water;
- Removal of Trees, Woodland, Hedgerows and scrubland;
- No details of historic flooding on Radyr Court Road;
- Loss of Biodiversity and habitat for wildlife to spread;
- Lack of consultation with TFW and impact on Railway embankment;
- Unsuitable access to site via Highway;
- Light pollution into the homes of existing residents from vehicles moving within the site compounded by the sloping ground;
- A proposed shared cycle/pedestrian surface only 2m wide;
- No detail of any access proposed from Radyr Ct Road;
- Risk of flooding against the railway embankment from development side that is already acknowledged could happen to the embankment from the River Taff side.

In the most recent response, dated 1st September 2023, **Cllr Driscoll** emphasises the importance of the open space for local residents, and has researched in further detail the historical context of the application site. The following is an extract from the response:

I have searched the original Land at Radyr Court applications 75/1018 from 1975, also application 78/805 from 1978. Looking through the historic documentation, on the original Danescourt Master Plan, It clearly shows the area proposed to be developed on now, was originally designated at the time as Public Open Space (POS).

This area of designated Public Open Space was in 1975/8 to be set aside and protected, for the quiet peaceful enjoyment and physical health and wellbeing benefit that it offers to the residents of Danescourt to this day.

The objection to the development is maintained.

- 8.14 **Mark Drakeford MS and Kevin Brennan MP** have jointly objected to the development on grounds relating to overdevelopment, access, and its impact on the environment. The response states that “we share the view of many residents that this site is simply not a suitable candidate for any form of development”. The response reads as follows:

We receive an increasing amount of correspondence from constituents expressing the importance of environmental protection and tackling climate change, and retaining as many green spaces as possible in our city is an important contribution to this. The small patch of woodland at this site in Danescourt is very important to local residents as an amenity for exercise, access to nature and an active travel connection with the Taff Trail.

The additional number of vehicles associated with a development of this size requires substantial road infrastructure. We are not satisfied that it would be possible to provide such infrastructure at this location. Access to the site would only be possible via De Braose Close, a quiet residential cul-de-sac, and via Radyr Court Road, a lane which is rarely used by vehicles. These minor roads would not be able to withstand the additional traffic of this development and there would be a significant impact for residents of these two roads.

- 8.15 **Andrew RT Davies MS** formally objects to the development, stating in a response that “there is a considerable concern and strength of feeling amongst the residents concerning the current application”. The matters raised are summarised below:

All previous applications on the site have been rejected, demonstrating that the site is completely unsuitable for development. The site is within close proximity to the former Radyr Quarry, which raises concern about the risk of contamination, and there is flood risk at the site with the nearby Radyr Court Road frequently being exposed to flooding.

The proposals also have severe ecological impacts, and the development, if approved, would result in significant habitat destruction. It will also increase traffic along De Braose Close, impacting the existing levels of air quality and this will be exacerbated by the fact that there are insufficient public transport options available, with no viable routes to the nearest bus stops or train station within the recommended maximum distance. The development will also cause serious pressures on local services.

- 8.16 **Cardiff Civic Society** have provided several objections to the proposed development throughout the consultation process. The objections are based on the following grounds:

Loss of Woodland

The loss of woodland is in direct contravention of Section 6 of the Environment (Wales) Act 2016 and the Green Infrastructure policy in Planning Policy Wales. The woodland would be almost completely destroyed by the construction of the proposed access road.

The creation of a vehicle and pedestrian access from De Braose Close to a housing estate in woodland would clearly be very destructive to natural habitat and damage the root systems of adjacent TPO trees, as well as a haven for wildlife.

Declaration of Climate Emergency

On 28 March 2019 Cardiff Council declared a Climate Emergency. According to the Department for Business, Energy and Industrial Strategy, a Climate Emergency Declaration is a material planning consideration. Woodlands such as this are considered an environmental asset that will help to contribute towards the offset of the effects of Climate Change.

Heat Island Effect

Open spaces with trees and vegetation help mitigate the urban heat island effect by providing shade and reducing surface temperatures. This is particularly important in densely populated urban areas where temperatures tend to be higher. The area of woodland and meadow to be destroyed is particularly important as a carbon sink and to reduce water runoff.

Land Allocation

The site is not allocated for housing within the Local Development Plan. It is part of the Taff River Corridor which should be protected, in line with the policy requirements. All of Cardiff's river corridors are strategically important open spaces that run through the heart of the urban area, and this matter should be considered.

Availability of Open Space

Green space is at a premium in Cardiff. This area is a wooded, natural green space that has been open to and enjoyed by the public for a great many years. It is much used by walkers, ramblers, runners, joggers. Dog walkers and not least by children who use it as an adventure playground. It forms an important natural, local recreation area, which should not be lost. Cardiff Council has made it clear that no further greenfield land is required to meet housing needs for the foreseeable future, therefore this application should be refused.

Historical Context

All previous applications to develop this site have been refused, both by the Local Planning Authority and subsequently at appeal. The reasons for these refusals remain applicable to this proposal.

Impact on Wildlife

The woodland plays an important role in the creation and support of habitats and as a corridor for wildlife. Apart from the many birds, which use the trees for nesting purposes, there is also evidence of bats using the area for foraging and possibly for roosting.

Reliance on the private car

The development will have inadequate access to public transport which will result in the majority of residents relying on the use of the car. This will contribute to levels of emissions within the area and has the potential to worsen air quality.

Drainage and Flooding

The applicant has not gained SuDS Approval and has not demonstrated that the site can be adequately drained. The application also fails to demonstrate that the development will not exacerbate flood risk in the area surface water already ponds on this land.

Access Road (Highway Safety)

Proposed access via De Braose Close, a narrow cul-de-sac, will create a hazard due to the hugely increased number of vehicles, plus HGVs during a lengthy build period.

Contaminated Land

Remnants of an old landfill site are known to be at this location. Details of how far it extends and what substances were dumped are incomplete so full records of any remaining hazardous materials are not available. The proposal would expose residents to unknown chemical hazards.

- 8.17 The local community council, **Radyr and Morgantown Community Council**, have also continued to object to the proposed development since the initial submission in 2020. They object on the following grounds:

Historical Context

There have been previous planning applications for residential development at this location which have been refused. Reference is made within the objection to the Inspector's consideration of open space, as well as highway safety concerns.

Access

The access would be dangerous as De Braose Close is a cul-de-sac and is not suitable to carry more heavy traffic associated with the development itself, and the construction period.

Flooding

Concern is raised that Radyr Court Road floods, and the properties would therefore be impossible to access in cases of emergency.

Loss of Woodland and Green Space

Radyr and Morganstown Community Council believes that this development will be damaging to wildlife and much treasured woodland and cause unacceptable harm to the wildlife corridor.

Well-being

This development would break the river corridor on the West Side of the Taff. It will take away areas that children use for dens and outside play. It would take away a rural corridor regularly walked by residents of Radyr for pleasure and recreation – and to reach other parts of the Cardiff, including Llandaff.

The area provides part of a continuous, natural route, free of traffic, through woodlands, all the way from Radyr to the centre of town (including alongside the river at Llandaff, behind the Cathedral and through Bute Park). In a densely populated city, having such a facility is rare and precious - and should be maintained at all costs.

The amenity value of this woodland and its footpaths is important for the residents of Radyr and Morganstown. Radyr & Morganstown Community Council believes it should stay just as it is. The development would cause harm to this significant public amenity.

- 8.18 In addition to the above, **Danescourt Community Association** have actively objected to the proposed development throughout the consultation process, referencing the previous refusals of planning permission and subsequent dismissals of appeals as a significant consideration in the determination of this application. The following grounds of objection are also noted within their responses:

Ecology

The land which is the subject of this planning application is a wooded, natural green space which is an important habitat and wildlife corridor. The woodland is described as having little ecological value within the Green Infrastructure Statement, but this is disputed. There are birds and bats using the application site, as well as other species, which will be destroyed if this application is approved.

Access Road

De Braose Close is not a suitable road to provide access to the site as proposed. It is a narrow residential cul-de-sac already serving 70 properties. Like many similar roads, due to lack of previous provision of an adequate number of parking spaces, it has cars parked upon it which make forward progress for vehicles somewhat awkward. It also contains a sharp 90 degree bend along its length which effectively prevents any large vehicles, particularly large construction vehicles from gaining safe access.

Public Transport

The site does not comply with the Active Travel Wales guidance as it is located further than the maximum walking distances recommended to a bus stop and a railway station.

Air Quality

The development will have inadequate access to public transport which will result in the majority of residents relying on the use of the car. Car use will contribute additional traffic to a location that is already busy, and this will have a negative impact upon the air quality within the wider area.

Ground Investigation and Contamination

Radyr Quarry was used as a waste disposal site from 1962 to 1970. The Welsh Government Lle Geo Portal ([www2](http://www2.gov.wales)) states that all types of waste were accepted at this site during this period. This includes domestic, commercial, industrial, and special wastes. As such, concern is raised about contaminated land, given that it is unclear what waste was accepted in the top, and from what geographical area.

No attempt has been made to establish the boundary of the former landfill at Radyr Quarry and whether that landfill interacts with the site in anyway. It is perfectly possible that contaminated pathways may exist across the site and equally possible that contaminated materials were previously allowed to be buried under the site. The ground investigation data fails to disprove these possibilities, which could lead subsequently to a variety of problems for the developer.

Drainage and Flooding

The applicant has not gained SUDs approval and it cannot be adequately demonstrated that the site can be sufficiently drained. The applicant has also failed to demonstrate that the development will not exacerbate flood risk in the area.

Education

Danescourt Primary School is already at capacity and oversubscribed. This situation is likely to continue, and this development will exacerbate the existing problems.

Penrhys Pilgrimage Route

The route travels through some beautiful countryside areas, not least the woodland which is the subject of this proposal. Giving approval to this planning application would significantly detract from the attractiveness of this walk.

Danescourt Community Association therefore strongly object to the approval of the development, suggesting that it would be inappropriate because of the

unquantified risk of contamination, flooding, additional traffic, and considerable environmental considerations, including the loss of woodland, trees and an area of significant ecological value. The objection states the following:

This planning application was registered as a valid application on 7th February 2020. Almost two years has passed during which Cardiff Council has given the applicant every opportunity to demonstrate that the many objections to the scheme submitted to the Council have been resolved, but the applicant has failed to achieve this. Cardiff Council should now terminate this continuing situation by determining the application.

The applicant has failed to resolve the concerns expressed in the many valid objections that have been submitted to the Council.

8.19 **Llandaff Society** objects to the planning application on the following grounds:

- The access is unsuitable for servicing such a large number of extra homes;
- The development would cut a wedge out of the narrow sliver of green open space which is much valued by local residents;
- It will detrimentally impact the Penrhys Pilgrimage route;
- The development may have a negative effect on Radyr Woods to the north, an important habitat for wild animals and wildlife corridor, as well as making a much-needed contribution to air quality;
- Increased pressure on local services, such as schools GPs and dentists.

Llandaff Society acknowledge that there is a high demand for social housing, but state that this matter should not be used to justify building on land on which permission for housing has been refused on appeal on multiple occasions, albeit with different access arrangements.

8.20 The **Woodland Trust** object to the development. The following extract is from the letter of objection:

The Woodland Trust would like to lodge a holding objection to this development on account of potential impact to a veteran oak tree (Arboricultural report reference: T48) which is protected by a Tree Preservation Order. Based on the current site layout, T48 will be subject to Root Protection Area (RPA) encroachment from proposed hardstanding related to the adjacent dwellings. This encroachment could have a detrimental impact on the longevity of the veteran tree from potential root severance and compaction. Therefore, the Trust requests that all infrastructure is constructed outside of the tree's RPA.

Ancient and veteran trees are recognised as irreplaceable and afforded protection under PPW. Further to this, as the tree is recognised as a veteran specimen, the Trust is of the opinion that T48 should be afforded a larger buffer zone of 15x the stem diameter (or 5m beyond the canopy if that's greater) to ensure the tree is adequately protected. This buffer zone recommendation is supported by the Ancient Tree Forum.

In summary, the Woodland Trust will maintain an objection to this application unless the applicants can demonstrate that T48 will be adequately protected as befits a veteran specimen.

- 8.21 Another organisation who object to the development, and who have vehemently done so since its original submission in 2020 is **The Penrhys Pilgrimage Project**, a project which seeks to recreate the medieval pilgrimage from Llandaff Cathedral to the Holy Well and Statue of Our Lady of Penrhys. The trail runs through the application site, and is a promoted walk by a partnership project between Penrhys Pilgrimage Project, Cardiff Council, Rhondda Cynon Taf Council and various other organisations.

It is argued that the woodland area and pilgrim route should be retained as a wooded, green area, rather than become a footway adjacent to a highway. The Pilgrimage Project state that this development will, “urbanise this green space used for recreation by local people, and spoil an ancient Pilgrimage Path”.

In summary, the Pilgrimage Project argue within their objections that losing woodland areas along the pilgrimage route could not only disrupt the traditional path and historical context but also impact the spiritual and natural elements integral to the pilgrimage experience.

It is also argued that the development will generate additional volumes of traffic along the residential cul-de-sac of De Braose Close, spoil the area of open space which is enjoyed by the local community, and negatively affect the trees and ecological habitats that exist within the application site.

- 8.22 Three objections have been received from **Friends of the Earth** in response to the consultations undertaken, objecting on the following grounds:

- Incompatible with Local Development Plan policies EN4, EN6, EN8;
- Incompatible with Cardiff Council’s declared Climate Emergency;
- Incompatible with the Cardiff Corporate Plan proposal to increase Cardiff’s tree canopy;
- Severely damages Tree Protection Order band of trees overlapping access road;
- Incompatible with Cardiff BRED report;
- Incompatible with the Well being of Future Generations (Wales) Act 2015.

In summary, Friends of the Earth state that the development is within an inappropriate location, in a woodland which is protected by a designated River Corridor, and provides recreational value to Danescourt residents. The area contributes to Cardiff’s tree canopy level, stores carbon and helps to aid in the Climate Emergency.

- 8.23 All public representations made on the application are available to view in full on the Council’s website at: [20/00187/MJR](https://www.cardiff.gov.uk/20/00187/MJR).

9 ANALYSIS

- 9.1 The key material considerations in the determination of this application are the principle of development, its impact upon trees, ecology and green infrastructure, highway safety and drainage.

Land Use / Principle of Development

- 9.2 The planning system manages the development and use of land in the public interest, contributing to improving the economic, social, environmental and cultural well-being of Wales, as required by the Well-being of Future Generations (Wales) Act 2015, and as stated in paragraph 1.2 of Planning Policy Wales (Edition 11, February 2021) (PPW11).

- 9.3 The application site falls within the settlement boundary as defined by the LDP Proposals Map. It is identified as an area open space and lies within the River Taff River Corridor.

Open Space

- 9.4 Policy C4 *Protection of Open Space* of the adopted Local Development Plan (2016) seeks to protect open space that has significant functional, conservation, environmental or amenity value, and applies to all areas of open space within the County. Development will not be permitted on areas of open space unless:
- i. it would not cause or exacerbate a deficiency of open space in accordance with the most recent open space study; and
 - ii. the open space has no significant functional or amenity value; and
 - iii. the open space is of no significant quality; or
 - iv. the developers make satisfactory compensatory provision; and, in all cases;
 - v. the open space has no significant nature or historic conservation importance.
- 9.5 The application site is classified as an area of 'Amenity Functional' open space (natural / semi-natural green space) as shown demarcated in green on fig. 20 below, and as shown, applies to the whole of the application site:



Figure 20: Extent of Open Space classification

- 9.6 LDP Policy C4 reflects guidance contained within [Technical advice Note \(TAN\) 16: Sport, Recreation and Open Space](#) (2009) as well as Planning Policy Wales (Edition 11, February 2021)(PPW11), with particular reference to paragraph 4.5.3 which states the following:

Formal and informal open green spaces should be protected from development particularly in urban areas where they fulfil multiple purposes. As well as enhancing quality of life, they contribute to biodiversity, the conservation of the historic environment, nature and landscape, better air quality, the protection of groundwater and as places of tranquillity. Such open spaces also have a role in climate protection and in enabling the adaptation of urban areas to the impacts of climate change, for example by contributing to flood management and helping to reduce the effects of urban heat islands.

- 9.7 It continues to emphasise the importance of open space at paragraph 4.5.5, stating that:

Planning authorities should protect playing fields and open spaces which have significant amenity or recreational value to local communities from development.

- 9.8 The Open Space Survey 2022 classifies the whole of the site as amenity open space, which contributes to the overall figures for recreational open space within the Llandaff ward, as set out in the survey. The ward has an overall deficit of 17.28 hectares of recreational open space (based on the 2.43 ha per 1,000 population standard) relative to the standard for each ward within the city. Thus, the loss of this site will increase the existing deficit within the local area.

9.9 In order to fully comply with Policy C4 of the adopted LDP, the application needs to be considered and assessed against the following criteria, found within Technical Guidance Note: Protection and Provision of Open Space in New Development, an accompanying note to Supplementary Planning Guidance for Green Infrastructure (November 2017):

- The functional and amenity value of the open space;
- The quality of the open space; and
- The nature or historic conservation value of the open space.

9.10 The following extract is taken from paragraph 4.3.4 of the aforementioned document:

The characteristics of these open spaces can vary considerably, and their particular amenity value may be based on different factors. The basis of assessing the amenity value of an area, whether recreational or amenity open space, will relate to:

*a) **Visual Amenity** - For a site to possess visual amenity value, it must be located where the general public can gain significant “visual access”. It must contribute to the visual character and environmental quality of the surrounding area. There will be an objection to proposals which would adversely affect the appearance of open spaces which significantly contribute to the visual appearance of an area.*

*b) **Leisure Amenity** - Areas of woodland, allotments, ornamental gardens and public rights of way, by definition are not considered suitable for active sports and recreation. However, such amenity open spaces can provide an important informal open space resource for local people and accommodate passive activities such as walking, dog exercise and nature studies. The importance of such areas is heightened if there are limited alternative areas of recreational and amenity open space in the locality or if the areas make a contribution to the city-wide provision of open space. Proposals which would cause unacceptable harm to areas of leisure amenity value will be opposed.*

9.11 The amenity value of some areas of open space is important both locally, and in the wider context of the City. In this case, it is clear given the number of objections received, that the area is regarded as visually important; the ecological diversity, established mature trees and various flora and fauna provide a green and rich area which offers aesthetic beauty to the local area, creating a visually appealing landscape.

9.12 In addition, based on the observations of third parties, the area serves as a natural retreat for recreational activities like walking, birdwatching, or simply enjoying the tranquillity of nature. It offers a peaceful escape and an opportunity for residents to connect with the outdoors, enhancing the quality of life for residents by offering a visual and physical barrier that separates urban development from natural spaces.

- 9.13 In acknowledging the significant objections received to the proposed development which relate to the loss of open space, it is clear that the site contributes significantly to the well-being of the community by providing access to nature, fresh air and recreational opportunities within close proximity to an established residential area.
- 9.14 The land clearly plays a multifaceted role in promoting the physical and mental health of local residents, who acknowledge in their objections the importance of the site for their quality of life, which includes health benefits and general well-being.
- 9.15 These views are supported, in general, by both local and national policy, which seeks to avoid the loss of dedicated open space, given its importance in the contribution to a sense of place, the health, well-being and amenity of local communities as well as climate protection, in addition to creating viable and sustainable places.
- 9.16 Notwithstanding the above, matters relating to the loss of open space have been considered at appeal previously, in 2006 (APP/Z6815/A/05/1177735) and most recently in July 2014 (APP/Z6815/A/13/2207479), and Members will be aware that regard must be given to the planning history of the site, and the previous appeals, which are a material planning consideration, notably in respect of the need to ensure consistency.
- 9.17 To provide a chronological overview, planning permission for the residential development of five dwellings on land at Radyr Court Road was refused on 16 December 2004 under planning permission reference [04/02044/W](#) for the following reason:
1. The proposal would result in the loss of an area of open space which has visual amenity value in forming part of a corridor of open space which separates the Danescourt residential area from the River Taff. Its development would therefore be contrary to Policy 7 of the City of Cardiff Local Plan and Supplementary Planning Guidance to the plan on Open Space. It would also be contrary to policies 1.J and 2.49 of the deposit Cardiff Unitary Development Plan.
- 9.18 The application was submitted in Outline, with all matters reserved.
- 9.19 The Planning Inspector considered the main issue in this case to be the harmful effect of the proposed development on the character and appearance of the area, paying particular regard to the resulting 'urbanising effect' of the development, if permitted. The Inspector noted the following:
- It is evident that the area of open space, within which the site lies, is valued by local residents because it is an easily accessible area that has retained, to a significant extent, a rural character, and which also contributes to the enjoyment of recreational users who appreciate its role as part of a larger area of open space.*

The presence of development nearby leads me to find that the area would be particularly susceptible to harm from further development that would erode the present balance between the natural environment and the built form. In this respect, whilst recognising that any future proposal would be judged on its individual merits, I note the concerns of the Council and local residents that allowing this scheme would make it difficult to resist further erosion of this area of open space.

9.20 Whilst having regard to the willingness of the appellant to reserve part of the site as open space, retain the existing hedgerows and provide additional planting, the Inspector stated that *these considerations would not acceptably mitigate the harmful effects* that have been identified. For this reason, the appeal was dismissed on 6th January 2006.

9.21 Subsequently, on 21st August 2012, planning permission was sought, again in Outline, for the development of 48 dwellings on land at Radyr Court Road, under planning application reference [12/01454/DCO](#).

9.22 Planning permission was again refused by the Council on 26 April 2013 for the following reasons:

1. The proposal would result in the loss of an area of open space which has visual amenity value in forming part of a corridor of open space which separates the Danescourt Estate from the River Taff. Its development would therefore be contrary to the provisions of Policy 7 of the City of Cardiff Local Plan (January 1996), the Open Space Supplementary Planning Guidance (March 2008), and Policies 1.J and 2.49 of the deposit Cardiff Unitary Development Plan (October 2003).

2. The proposed vehicular access to the site, notwithstanding the proposed highway improvements, would be narrow in width and would need further improvement to avoid potential conflict between users of the highway, including pedestrians. It is therefore inadequate to serve the proposed development of 48 no. dwellings, contrary to the provisions of Policies 16, 17, 18, 19 and 20 of the City of Cardiff Local Plan (January 1996), and Policy 2.57 of the deposit Cardiff Unitary Development Plan (October 2003) furthermore the necessary improvements to enable two vehicles to pass and the provision of a segregated footway would unacceptably damage the rural character of the area.

9.23 An appeal was made under Section 78 of the Town and Country Planning Act 1990 against the refusal to grant outline planning permission, dealt with under appeal reference [APP/Z6815/A/13/2207479](#).

9.24 The following extracts are taken from the Inspector's report:

(6) Whilst the visual and other qualities of the site are important to its visitors, it was described in the planning officer's report to committee as having 'little intrinsic value'. My observations lead me to agree with that position. The proposed development would change the experience of users; they would no longer be in a semi-rural, natural environment but in a managed, man-made

residential area. I understand that many local people value the existing appearance of the site and do not want it changed. The proposed development, however, would be well-designed with ample green areas. It would not be unsightly and, although altered, I do not consider that the visual amenity of the site would be harmed.

(8) The development of houses on the site would make it more clearly visible but they would be seen against the backdrop of the existing Danescourt settlement. In addition, when viewed from Hailey Park the appeal site, unlike existing housing development off Radyr Court Road, is on the far side of the railway line which would obscure parts of the proposed dwellings. My opinion is, therefore, that the appeal site does not make an important visual contribution to the corridor of open space separating the Danescourt estate from the River Taff. In the terms of the Council's Open Space supplementary planning guidance (SPG) it is not located where the general public can gain significant "visual access".

(9) The appeal site is identified on the proposals map of the City of Cardiff Local Plan (LP), adopted 1996, as open space; the ways in which it can be used classify it as amenity rather than recreation open space. The proposed development thus satisfies criterion (i) of LP Policy 7 which permits development involving the loss of amenity open space where it has no amenity value. Had that not been the case, however, criterion (ii) of Policy 7 would allow the proposal to proceed subject to the developer providing satisfactory compensatory open space.

(10) As described earlier there are several paths through the appeal site although only one is a PROW. The track from Radyr Court Road is owned by the appellant who asserted that public access to it could, as a matter of law, be prevented at any time. No evidence to the contrary was presented to the inquiry although it was stated in later submissions that the Council had carried out some maintenance from time to time. It is clear, however, that all the paths through the site are well-used such that it functions as a junction linking the Danescourt estate to a network of amenity open space and routes. To my mind this is the main asset of the site.

(11) The layout drawings are illustrative only but it is an essential principle of the proposal that paths through the site would be retained within a framework of green spaces. The explanatory text to Policy 7 clarifies that the acceptability of compensatory provision will be assessed with regard to the importance of the open space being lost and the needs of the locality; generally it should replicate its quantity and quality. In that light, I consider that the green areas and paths proposed would be satisfactory compensatory open space as required by criterion (ii). The proposed development would thus be consistent with LP Policy 7 on two counts. In protecting open spaces which are important for amenity, Structure Plan Policy B4 is consistent with Policy 7.

(14) My overall conclusion on this matter is that the proposed development would not be detrimental to the open space resource in the area.

- 9.25 The appeal was dismissed on 28 July 2014, on grounds that *the proposed development would harm highway safety and cause other detriment to road users, particularly those who are disabled, such that it would not comply with national planning policies.*
- 9.26 However, notwithstanding the final outcome, the Inspector's review of open space concluded that *the proposed development would not be detrimental to the open space resource in the area.* It was concluded that the site did not contribute either functionally or visually to the open space provision in the area and therefore, the proposed development would not be detrimental in this regard.
- 9.27 Noting the above, and whilst previous dismissals are considered as part of the decision-making process in that they are material planning considerations, they are not determinative. Each planning application is assessed on its individual merits, considering the particulars of the proposed development and supporting information.
- 9.28 In this case, the application proposes to retain a greater area of open space than the application reference [12/01454/DCO](#), submitted to the Authority in August 2012, due to the number of dwellings proposed and the site layout.
- 9.29 Furthermore, to mitigate for the loss of open space resulting from the proposal, the applicant has proposed to improve and manage the adjacent woodland (identified in blue on Fig. 21 below) so that it is capable of being transferred to the Council for adoption, along with funding to manage the woodland in the future.

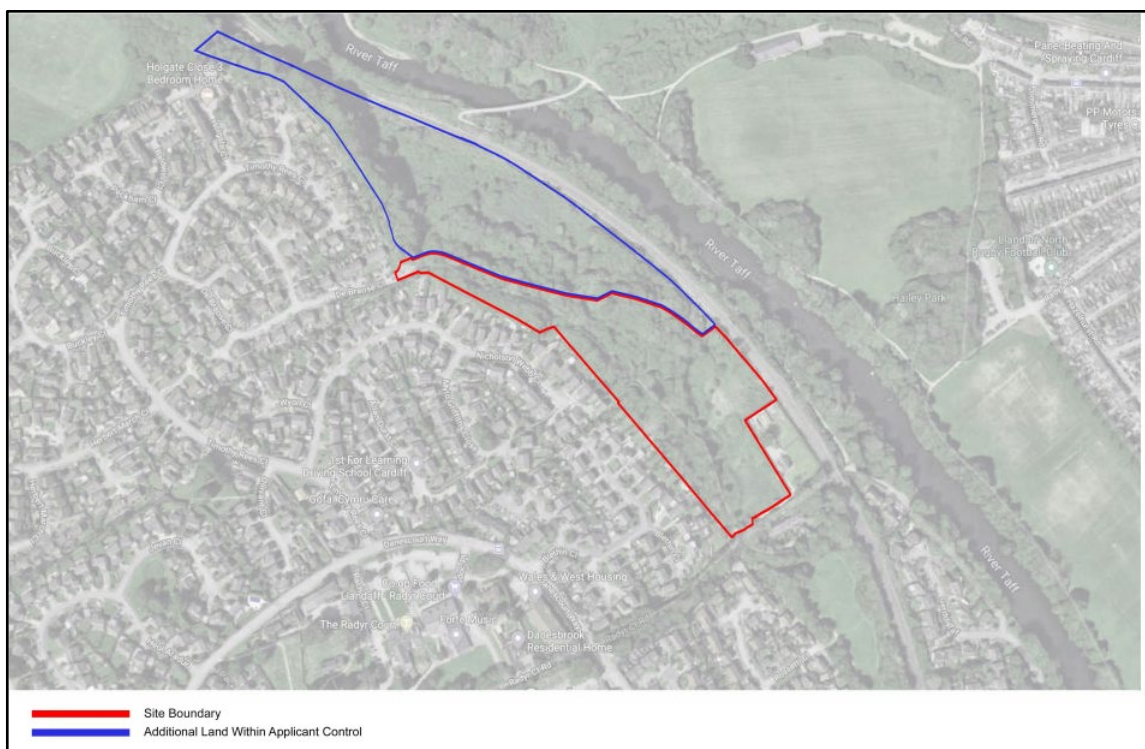


Figure 21: Community Woodland Area Proposed for Adoption

- 9.30 The Community Woodland Strategy submitted in support of the application, sets out the key aims, objectives and principles for the future management of retained woodland habitat over the long-term for the local community, and takes into account the following phases of development:
- Enabling and Pre-Construction Phases;
 - Construction Phase; and
 - Post-development.
- 9.31 The rationale for this Community Woodland Strategy is to facilitate the restoration, management and maintenance of the Community Woodland as a Green Infrastructure asset for the locality with respect to its arboricultural, ecological and landscape value.
- 9.32 The existing woodland area is not under management, and therefore its deterioration is evident. Any form of long-term management proposed will provide an improvement to the woodland area, which will benefit local residents and users of the site.
- 9.33 Management objectives considered necessary to achieve such aims, for implementation as part of a proactive management regime for the Community Woodland Strategy, include the following:
- Implement a programme of thinning works with focus on removal of diseased ash trees as a matter of urgency;
 - Seek to retain deadwood in situ including creation of log/brush piles;
 - Ensure the control and future management of scrub and invasive/pest species;
 - Encourage development of ecotone habitats;
 - Improve access into the woodland resource for local residents;
 - Identify and manage transitional veteran trees; and
 - Implement a programme of infill and replacement planting.
- 9.34 The responsibility for carrying out the functions of this Community Woodland Strategy will vary throughout the duration of the management period.
- 9.35 All management and maintenance works relating to the Community Woodland offsite during the pre-construction and construction phases of the adjacent development are the responsibility of the Principal Contractor appointed by the Developer, and are to be continued through to practical completion.
- 9.36 The responsibility for the management and maintenance works of all features of arboricultural, ecological and landscape value associated with the Community Woodland over the long-term will pass to Cardiff Council following their adoption of the Community Woodland. A contribution of £45,375, based on a minimal intervention of £1,815 per annum over a 25 year period, has been agreed with the applicant to secure the long-term management, and this figure (and transfer of the open space to the Council) will be secured through the associated Section 106 Agreement.

- 9.37 The main part of the application site reflects that considered in the earlier appeal, albeit slightly smaller to retain part of the adjacent woodland. The site is, however, larger insofar as it now proposes the creation of a long access between the site and De Braose Close through the woodland. This element is materially different to that considered at appeal, and is proposed as the former access was deemed by the Inspector to be unacceptable on highway grounds.
- 9.38 Insofar as the assessment against Policy C4 is concerned, it is noted that the LDP and associated Green Infrastructure SPG post-date the appeal decision.
- 9.39 While Policy C4 seeks to ensure that development would not cause or exacerbate a deficiency of open space; and requires that the open space has no significant functional or amenity value – and the Council’s Open Space Assessment shows a deficiency of open space in this Ward - in respect of the main part of the site (excluding the access) it is nevertheless considered that it would be difficult to reach an alternative conclusion to that reached by the Inspector who concluded that development within this area *would not be detrimental to the open space resource in the area*.
- 9.40 Turning to the issue of access, it is acknowledged later in this report that the new access through the woodland would have an impact on the natural character of the area through which it passes. It would not in itself, however, result in the ‘loss’ of open space, only the way in which the space is used. The impacts of the access road are therefore addressed later in the report, as opposed to this part of the scheme resulting in any strict loss of open space against Policy C4.
- 9.41 Policy C4 also allows developers (under (iii)) to “make satisfactory compensatory provision” and in consideration of the proposed mitigation, on balance, it is considered that the development could be considered acceptable in this regard, subject to the developer entering into a Section 106 Agreement which secures the long-term maintenance of the woodland.
- 9.42 In considering such matters, it is acknowledged that the loss of open space to accommodate residential development can be a contentious issue, especially when it involves sacrificing areas of natural green space, as noted in many of the objections received. The value of the woodland to the area would also appear to have increased in recent years, following the covid pandemic. However, when approached thoughtfully, it is considered that this loss can be mitigated through the proposed enhancements to the woodland and through responsible woodland long-term management, such that in this case it is argued that the implementation of a robust woodland management plan will help to protect the ecosystem by preserving biodiversity and arboricultural value, as well as ensuring the survival of various species.
- 9.43 Mitigating the loss of open space for affordable housing by implementing woodland long-term management isn’t about negating the loss entirely, but striving for a balance between social needs and environmental preservation. Responsible development, coupled with sustainable woodland management, can ensure that the benefits of housing provision are maximised, while minimising adverse effects on the environment.

9.44 As such, the proposed mitigation is considered to offset the impact of the development in terms of the loss of open space, and on balance, the development is considered to be compliant with Policy C4 of the adopted Local Development Plan.

River Corridor

9.45 In addition to the above, Policy EN4 *River Corridors* of the adopted Local Development Plan (2016) provides a planning framework within which the Council can protect, promote and enhance its river corridors.

9.46 The River Taff is one of Cardiff's four river corridors, and is designated as making a unique contribution to the character and form of the city providing continuous green corridors between the Severn Estuary and the countryside beyond the urban edge. Supporting paragraph 5.97 states the following:

The watercourses and adjoining open spaces possess high recreational, biodiversity, historic, cultural and landscape value. Additionally, they are located close to local communities and offer excellent opportunities for off-road access routes that can provide part of the wider strategic recreational routes and everyday network of routes.

9.47 The area of the site which lies within the designated river corridor is shown on fig. 22 below.

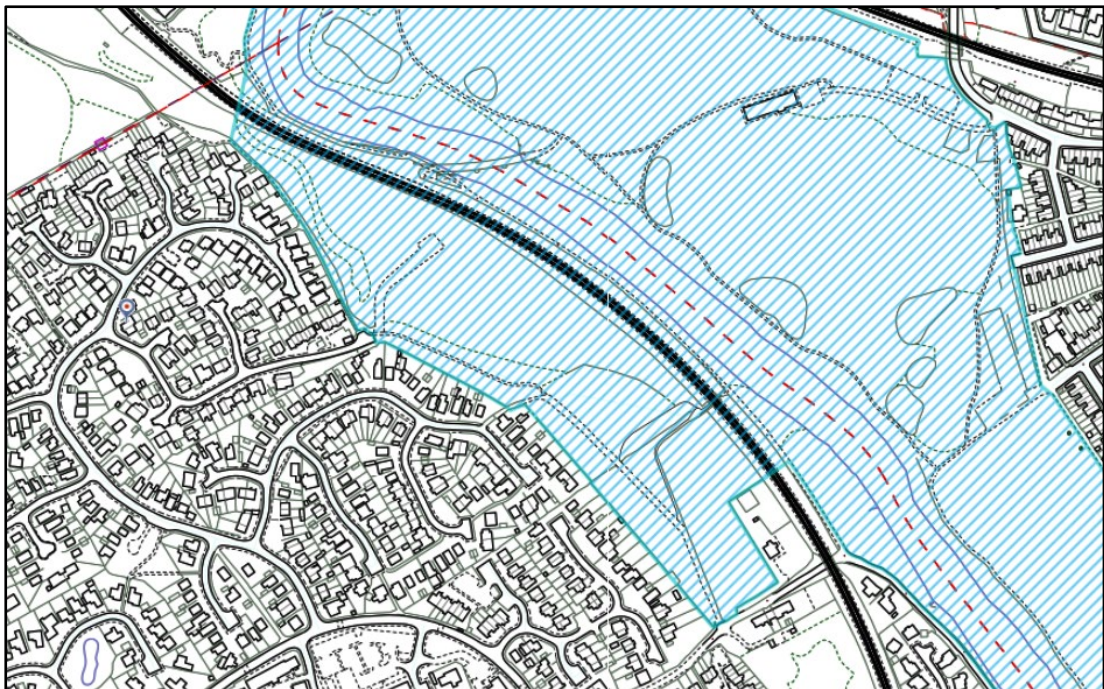


Figure 22: River Corridor, defined by Policy EN4

9.48 It is important to ensure that any development proposal within the river corridor respects its key features. As noted above, the application site has been the subject of two previous appeals, both of which were dismissed.

- 9.49 In considering the planning application reference [12/01454/DCO](#), the Inspector made reference to its location in the river corridor as part of the consideration under appeal reference APP/Z6815/A/13/2207479, as follows:

(12) In respect of the open space issue the Council's case also relied upon the site's location within the River Taff corridor. The documents and policies produced by the Council over the last decade include the River Taff Corridor Action Plan (April 2007) which is referenced in Policy EN4 of the deposit version of the Cardiff Local Development Plan (LDP). As the LDP has yet to be examined I can give little weight to its policies but I agree that it demonstrates the Council's recognition of the strategic importance of the river valleys in the city and a consistent approach to them.

(13) The strategy outlined in the Action Plan, LDP and their forerunners is to protect, promote and enhance the river valleys whilst facilitating sustainable access and recreation. It does not amount to a ban on development. Indeed, the text of Policy EN4 explains that development proposals will be judged against other relevant policies and new development might be required to contribute to projects which will achieve Action Plan objectives.

- 9.50 The inspector concluded that the river corridor allocation *does not amount to a ban on development*, and that *the unique contribution the river valleys make to the character of the city by providing continuous green corridors between the Severn Estuary and the countryside beyond the urban edge would not be significantly eroded by the proposed development.*
- 9.51 Constructing in a sensitive area such as a river corridor demands extensive scrutiny and must be justified sufficiently. The issue has, however, been considered previously at appeal, and thus affording weight to the Inspector's consideration of developing within the designated river corridor, it is considered that in this case it would not be possible to resist development of the site under Policy EN4, noting the Inspector's words that the river corridor allocation *does not amount to a ban on development.*

Impact on the Character of the Area

- 9.52 As noted earlier, the Welsh Government publication [Building Better Places: The Planning System Delivering Resilient and Brighter Futures](#) contains the principles and policies needed for Wales to recover from Covid-19 in a positive manner, putting placemaking at the heart of future development.
- 9.53 It also emphasises that development management decisions should focus on creating healthy, thriving active places with a focus on a positive, sustainable future for our communities, and that WG will thus play its role in supporting the vibrancy of places and helping a people-focussed and placemaking-led recovery.
- 9.54 PPW11 also embodies a placemaking approach throughout, with the aim of delivering *Active and Social Places, Productive and Enterprising Places and Distinctive and Natural Places*. It also identifies the planning system as one of the main tools to create sustainable places, and that placemaking principles are

a tool to achieving this through both plan making and the decision making process.

- 9.55 Policy KP5 of the Local Development Plan (2016) states that all developments “will be required to be of a high quality, sustainable design and make a positive contribution to the creation of distinctive communities, places and spaces”. Design should be of the highest and most sustainable quality, and should aim to meet the wider objectives of promoting Cardiff as a world-class capital.

Historical Context

- 9.56 As noted above, regard must be given to the planning history of the site, and the previous appeals made in respect of the refusal of planning permission reference 04/02044/W and 12/01454/DCO.
- 9.57 The appeal dismissed under reference APP/Z6815/A/05/1177735, against the refusal of planning permission reference [04/02044/W](#) considered the main issue in the case to be the effect of the proposed development on the character and appearance of the area.
- 9.58 The following extract is taken from the Inspector’s report:

Despite the proximity of the row of properties at Blethin Close, its elevated position an intervening vegetation means that it is visually distinct from the appeal site and the other lower-lying land within the River Valley. The presence of a collection of modest, long-established dwellings nearest the site does not in my opinion justify consolidating development by erecting an additional 5 dwellings. It is evident that the area of open space, within which the site lies, is valued by local residents because it is an easily accessible area that has retained, to a significant extent, a rural character, and which also contributes to the enjoyment of recreational users who appreciate its role as part of a larger area of open space.

The extent of improvements to the highway that I considered to be necessary would markedly alter its appearance, which currently resembles a quiet country lane, particularly along the section closest to the appeal site. This urbanising effect reinforces my findings that the project would harm the area's character.

- 9.59 The Inspector concluded that *the proposed development would harm the character and appearance of the surrounding area.*
- 9.60 In respect of the subsequent appeal against the refusal of planning permission reference [12/01454/DCO](#) (appeal reference APP/Z6815/A/13/2207479), the Inspector considered one of the main issues to be the effect on the character and appearance of Radyr Court Road.
- 9.61 The following is an extract from the Inspector’s report:

(29) Radyr Court Road runs along and close to the river for part of its distance and is lined by trees. The modern residential development of Gerddi Taf can be seen alongside and, to my mind, the road does not have a rural character.

Nonetheless, it has a pleasant, sylvan appearance and the atmosphere of a comparatively untouched backwater. Given its connection with the cart road and, from there, to other recreational routes and features, such as the newly restored bridge, Taff Trail and Hailey Park, I consider these to be valuable characteristics which contribute to the enjoyment of users.

(31) The introduction of significantly more vehicles would, of necessity, change the behaviour of pedestrians: they would have to be much more alert to the possible need to avoid vehicles approaching from both in front and behind. To my mind this would create a tension for users undermining the current peaceful, slightly remote, nature of the road.

(32) Overall, therefore, I consider that the proposed development would harm the character of the area. This consideration does not carry such weight as to be decisive in itself but it does support my other conclusions.

- 9.62 The conclusion states that *there would be some detriment to the character and appearance of Radyr Court Road, but not sufficient to be decisive by itself.*
- 9.63 Noting the above, and notwithstanding the matters raised relating to the principle of development and its impact on the character and context of the site in respect of green infrastructure, trees and ecology assessed in the other sections of this report, regard and consideration must be given to the layout of the site as proposed.

Site Layout

- 9.64 The dwellings are positioned in the south eastern area of the wider site, and are accessed off the main spine road, and secondary access roads referred to as Road 1, Road 2, and Road 3 within the supporting drawings.
- 9.65 In general terms, the dwellings are considered to be located in the most appropriate location of the wider site, in respect of both topography and existing tree coverage.
- 9.66 Concerns are raised in respect of the legibility of the site in general, and it's 'buried' nature in respect of its location. The site could be described as hidden, in that it may be difficult for people to find if they are unfamiliar with the area, or that it is not easily accessible from a continuous highway or pedestrian network. However, this matter alone is not considered a reason to refuse planning permission on such grounds, and the layout of the development in respect of the dwellings is therefore considered acceptable.

Access

- 9.67 As noted earlier the access to the site is now proposed off De Braose Close, amounting to a material change from the schemes considered in previous appeals. Running through the woodland, and with a new engineered appearance, including impacts on trees (see later analysis) it is indisputable that the access would have a material impact on the character of the route, changing it from its current natural character. These impacts are considered as part of the planning balance section of this report.

Scale and Appearance

- 9.68 Turning to scale, the residential units vary between two and three storeys, which raises no concern in this instance, given that the site is set down from the established residential area to the west of the application site.
- 9.69 The dwellings are indicatively proposed to be finished in a mix of light cream through-colour roughcast render with red multi-clay facing brick. Roofs will be charcoal grey concrete tiles with white uPVC windows, doors and cills. Further details requiring the submission of samples of the materials can be secured through appropriately worded planning conditions, and the scheme is acceptable in this regard.
- 9.70 It is evident from reading the objections received that local residents object to the development on grounds that it detrimentally impacts the character and appearance of the area. Generally, residents place value on the existing area of open space which has a semi-rural character within a green and natural environment. In the opinion of many, any form of development in this location will be harmful to the existing character and appearance, including the provision of housing.
- 9.71 In consideration of the above, and noting the most recent Inspector's report which states that the detriment to the character and appearance caused by the development is not harmful to the extent that it would warrant a refusal solely on such grounds, on balance, the layout, design and intended finish of the affordable housing units are considered appropriate in respect of scale, and therefore accords with criterion (i) of Policy KP5 of the adopted LDP. The development proposal will introduce a modern form and layout of development which will provide affordable housing within the Danescourt area. The impact of the access road is considered as part of the planning balance later in this report.

Impact on Existing Residential Amenity

- 9.72 PPW11 states at paragraph 2.7 that *"placemaking in development decisions happens at all levels and involves considerations at a global scale, including climate change, down to the very local level, such as considering the amenity impact on neighbouring properties and people"*.

Overlooking

- 9.73 Given the location of the proposed residential units, topography of the site and distance provided between the proposed and existing residential dwellings, the development is not considered to cause overlooking into the neighbouring properties to west, or cause harm to their existing levels of amenity.
- 9.74 The development is therefore considered to be acceptable in this regard.

Noise

- 9.75 Policy EN13 of the LDP seeks to ensure that developments do not cause harm to health or local amenity because of air, noise, light pollution, or the presence of unacceptable levels of land contamination. It aims to ensure that development proposals are not located close to potential sources of pollution.
- 9.76 Paragraph 5.181 of the LDP recognises that noise can have a harmful impact on people's health and quality of life, and states that "new developments that are particularly noise-sensitive should be located away from existing or proposed sources of significant noise".
- 9.77 In addition, PPW11 refers in Section 6.7 (Air Quality and Soundscape) to noise, noting that problematic forms of sound are generally experienced as noise pollution, and in proposing new development, planning authorities and developers should seek to incorporate measures which reduce overall exposure to noise pollution, creating appropriate soundscapes.
- 9.78 To ensure the amenities of future occupiers are protected, Shared Regulatory Services have recommended the inclusion of a planning condition which requires that any habitable room has appropriate sound insulation installed, so that occupiers are not exposed to external railway noise in excess of 66 dBA Leq 16 hour (free field) during the day (07.00 to 23.00 hours) or 59 dBA Leq 8 hour (free field) at night (23.00 to 07.00 hours).
- 9.79 In addition, and prior to the commencement of development, a scheme is required to be submitted to demonstrate that the dwellings are designed and constructed so as to ensure that vibration from the railway dose values do not exceed 0.4m/s^{1.75} between 07.00 and 23.00 hours, and 0.26m/s^{1.75} between 23.00 and 07.00 hours.
- 9.80 Subject to the imposition of the recommended planning conditions, the application is considered to be acceptable in respect of noise, and accords with Policy EN13 of the adopted Local Development Plan.

Transportation / Highway Impacts

- 9.81 The provision of transport infrastructure is essential to build prosperity, tackle the climate emergency reduce airborne pollution and to improve the social, economic, environmental and cultural well-being of Wales, as reflected in PPW11.
- 9.82 Paragraph 3.3 of PPW11 refers to good design, and states that to achieve sustainable development, consideration should be given to all aspects of a development, including its construction.

Site Access

- 9.83 The scheme proposes a vehicular access point via the existing turning head at De Braose Close, and proposes a continuation of the existing network with a 4.8 metre wide carriageway (reduced in width through negotiation since original submissions) and a 2 metre wide footway.

- 9.84 A significant number of objections received relate to the creation of the new access to serve the development at De Braose Close, in the north western boundary of the site. The objections raise matters of traffic congestion, noise and air pollution, highway and pedestrian safety matters, changes to the visual appearance of the area and insufficient infrastructure, to be specific.
- 9.85 To provide a justification for the location of the access point serving this development proposal, the applicant has referenced the previous planning appeal APP/Z6815/A/13/2207479 within the Design and Access Statement.
- 9.86 The previous planning application proposed to access the site from Radyr Court Road, as shown on fig. 22 below.



Figure 22: Illustrative Layout Proposed under 12/01454/DCO

- 9.87 The site access for vehicles was from the southwestern corner, with access points to Nicholson Close Webb, De Braose Close and PROW 56 to the east being retained as foot and cycleways.
- 9.88 As noted above, the previous appeal against the refusal of planning permission reference [12/01454/DCO](#) was dismissed on grounds that *the proposal would have a significantly detrimental impact on highway safety*. The grounds for this reasoning can be read in detail within the Inspector's report.

- 9.89 In light of the above, and in order to address the previous reason for the refusal of planning permission and subsequent appeal dismissal, the applicant has sought an alternative vehicular access point to serve the development, mitigating the issue of highway safety.
- 9.90 After significant negotiation, the Highways Authority have agreed to accept a 4.8 metre wide carriageway in this location, owing to the need to reduce the scale of the development to minimise, as far as possible, its negative impacts. The reduction in width of the carriageway and footpath results in the reduction in the size of the supporting embankment, which reduces the overall footprint of the development, and subsequently reducing the impact on trees and ecological features already present within the woodland area.
- 9.91 In accepting this reduction, the Highways Authority have agreed that the cycleway facility will be within the access road, with a separate 2 metre wide footpath adjacent, on the northern side.
- 9.92 To support this amendment, the applicant has submitted vehicle tracking and visibility plans which demonstrate that access road is acceptable in highway safety terms.



Figure 23: Vehicle Tracking Plan

- 9.93 Whilst the objections raised to the access point at De Braose Close are noted, the access road is acceptable in this location in highway safety terms, and no objection is raised to the reduction in width to 4.8 metres. The scheme is therefore considered to be acceptable in this regard.

Construction Phase

- 9.94 In general terms, the construction period of the development proposed raises greater concern than the traffic generation resulting from the introduction of 36 dwellings at the site. As there is no vehicular access proposed from Radyr Court Road, the construction of the site is expected to occur via De Braose Close.
- 9.95 For this reason, and subsequent to discussions with the applicant, the updated Transport Statement assesses the implications of construction traffic on the wider highway network. It assumes that the submission of a Construction Traffic Management Plan (CTMP) would be provided prior to the commencement of any development, to ensure that works are undertaken in a safe and appropriate manner. It states the following:
- Whilst the CTMP will set out details of proposed routes, type and quantum of HGV traffic it is likely that construction traffic will use the residential roads from Danescourt Way, Timothy Rees Close and De Braose Close to access the site.*
- Whilst it is evident from a site visit that some on street residential parking does occur in these areas and that existing HGV traffic (deliveries, construction for other purposes) uses this road network, it may be necessary (depending on the construction traffic delivery times) within the CTMP to provide some temporary restrictions to parking via TRO/yellow lines to accommodate larger HGV movements.*
- 9.96 To alleviate the concerns raised from residents in De Braose Close relating to construction traffic, it was requested that additional information (such as some details on the deliveries of fill required, materials to be delivered, duration of construction period etc) was submitted prior to the determination of the planning application. This information has not been forthcoming, however it is not unusual or unreasonable for these matters to be confirmed and assessed as part of a pre-commencement condition. Therefore, the assumption within the Transport Statement that a condition will be imposed upon any consent granted, stipulating that further detail pertaining to the impacts of construction traffic will be submitted as part of the required Construction, Traffic and Environmental Management Plan condition, is correct. And as such, an appropriately worded condition has been recommended by the Transportation Officer.
- 9.97 Notwithstanding this, the applicant does propose to install temporary traffic regulation orders (single or double yellow lines) on parts of De Braose Close and its junction with Timothy Rees Close, to ensure unfettered access to the development site. The updated Statement provides details of the required temporary yellow lines necessary to facilitate access by articulated vehicles.
- 9.98 It is considered that such measures would be essential to facilitate access to the site by HGVs, but the developer is advised that, when possible, smaller HGVs are used, in conjunction with the Council's Network Management Team and local residents to reduce local inconvenience as much as possible.

- 9.99 It is also suggested that the lengths of the proposed waiting restrictions would need to be reviewed and possibly extended to provide adequate space to maintain access. The applicant needs to be sure that typical vehicles, such as refuse lorries and delivery vehicles, can access the site using the routes available.
- 9.100 Given the above, it is essential that the Council has a greater understanding of the quantum of materials to be delivered to/taken from the site, the duration of such works, and their impact on the local neighbourhood. This can be secured through an appropriately worded planning condition, of which the inclusion is argued to address the concerns raised.

Traffic Generation

- 9.101 Assessments of traffic generation are an important mechanism for setting out the scale of the anticipated impacts a development is likely to have, so that the impacts can be understood and catered for appropriately.
- 9.102 In this case, all vehicular traffic will be via De Braose Close, and the anticipated traffic effect from the 36 new residential units is proposed to be low.
- 9.103 The likely vehicular generation has been derived from the TRICS database, and proposes 23 vehicles during the morning peak, and 24 during the evening peak periods of activity. This is considered to be adequate by the Transportation Officer, who concludes that the traffic allocation on the surrounding network also appears to be acceptable.
- 9.104 Given this, the application is considered to be acceptable in this regard, and complies with Policy T5 of the adopted LDP which states that development should not unreasonably restrict the flow of traffic on the adjoining highway network.

Accessibility

- 9.105 Turning to accessibility, Chapter 4 of PPW11 'Active and Social Places' addresses transport, stating that people should have access to jobs and services through more efficient and sustainable journeys, by walking, cycling and public transport. It further states that "*new development should prevent problems from occurring or getting worse such as...the reliance on the private car and the generation of carbon emissions.*"
- 9.106 Land use and transport planning should be integrated to minimise the need to travel, reduce dependency on the private car and enable sustainable access to employment, local services and community facilities.
- 9.107 By influencing the location, scale, density, mix of uses and design of new development, the planning system can improve choice in transport and secure accessibility in a way which supports sustainable development, increases physical activity, improves health and helps to tackle the causes of climate change and airborne pollution. This is achieved through enabling more sustainable travel choices and network management.

9.108 Policy T5 of the adopted LDP relates to managing the transport impacts of development proposals, to ensure that all new developments properly address the demand for travel and its impacts, contribute to reducing reliance on the private car, making satisfactory provision for access, parking and circulation with particular regards for pedestrians, cyclists and public transport users as well as to avoid unacceptable harm to the safe and efficient use and operation of the road, public transport and other movement networks.

9.109 The explanatory text which supports Policy T5 of the adopted LDP states at paragraph 5.233 that “in assessing the transport and access aspects of proposals the Council will be more likely to give favourable consideration to development which through their design and layout, give priority to movements by sustainable travel modes and reflect the user hierarchy in Department for Transport Manual for Streets”. This specifies a hierarchy whereby pedestrians, cyclists, public transport and special service vehicles (emergency services, waste) are considered above the use of other motorised traffic.

Active Travel Provision

9.110 Given the aforementioned policy position, the Transport Statement argues that the site is well placed in terms of access, given the existing footpaths and Public Rights of Way within the site which link the site to nearby facilities. These include schools, shops, medical services, restaurants and public transport provision.

9.111 In terms of connectivity for active travel users, the site is connected to the wider Danescourt area to the west from existing access points at De Braose Close in the north, Nicholson Webb Close in the west, and Radyr Court Road in the south.

9.112 The site is also connected to the east via Public Right Of Way (PROW) number 52 under the railway line. This connects with Radyr Court Road to the south and runs along the western side of the River Taff to the north. It also connects the site with the Taff Trail on the opposite side (east) of the river via a bridge some 400m north of the railway tunnel. Figure 24 is from the Transport Statement.

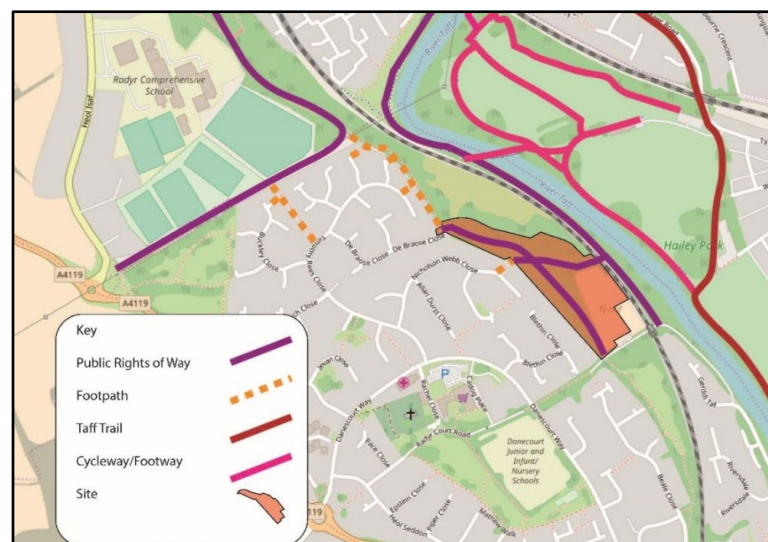


Figure 24: Site Connectivity

- 9.113 Paragraph 2.6 of the Transport Statement states that “where possible, Active Travel linkages will be enhanced by the development”, and the links to the surrounding facilities will be retained.
- 9.114 The existing footpath from De Braose Close serving PROW 48 will be relocated to the northern side of the access road to accommodate the proposed development. No concerns are raised in this respect.
- 9.115 Whilst the intention of the applicant to promote sustainable travel and reduce the reliance on the need to travel by car is noted, some concerns are raised in respect of the usability of the existing access points, particularly when considering the value of the routes.
- 9.116 The Active Travel (Wales) Act 2013 makes walking and cycling the preferred option for shorter journeys, particularly everyday journeys, such as to and from a workplace or education establishment, or in order to access health, leisure or other services or facilities. Planning authorities must ensure that these routes are fully accessible, practical, safe and attractive for users, to aide in the decision to chose walking and cycling over the private car, and to assist in the required modal shift referenced within PPW11.
- 9.117 Given this, the concerns raised in respect of the active travel routes are considered pertinent. For example, the route linking the site to Radyr Court Road in the south could offer a safe route to Danescourt schools, but is currently unlit and considered steep for cyclists and for mobility impaired users. It is a former country lane with no surveillance and with no illumination for quite a considerable length. The value of the route is therefore somewhat diminished.
- 9.118 In addition, the existing link from PROW 48 to Nicholson Webb Close offers the shortest route from the site to the wider Danescourt area (including shops and schools) but is arguably a narrow back alleyway with no surveillance or reasonable surface and no illumination.
- 9.119 Geographical vicinity isn't an adequate measure of suitability. Pedestrian accessibility is still along indirect and illegible routes with poor surveillance along significant stretches. These routes will feel intimidating, in particular to vulnerable people. Despite the adequate distance, the quality of the two available routes is considered poor.
- 9.120 To address the concerns raised, the applicant has agreed to provide a formal link to the northern end of the Nicholson Webb Close link, to the land ownership extent, as shown in fig. 25 below.

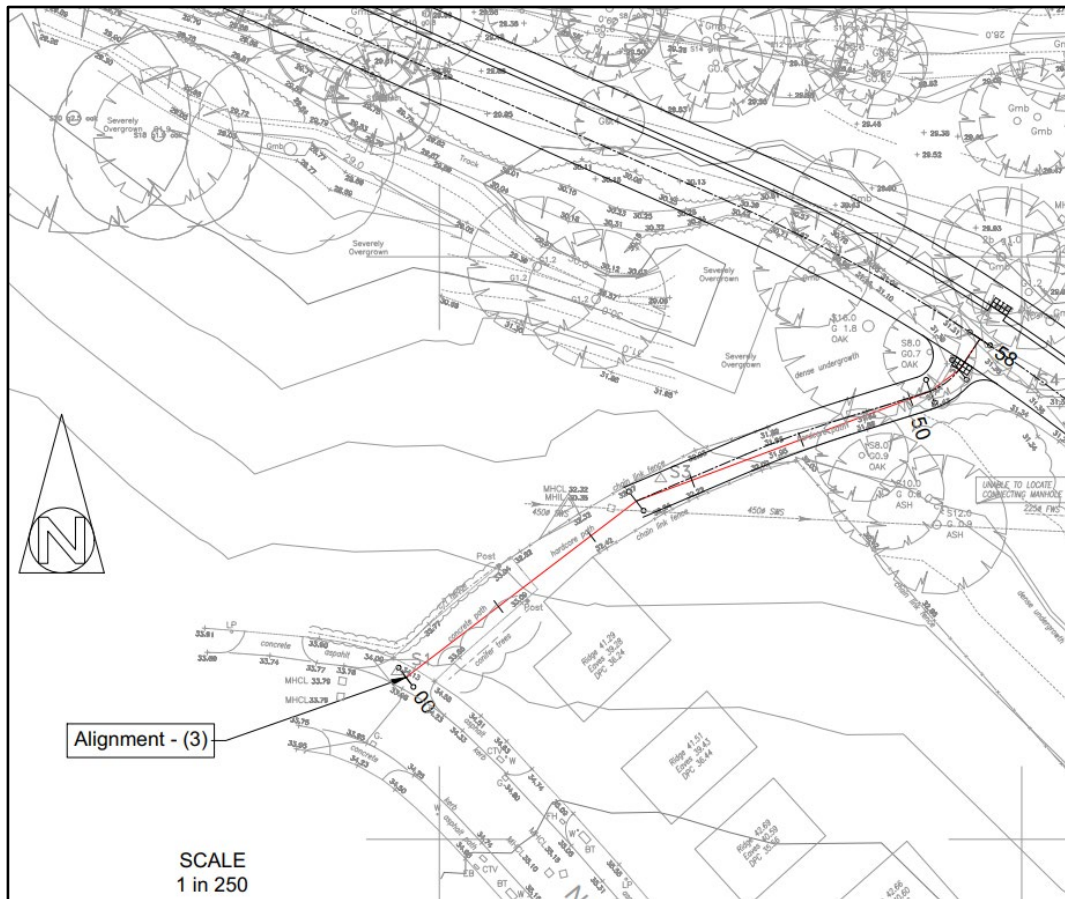


Figure 25: Nicholson Webb Close link

- 9.121 A crossing facility (in the form of dropped kerbing with appropriate tactile paving) is proposed from the footway on the northern side of the access road to the link leading to Nicholson Webb Close. There is a concern that the proposed pedestrian crossing point would lead pedestrians directly into a drainage facility. To ensure the continuous and uninterrupted movement of pedestrians using the footway adjacent to the access road, a condition is required to be imposed to provide a detailed design for this pedestrian crossover, to ensure the link to Nicholson Webb Close can be reached, and to confirm the location of the crossover prior to the commencement of development.
- 9.122 Whilst it is acknowledged that the site may not be able to achieve active travel routes which, by definition, ensure that pedestrians, including those with disabilities or mobility challenges, can navigate the area more easily, the proposed improvements go some way in addressing the concerns raised in respect of the value of said routes. Whilst the topography of the site may not be able to be altered due to land ownership, the existing routes can be enhanced through the provision of lighting and resurfacing, which improves security and a sense of safety, as well as increasing the probability of people using the routes to access nearby amenities.
- 9.123 In summary, it is considered that the proposed improvement of access points aligns with the principles of active travel, and will encourage and promote the use of sustainable modes of transport over the use of the private car. Therefore, on balance, the development is considered to be acceptable in this regard.

Car Parking Provision

- 9.124 As specified within Supplementary Planning Guidance *Managing Transportation Impacts (Incorporating Parking Standards)* (2018) (SPG MTI), the maximum car parking spaces per residential unit required for this development equate to 1 space per 1 bedroom unit, and 2 spaces per 2+ bedroom units.
- 9.125 Owing to the breakdown of house types proposed, the maximum car parking spaces for this development equates to 60. The car parking standards are maximum requirements to encourage a modal shift to more sustainable transport modes over the use of the private vehicle.
- 9.126 The total number of spaces to be provided as part of this development is 45. This provision is adequate, and aligns with the maximum permitted within the aforementioned planning guidance.

Cycle Parking Provision

- 9.127 In terms of cycle parking provision, Supplementary Planning Guidance *Managing Transportation Impacts (Incorporating Parking Standards)* (2018) requires a minimum provision of 1 space per bedroom, which in this case equates to 69.
- 9.128 Cycle parking is evident on the drawings submitted, although the quantum per residential unit needs to be confirmed to ensure sufficient provision is provided for each residential property. As such, it is considered necessary to impose a planning condition requiring the details of the cycle parking provision to be submitted, to ensure compliance with the SPG.

Impact on Public Right of Way

- 9.129 Another matter to consider in the determination of this application relates to its impact on the Public Rights of Way (PROW) within the application site. As noted above, there are two PROWs within the application site; Radyr 48 and 56.
- 9.130 As shown in purple in Figure 3 above, PROW 48 (Footpath 791) runs roughly in a north-south direction from De Braose Close in the north western corner of the application site to Radyr Court Road along the southern site boundary. PROW 56 (Footpath 236) runs in an east-west direction from the pedestrian cut-through in Nicholson Webb Close on the western site boundary to the bridleway (Cart 975) which runs north-south adjacent to the railway line to the east of the site.

Alteration of Route Character

- 9.131 The Penrhys Pilgrimage Trail also runs along the PROWs within the application site, a promoted walk by a partnership project between Penrhys Pilgrimage Project, Cardiff Council, Rhondda Cynon Taf Council and various other organisations.

- 9.132 The Penrhys Pilgrimage is a religious pilgrimage in Wales that traditionally involves a journey to the shrine of Our Lady of Penrhys, located in the village of Penrhys in the Rhondda Valley. The pilgrimage has historical significance, dating back centuries, and is associated with both Catholic and Anglican religious practices. The pilgrimage involves individuals or groups walking or traveling to the shrine, often for religious devotion, reflection, and prayer. While the nature of the pilgrimage may have evolved over time, the spiritual significance of the journey remains central to those who participate.
- 9.133 The Penrhys Pilgrimage Project seek to recreate the medieval pilgrimage from Llandaff Cathedral to the Holy Well and Statue of Our Lady of Penrhys, and have vehemently objected to this application since its initial submission in 2020.
- 9.134 The section of the route within the application site is a traditional section of the route, and has historical significance which, it is argued substantively by the Penrhys Pilgrimage Project in their responses to the consultations, should be retained within a woodland rather than become a footway adjacent to a highway. The Pilgrimage Project state that this development will, “urbanise this green space used for recreation by local people, and spoil an ancient Pilgrimage Path”. In summary, the Pilgrimage Project argue within their objections that losing woodland areas along the pilgrimage route could not only disrupt the traditional path and historical context but also impact the spiritual and natural elements integral to the pilgrimage experience.
- 9.135 The letters of objections received from local residents also raise concerns about the loss of the woodland character along the existing PROWs, referencing the aesthetic values, cultural and historical significance and impact on well-being as reasons for objection.
- 9.136 No objection is raised by the Public Rights Of Way Officer in this respect, but regard is given within the consultation response to the Welsh Government’s ‘Guidance for Local Authorities on Public Rights of Way’ (October 2016), which advises that if a path is diverted, it should not usually be on the footway or carriageway of an estate road, but should be diverted to ensure that the character of the public right of way is maintained as far as possible and that the route remains legible to users when the development is complete.
- 9.137 With this in mind, it is noted that the existing footpath which runs north-south of the application site will become a formal footpath, adjacent to the proposed access road.
- 9.138 Due to limitations caused by the dense vegetation, trees and steep embankment to the back of Blethin Close and Nicholson Webb Close properties, it has not been possible to find an alternative off road route to realign the Public Footpath within the site, based on the current development layout density and access road alignment. This will alter the existing character of the route, contrary to advice contained within the aforementioned document.
- 9.139 Notwithstanding the objections received from both Penrhys Pilgrimage Project and local residents, as well as the concerns raised by the Public Right of Way Officer, a balance must be struck in the broader context.

- 9.140 Losing the woodland route along the pilgrimage undoubtedly detracts from the spiritual, historical, and natural significance embedded within these woods which forms an integral part of the pilgrimage experience, providing solace, reflection, and a tangible link to centuries of tradition.
- 9.141 However, the paths will largely be retained in their existing alignment, albeit set more formally in a footpath adjacent to the main access road. This is required in order to accommodate the proposed introduction of 36 affordable residential units, and, the proposal for affordable housing, while leading to the loss of this valued woodland, addresses a critical societal need.

Informal Woodland Paths

- 9.142 To compensate for the loss of the woodland trail, the developer is proposing the introduction of informal paths through the northern section of the woodland.
- 9.143 There are a number of informal paths already identified, created through use of the woodland areas by members of the public. The introduction of paths aims to reduce and minimise recreational impacts upon the wider forest floor habitat, although they will not be adopted formally as Public Rights of Way.
- 9.144 Further detail in respect of the informal woodland paths will be required to be secured through the Community Woodland Strategy (secured through s106), which requires the submission of routes, surfacing detail, wayfinding and future maintenance requirements.

Impact on Archaeology

- 9.145 Development proposals within areas identified as having heritage assets will only be permitted where it can be demonstrated that the development proposal preserves or enhances that asset's architectural quality, historic and cultural significance, character, integrity and/or setting, according to Policy EN9 of the Local Development Plan (2016).
- 9.146 Information in the Historic Environment Record, curated by the Glamorgan-Gwent Archaeological Trust (GGAT) shows that the proposed development site is located to the east of Radyr Court, a structure with 16 Century origins. However, no designated or non-designated sites are listed within the proposed development area.
- 9.147 Similarly, a review of historic mapping of the area indicates no archaeologically significant sites, although Radyr Quarry is depicted in the northern part of the proposal, which would likely have had an adverse effect on any remains.
- 9.148 Whilst there is evidence of archaeological remains in the wider area, particularly to the west, it is unlikely that significant archaeological material either extends or survives into the current application area.

- 9.149 As a result, there is unlikely to be an archaeological restraint to this proposed development and consequently, no objection to the positive determination of this application is raised.
- 9.150 Given the above, the proposed development is considered to be acceptable in archaeological terms and is compliant with the requirements of Policy EN9 of the Local Development Plan (2016).

Impact on Green Infrastructure (Trees / Ecology)

- 9.151 Green infrastructure is defined in PPW11 revised Chapter 6 as “the network of natural and semi-natural features, green spaces, rivers and lakes that intersperse and connect places”.
- 9.152 Future Wales Policy 9 *Resilient Ecological Networks and Green Infrastructure* requires developers to ensure the enhancement of biodiversity, the resilience of ecosystems and provision of green infrastructure. In all cases, action towards securing the maintenance and enhancement of biodiversity (to provide a net-benefit), the resilience of ecosystems and green infrastructure should be demonstrated as part of development proposals.
- 9.153 The supporting text for Policy 9 within Future Wales states the following:

As the population of Wales becomes increasingly urban, the opportunity to optimise well-being benefits from green infrastructure will be greatest in and around these areas. Innovative use of nature-based solutions and integrating green infrastructure in and around urban areas can help restore natural features and processes into cities and landscapes. Providing locally accessible, high quality green spaces and corridors helps to maintain and enhance the strategic functioning of our natural resources and ecological networks and address physical and mental well-being. Local green infrastructure assets such as public rights of way, common land, parks, village greens and allotments can all make a cumulative contribution towards wider national scale ecological connectivity. The real-life importance of urban green spaces was demonstrated when people were restricted to taking exercise in immediately local green spaces during the COVID-19 lockdown.

- 9.154 PPW11 revised Chapter 6 reflects this at paragraph 6.2.4, stating that green infrastructure “plays a fundamental role in shaping places and our sense of well-being, and are intrinsic to the quality of the spaces we live, work and play in. The planning system must maximise its contribution to the protection and provision of green infrastructure assets and networks as part of meeting society’s wider social and economic objectives and the needs of local communities”.
- 9.155 National and local policy is continuously evolving to advocate for sustainable development, in light of the declared climate and nature emergency. All relevant policies which should be considered as part of this planning application emphasise the preservation and integration of green infrastructure into development proposals, to support, maintain and enhance the environment.

9.156 In this case, significant weight should be afforded to the impact of the development on green infrastructure, biodiversity and the ecosystem. Almost all of the 700+ objections raise concerns relating to the loss of green infrastructure, including trees, biodiverse ecosystems and ecological networks. There is significant concern raised among local residents that the development will harm the environment, remove the existing semi-rural green space on the fringe of the urbanised and built environment, and detrimentally impact the area in respect of climate change.

Tree Loss

9.157 One of the main areas of contention to consider as part of this development proposal is its impact on trees. The objections to the detrimental impact on trees stem from various concerns related to their significant ecological, social, and economic value. Some matters highlighted are outlined below:

- **Biodiversity**

The loss of trees can disrupt habitats and lead to a decline in biodiversity as various species depend on trees for food, shelter, and nesting.

- **Air Quality**

Trees play a crucial role in improving air quality by absorbing pollutants and releasing oxygen. Their removal can result in increased air pollution, affecting the health of residents in urban areas.

- **Climate Change**

Trees hold carbon dioxide, mitigating the impacts of climate change by reducing greenhouse gas levels in the atmosphere. Losing trees contributes to increased CO₂ levels, exacerbating climate change effects.

- **Well-being**

Trees provide psychological benefits to people. Their presence in urban areas has been linked to reduced stress levels and improved mental well-being.

9.158 The aerial image at figure 26 below demonstrates the tree coverage at the application site.

9.159 LDP Policy EN8 states that *“development will not be permitted that would cause unacceptable harm to trees, woodlands and hedgerows of significant public amenity, natural or cultural heritage value, or that contribute significantly to mitigating the effects of climate change”*.

9.160 In support of the application, the applicant has submitted a revised Arboricultural Impact Assessment (AIA), prepared by the Environmental Dimension Partnership Ltd (EDP) on behalf of Taff Housing Association Limited.



Figure 27: Tree Constraints Plan

9.164 The proposed access route from De Braose Close currently traverses through an existing belt of woodland, following the route of an existing footpath PROW 48, as shown on figure 28 below.



Figure 28: Existing Footpath PROW 48

- 9.165 Perhaps the most obvious change resulting from the development proposal will be the implementation of the access along the existing footpath, running in a north-south direction, as outlined in Section 3 above. It is recognised that to facilitate this route, a number of trees will require removal, which will disrupt the continuous canopy of the existing woodland.
- 9.166 The design of this route has therefore been proposed to enable the retention of the significant and high value trees situated to the rear of properties on Nicholson Webb Close, and it has been reduced in width (to 4.8 metres with a 2m wide footway) as far as possible to reduce the associated impacts. This is a source of contention for local residents, as well as the Authority's Tree Officer, who raises an objection to the scheme on such grounds. In addition, the Ecologist highlighted concerns in an initial response dated 2021, emphasising that the amount of tree loss to facilitate these works has not been fully identified.
- 9.167 The opinion of the Tree Officer is that confirmation cannot be provided to demonstrate "that unacceptable harm won't result to trees of amenity value as a consequence of the development". And, as such, the impact of the access road remains a primary concern.
- 9.168 The latest response to the additional and amended information received on 30 October 2023 is reiterated below:

Unfortunately, the updated submissions remain insufficient for me to withdraw my objections. Since our site visit PPW chapter 6 has been revised [October 2023] and you will note the recommendations regarding trees and woodland that I have summarised as follows: -

Permanent removal of trees, woodland and hedgerows will only be permitted where it would achieve significant and clearly defined public benefits. Where loss is unavoidable developers will be required to provide compensatory planting (which is proportionate to the proposed loss as identified through an assessment of green infrastructure value including biodiversity, landscape value and carbon capture). Replacement planting shall be at a ratio equivalent to the quality, environmental and ecological importance of the tree(s) lost and this must be preferably onsite, or immediately adjacent to the site, and at a minimum ratio of at least 3 trees of a similar type and compensatory size planted for every 1 lost. Where a woodland or a shelterbelt area is lost as part of a proposed scheme, the compensation planting must be at a scale, design and species mix reflective of that area lost. In such circumstances, the planting rate must be at a minimum of 1600 trees per hectare for broadleaves, and 2500 trees per hectare for conifers. The planting position for each replacement tree shall be fit to support its establishment and health, and ensure its unconstrained long-term growth to optimise the environmental and ecological benefits it affords.

Unfortunately, I do not consider the mitigation proposals sufficient to address the very substantial loss of trees and woodland resulting from development and I do not consider they meet the requirements of PPW. A particular area of concern is the access and the extensive engineered embankment required to accommodate this. Whilst the proposed embankment allows for planting, this is not with medium sized tree species such as field maple, hawthorn and holly (as

recommended in the AIA and that are appropriate to the context), rather it is with shrubs only and these are planted into soils that are designed for highway embankments and at a 1 in 1 slope. Sections showing the soil and planting environment are not provided but you will appreciate that this represents a very extreme environment and does not give the graded edge (ecotone) expected here. The illustration of a typical embankment depicts largely herbaceous species so it is unclear how well suited the proposed system is in terms of trees? There is no clear proposal for a diverse woodland understorey beyond shrubs, other than woodland grasses. Typical woodland understorey species including ferns would be appropriate. The management and maintenance of this feature is unclear and it would presumably incorporate a fenced/railing edge? Visually it would represent a significant departure from the existing woodland ride. Furthermore, amenity grassland is proposed on the side of the access that doesn't feature the embankment - this is completely at odds with a semi-natural woodland linking with ancient woodland and its creation is likely to be harmful to retained trees. Amenity grassland is unlikely to perform well in a woodland context.

Whilst the aims of the Community Woodland Management Plan are supported there is a lack of detail on planting proposals in particular. The locations for the circa 20 translocated oaks needs to be annotated on landscaping plans and then re-stocking details drawn up in a similar fashion to a woodland management plan forming part of a Felling Licence. Currently there is nothing to 'pin down' in terms of planting proposals because details are too vague/dependent on woodland management implementation. The location of key trees (especially oaks) to serve as 'seed' trees for glades and ecotones is important and should be annotated.

It remains the case that no soil assessment has been undertaken to support translocation of the 'A' category hazel. Given the scale of the translocation this does invite risks because the nature of the substrate in the proposed translocation position is unknown. Whilst further details can be conditioned you will appreciate that uncertainty over the future of an 'A' category tree is far from ideal given the other concerns at this site.

A translocation methodology should also be included for the oaks.

- 9.169 The mitigation proposals in respect of tree loss are not considered to be sufficient, in the view of the Tree Officer, to address the substantial loss of trees and woodland resulting from this development proposal. The loss of trees and green infrastructure along the proposed access road is considered to cause harm, and the effects of the tree removal in the long-term, are substantial.
- 9.170 Notwithstanding this, it is also important to note that there is significant evidence of Ash dieback (*Hymenoscyphus fraxineus*) within the ash specimens on site, which will require removal.

Category 'A' Hazel Tree

- 9.171 In addition to the loss of trees resulting from the implementation of the access road, serious concern is raised regarding the proposed translocation of the

category A Hazel tree. The tree is located to the immediate north of the developable area, identified as T60 and outlined in green in the extract below:

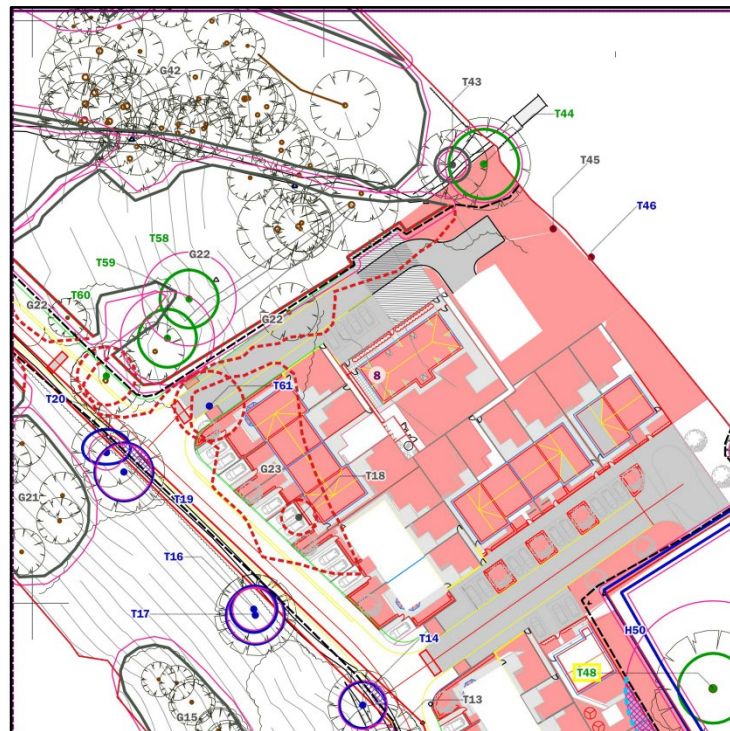


Figure 29 Category A Hazel Tree

9.172 The tree is proposed to be coppiced to ground level and translocated to a suitable location. An appointed Arboricultural Clerk of Works (ACW) and Arboricultural Contractor (AC) will evaluate the potential new site for suitability for the tree, including soil type, light exposure, and other environmental factors.

9.173 The Methodology for Translocation of Mature Hazel (T60) document submitted in support of the application states the following:

The receptor site should be as close to the donor site as possible in terms of hydrology, aspect, underlying soil type and size to minimise the chances of translocation failing. This will also maximise the chances of re-generation as close proximity means similar soil composition and climatic conditions – factors that are essential for a successful regeneration.

The receptor site should have sufficient space to accommodate the tree and guarantee its future growth.

9.174 A photograph of the tree is provided in Fig. 30 below.

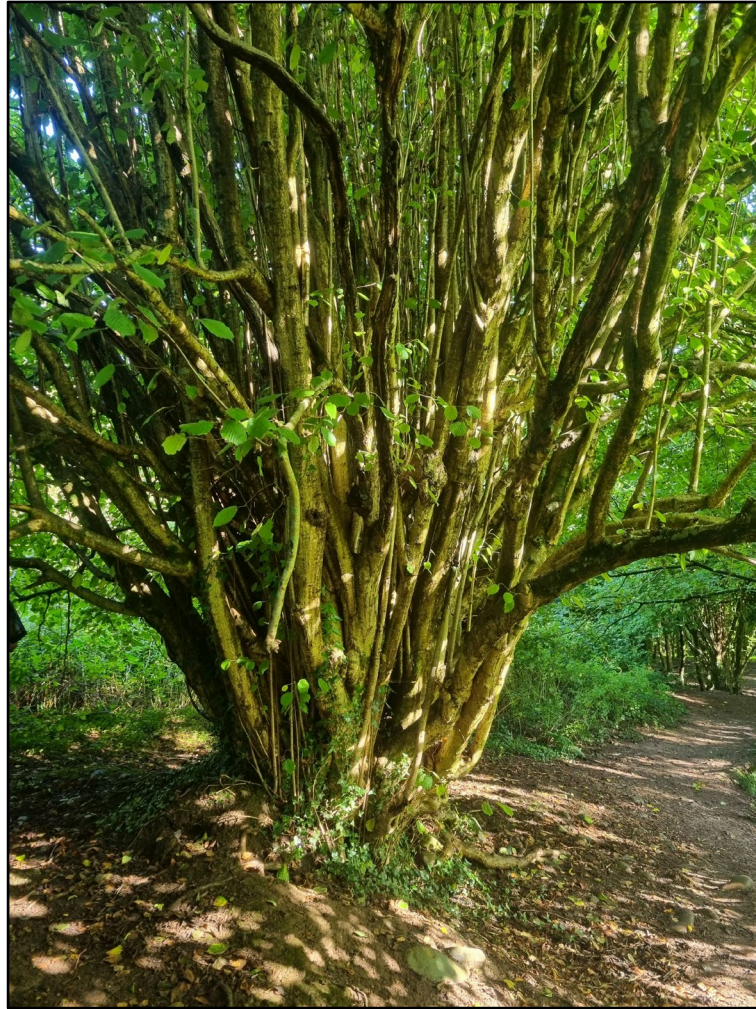


Figure 30: Category 'A' Hazel Tree

- 9.175 Given significant discussion between the Tree Officer and EDP, it is likely that the receptor site will be located in the community woodland area, although this is not yet confirmed.
- 9.176 No soil assessment has been undertaken to support the translocation of the category A Hazel tree. Whilst this detail is capable of being secured through an appropriately worded planning condition, given the scale of the translocation required, the age and maturity of the tree and the nature of the substrate, this does invite risk, in that the translocation may be unsuccessful, and the category A tree could be lost entirely.
- 9.177 The County Ecologist seconds this opinion, stating in a consultation response dated 24 November 2023 that until a soil assessment has been undertaken, certainty that the translocation will be successful cannot be guaranteed.
- 9.178 The primary concern of the Ecologist relates to the character of the subsoil, since a substantial excavation is likely to be required to receive the root-ball. It is recommended that as a precautionary measure, and to minimise the risks of the root-ball compacting underlying soil, that it is sat on a 'cushion' of washed sand (150-400mm depth dependent on the weight and size of the root-ball and the nature of the subsoil). It may be necessary to de-compact soils around the receptor site if these are damaged during the translocation. A sufficiently

detailed methodology that includes the provision for a 'pre-translocation' site visit and supervision of the whole process by the site monitoring arboriculturist, can be secured through an appropriate planning condition.

- 9.179 Whilst it would be beneficial to receive this information prior to determination to secure the success of the translocation, the detail can be secured through condition.

Oak Translocation

- 9.180 Further, the proposed translocation of around 20 juvenile Oak specimens from the developable area to the northern woodland area is proposed. The details of this translocation must be secured through the imposition of a planning condition, to ensure the success of the translocation, as this is considered very important in arboricultural terms.
- 9.181 According to the Tree Officer, such trees are like 'gold dust', and the regeneration of oak in the existing woodland is much more limited due to lack of light and few 'seed' trees.
- 9.182 Identified specimens of Ash which are subject to Ash dieback, will be removed to create new clearings within the woodland to allow for translocation of juvenile Oak from the development area as well as mixed native tree planting as identified on the Detailed Soft Landscape Plan.
- 9.183 One ambition of the future woodland management should be to encourage the development of glades where existing/translocated/newly planted oaks can develop into seed trees that may then help to promote regeneration of oak more generally in the woodland. Sycamore regeneration should also be encouraged, as long as it doesn't suppress the native trees. Ash dieback disease will impact the ability for ash to provide significant canopy cover in the future, and both oak and sycamore combined could represent viable alternatives as canopy forming trees.
- 9.184 Given the above, the crucial matter in this decision-making process lies in weighing up the harm caused by the loss of trees with the proposed provision of affordable housing (36 units) in this location.
- 9.185 In this case, the loss of trees is a contentious issue which is raised in a high percentage of the 700+ objections received in response to the consultations undertaken. It is also a source of objection from the Authority's Tree Officer.
- 9.186 Whilst preserving nature is a critical part of the planning process, which as outlined above, is one of the material planning considerations which is at the forefront of national and local policy, it can be argued that providing affordable homes offers significant societal benefits that can be considered to outweigh the loss of the natural environment.

Ecology

- 9.187 Future Wales Policy 9 Resilient Ecological Networks and Green Infrastructure requires developers to ensure the enhancement of biodiversity, the resilience of ecosystems and provision of green infrastructure. In all cases, action towards securing the maintenance and enhancement of biodiversity (to provide a net-benefit), the resilience of ecosystems and green infrastructure should be demonstrated as part of development proposals.
- 9.188 LDP Policy EN 8 states development will not be permitted that would cause unacceptable harm to trees, woodlands and hedgerows of significant public amenity, natural or cultural heritage value, or that contribute significantly to mitigating the effects of climate change.
- 9.189 To establish the ecological baseline, detailed ecological assessments of the application including a desk study, Extended Phase 1 Habitat survey and further detailed surveys for reptiles, bats, dormouse (*Muscardinus avellanarius*) and badger (*Meles meles*), were completed between July 2017 and May 2018. To further update the baseline findings, an update Extended Phase 1 Habitat survey was undertaken on 14 March 2019 with respect to the Application Site itself. This was followed by an Extended Phase 1 Habitat survey with respect to an additional parcel of woodland located off-site to the immediate north of the Application Site, proposed as community woodland, on 15 August 2019, hereafter referred to as the 'wider survey area.
- 9.190 Further to this, an Ecology Update Note was submitted in support of the application, detailing the findings of an updated desk study and Extended Phase 1 survey completed by EDP during March 2023. The documents assesses the current ecological status of the site, and wider survey area, necessary to confirm the validity of the existing ecological baseline and determine any additional potential ecological constraints to the proposed development.
- 9.191 The updated survey did not identify any significant material changes to the site since the submission of the planning application in 2020, although the extent of bramble scrub had increased slightly.
- 9.192 Further observations of Himalayan Balsam, an invasive non-native species, were noted across the southern extents of the site, which has appeared to have established across this area in intervening years.
- 9.193 The majority of habitats identified on site are considered to be important at site level only, due to low distinctiveness and species diversity, albeit with some potential to support protected and notable species.

European Protected Species

- 9.194 Dormice, otter and bats, as well as their breeding sites and resting places, are legally protected under the Conservation of Habitats and Species Regulations 2017 (as amended).

- 9.195 Where a European Protected Species (EPS) is present and development proposal is likely to contravene the legal protection they are afforded, the development may only proceed under licence issued by Natural Resources Wales, having satisfied the three requirements set out in the legislation. One of these requires that the development authorised will 'not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status (FCS) in their natural range'.
- 9.196 These requirements are translated into planning policy through Planning Policy Wales (PPW) February 2021, section 6.4.22 and 6.4.23, and Technical Advice Note (TAN) 5, Nature Conservation and Planning (September 2009). The planning authority should take them into account when considering development proposals where an EPS is present.

Dormice

- 9.197 The woodland area to the north of the site offers some opportunities for dormouse, albeit limited given the presence of only a sparse field layer and with public disturbance widespread (informal footpaths).
- 9.198 The connectivity of the site to nearby better quality woodland (Radyr Court Woodlands) could offer potential foraging and dispersal opportunities for this species, likely on an opportunistic basis, should a population be present within the locality.
- 9.199 No evidence of dormouse activity was recorded during the nest tube surveys and nut searches undertaken by EDP. Therefore, no further consideration of dormouse is required.

Otter and Water Vole

- 9.200 Although the River Taff is within 50m of the eastern site boundary, a main railway line and a busy section of the Taff Trail separates the site from the river, such that the likelihood of otter using the site is considered low. Nevertheless, woodland and scrub habitat provide suitable cover for laying up. No evidence of otter was found when undertaking the surveys.
- 9.201 The lack of suitable habitats on the site and barriers between any potentially suitable habitat mean that the presence of water vole on the site is considered extremely unlikely. No evidence of water vole was recorded during the survey works undertaken, and therefore no consideration of this species is required.

Bats

- 9.202 The following extract is taken from the Ecology Update Note:

(4.33) To inform a planning application for proposed development, surveys of bat activity were previously undertaken by Soltys Brewster in 2012 (report reference E1133402/R01) during which common pipistrelle, soprano pipistrelle, noctule, Myotis species and brown long eared bats were recorded

commuting/foraging across the Application Site, with overall activity dominated by common and soprano pipistrelle.

(4.34) This was supplemented by update manual transect and automated bat detector surveys undertaken by EDP in August 2017 and September 2017, with a further survey completed in May 2018 encompassing the Application Site and woodland to the north. At least three bat species were recorded during manual transect surveys, with activity dominated by common and soprano pipistrelle and limited registrations of Myotis sp. Low levels of long eared bat and noctule were also recorded during automated bat activity surveys.

(4.35) With respect to a roosting bat assemblage, a ground level inspection of suitable trees within the Application for their potential to support roosting bats was undertaken by EDP on 07 July 2017 and 31 May 2018. Survey effort identified one tree with low bat roost potential (T1), one tree group comprising several oaks with low bat roost potential (W4) and one tree with moderate bat roost potential (T2). Survey of the Application Site and adjacent woodland also noted presence of a stone underpass that goes below the railway line immediately to the east of the Application Site boundary, which was assessed as having negligible potential to support roosting bats. During an update inspection of the Application Site in March 2023, no additional trees with potential to support roosting bats were identified.

9.203 NRW raise no concerns in relation to the documentation and evidence submitted in support of European Protected Species, and recommend that documentation is included within the condition identifying the approved plans and documents. Subject to this the scheme is considered to be acceptable to NRW.

9.204 The County Ecologist notes that there are numerous considerations for which further detail is required, although states that this can be appropriately assessed through appropriate planning condition. Therefore, detailed planning conditions are recommended to ensure further information is provided and the ecological losses associated with the development are appropriately mitigated.

Drainage and Flooding

9.205 As noted above, the application site lies within Zone A and Zone B of the Development Advice Maps (DAM) contained within Technical Advice Note (TAN) 15: Development and Flood Risk (2004). The Flood Map for Planning shows no change to such designation, identifying the site as falling outside of Zones 2 and 3.

9.206 The applicant has submitted a Flood Consequence Assessment and Drainage Strategy (written by PHG Consulting Engineers, dated May 2023) in support of the application, which is noted by NRW in their consultation response dated 02 November 2023. The following comments were provided by NRW:

TAN15 advises for development located in Zone A the justification test is not applicable and surface water requirements apply. The acceptability criteria are for no increase in flooding elsewhere to occur as a result of the development.

Given the location of development in Zone A, we advise surface water requirements should be assessed. We recommend you seek the advice of your authority's Land Drainage Department to comment on the suitability of these proposals.

- 9.207 The Land Drainage Team have confirmed and are confident that SAB can be achieved on this site, although additional green features may be required to be included on any full design proposal to be submitted.
- 9.208 Given that the Lead Local Flood Authority are comfortable that the site can be drained through the submission of full details at SAB stage, and no objection is raised in this regard, the scheme is considered to be acceptable in respect of flood risk.
- 9.209 The scheme is considered to be compliant with Policy EN14 of the LDP which aims to prevent development where it would be at risk from "river, ordinary watercourse, coastal, surface water flooding or where it would increase the risk of flooding or additional run off from development elsewhere".
- 9.210 Turning to drainage, Dŵr Cymru Welsh Water have confirmed that capacity exists within the public sewerage network to receive domestic foul only flows from the proposed development site.
- 9.211 However, the proposed development site is crossed by public sewers with the approximate position being marked on Fig. 31 below.



Figure 31: Statutory Public Sewer Record

- 9.212 Dŵr Cymru Welsh Water have advised that the protection zones of the existing public sewers are 3 metres either side of the centreline, up to 450mm in diameter and 6 metres for the existing 1200 surface water sewer.

- 9.213 Having reviewed the submitted engineering layout (Drawing 100-1 Rev L), Dŵr Cymru Welsh Water note that the applicant is proposing to divert the existing 225mm foul sewer and 1200mm surface water sewer.
- 9.214 Given the size of the 1200mm surface water sewer, it is considered as a strategic asset, and the developer will likely need to apply to Welsh Water for a Sewer Requisition in order to confirm if a diversion on a strategic asset of this size will be achievable. Confirmation that diverting such a large asset is acceptable in principle should be received prior to the grant of planning permission, given that if it is not achievable, the applicant will be required to reposition the proposed development to accommodate for the required protection zones of these assets.
- 9.215 Nevertheless, if the Authority are minded to grant planning permission, Dŵr Cymru Welsh Water advise that a planning condition is imposed which requires details of a scheme to divert the public sewer crossing to be submitted prior to the commencement of development, in order to ensure no detriment to existing residents or the environment and to Dŵr Cymru Welsh Water's assets.
- 9.216 Therefore, whilst it would be beneficial in this case to know whether the diversion of the strategic asset (surface water sewer) will be achievable in principle, the imposition of the recommended planning condition will ensure that the required details are submitted and approved prior to the commencement of development. The condition will also ensure that any approved scheme will be implemented and completed prior to the implementation of any works associated with the planning consent.
- 9.217 Thus, subject to the imposition of the recommended planning condition and informative notes, the scheme is considered to be acceptable in respect of drainage.

Public Protection: Contamination

- 9.218 Policy EN13 of the adopted LDP states that “development will not be permitted where it would cause or result in unacceptable harm to health, local amenity, the character and quality of the countryside, or interests of nature conservation, landscape or built heritage importance because of air, noise, light pollution or the presence of unacceptable levels of land contamination”.
- 9.219 Available records indicate that the area is associated with localised quarrying and historical landfilling/unauthorised waste disposal. It is also within close proximity of former landfill sites, which can be associated with the generation of landfill gases.
- 9.220 The Site Investigation Report (reference 11213/CS/13 Rev A), written by Intégral Géotechnique (Wales) Ltd and dated June 2018, is based on investigations undertaken in 2013, and at the time of reporting, the most northerly/north westerly part of the development site was inaccessible. The land proposed to provide the new access road was not investigate, and this area overlies a historic landfill site.

- 9.221 Given the sensitive nature of the site with respect to controlled waters, supplementary site investigation works will be required to be completed in this area of the development site. In addition, only limited ground gas monitoring has been undertaken, and further investigations are required.
- 9.222 It is recommended that pre-commencement and pre-construction conditions are imposed upon any consent granted, 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.
- 9.223 Subject to the inclusion of the recommended planning conditions suggested by Shared Regulatory Services and NRW, the proposed development is considered to be compliant with Policy EN13 of the adopted LDP.

Section 106 Matters

- 9.224 Policy KP7 (Planning Obligations) states that “planning obligations will be sought to mitigate any impacts directly related to the development and will be assessed on a case by case basis in line with Planning Policy Guidance”.
- 9.225 The supporting text emphasises that new development often generates additional demands upon existing services, facilities, infrastructure and the environment, with planning obligations being a means of seeking contributions from developers towards these demands, as well as negotiating benefits that improve the standard of development proposals by providing necessary infrastructure and community benefits.
- 9.226 The Planning Obligations SPG sets out the Council’s approach to planning obligations when considering applications for development in Cardiff, providing further guidance on how the policies set out in the LDP are to be implemented.
- 9.227 The Community Infrastructure Levy Regulations 2010 came into force on 6th April 2010 in England and Wales. They introduced limitations on the use of planning obligations (Reg. 122 refers), and state that a planning obligation may only legally constitute a reason for granting planning permission if it is: (a) necessary to make the development acceptable in planning terms; (b) directly related to the development; and (c) fairly and reasonably related in scale and kind to the development.
- 9.228 In view of the type and form of development proposed, having regard to local circumstances and needs arising from the development, the need for planning obligations which are considered necessary to make the development acceptable in planning terms and to meet the policy and legislative tests for planning obligations relate specifically to Affordable Housing, Community Facilities, Waste Management Facilities, Open Space Provision and Transportation.

Affordable Housing

9.229 In respect of Affordable Housing, it is noted that the scheme has been submitted by Cardiff Council's partner Registered Social Landlord (RSL) Taff Housing Association, and will comprise the introduction of 36 affordable units.

9.230 Chapter 2 of Supplementary Planning Guidance *Cardiff Planning Obligations SPG* (July 2017) refers specifically to Affordable Housing and stipulates at paragraph 2.2 that a 30% Affordable Housing contribution will be sought on greenfield sites if the development meets any of the following criteria:

- Contain 5 or more dwellings; or
- Sites of or exceeding 0.1 hectares in gross site area; or
- Where adjacent and relates residential proposals result in combined numbers or site size areas exceeding the above thresholds, the Council will seek affordable housing based on the affordable housing target percentages set out opposite.

9.231 Whilst the Authority would usually only seek an obligation to ensure that 30% of the units are retained as affordable in perpetuity, in this case the need for affordable housing comprises a significant part of the overall assessment (below) of the 'planning balance' such that it is recommended that the legal agreement should seek to ensure that all the dwellings are retained in perpetuity as affordable.

Community Facilities

9.232 The Planning Obligations SPG states at Section 8 that '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
- The extension to or upgrading of existing facilities.

9.233 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. The formula in the SPG is based on the number of bedrooms and associated occupancy figures per dwelling, and is calculated as follows:

No. of bedrooms	Number of Dwellings	Contribution per Dwelling	Totals
1	12	£720.51	£8,646.14
2	15	£997.63	£14,964.48
3	9	£1,385.60	£12,470.40
Total	36		£36,081.02

9.234 The total number of dwellings proposed equates to a contribution towards Community Facilities of £36,081.02.

Waste Management Facilities

9.235 The Planning Obligations SPG states at Section 12 that all residential properties should provide adequate storage for four dedicated waste streams; recycling, garden, food and residual waste. Provision must be made for the total volume of all waste streams produced over a 14 day period, and the storage must be separate from the dwelling it serves.

9.236 The developers of all new residential units are required to purchase the required bin provision from Cardiff Council, and the following contributions will be required:

Cost of Bins are as follows:			Net excluding VAT
Type of Dwelling	Qty	Unit Price	Total Contribution
House	24	£50	£1,200.00
Flats			
Bins	Qty	Unit Price	Total Contribution
1100 bins	2	£390	£780.00
660 bins	0	£300	£0
240 bins	13	£25	£325.00
Total for Flats			£1,105.00

9.237 The total contribution towards waste management facilities equates to £2,305.

Open Space Provision

9.238 The adopted LDP requires provision of a satisfactory level and standard of open space on all new housing/student development over 8 units, or an off-site contribution towards existing open space for smaller scale development where new on-site provision is not applicable.

9.239 Based on the number and type of units proposed, it is calculated that the additional population generated by the development is 65.1. This generates an open space requirement of 0.158ha of on-site open space, based on the criteria set for Housing accommodation, or an off-site contribution of **£67,544**.

9.240 The improvement and management of the woodland to the north of the application site is proposed to be transferred to the Council as a 'community woodland'. A contribution of **£45,375**, (based on a minimal intervention of £1,875 per annum over a 25 year period) has been agreed with the applicant to secure the long-term management, and this figure will be secured through the associated Section 106 Agreement.

9.241 In this respect, the Section 106 Agreement will require an updated Community Woodland Strategy, which will identify precisely what works will be undertaken with a timescale, and will include a strict handover date for the land to be transferred to the Council.

9.242 In total, the contribution required for the provision of off-site open space, and in lieu of on-site open space provision through the land transfer of a 'community woodland' to the Council to secure the long-term management of the land, is £112,919. This sum has been agreed by the applicant.

- 9.243 This adoption is considered by Parks Services to be an acceptable contribution in lieu of on-site open space provision, and the sum has been agreed by the applicant.
- 9.244 In addition, a financial contribution in the value of **£10,000** is sought for a Traffic Regulation Order (TRO) for any permanent off-site on-street parking controls in excess of those included within the S278 agreement.
- 9.245 The proposed broad Heads of Terms for the required section 106 agreement are as follows (in line with the Planning obligations SPG): -
- Affordable Housing (100%) to be provided and retained in perpetuity, in line with Chapter 2 of the adopted *Cardiff Planning Obligations SPG* (July 2017).
 - Financial contribution of £36,081.02 towards Community Facilities.
 - Financial contribution of £2,305.00 towards Waste Management Facilities.
 - Financial contribution of £10,000 towards a Traffic Regulation Order.
 - Financial contribution of £67,544 towards off-site Open Space provision.
 - Community Woodland Strategy (including specification and timescales for works undertaken by applicant prior to adoption) together with financial contribution of £45,375 towards the long-term management of a 'community woodland' to be transferred to the Council.

9.246 Having regard to the legal and policy test outlined above, it is clear that the requested monies are necessary and reasonable to mitigate the impacts of the proposed development and thus ensure that the proposal accords with planning policy.

Overall Assessment – 'The Planning Balance'

- 9.247 PPW11 refers to the need to assess the Sustainable Benefits of Development and (at 2.27) emphasises that Planning authorities should ensure that social, economic, environmental and cultural benefits are considered in the decision-making process and assessed in accordance with the five ways of working to ensure a balanced assessment is carried out to implement the Well-being of Future Generations Act and the Sustainable Development Principle.
- 9.248 Paragraph 3.38 of PPW states that the countryside is a dynamic and multi-purpose resource. In line with sustainable development and the national planning principles and in contributing towards placemaking outcomes, it must be conserved and, where possible, enhanced for the sake of its ecological, geological, physiographic, historical, archaeological, cultural and agricultural value and for its landscape and natural resources. The need to conserve these attributes should be balanced against the economic, social and recreational needs of the local communities and visitors.
- 9.249 There may be occasions when one benefit of a development proposal outweighs others, and in such cases robust evidence should be presented to support these decisions, whilst seeking to maximise contributions against all the well-being goals.

9.250 Key factors in the assessment process include:

- *Social Considerations*, including: - who are the interested and affected people and communities; who will benefit and suffer any impacts from the proposal; what are the short and long-term consequences of the proposal on a community;
- *Economic Considerations* including: - the numbers and types of long term jobs expected to be created or retained; whether, and how far, the development will help redress economic disadvantage or support regeneration priorities, for example by enhancing local employment opportunities;
- *Cultural Considerations* including: - how far the proposal supports the conditions that allow for the use of the Welsh language; whether or not the development protects areas and assets of cultural and historic significance; have cultural considerations and their relationships with the tourism industry been appropriately maximised; and
- *Environmental Considerations* including: - will important features of the natural and built environment be protected and enhanced; are the environmental impacts of development on health and amenity limited to acceptable levels and the resilience of ecosystems improved.

9.251 At 2.29 it further refers to the need to have an integrated approach to balancing priorities against policy on an individual basis, which enables the full range of costs and benefits over the lifetime of development to be taken into account.

9.252 Section 5 of PPW11 provides further emphasis on the need to develop 'Productive and Enterprising Places' which promote our economic, social, environmental and cultural well-being by providing well-connected employment and sustainable economic development.

9.253 The role of the Local Planning Authority is therefore to balance the weight to be attributed to each of the positive and negative impacts of the development and come to a balanced conclusion as to whether the development is acceptable or not.

9.254 As noted throughout Section 9 of the report, this scheme is contentious and is the subject of a significant number of objections from local residents, local Councillors, Action Groups, Welsh Government politicians as well as from consultees within the planning process.

9.255 The loss of open space within an identified river corridor, and the resultant loss of trees, ecological habitat and green infrastructure caused by the development proposal (notably the access proposals) is the main area of dispute. The objections raised place significant value on the importance of the space for biodiversity, air quality, climate change, visual appeal, cultural and historical significance as well as for overall well-being. These impacts are acknowledged through the report.

9.256 The application site is considered by many as being a serene and lush buffer zone between the established urban residential area to the west and the railway line and River Taff to the east. The importance of the land lies in its multifaceted

contributions to the environment, biodiversity, aesthetics, and the well-being of the community living nearby, providing residents with access to nature, while still enjoying the benefits of living within an urban environment. It is argued that preserving and maintaining the land in its current state can have long-lasting positive impacts on both the natural ecosystem and the quality of life for residents.

- 9.257 Building affordable housing often presents a complex trade-off, especially when it involves the removal of trees, woodlands, or ecosystems which are considered by local residents to be places of solace with amenity value. Whilst preserving nature is crucial, and an important consideration in the planning process, providing affordable housing offers significant societal benefits that can sometimes be considered to outweigh the loss of these natural elements, addressing pressing social needs and contributing to broader societal benefits.
- 9.258 The provision of affordable housing addresses a fundamental need for many individuals and families. It ensures that people from diverse socio-economic backgrounds have access to decent living conditions, fostering social equity and reducing disparities.
- 9.259 Reinforcing this is Policy 7 of Future Wales: The National Plan 2040 (February 2021). It sets out the national strategic approach to delivering affordable housing, ensuring the focus of funding and housing policies is on driving increased provision. Planning and co-ordinating the delivery of new housing to meet identified needs is an important task for the regional planning process.
- 9.260 Policy 33 of Future Wales identifies Cardiff as a *National Growth Area*, recognising it as a focus area for strategic economic and housing growth. As noted on page 167, it is estimated that 66,400 additional homes are needed in the identified region (Cardiff, Newport and the Valleys) until 2039, and over the initial five years (2019-20 to 2023-24) 48% of the additional homes needed should be affordable homes. These estimates provide part of the evidence put forward to argue that the harm identified by this proposed development is outweighed by the requirements to provide affordable housing at an appropriate level.
- 9.261 The Welsh Government consider that affordable housing is a critically important issue which should not be set aside lightly in the consideration of the acceptability of planning applications.
- 9.262 In acknowledging that the development is located within an identified area of open space and is within a river corridor, and in consideration of the harmful impact caused to the green infrastructure outlined in Section 9 above, the provision of affordable housing is a consideration that must be afforded significant weight. In this respect, while not understating the significance of preserving trees, woodlands, and ecosystems – having particular regard to the *Nature Emergency* - the provision of 36 units of affordable housing is considered, on balance, to outweigh the environmental impacts of the proposed scheme, noting also that mitigation is secured through the proposed enhancements and adoption of the nearby land as a 'community woodland'.

Other Matters Not Assessed Above

9.263 As identified earlier in this report, a number of objections were received in response to the publicity exercise. In response to the main issues raised which have not been addressed elsewhere in this report, the following comments are made:

Devaluation of Property

This is not a material consideration in the determination of this planning application and will not be addressed further.

Anti-Social Behaviour

Whilst the objections raised are noted, the Planning system cannot be used to control the behaviour of individuals, and it is the responsibility of the individual to behave in an appropriate manner. Noise disturbance is a matter to be dealt with by Public Protection, and matters relating to anti-social behaviour should be dealt with by the Police.

CONCLUSION

9.1 The decision to recommend planning permission has been taken in accordance with Section 38 of The Planning and Compulsory Purchase Act 2004, which requires that, in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises the Cardiff Local Development Plan (2011–2026) adopted January 2016.

9.2 The development proposes the erection of 36 affordable dwellings with associated infrastructure, public open space and woodland management, which would meet a pressing and identified need for affordable housing. While the proposed development would, notably through creation of the new access, have an impact on open space which is well-used by local residents, and result in a change in the character of the woodland, loss of trees and associated green infrastructure, and impact on biodiversity, having regard to previous appeal decisions and the additional mitigation proposed through the 'community woodland' proposal, on balance the provision of affordable housing is considered to outweigh the harm caused to the environment.

9.3 Given the above the proposed development is recommended for approval.

10 OTHER MATTERS RELEVANT TO THE CONSIDERATION OF THIS APPLICATION

10.1 Crime and Disorder Act 1998. Section 17(1) of the Crime and Disorder Act 1998 imposes a duty on the Local Authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. This duty has been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable increase in crime and disorder as a result of the proposed decision.

- 10.2 Equality Act 2010. 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. It is considered that the proposed development does not have any significant implications for, or effect on, persons who share a protected characteristic, over and above any other person.
- 10.3 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. It is also noted that section 2(5) of the Planning (Wales) Act 2015 affords protection to decisions taken under Part 3 of the 1990 Act, in that the Well-being of Future Generations (Wales) Act 2015 does not alter whether regard is to be had to any particular consideration under section 70(2) of the 1990 Act or the weight to be given to any consideration to which regard is had under that subsection. This means the provisions of the development plan, so far as material to the application, and any other relevant other material considerations remain the primary considerations when determining planning applications.
- 10.4 Section 6 of Environment (Wales) Act 2016 subsection (1) imposes a duty that a public 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 subsection (1), a public authority must take account of the resilience of ecosystems, in particular the following aspects:
- (a) Diversity between and within ecosystems;
 - (b) The connections between and within ecosystems;
 - (c) The scale of ecosystems;
 - (d) The condition of ecosystems (including their structure and functioning);
 - (e) The adaptability of ecosystems.

It is considered that the LPA has considered its duty under this Act and has met its objectives for the reasons outlined above.

11 RECOMMENDATION

11.1 RECOMMENDATION 1:

That SUBJECT to a requirement that no decision notice may be issued unless a written authorisation is received from the Welsh Ministers pursuant to its Direction dated 31st March 2021 made under Article 18 of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012:

That planning permission be **GRANTED** subject to the relevant parties entering into a binding legal agreement 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, and the conditions listed below in section 12.

That planning permission be **GRANTED** subject to the relevant parties entering into a binding legal agreement 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 * of this report, and the conditions listed below.

11.2 RECOMMENDATION 2:

That delegated authority is given to the Head of Planning &/Or Operational Manager: Strategic Development & Placemaking, to make changes to the conditions and/or Heads of Terms of the required legal agreement, subject to consultation with the Chair of Planning, up to the point where the legal agreement is signed and planning permission issued.

12 CONDITIONS

Time Limit

1. The development permitted shall be begun before the expiration of five years from the date of this planning permission.

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990.

Approved Plans

2. The development, unless otherwise required by the ensuing conditions, shall be carried out in accordance with the following approved plans and details:
 - Site Location Plan (90)001 (Sep 2019)
 - Proposed Site Layout (SK)001FF (09.10.2023)
 - Proposed Site Layout Part 1 (SK)015EE Option 2B (09.10.2023)
 - Proposed Site Layout Part 2 (SK)016DD Option 2B (received on 10.07.2023)
 - Proposed Floor Plans Blocks 3, 6 (SK)004C (03.11.2020)

- Proposed Floor Plans Blocks 10, 11 (SK)006B (03.11.2020)
- Proposed Floor Plans Blocks 1, 8 (SK)005B (03.11.2020)
- Proposed Floor Plans Block 2 (SK)003C (03.11.2020)
- Proposed Floor Plans Block 4 (SK)009B (03.11.2020)
- Proposed Floor Plans Block 5 (SK)007B (03.11.2020)
- Proposed Floor Plans Block 7, 9, 12 (SK)008C (03.11.2020)
- Proposed Block Elevations Blocks 2, 6, 3, 5 (SK)017C (17.12.2020)
- Proposed Block Elevations Blocks 1, 8, 7, 9, 12, 11 (SK)018C (10.12.2020)
- Proposed Block Elevations Blocks 5, 13, 15 & 7 (SK) 019B (16.12.2020)
- Proposed Side Block Elevations Blocks 1, 2, 6, 8, 9, 3, 11, 4, 10, 12 & 14 (SK)020B (10.12.2020)
- Proposed Side Block Elevations Blocks 5, 13, 15 & 7 (SK)021B (16.12.2020)
- Proposed Street Elevations (SK)010C (17.12.2020)
- Proposed Street Elevations (SK)011D (17.12.2020)
- Proposed Street Elevations (SK)012D (11.11.2020)
- Proposed Street Elevations (SK)013D (17.12.2020)
- Detailed Soft Landscape Plan (Sheet 1 (Overview) of 8) edp4188_d029c (20.10.2023)
- Detailed Soft Landscape Plan (Sheet 2 of 8) edp4188_d029c (20.10.2023)
- Detailed Soft Landscape Plan (Sheet 3 of 8) edp4188_d029c (20.10.2023)
- Detailed Soft Landscape Plan (Sheet 4 of 8) edp4188_d029c (20.10.2023)
- Detailed Soft Landscape Plan (Sheet 5 of 8) edp4188_d029c (20.10.2023)
- Detailed Soft Landscape Plan (Sheet 6 of 8) edp4188_d029c (20.10.2023)
- Detailed Soft Landscape Plan (Sheet 7 of 8) edp4188_d029c (20.10.2023)
- Detailed Soft Landscape Plan (Sheet 8 of 8) edp4188_d029c (20.10.2023)
- Proposed Sections (SK)014B (16.12.2020)
- Engineering Layout 1901 100-1 Rev M (05.05.2023)
- Road Cross Sections Sheet 1 1901-111-2-A (20.06.2023)
- Road Cross Sections Sheet 2 1901-111-2-A (20.06.2023)
- Swept Path Analysis 11.2m Refuse Vehicle 173547A_AT_A01 (10.12.2019)
- Swept Path Analysis Fire Tender 173547A_AT_A02 (10.12.2019)
- Swept Path Analysis Fire Tender Turning Head Manoeuvres 173547A_AT_A03 (10.12.2019)
- Vehicle Tracking and Visibility Sheet 3 1901-110-3 Rev A (05.05.2023)
- Link between Danescourt Way and Radyr Court Road Long Section and Ground Profile 173547A_A02
- Cycle Route Longitudinal Section 1901-113 (08.03.2023)

- Design and Access Statement (July 2023)
- Planning Statement written by Phillippa Cole, (January 2021)
- Environmental Noise and Vibration Survey Rev 2 written by Hunter Acoustics Ltd (January 2021)
- Air Quality Assessment & Supporting Plans written by SLR Consulting Ltd (October 2019)
- Arboricultural Impact Assessment written by The Environmental Dimension Partnership Ltd (EDP) (October 2023; edp4188-r011g) , including Arboricultural Technical Note edp4188-r012d
- Arboricultural Technical Note edp4188_r012c
- Methodology for Translocation of Mature Hazel (T60) written by The Environmental Dimension Partnership Ltd (October 2023; edp4188-r017b)
- Landscape and Visual Appraisal written by The Environmental Dimension Partnership Ltd (January 2021)
- Soil Report written by Land Research Associates (27.09.2019)
- Site Investigation Report written by Intégral Géotechnique (Wales) Limited (June 2018)
- Transport Statement written by Vectos (July 2023)
- Green Infrastructure Statement written by The Environmental Dimension Partnership Ltd (January 2021)
- Ecological Construction Method Statement written by The Environmental Dimension Partnership Ltd (January 2021)
- Ecological Appraisal written by The Environmental Dimension Partnership Ltd (February 2021)
- Ecology Update Report written by The Environmental Dimension Partnership Ltd (October 2023; edp4188-r016a)
- Archaeological and Heritage Assessment written by The Environmental Dimension Partnership Ltd (February 2020)
- Flood Consequence Assessment and Drainage Strategy written by PHG Consulting Engineers (May 2023)
- Community Woodland Strategy written by The Environmental Dimension Partnership (October 2023; edp4188-r010c)

Reason: To ensure satisfactory completion of the development and for the avoidance of doubt in line with the aims of Planning Policy Wales to promote an efficient planning system.

Pre-Commencement Conditions

3. Ground Gas Protection

No development shall commence until such time as a scheme to investigate and monitor the site for the presence of gases* being generated at the site or land adjoining thereto, including a plan of the area to be monitored, has been submitted to and approved in writing by the Local Planning Authority.

Following completion of the approved monitoring scheme, the proposed details of appropriate gas protection measures to ensure the safe and inoffensive dispersal or management of gases and to prevent lateral migration of gases into or from land surrounding the application site shall be submitted to and

approved in writing to the LPA. If no protection measures are required than no further actions will be required.

All required gas protection measures shall be installed and a verification report that demonstrates the effectiveness of the measures carried out must be submitted to and approved in writing by the Local Planning Authority before occupation of any part of the development. The approved protection measures shall be retained and maintained until such time as the Local Planning Authority agrees in writing that the measures are no longer required.

* 'Gases' include landfill gases, vapours from contaminated land sites, and naturally occurring methane and carbon dioxide, but does not include radon gas. Gas Monitoring programmes should be designed in line with current best practice as detailed in CIRIA 665 and BS 8485:2015+A1:2019 Code of practice for the design of protective measures for methane and carbon dioxide ground gases for new buildings.

Reason: To ensure that the safety of future occupiers is not prejudiced.

4. Contaminated Land Measures – Assessment

No development shall commence until such time as a preliminary risk assessment of the nature and extent of contamination, to deal with the risks associated, has been submitted to and approved in writing by the Local Planning Authority. This assessment must be carried out by or under the direction of a suitably qualified competent person * in accordance with BS10175 (2011) Code of Practice for the Investigation of Potentially Contaminated Sites and shall assess any contamination on the site, whether or not it originates on the site. The report of the findings shall include:

- (i) a desk top study to identify all previous uses at the site; potential contaminants associated with those uses; potentially unacceptable risks arising from contamination at the site; and the impacts from those contaminants on land and controlled waters. The desk study shall establish a 'conceptual site model' (CSM) which identifies and assesses all identified potential sources, pathway, and receptor linkages;
- (ii) an intrusive investigation to assess the extent, scale and nature of contamination which may be present, if identified as required by the desk top study;
- (iii) an assessment of the potential risks to:
 - human health,
 - groundwaters and surface waters
 - adjoining land,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - ecological systems,
 - archaeological sites and ancient monuments; and
 - any other receptors identified at (i)

- (iv) an appraisal of remedial options, and justification for the preferred remedial option(s).

All work and submissions carried out for the purposes of this condition must be conducted in accordance with the Environment Agency's 'Land contamination: risk management (LCRM)' (October 2020) and the WLGA / WG / NRW guidance document 'Land Contamination: A guide for Developers' (2023) unless the Local Planning Authority agrees to any variation.

* A 'suitably qualified competent person' would normally be expected to be a chartered member of an appropriate professional body (such as the Institution of Civil Engineers, Geological Society of London, Royal Institution of Chartered Surveyors, Institution of Environmental Management) and also have relevant experience of investigating contaminated sites.

Reason: To ensure that information provided for the assessment of the risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems is sufficient to enable a proper assessment.

5. Contaminated Land Measures – Remediation & Verification Plan

No development shall commence until such time as a detailed remediation scheme and verification plan to bring the site to a condition suitable for the intended use by removing any unacceptable risks to human health, controlled waters, buildings, other property and the natural and historical environment has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

All work and submissions carried out for the purposes of this condition must be conducted in accordance with the Environment Agency's 'Land contamination: risk management (LCRM)' (October 2020) and the WLGA / WG / NRW guidance document 'Land Contamination: A guide for Developers' (2023) unless the Local Planning Authority agrees to any variation.

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

6. Construction Environmental Management Plan

No development, including site clearance, shall commence until such time as a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall, as a minimum, include the following:

- i) details of site hoardings, site access and wheel washing facilities;
- ii) a strategy for the delivery of plant and materials;
- iii) the parking of vehicles of site operatives and visitors;
- iv) loading and unloading of plant and materials;
- v) storage of plant and materials used in constructing the development
- vi) a plan identifying the location of any site compound;
- vii) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- viii) Control of Nuisances: details of restrictions to be applied during construction including timing, duration and frequency of works; details of measures to minimise noise and vibration; details of dust control measures and measures to monitor emissions of dust arising from the development; measures to control light spill and the conservation of dark skies.
- ix) Traffic Management: access routes, wheel washing facilities, site hoardings, delivery and storage of plant and materials; dedicated vehicle access routes (including any temporary traffic regulation orders required), traffic management proposals and habitat protection measures.
- x) a scheme for recycling/disposing of waste resulting from demolition and construction works.
- xi) Pollution prevention: Measures to ensure relevant Guidelines for Pollution Prevention and best practice will be implemented, covering GPP1, GPP5, GPP8, and GPP21, including:
 - i. Storage of plant and materials (including details and approximate quantities of any chemicals and fuels) – including unloading, containment, bunding and/or appropriate buffer zones, including from any drain.
 - ii. How drainage will be controlled at source to prevent release of soil from the site, wastewater and contaminants, including wheel washing facilities, during construction to the storm water system
 - iii. Measures to monitor mobilisation of contaminants (water)
 - iv. Emergency spill procedures and incident response plan that will be followed in light of any spill at the site.
- xii) Soil Management: details of topsoil strip, storage and amelioration for re-use.
- xiii) A Biodiversity Section (updating the submitted 'Ecological Construction Method Statement' (EDP, January 2020) to include: -
 - a. The appointment and role and responsibilities on site, of a suitably competent Ecological Clerk of Works (EcoW) or similarly competent person, and recording/reporting procedures to cover all key ecological activities undertaken i.e. briefings, post construction surveys, habitat watching briefs.
 - b. Identification of "biodiversity protection zones" (including amended ecotone) and the means to prevent impacts i.e. protection, modification etc;
 - c. Reference to supporting documentation that must be implemented during construction i.e. the SUDS Design, Lighting Design Strategy (for biodiversity), tree protection details in relation to BS5837:2012.
 - d. The procedure for incidental finds.

- xiv) Details of the persons and bodies responsible for activities associated with the CEMP and emergency contact details.

All development shall be undertaken in full accordance with the approved CEMP.

Reason: In the interests of highway safety, and protection of the environment and public amenity during construction in accordance with Local Development Plan Policies T5 (Managing Transport Impacts), T6 (Impact on Transport Networks and Services), EN6 (Ecological Networks and Features of Importance for Biodiversity), EN7 (Priority Habitats and Species), EN10 (Water Sensitive Design), and EN13 (Air, Noise, Light Pollution and Land Contamination).

7. Invasive Non-Native Species Management Plan

Prior to the commencement of development, an Invasive Non-native Species Management Plan for invasive non-native plant species within the site (to include the community woodland) shall have been submitted to and approved in writing by the local planning authority. The measures shall be carried out strictly in accordance with the plan, which shall include:

- Provide an introduction to the site, and the proposed works;
- The legislation pertaining to the known invasive species (and others that could occur);
- Appropriate buffer zones to prevent further spread/containment, which includes where roots may occur;
- The methods of control, removal/disposal (in line with waste transfer etc) should the species be impacted directly, including toolbox talk;
- Management of the land following eradication; and
- Drawing/s indicating location and those areas that will be subject to eradication and/ or control; and
- The period of monitoring.

Reason: For the general protection of biodiversity and prevention of the spread of invasive species on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended), and in accordance with Policies EN5, EN6 and EN7 of the adopted Local Development Plan (2016).

8. Reptile Mitigation Strategy

Prior to the commencement of development, a Reptile Mitigation Strategy shall have been submitted to and approved in writing by the local planning authority., and shall include the following:

- An introduction to the site, baseline data and reasoning for the overarching strategy;
- Details on the location/size of the receptor, its preparation including hibernacula and refugia and the duration that this shall be prepared and made suitable for reptiles before the commencement of a translocation.
- Translocation strategy including; any initial donor preparation and its size, impacts of time of year, use of artificial refugia, trapping duration, the event that more reptiles/species are found than previously recorded, how destructive searching will take place and the role of an Ecological Clerk of Works;

- Toolbox talk to be given to operatives;
- The logging of actions/species numbers during the works;
- Site management requirements following translocation to the onsite receptor (minimum 10 years).
- Management of any retained habitat that contain/is likely to contain reptiles (minimum 10 years).

Reason: For the protection and conservation of reptiles and to ensure compliance with the Wildlife and Countryside Act 1981 (as amended), the Environment (Wales) Act 2016, Planning Policy Wales chapter 6, and policy EN7 of the Cardiff Local Development Plan 2006-2026.

9. Translocation Methodology – Hazel Tree

No development shall commence until such time as full details of the proposed translocation of the 'A' category hazel T60 have been submitted to and approved in writing. The translocation strategy shall be informed by a Soil Resource Survey and Plan that, through trial pit excavations, characterises the receptor site soils in terms of profile depth, textural characteristics, drainage and other aspects important to plant growth, to demonstrate its fitness for purpose to receive T60.

The Soil Resource Plan shall specify soil remediation and amelioration as appropriate (e.g. large stone removal, use of cushioning substrates to receive the root-ball, de-compaction, aeration, mulching, biochar application) to ensure the successful translocation, regeneration and healthy long-term growth of T60. The recommendations of the Soil Resource Survey and Plan shall be incorporated into a finalised translocation methodology accordingly.

The Hazel (T6) shall be translocated in accordance with timescales that shall have been agreed within the strategy.

Should T60 die, be destroyed or become otherwise defective in the opinion of the LPA within 10 years following the initial translocation, it shall be replaced during the first available planting season (October-March) by no less than x3 new multi-stemmed hazels planted in positions that shall first have been agreed with the LPA and that will ensure healthy and unconstrained long-term growth.

Reason: To protect an arboricultural feature of significant amenity value from unacceptable harm, in accordance with Policies KP15, KP16 and EN8 of the Cardiff Local Development Plan 2006-2026.

10. Translocation Methodology – Oak

No development shall commence until full details of the translocation of the circa 20 young oaks have been submitted and approved. The submitted details shall include finalised details of the number of oaks to be translocated (this shall be no less than 20), the translocation methodology, full details of the receptor sites and a post translocation aftercare plan covering a minimum 10 year period post translocation. It shall be demonstrated how the translocated oaks shall have access to above and below ground growing space that does not constrain them in terms of future growth and that gives them the best possible opportunity to become seed producing trees that benefit the spread and regeneration of oaks across the wider woodland and woodland fringe. Should any translocated

oak die, be destroyed or become otherwise defective in the opinion of the LPA, within 10 years from the initial translocation, it shall be replaced by a new oak of a similar size and planted in the same or a similar position as agreed with the LPA, during the first available planting season (October – March). The details of oak translocation shall be incorporated into a finalised Community Woodland Management Pla

Reason: To ensure that a valuable arboricultural resource is utilised sustainably to the benefit of the wider woodland and public amenity, to accord with Policies KP15, KP16 and EN8 of the Cardiff Local Development Plan 2006-2026.

11. AMS & TPP

No development shall take place until the following have been submitted to and approved in writing by the Local Planning Authority (LPA) in accordance with the current British Standard 5837:

- An **Arboricultural Method Statement (AMS)** detailing the methods to be used to prevent loss of or damage to retained trees within and bounding the site, and existing structural planting or areas designated for new structural planting.

The AMS shall include details of site monitoring of tree protection and tree condition by a qualified arboriculturist, undertaken throughout the development and after its completion, to monitor tree condition. This shall include the preparation of a chronological programme for site monitoring and production of site reports, to be sent to the LPA during the different phases of development and demonstrating how the approved tree protection measures have been complied with.

- A **Tree Protection Plan (TPP)** in the form of a scale drawing showing the finalised layout and the tree and landscaping protection methods detailed in the AMS that can be shown graphically.

The development shall be carried out in full conformity with the approved 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 in accordance with Policy KP15, KP16, and EN8 of the Cardiff Local Development Plan 2006-2026.

12. Railway Noise (Habitable Rooms)

Prior to commencement of development, a scheme shall be submitted to the Local Planning Authority to demonstrate that all habitable rooms exposed to external railway noise in excess of 66 dBA Leq 16 hour (free field) during the day (07.00 to 23.00 hours) or 59 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 35 dBA Leq 16 hour during the day and 30 dBA Leq 8 hour at night using guideline values suggested by the World Health Organisation BS 8233 2014 - Guidance on Sound Insulation and Noise Reduction for Buildings.

The submitted scheme shall ensure that habitable rooms subject to sound insulation measures shall be provided with acoustically treated active ventilation units. Each ventilation unit (with air filter in position), by itself or with an integral air supply duct and cowl (or grille), shall be capable of giving variable ventilation rates ranging from –

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

The scheme shall also seek to identify an area of private open space (excepting terraces or balconies to any apartment) for each unit that 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], to include details of the fencing to be provided (including installation details, confirmation of mass and over boarding to prevent expansion and contraction of joints)

No dwelling shall be occupied until the approved sound insulation and ventilation measures have been installed in that room and a post construction survey has been carried out by a suitably qualified and competent person demonstrating that the sound insulation measures have achieved the required internal sound levels.

Reason: To ensure that the amenities of future occupiers are protected, in accordance with Policy EN13 of the adopted Local Development Plan (2016).

13. Railway Vibration

Prior to commencement of development a scheme shall be submitted to the Local Planning Authority to provide that the dwellings are designed and constructed so as to ensure that vibration dose values do not exceed $0.4\text{m/s}^{1.75}$ between 07.00 and 23.00 hours, and $0.26\text{m/s}^{1.75}$ between 23.00 and 07.00 hours, as calculated in accordance with BS 6472:1992, entitled "Guide to Evaluation of Human Exposure to Vibration in Buildings", [1Hz to 80Hz]. The dwellings shall be constructed in accordance with the approved scheme.

Reason: To ensure that the amenities of future occupiers are protected, in accordance with Policy EN13 of the adopted Local Development Plan (2016).

14. Soft Landscaping Scheme

No development shall take place until full details of soft landscaping have been submitted to and approved in writing by the Local Planning Authority. These details shall include:

- A soft landscaping implementation programme.

- Scaled planting plans prepared by a qualified landscape architect.
- Evidence to demonstrate that existing and proposed services, lighting, CCTV, drainage and visibility splays will not conflict with proposed planting.
- Schedules of plant species, sizes, numbers and densities prepared by a qualified landscape architect.
- Scaled tree pit sectional and plan drawings prepared by a qualified landscape architect that show the Root Available Soil Volume (RASV) for each tree (as appropriate).
- Topsoil and subsoil specification for all planting types, including full details of soil assessment (Soil Resource Survey and Soil Resource Plan) in accordance with the Cardiff Council Soils and Development Technical Guidance Note, soil protection, soil stripping, soil storage, soil handling, soil amelioration, soil remediation and soil placement to ensure it is fit for purpose. Where imported planting soils are proposed, full specification details shall be provided by a soil scientist, including the parameters for all imported planting soils demonstrating that the planting soil will be suitable for the specific landscape type(s) proposed as referenced from the landscape plans. The specification shall be supported by a methodology for storage, handling, amelioration and placement.
- Planting methodology and post-planting aftercare methodology prepared by a qualified landscape architect, including full details of how the landscape architect will oversee landscaping implementation and report to the LPA to confirm compliance with the approved plans and specifications.

The landscaping shall be carried out in accordance with the approved design and implementation programme.

Reason: In the interests of the visual amenity of the area, enhancing biodiversity and mitigating the effects of climate change in accordance with Policy KP5, KP15 and KP16 of the Cardiff Local Development Plan 2006-2026.

15. Highway Infrastructure

Prior to the commencement of development, detailed plans showing the position and form of construction of all roads (including embankment), footpaths and verges within the site, pedestrian crossovers, and the method of disposal of all surface water shall have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented to the satisfaction of the Local Planning Authority prior to the beneficial occupation of the development hereby approved.

Reason: To ensure an orderly form of development and in the interests of highway safety, by facilitating safe commodious access to and use of the proposed development, in accordance with Policy KP5, KP6 and T5 of the Local Development Plan (2016).

16. Vehicular Site Access

Prior to the commencement of development, the scale and form (full engineering works detail) of the site junction to be provided, shall be submitted

to and approved in writing by the Local Planning Authority. In addition to the appropriate and safe vehicular access function, the/any dedicated / segregated cycle and pedestrian facilities (including pedestrian / cycle crossing facilities) will also be required to be incorporated and implemented. The junction design will incorporate any ducting and cabling required for the junction to be functional.

Reason: To ensure the highway modifications and junctions to provide an improved public realm environment in accordance with the permission and to facilitate safe commodious access to and use of the proposed development, in accordance with Policy KP5, KP6 and T5 of the Local Development Plan (2016).

17. Cycle Parking

No dwelling shall be occupied until such time as secure cycle parking has been provided to accord with the standards contained in the 2018 Managing Transport Impacts SPG, and in accordance with details which shall first have been submitted to and approved in writing by the Local Planning Authority. The approved cycle parking shall thereafter be retained for the use of cycle parking.

Reason: To ensure that adequate provision is made for the sheltered and secure parking of cycles, in accordance with Policy T5 of the adopted City of Cardiff Local Development Plan (2006-2026).

18. Public Sewer Diversion

No development shall take place until details of a scheme to divert the public sewer crossing the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a detailed design, construction method statement and risk assessment outlining the measures taken to secure and protect the structural condition and ongoing access of the public sewer.

No development pursuant to the planning permission hereby approved (other than where in connection with such sewer diversion) shall be undertaken until the approved diversion scheme has been implemented and completed. The approved scheme shall be adhered to throughout the lifetime of the development and the protection measures shall be retained in perpetuity.

Reason: To protect the integrity of the public sewer and avoid damage thereto, in accordance with Policy EN10 of the adopted Local Development Plan (2016).

Action Conditions

19. Long-term Monitoring Plan for Contamination

Prior to beneficial occupation, a long-term monitoring plan for land contamination shall be submitted and approved in writing by the Local Planning Authority. The long-term monitoring plan should include:

- Details of the methods and triggers for action to be undertaken;

- Timescales for the long-term monitoring and curtailment mechanisms e.g. a scheme of monitoring for 3 years unless the monitoring reports indicate that subsequent monitoring is or is not required (for 5 years);
- Timescales for submission of monitoring reports to the LPA e.g. annually;
- Details of any necessary contingency and remedial actions and timescales for actions;
- Details confirming that the contingency and remedial actions have been carried out.

The monitoring plan shall be carried out in accordance with the approved details, within the agreed timescales.

Reasons: A land contamination long-term monitoring plan should be submitted prior to occupation or operation, to ensure necessary monitoring measures are approved to manage any potential adverse impacts as a result of development, in accordance with Policy KP5(ix.) and KP18 of the adopted Local Development Plan (2016).

20. Means of Enclosure

Prior to beneficial occupation of any dwelling hereby approved, details of all the means of enclosure shall have been submitted to and approved in writing by the Local Planning Authority, and implemented in accordance with the details agreed.

Reason: To ensure the amenities of the area are protected in accordance with Policy KP5 of the Cardiff Local Development Plan 2006-2026.

21. Materials

Prior to their use in the development hereby permitted, samples of the external finishing materials for the development hereby approved 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 a satisfactory finished appearance of the development in accordance with Local Development Plan Policy KP5 (Good Quality and Sustainable Design).

22. Ecological Enhancement

The following ecological enhancements covering green infrastructure to individual ecological receptors, shall be installed at the development to achieve Net Benefits for Biodiversity overall:

- One interpretation panel within the community woodland area towards the reptile translocation area, discussing woodland management, orchards and the reptiles.
- The planting of a minimum 10 x MM106 rootstock apple trees adjacent to a number of overmature apples at the western extreme of the Community Woodland area/south eastern end of the Ancient Woodland (note: It is acceptable for these to encroach into the reptile translocation/grassland area).

- Four solitary bee posts (hard wood). These can be purchased or built in house through drilling timbers with a range of holes from 2-8mm in diameter at least 150mm deep. Posts should face south.
- A continuous gap beneath fences of 100mm or holes of 130mmx130mm under fences, gates, walls etc to allow passage of hedgehog.
- The provision of a demarcated compost heap adjacent to one of the reptile hibernacula, that will be topped up yearly with grassland/scrub arisings.
- 4 x integrated bat boxes on separate buildings, suitable for maternity purposes.
- 5 x bat boxes suitable for small maternity colonies within woodland at the site.
- 1 x hibernation bat box in a secluded location to the far south west of the site.
- 1 x house sparrow and 1 x starling box on separate buildings.
- 6 x range of hole nesting boxes on trees within retained woodland.

A drawing indicating the location of enhancements and photographic evidence that they have been installed, must be provided prior to the beneficial occupation of the dwellings hereby approved.

Reason: To comply with the Environment (Wales) Act 2016, to “maintain and enhance biodiversity” and “promote the resilience of ecosystems”, the Section 6 duty. Future Wales – The National Plan 2040 - Policy 9, Planning Policy Wales Section 6 and policies KP16, and EN4 to EN8 of the Cardiff Local Development Plan 2006-2026 and those elements discussed in “Cardiff Green Infrastructure SPG Ecology and Biodiversity Technical Guidance Note, 2017”.

23. Lighting Design Strategy

No above ground building work shall commence until a “Lighting Design Strategy” (for biodiversity) considering bats and other nocturnal species has been submitted to and approved in writing by the Local Planning Authority. The strategy will align with the Institute of Lighting Professionals Guidance Note 08/23, BS5489-1:2020 and BSEN13201-2:2015 and fully accord to the requirements of S38/S278 agreements.

All external lighting shall be installed in accordance with the specifications and locations agreed, and shall be maintained thereafter. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

Reason: To manage the impact of the development upon protected species in accordance with Policy KP16, EN6 and EN7 of the Cardiff Local Development Plan (2006-2026).

24. Pumping Station Detail

Prior to any above ground works commencing, full details of the pumping station, including the means of enclosure and associated landscaping, shall be submitted to and approved in writing by the Local Planning Authority. The pumping station shall not be brought into use until such time as the approved

enclosure and landscaping details have been implemented in accordance with the approved details, with such approved details thereafter retained.

Reason: In the interests of good design in accordance with Local Development Plan Policy KP5 (Good Quality and Sustainable Design).

25. Active Travel

Prior to beneficial occupation, details of the active travel routes within the site, which are to be submitted to and approved in writing by the Local Planning Authority, shall be implemented in accordance with the approved details. The active travel links will enhance the existing PROW (to include all active travel modes, such as cycling).

Reason: To ensure an orderly form of development and in the interests of highway safety, by facilitating safe commodious access to and use of the proposed development, in accordance with Policy KP14, T1 and C6 of the adopted Local Development Plan (2016).

26. Green Infrastructure and Landscape Ecological Management Plan (GILEMP)

A Green Infrastructure and Landscape Ecological Management Plan (GILEMP) shall be submitted to the Local Planning Authority within 6 months of the development commencing. This must cover up to 10 years post development, and include the following:

- a) Introduction to the site and the development to be implemented;
- b) Baseline- description and evaluation of features to be managed, this shall also include all more formal landscape elements, to maximise their value to wildlife. This shall include as a minimum:
 - Woodland, woodland edge and ecotone.
 - SUDs/rain gardens.
 - Trees.
 - Grassland mixtures.
 - Hedgerow/shrubs.
 - Site enhancements see Condition X.
- c) Ecological constraints on site that might influence management or require separate management, as a minimum including;
 - Bats.
 - Birds.
 - Hedgehog.
 - Reptiles.
 - Invasive plant species.
- d) Overall aim/s and objectives of management for points B and C above and what condition shall be achieved for B.
- e) Appropriate management prescriptions for achieving aim/s and objectives as per point D. This should be broken in to the first 5 years (short term) and up to 10 years (long term) management. This must consider the need for watering during dry periods.
- f) Preparation of a work schedule with timings (including an annual work plan capable of being rolled forward over a five-year period, but looking up to 10 years).
- g) Details of the body or organisation responsible for implementing the plan, including any updates required.

- h) The monitoring requirements to determine the success of landscaping, its management and specific features for wildlife, in years 2 and 5 will be appropriate, this will follow the aims and objectives to determine if they have been achieved. The plan shall also set out (where the results from monitoring show that management aims and objectives of the GILEMP are not being met) how contingencies and/or remedial action will be identified, agreed with the Local Planning Authority and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.
- i) Appropriate drawing indicating habitats, areas of the site for specific species and the enhancements to be managed.

The submitted 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: For the overall protection of biodiversity and to ensure the site's landscape and environmental features are adequately managed long term. This aligns the Environment (Wales) Act 2016, with PPW11 Chapter 6 and with polices KP5, KP16, EN6, EN7 and EN8 of the Cardiff Local Development Plan (2006-2026).

Regulatory Conditions

27. Contaminated Land Measures – Remediation & Verification

The remediation scheme approved by Condition 5 shall be fully undertaken in accordance with its terms. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

On the completion of the measures identified in the approved remediation scheme and prior to the occupation of any part of the development unless otherwise agreed in writing by the Local Planning Authority, a verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.

All work and submissions carried out for the purposes of this condition must be conducted in accordance with the Environment Agency's 'Land contamination: risk management (LCRM)' (October 2020) and the WLGA / WG / NRW guidance document 'Land Contamination: A guide for Developers' (2023) unless the Local Planning Authority agrees to any variation.

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

28. Contaminated Land Measures – Unforeseen 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.

29. Imported Soil

Any topsoil [natural or manufactured], or subsoil, to be imported shall be assessed for chemical or other potential contaminants in accordance with a scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority in advance of its importation. Only material approved by the Local Planning Authority shall be imported. All measures specified in the approved scheme shall be undertaken in accordance with the relevant Code of Practice and Guidance Notes.

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

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

30. Imported Aggregates

Any topsoil [natural or manufactured], or subsoil, to be imported shall be assessed for chemical or other potential contaminants in accordance with a scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority in advance of its importation. Only material approved by the Local Planning Authority shall be imported. All measures specified in the approved scheme shall be undertaken in accordance with the relevant Code of Practice and Guidance Notes.

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

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

31. Use of Site Won Materials

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

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

32. Tree Protection

No development shall take place that is not in full accordance with the approved Arboricultural Method Statement and Tree Protection Plan Condition 11, and any pruning necessary to implement the planning permission shall be undertaken in accordance with British Standard 3998: 2010 'Tree Work' or any Standard that replaces it.

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. The trees are of value in the local environment and should be protected and maintained in good condition, in accordance with Policies KP15, KP16 and EN8 of the Cardiff Local Development Plan 2006-2026.

33. New Planting

All new planting, seeding and turf laying shall be completed prior to beneficial occupation, or the completion of development (whichever is soonest). Any new planting, seeding or turf laying which within a period of 10 years from the beneficial occupation or completion of the development dies, is removed, becomes seriously damaged or diseased, or in the opinion of the Local Planning Authority (LPA) otherwise defective, shall be replaced.

Replacement planting, seeding or turf laying shall take place during the first available planting/seeding season, to the approved specification, unless the Local Planning Authority gives written consent to any variation.

Reason: To maintain and improve the amenity and environmental value of the area.

34. Waste Management

There shall be no burning of waste or burning of waste materials on site, and all waste associated with the construction of the development shall be disposed of correctly by suitably licenced waste contractors.

Reason: The impact of fires on local air quality and to protect the amenities of occupiers of other premises in the vicinity, in accordance with Policies KP18 and EN13 of the Local Development Plan (2016).

35. Hours of Operation (Construction)

Demolition or construction works shall not take place outside the hours of:

08:00am to 6:00pm Mondays to Fridays;
08:00 to 1:00pm on Saturdays; and
and at no time on Sundays or Public Holidays.

Reason: To protect the amenity of the area and neighbouring occupiers in accordance with Policy KP5 and EN13 of the Cardiff Local Development Plan 2006-2026.

36. Data Shelf Life

If site clearance in respect of the development hereby approved does not commence within 1 year of the grant of permission, all the approved ecological measures and those secured through other planning conditions and ecological reports, shall be reviewed and, where necessary, amended and updated, with careful consideration of “new” ecological receptors. The review shall be informed by update or further ecological surveys commissioned to

- i. establish if there have been any changes in the presence and/or abundance of habitats and species,
- ii. identify any likely new ecological impacts that might arise from any changes; and
- iii. and identify any changes to legislation, policy or best practice that may alter the conclusions of the assessment.

Where the survey results/desk study indicate that changes have occurred that will result in ecological impacts, having not been previously addressed in the approved scheme, the original approved ecological measures will be revised. 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 new approved ecological measures and timetable.

Reason: To ensure the assessment of impacts from the development upon the species concerned, and any measures to mitigate those impacts, are informed by up-to-date information in accordance with legislation, national planning policy and the Cardiff Local Development Plan Policy 2006-2026, KP16, EN4 to EN8.

INFORMATIVE NOTES

CONTAMINATION AND UNSTABLE LAND ADVISORY

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.

Dŵr Cymru Welsh Water Advisory

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

The applicant is also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may

contact Dwr Cymru Welsh Water on 0800 085 3968 to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

The water supply system in the immediate vicinity has insufficient capacity to serve the development and will also cause detriment to existing customers' water supply. The applicant is advised that as part of any future water connection application under Section 41 of the Water Industry Act (1991), a hydraulic modelling assessment and the delivery of reinforcement works may be required at the same time as the provision of new water mains to serve the new development under Section 41 and Section 51 of the Water Industry Act (1991).

Information relating to our Hydraulic Modelling Assessment process is available on our website and within our guidance notes. The area planning officer will also be able to provide you with information relating to this process.

Bats

Should bats be identified in trees/a buildings, a European protected species (EPS) licence would be required for this development. This development approval does not provide consent to undertake works that require an EPS licence. It is an offence to deliberately capture, kill or disturb EPS or to damage or destroy their breeding sites or resting places. If found guilty of any offences, you could be sent to prison for up to 6 months and/or receive an unlimited fine. To undertake the works within the law, you would first need to obtain an EPS licence from Natural Resources Wales (NRW), and no work can be undertaken until this is received. You can obtain further information on the need for a licence and how to apply from NRW on 0300 065 3000 or at <https://naturalresources.wales/permits-andpermissions/species-licensing/when-you-need-to-apply-for-a-protected-species-licence/?lang=en>. You will need the services from an NRW bat licenced ecologist to produce the licence and subsequently supervise the works. The licence holder is usually the developer, who will hold legal responsibility for undertaking the works as agreed in documents with NRW.

Dormouse

Should dormice be identified during works, a European protected species (EPS) licence would be required for this development. This development approval does not provide consent to undertake works that require an EPS licence. It is an offence to deliberately capture, kill or disturb EPS or to damage or destroy their breeding sites or resting places. If found guilty of any offences, you could be sent to prison for up to 6 months and/or receive an unlimited fine. To undertake the works within the law, you would first need to obtain an EPS licence from Natural Resources Wales (NRW), and no work can be undertaken until this is received. You can obtain further information on the need for a licence and how to apply from NRW on 0300 065 3000 or at <https://naturalresources.wales/permits-andpermissions/species-licensing/when-you-need-to-apply-for-a-protected-species-licence/?lang=en>. You will need the services from an NRW dormouse licenced ecologist to produce the licence and subsequently supervise the works. The licence holder is usually the developer, who will hold legal responsibility for undertaking the works as agreed in documents with NRW.

Lighting Design Strategy (Condition 23)

In the view of the Local Planning Authority the lighting design strategy should:

- Describe and provide baseline data on areas/features on site that are particularly sensitive to nocturnal species, that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging. This should consider general site lighting and any associated public realm works;
- Show how and where external lighting will be installed across the site, demonstrating that the lighting/ light spill is unlikely to disturb or prevent bats or other nocturnal species using the site or impact upon their normal behaviours, highlighting any mitigation to lighting features to achieve this. There should be no light spill on green/blue corridors in particular, and areas of known sensitivity. Appropriate lighting contour plans (0.2, 0.5, 1, 3 and 5lux lines) and technical specifications will be supplied in accordance with the British Standards BS5489-1:2020 and BSEN13201-2:2015, where local authority adoption is required.
- Details of lighting to be used both during construction and at operation (if required).
- Confirmation that plans meet that of S38 and S278 agreements of the Highways Act 1980.
- All lighting should consider amongst other aspects; being at or below 2700K and therefore a wavelength above 550nm, lighting direction, hooding, using minimum height and passive infrared on timers/or radar, determining the times that lighting will be on/off etc. These are considered in the Institute of Lighting Professionals Guidance Note 08/23.
- Ensure that tree T2 (a horse chestnut with hazard beam, within Group 30), unless subject to further survey for roosting bats, is not subjected to light spill.

Liaison between your chosen ecological consultant and the lighting engineer is advised.

Highways

All works to be completed in accordance with the approved plans at the cost of the developer and to the satisfaction of the Council. Planning permission is not permission to undertake works on or in the public highway. A Highway Agreement under Section 278 or S38 of the Highways Act 1980, or other permission or license in respect of minor or temporary works, must be agreed with the Highway Authority. Any such agreement, license or permission is subject to technical approval, inspection and the payment of such fees as required by the agreement.

Public Right of Way

The grant of planning permission does not give a developer any right to interfere with, obstruct or move a public right of way. No works to PROW footpaths that cross the site shall be undertaken until a legal order has been applied for by the developer and confirmed by the Local Highway Authority. In the event that the legal orders are not confirmed, the existing path alignments shall be retained.

LOCAL MEMBER OBJECTION

COMMITTEE DATE: 11/01/2024

APPLICATION No. 23/01427/FUL

APPLICATION DATE: 22/06/2023

ED: HEATH

APP: TYPE: Full Planning Permission

APPLICANT: MR ZAID SALIH

LOCATION: 35 ST ISAN ROAD, HEATH, CARDIFF CF14 4LU

PROPOSAL: **CONSTRUCTION OF TWO STOREY EXTENSION TO SIDE AND REAR OF EXISTING BUILDING, ROOF ALTERATIONS INCLUDING RAISING OF RIDGE HEIGHT AND DORMERS, EXTENDING EXISTING PHARMACY AND CREATING 2NO. ADDITIONAL FLATS WITH PROVISION OF AMENITY SPACE AND BIKE STORE**

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

1. The development permitted shall be begun before the expiration of five years from the date of this permission.
Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. The development shall be carried out in accordance with the following approved plans:
 - Drawing No 02 Revision B
 - Drawing No 03 Revision D
 - Drawing No 04 Revision C
 - Drawing No 05 Revision A
 - Drawing No 007 Revision A
 - Drawing No 008

Reason: To ensure satisfactory completion of the development and for the avoidance of doubt in line with the aims of Planning Policy Wales to promote an efficient planning system.

- 3 Prior to beneficial use of the development, hereby approved, the cycle parking spaces and any associated access arrangements shown on the approved

plans shall be implemented in accordance with the approved details and thereafter so retained for the sole purpose of cycle parking.

Reason: In the interests of promoting and providing facilities for sustainable modes of transport in accordance with Policies KP5, KP8, T1 and T5 of the Cardiff Local Development Plan 2006-2026.

- 4 Prior to beneficial use of the development, hereby approved, the refuse and recycling storage facilities shown on the approved plans shall be provided and thereafter retained unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of an orderly form of development providing facilities which would have no adverse impact upon the amenities of the area in accordance with Policy KP5 and W2 of the Cardiff Local Development Plan 2006-2026.

- 5 Prior to beneficial use of the development hereby approved, the two first floor windows serving the bedroom and bathroom in flat 3 facing 33 St Isan Road shall be obscurely glazed* and non-opening below a height of 1.7 metres above internal floor level and thereafter so maintained.

Reason: In the interests of the privacy of neighbouring occupiers in accordance with Policy KP5 of the Cardiff Local Development Plan 2006-2026.

* Obscurity of glass is generally rated on a scale of 1 to 5 (where 5 provides the most privacy). The relevant windows should be obscure to a minimum of level 3 on a scale of 1 to 5 (or an equivalent level on any other scale).

- 6 No surface water from any increase in the roof area of the building /or impermeable surfaces within its curtilage shall be allowed to drain directly or indirectly to the public sewerage system.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment in accordance with Policy EN14 of the Cardiff Local Development Plan 2006-2026.

INFORMATIVE 1: The applicant be advised that the developers of all new residential units are required to purchase the bin provision required for each unit. The bins have to meet the Council's specifications. Individual 140L/240L wheeled bins can be purchased directly via waste management at (029) 2071 7500. Bulk supply of 140L wheeled bins, or 660L/1100L wheeled bins should be ordered via our bin order form located at www.cardiff.gov.uk/wasteplanning.

INFORMATIVE 2: Should bats be identified in trees/buildings, a European Protected Species (EPS) licence would be required for this development. This development approval does not provide consent to undertake works that require an EPS licence. It is an offence to deliberately capture, kill or disturb EPS or to damage or destroy their breeding sites or resting places. If found guilty of any offences, you could be sent to

prison for up to 6 months and/or receive an unlimited fine. To undertake the works within the law, you would first need to obtain an EPS licence from Natural Resources Wales (NRW), and no work can be undertaken until this is received. You can obtain further information on the need for a licence and how to apply from NRW on 0300 065 3000 or at <https://naturalresources.wales/permits-andpermissions/species-licensing/when-you-need-to-apply-for-a-protected-species-licence/?lang=en>. You will need the services from an NRW bat licenced ecologist to produce the licence and subsequently supervise the works. The licence holder is usually the developer, who will hold legal responsibility for undertaking the works as agreed in documents with NRW.

It is advised that prior to the works you are satisfied that bats will not be impacted, i.e. works to the loft void, roof or fascias.

INFORMATIVE 3: Should birds be found nesting within/on buildings or within trees of vegetation where works are required that could cause direct harm or disturbance to birds or the nest, all work must cease until the nesting attempt is complete. All birds are protected under Section 1, Paragraph 1 of the Wildlife and Countryside Act 1981 (as amended). This makes it an offence amongst other things to intentionally kill a wild bird, destroy a nest (including when being built) or the eggs of a wild bird. Therefore, if works are required during March to September inclusive, you must be sure that works will not impact upon nesting birds, otherwise a survey/or watching brief should be undertaken by a suitably experienced ecologist prior to the works.

REPORT

1. DESCRIPTION OF PROPOSED DEVELOPMENT

- 1.1 This application seeks planning permission to undertake extensions and alterations including the raising of the ridge to provide for a new second floor within the roofspace and the installation of dormer roof extensions. The proposal will extend an existing pharmacy with a three bedroom flat over to provide for an extended and improved pharmacy on the ground floor and the reconfiguration of the first floor and new second floor to provide two x two bedroom flats and one x one bedroom flat. The application has been submitted in an attempt to overcome a previous scheme that was refused. Since the application was originally submitted amended plans have been submitted which has reduced the impact of the proposal and are discussed in full in Section 5 of this report.

2. **RELEVANT PLANNING HISTORY**

Planning permission granted for “Proposed shopfront alterations and external alterations to staircase to first floor flat” – planning application reference number 01/01739/N refers

Planning permission granted for “Proposed temporary portakabin units providing temporary pharmaceutical facilities during the course of refurbishment works to the existing chemist shop” – planning application reference number 01/01973/N refers.

Planning permission refused for “Construction of two storey extension to side and rear of existing building, extending existing pharmacy and creating 2no. additional flats and provision of two off street parking spaces and cycle store.” – planning application reference number 22/02428/FUL refers.

The application was refused for the following reasons:

1. *The proposal would result in the overdevelopment of the site which would have an over dominant and overbearing impact upon the local area and existing property and therefore represents a poor design contrary to Policy KP5 of the Cardiff Local Development Plan 2006-2026 and advice contained within the residential Extensions and Alterations Supplementary Planning Guidance 2017.*
2. *The proposal would have an overbearing and generally un-neighbourly effect on neighbouring premises/properties and therefore represents a poor design contrary to Policy KP5 of the Cardiff Local Development Plan 2006-2026 and advice contained within the residential Extensions and Alterations Supplementary Planning Guidance 2017.*
3. *Insufficient details have been submitted showing the provision of the required number of cycle storage facilities contrary to Policy KP 5, Policy T1, Policy T5 and Policy H5 of the Cardiff Local Development Plan (2006-2026), and advice contained within the Managing Transportation Impacts (Including Parking Standards) Supplementary Planning Guidance 2018 and the Flat Conversions Supplementary Planning Guidance 2019.*
4. *Insufficient details have been submitted showing the provision of waste storage facilities contrary to Policy KP 5 and Policy W2 of the Cardiff Local Development Plan (2006-2026), and advice contained within the Waste Collection and Storage Facilities Supplementary Planning Guidance 2016 and the Flat Conversions Supplementary Planning Guidance 2019.*

3. **POLICIES OF PARTICULAR RELEVANCE**

National Planning Policy

- *Future Wales: The National Plan 2040 (2021)*
- *Planning Policy Wales (11th Ed) 2021*
- *Technical Advice Note 12: Design*
- *Technical Advice Note 15: Flood Risk*
- *Technical Advice Note 21: Waste*
- *Development Management Manual*

Cardiff Local Development Plan 2006-2026 (2016)

- *Policy KP5 (Good Quality and Sustainable Design)*
- *Policy KP 8 (Sustainable Transport)*
- *Policy KP 13 (Responding to Evidenced Social Needs)*
- *Policy H5 (Sub-Division or Conversion of Residential Properties)*
- *Policy EN13 (Air, Noise, Light Pollution and Land Contamination)*
- *Policy EN14 (Flood Risk)*
- *Policy T1 (Walking and Cycling)*
- *Policy T5 (Managing Transport Impacts)*
- *Policy T6 (Impact on Transport Networks and Services)*
- *Policy W2 (Provision for Waste Management Facilities in Development)*

Supplementary Planning Guidance

- *Flat Conversions (2019)*
- *Managing Transportation Impacts (Incorporating Parking Standards) (2018)*
- *Residential Extensions and Alterations (2017)*
- *Waste Collection and Storage Facilities (2016)*

4. **CONSULTATIONS/REPRESENTATIONS**

- 4.1 Neighbours have been consulted on both the application as originally submitted and on the basis of the amended plans.

Application as originally submitted

Objections were received from the occupiers of 33 and 33A St Isan Road; 21 and 24 St Gildas Road. A summary of their objection is as follows:

The extensions to the property will be out of character with the area;
The roof design and front dormer out of keeping
Loss of natural light to living room and kitchen of the adjoining property as a result of the extension;
Loss of light to rear gardens;

Potential concerns regarding access to the funeral home next door being blocked and associated noise and disruption during the build;
Overlooking and loss of privacy from the windows on St Gildas Road elevation facing the property directly opposite;
Overdevelopment;
Impact on parking as there is already parking problems associated with the property;
Overlooking and loss of privacy from rear dormer window;
Location of the refuse store adjacent to the boundary with the adjoining property and potential smell and rodent issues this may cause.

Application as amended

Following a further consultation process on the amended plans objections were received from 33a St Isan Road and 22 and 24 St Gildas Road. A summary of the objections are as follows:

- Parking issues have not been addressed and there will still be issues with respect to parking;
 - The increase in height will still cause a loss of light;
 - Two new windows have been included into the side elevation which will result in a loss of privacy
 - The extension, in particular the roof design will still be out of keeping with the area;
 - The overlooking of the rear dormer has not been addressed;
 - Loss of light to kitchen and garden;
 - Three flats is still an overdevelopment of the site;
 - Concerns the waste storage area is not large enough.
- 4.2 The occupier of 33 St Isan Road has also advised that if planning permission is granted then the boundary wall between 33 and 35 St Isan Road should be raised if permission is granted to protect privacy of the adjoining occupier.
- 4.3 An objection has also been received from the 3 Local Ward Councillors who advised the following on the application as originally submitted:

As all 3 Local Members for Heath Ward, we write to object to the above planning application.

The above planning application seeks to construct a two storey extension to the rear and side of the existing building on the junction of St Isan and St Gildas Roads, extending the current pharmacy, creating 2 additional flats (total of x3) and resulting in a combined total of x7 bedrooms on this very small site.

The application is contrary to a number of core principles of the Local Development Plan (H5 and C5), as well as not following and respecting a number of Supplementary Planning Guidance documents.

Although H5 states the sub division of existing commercial buildings and dwellings to form flats or HMO's is acceptable but this is only when no material harm to the amenity of existing neighbours through overlooking or general disturbance would materialise as a consequence. Any development should also not impact on the character and amenity of the locality. This proposal does both and there contrary to the Cardiff LDP as adopted in 2016.

In practical terms, this proposal is much larger and proposes a total of 7 bedrooms. This would result in a significant increase in occupation of the site and much greater than the previous proposal for this site which was refused recently. The compacting of this site is significant for such a relatively small plot. The overbearing and overlooking elements of both the dormer front and rear first floor plans remain and would be at a detriment to neighbouring family homes. The loss of privacy would be significant to properties in St Gildas Road opposite and to the rear.

The scale and height of the proposal is also a concern and will have a detrimental effect on sunlight into existing gardens, causing shadowing in the afternoon and evening.

The design and shape of the proposal is completely out of keeping with the character and style of traditional dwellings in this area of the Heath. No properties have front facing dormers in this area. This proposal does not align with a number of SPGs where "creation of a good site to live", or "maintain appropriate scale and massing which respects buildings in the vicinity of the site".

The number of car spaces and cycle racks would be inadequate for the potential number of people living in the x3 flats and x7 bedrooms. The additional pharmacy rooms created would also increase the number of people on this site during the day, early evening and weekends. This would significantly exasperate an existing and already congested on street parking problem. From recent Highways surveys of the area, St Isan Rd, St Gildas Road and neighbouring streets experience commuter parking on a regular basis during Mon-Saturday. The adjacent shops, funeral home, doctors surgery and other commercial outlets already present difficulties for residents to park near their homes. This is particularly difficult for the elderly and their carers, as well as families unloading shopping or young children etc.

Understanding that the relevant SPG does not require any car parking spaces to be included in the application and that Policy T1 and T5 of the LDP should reduce a reliance on private car use, there has also to be an alternative

means of transport available to those residents, including those most vulnerable. There is no regular bus service within easy walking distance and no service at all during the early morning/late evenings at long periods over the weekend. In practice many of these bedrooms will be occupied by adults, many of whom will rely on a private car and thus add to the existing problems of on street parking and road safety.

I hope officers will consider these objections, along with those from local residents and refuse this planning application.

Following receipt of the amended plans the Local Ward Councillors were consulted and advised the following:

Local Members would like our initial objections re submitted as many of the design and impact issues we raised are still relevant to this amended application.

- .4.4 Waste Management have been consulted and have not commented on this application. However they previously advised that each flat will require the following:

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

Of which the storage area must be sensitively integrated into the design.

The kitchen should be designed to allow the separation of waste into three waste streams; general, recycling and food waste, in order to encourage the correct disposal of waste.

Refuse storage, once implemented, must be retained for future use.

Please be advised that the developers of all new residential units are required to purchase the bin provision required for each unit. The bins must meet the Council's specifications. Individual 140 litre/240 litre wheeled bins can be purchased via waste Connect to Cardiff at (029) 2087 2087. Bulk supply of individual bins, or 660litre/1100 litre wheeled bins should be ordered via our bin order form located at www.cardiff.gov.uk/wasteplanning.

Please refer the agent/architect to the Waste Collection and Storage Facilities Supplementary Planning Guidance (2016) for further relevant information. www.cardiff.gov.uk/wasteplanning

The residents are responsible for presenting their waste kerb side on the day of collection.

- 4.5 Traffic and Transportation have been consulted and have advised that an additional 3 long stay and 3 short stay cycle parking spaces are required for the pharmacy and one space per bedroom will be required for the flats.

Since the application was originally submitted amended plans have been submitted showing the provision of a 6 space cycle store for occupiers of the flats, a 4 space cycle store for staff of the pharmacy and 3 Sheffield stands providing 6 cycle spaces to the forecourt of the property for customers to use which is considered acceptable.

- 4.6 Building Control have been consulted and have advised a full plans application will be required for the works. In terms of the layouts both for the commercial and residential units they advise the proposed layouts would appear to acceptable subject to the full plan check.
- 4.7 Dwr Cymru Welsh Water have been consulted and do not object to the proposal. They have also requested a condition be imposed with respect to no surface water resulting from any increase in the roof area of the building or impermeable surfaces within its curtilage being allowed to drain directly or indirectly into the public sewerage system to prevent the hydraulic overloading of the public sewerage system.

5. **ANALYSIS**

- 5.1 This application seeks planning permission for the erection of a two storey extension to the side and rear of the property, the raising of the ridge of the main property and the installation of two small gable roof extensions to the front elevation and one small gable roof extension to the rear elevation. The alterations proposed will provide for an extended pharmacy on the ground floor and provide 2 additional flats on the first floor and new second floor making 3 flats in total. A three bedroom flat already exists above the existing pharmacy.

The application is a resubmission of a previously refused scheme. Since the application was submitted amended plans have also been submitted reducing the size of the ground floor and first floor rear extension to overcome concerns raised during the processing of the application. The submitted drawings/details provide information regarding the principal matters for consideration as set out in the relevant Supplementary Planning Guidance.

5.2 **Policy Considerations**

In respect of the proposed 2 additional flats the creation of self-contained flats in this location is supported by Policy H5 of the Local Development Plan.

Further guidance can also be found in the adopted Flat Conversion Supplementary Planning Guidance.

Policy H5 of the LDP is considered to be a prescriptive policy whereby as long as the relevant criteria is met there is unlikely to be any objection to such proposals. It advises that:

“Proposals for any conversion to flats or Houses in Multiple Occupation will be permitted where:

- i. The property is of a size whereby the layout, room sizes, range of facilities and external amenity space of the resulting property would ensure an adequate standard of residential amenity for future occupiers.*
- ii. There would be no material harm to the amenity of existing, nearby residents by virtue of general disturbance, noise or overlooking.*
- iii. The cumulative impact of such conversions will not adversely affect the amenity and/or the character of the area.*
- iv. Does not have an adverse effect on local parking provision.”*

The approved Supplementary Planning Guidance on Flat Conversions further expands on this policy and aims to provide background information on for how the Council will assess planning applications for the conversion of buildings into flats. It recognises that conversions of older properties into flats offer unique challenges that warrant their own policies whereas new build flats tend to benefit from less ‘constraints’, most notably in terms of space restrictions that the existing building encompasses. It also advises that in light of the LDP Policy H5 it is deemed appropriate to provide a definition of adequate standard of residential amenity” for developers to adhere to. For a studio flat a minimum standard of 30 square metres is expected, for a one bedroom flat a minimum standard of 35 square metres is expected and for a two bedroom flat a minimum space standard of 45 square metres is expected. Each additional bedroom will then require an additional 10 square metres.

Cardiff has a housing shortage, and this includes the provision of family accommodation. There is a need for all sizes of family accommodation, both in the affordable and market housing sectors. In this instance whilst a three bedroom flat will be lost the proposal will provide for two x two bedroom flats and one x one bedroom flat which will help towards the provision of much needed residential accommodation.

The submitted plans indicate that the outlook from the flats will be acceptable and that they will exceed the required internal floorspace for flats. The proposed size of Flat 1 is 65 square metres for a two bedroom flat; Flat 2 is 65 square metres for a two bedroom flat and Flat 3 is 36 square metres for a one bedroom flat. As mentioned earlier in this report a two bedroom flat requires 45 square metres and a one bedroom flat requires 35 square metres. As the flats meets the minimum space standards required the proposal is considered

to comply with Policy H5 of the Cardiff Local Development Plan 2006-2026 and advice contained within the Flat Conversions SPG.

- 5.3 **Two Storey Side and Rear Extension** - The property is to be extended to the side and to the rear by the introduction of two extensions. In respect of extending the property to the side towards St Gildas Road this is considered acceptable in respect of its design and siting and does not raise any concerns for the LPA. The surgery opposite the application site has been extended to the side of the property towards St Gildas Road and therefore this part of the proposal would not be out of keeping with the character of the area.

The left hand side of the property is also to be extended to the front to square off the property. Whilst this would result in the loss of the front hipped roof projection and its replacement with a flush roof profile it is not considered that the small front extension would result in any adverse impact to the adjoining neighbouring property and the loss of the hipped roof feature does not raise any concerns. The extension will also not extend beyond the existing front elevation and the resultant property will be in line with the adjoining neighbouring property.

In respect of the extension to the rear of the property this application differs from that previously refused and that as originally submitted. The second floor of the annex has been omitted and the size of the extension has been significantly reduced so that it is now only two storey, is now set in from the side elevation of the property facing 33 St Isan Road by 2.5m as opposed to being flush with the side elevation, set in from the side elevation facing St Gildas Road by 1.5m as opposed to being flush and the two storey element now only projects 3m from the rear elevation of the property as opposed to 14m for the refused scheme. This has significantly reduced the impact of the extension from that previously refused and as originally submitted.

In respect of the ground floor the footprint of the extension is now 3m shorter which provides for an increased amenity space and lessens the impact upon neighbouring occupiers – it will now be around 4m away from the boundary with 24 St Gildas Road and single storey in height. The roof has also changed from a gabled roof design to a hipped roof design to further lessen the impact.

It is noted that there will be windows inserted into the side elevations of the first floor extension facing 33 St Isan Road, 24 St Gildas Road to the rear and the other side of the road at 21 St Gildas Road. The Residential Extensions and Alterations SPG advises that “in the case of extensions above single storey, a distance of 10.5m between the rear wall of the property and its rear boundary...is normally required to avoid overlooking and to protect neighbouring amenity. In respect of the windows facing 33 St Isan Road these would be less than the required 10.5m and so condition 5 has been imposed

to ensure the two windows serving the bedroom and bathroom are obscurely glazed and non-opening below 1.7m above internal floor level in order to ensure the privacy of the neighbour is retained. With respect to the window in the rear elevation this is approximately 13m away from the rear boundary and is therefore considered acceptable. In respect of the window facing St Gildas Road there would be over 21m from window to window and so does not raise any concerns in this respect.

- 5.4 **Roof Alterations** – In respect of the alterations to the roof to increase its height and introduce a half hipped roof configuration, it is considered that as the property is situated on the corner of St Isan Road and St Gildas Road it would not be too dissimilar to the St Isan Road Surgery directly opposite which is also taller than its adjacent properties. Originally it was proposed to increase the rear extension to the same height as the increased ridge height and introduce two dormer roof extensions to the St Gildas Road elevation. However, this has since been omitted to ensure the extension's height and scale at the rear is reduced to respect the relationship of the built form context along St Gildas Road. In respect of the two hipped roof dormers to the front elevation whilst the objections are noted there is a similar dormer directly opposite the application site at St Isan Road Surgery. As such it is considered the roof alterations are considered acceptable from a design perspective and would not harm the character and appearance of the area.

In respect of the concern over the rear dormer roof extension and the potential for a loss of privacy to the occupiers of 24 St Gildas Road the dormer is over 20m from the rear boundary. As previously mentioned in section 5.3 of this report the Residential Extensions and Alterations SPG advises that "in the case of extensions above single storey, a distance of 10.5m between the rear wall of the property and its rear boundary...is normally required to avoid overlooking and to protect neighbouring amenity. As this is almost twice that requirement that it is considered the dormer does not raise any issues with respect to a loss of privacy for the adjoining neighbour.

- 5.5 **Amenity Space** - In respect of amenity space approximately 50 square metres will be available for occupiers of the flats to use to the rear of the property. A small area of approximately 12 square metres will also be available for occupiers of the commercial unit on the ground floor to use too. The Flat Conversion SPG does not identify a minimum amount of external amenity space required for flat conversions and identifies that whilst it would be desirable for as many flats within the converted building to have access to external amenity space it is not always viable or desirable and it is recognised that not all flats will have such access space. Ultimately this is a matter for individual residents in choosing where to live. In this respect the provision of amenity space provided is considered acceptable.

5.6 **Transportation** - Policy KP8 of the LDP seeks to reduce travel demand and dependence on the car. It identifies that to accommodate the planned growth levels predicted for the city, existing and future residents will need to be far less reliant on the private car and seeks to ensure that more everyday journeys are undertaken by sustainable modes of transport. Policy T1 and Policy T5 of the LDP also identifies that all new development for which planning permission is required will contribute to reducing reliance on the private car, in line with national planning policies and the strategic transport objectives of the LDP.

The Council's approved Supplementary Planning Guidance on Managing Transportation Impacts (Incorporating Parking Standards) supplements the LDP in this respect and sets out the Council's approach to assessing and managing the transport impacts of developments within the City. Section 6 of the SPG refers to parking standards and is therefore an important tool to be used in managing demand for travel by car and encouraging a shift to sustainable transport modes.

In respect of car parking the Managing Transportation Impacts (Incorporating Parking Standards) SPG advises that there is no minimum amount of car parking spaces required and a maximum of 4 car parking spaces for the pharmacy and 3 car parking spaces for the flats – one space per flat. In this instance no car parking spaces are to be provided. However as there is no minimum car parking requirement then the proposal is still compliant with the SPG with no car parking spaces being provided.

With respect to cycle parking the SPG identifies that a minimum of four cycle parking spaces will be required for staff of the pharmacy and two short stay cycle spaces will be required for customers of the pharmacy. With respect to the flats the SPG advises that one cycle parking space per bedroom is required. As the proposal seeks one x one bedroom flat and two x two bedroom flats then five cycle parking spaces will be required. In total eleven spaces will be required. The applicant has submitted details which shows the provision of four cycle parking spaces within an under cover store for staff of the pharmacy, six under cover cycle spaces for occupiers of the flats and three Sheffield stands to the forecourt of the property which could accommodate six short stay cycle spaces for customers of the pharmacy giving sixteen spaces in total. This accords with the principles of sustainable transport and Policies KP5, KP8, T1, T5 of the Cardiff Local Development Plan 2006-2026 and condition 3 has been imposed to ensure such provision is provided.

5.7 **Waste** - In respect of waste storage facilities each flat will require the following for recycling and waste collections:

1 x 140 litre bin for general waste

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

Details of waste storage facilities have been submitted which is considered acceptable and condition 4 has been imposed to ensure such provision is made.

It should also be noted that the location of the waste storage area has also been moved to the side of the property away from the neighbouring occupier at 24 St Gildas Road.

5.8 Ecology Consideration – It is considered that given the heavily built up location of the area and the style and condition of the building and materials used there is the possibility that bats or nesting birds may be present. Any works undertaken which may cause harm to a European Protected Species or to nesting birds is an offense therefore Informative 2 and 3 have been included to bring this to the applicants attention.

5.9 Objections – In respect of the objections which are not covered above the following should be noted:

- The extensions to the property will be out of character with the area – This is covered in Sections 5.3 and 5.4 of this report;
- The roof design and front dormer out of keeping - This is covered in Sections 5.3 and 5.4 of this report;
- Loss of light - This is covered in Sections 5.3 and 5.4 of this report;
- Potential concerns regarding access to the funeral home next door being blocked and associated noise and disruption during the build – This would be a civil matter between the applicant and the neighbour;
- Overlooking and loss of privacy from the windows on St Gildas Road elevation facing the property directly opposite – this is covered in paragraph 5.3 of this report;
- Impact on parking as there is already parking problems associated with the property – this is covered in Section 5.6 of this report;
- Overlooking and loss of privacy from rear dormer window – This is covered in Section 5.4 of this report;
- Location of the refuse store adjacent to the boundary with the adjoining property and potential smell and rodent issues this may cause – The waste storage area has since been moved away from the boundary with 24 St Gildas Road.
- Two new windows have been included into the side elevation which will result in a loss of privacy – This is covered in Section 5.3 of this report and condition 5;
- Overdevelopment of the site – This is covered in Section 5.2 to 5.4 of this report;

- Concerns the waste storage area is not large enough – The waste storage area meets with the requirements of the Waste Collection and Storage Facilities SPG.

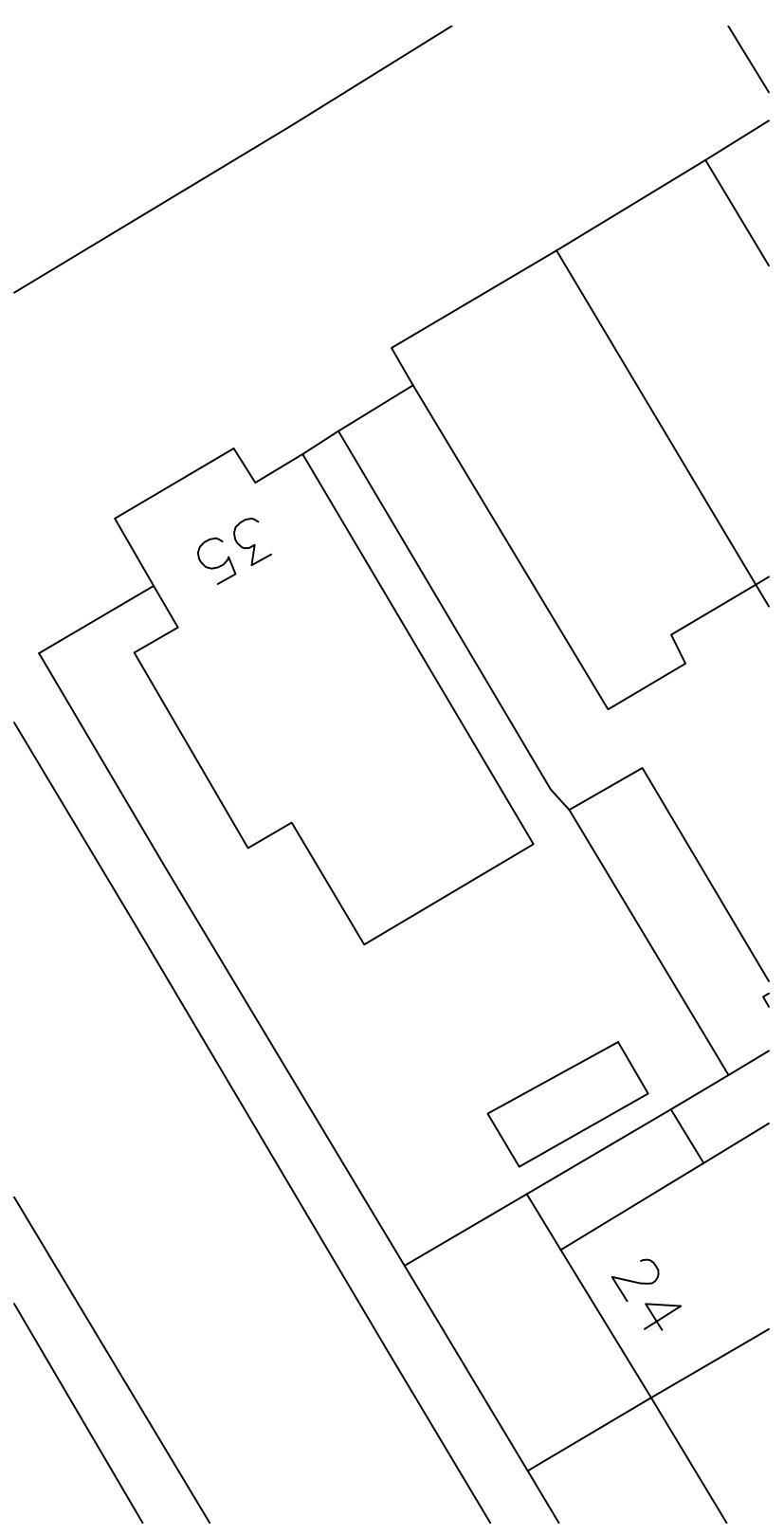
6. OTHER CONSIDERATIONS

- 6.1 Crime and Disorder Act 1998 – Section 17(1) of the Crime and Disorder Act 1998 imposes 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.
- 6.2 Equality Act 2010 – The Equality Act 2010 identifies a number of ‘protected characteristics’, namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; marriage and civil partnership. The Council’s duty under the above Act has been given due consideration in the determination of this application. It is considered that the proposed development does not have any significant implications for, or effect on, persons who share a protected characteristic.
- 6.3 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.

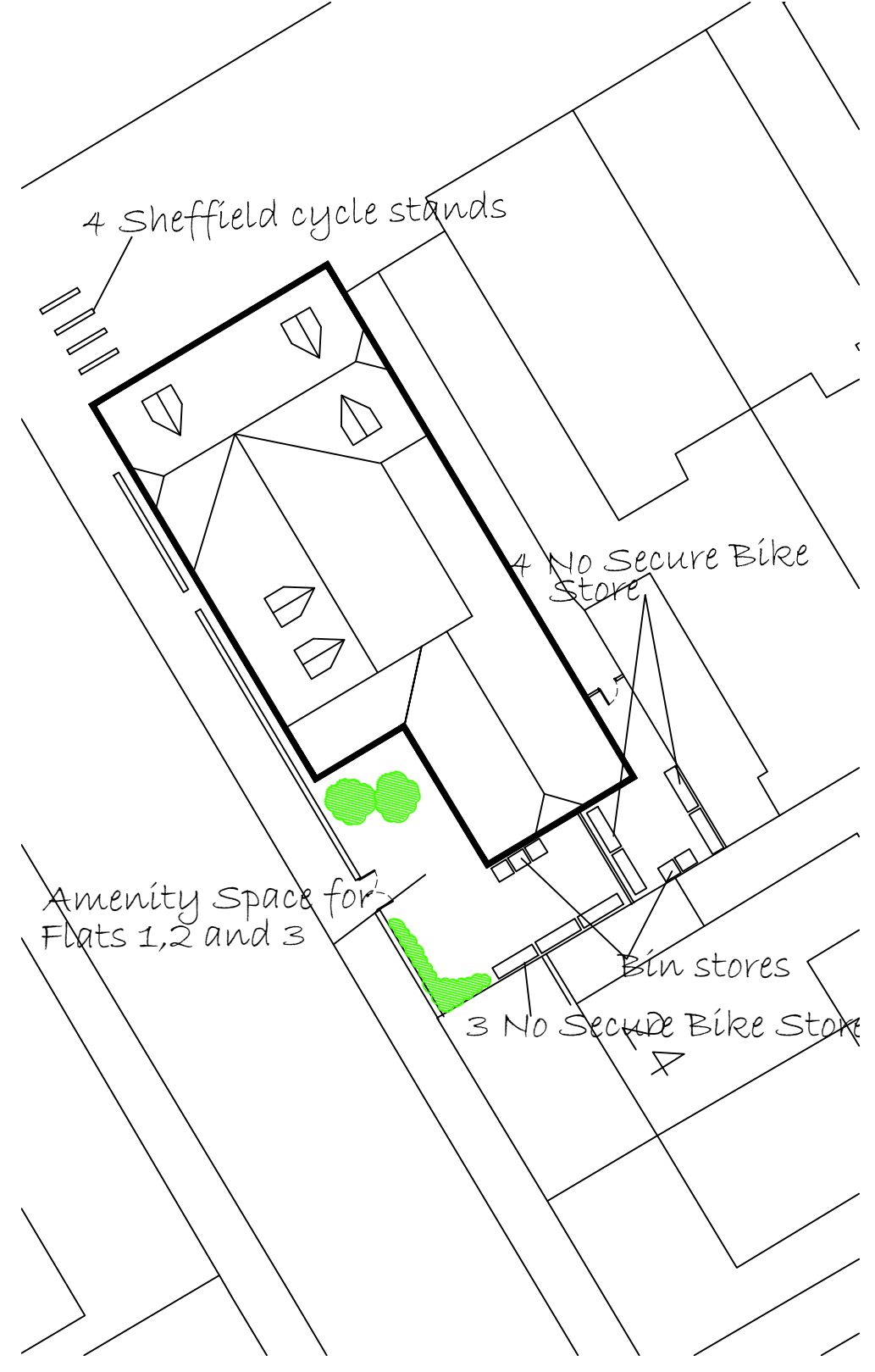
7. RECOMMENDATION

- 7.1 Having taken all of the relevant factors into consideration the proposal as revised has overcome the previous reasons for refusal. The development is considered acceptable in regards to its scale and design and would not result in an unneighbourly form of development to the detriment of the adjoining neighbouring occupiers or the street scene. It will also provide for improved facilities for customers of the existing pharmacy and provide two additional flats providing a good standard of residential accommodation which will add to the existing housing stock.

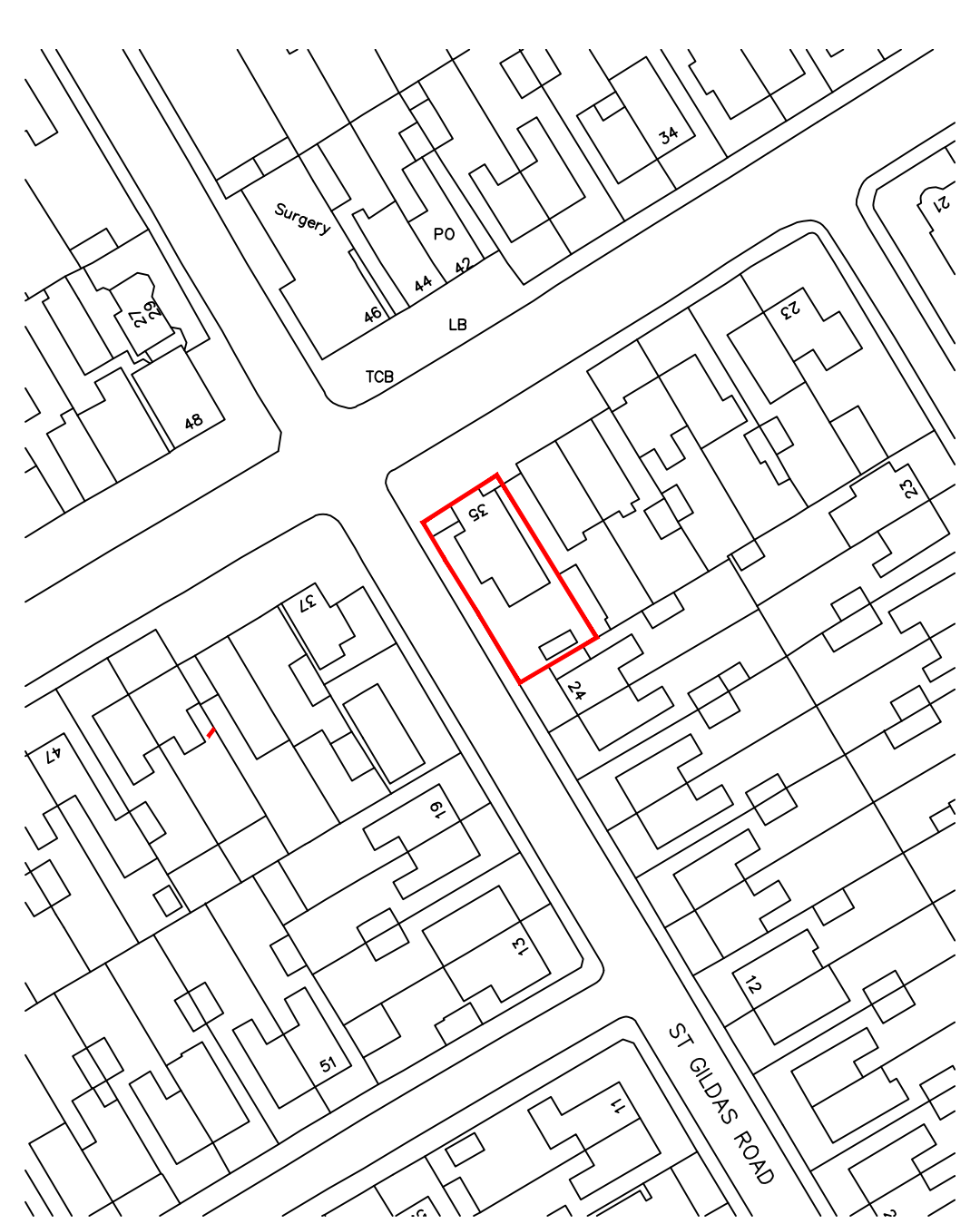
It is therefore recommended that planning permission be granted subject to conditions.



EXISTING SITE LAYOUT scale 1:250



PROPOSED SITE LAYOUT scale 1:250



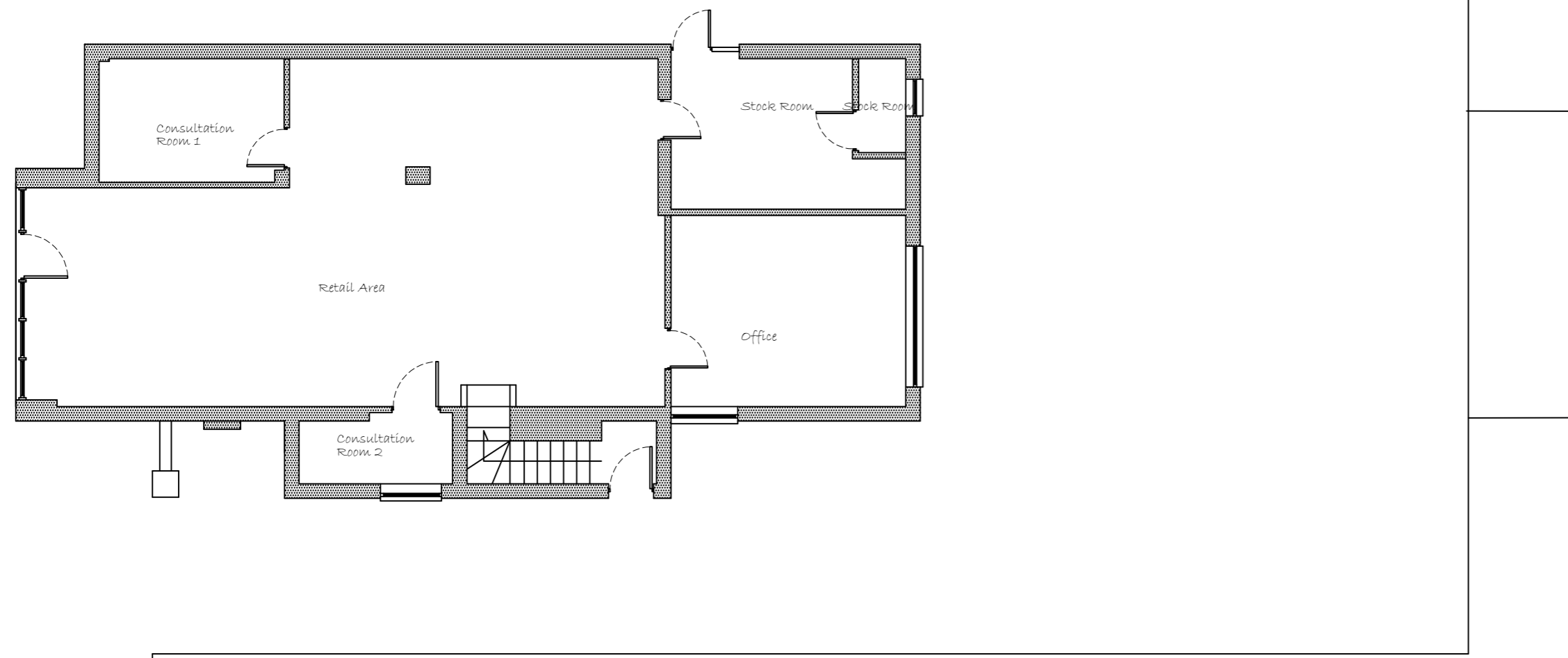
LOCATION PLAN scale 1:1000

The contractor is to check and verify all building dimensions, levels and sewer invert levels at the connection point prior to starting works
The contractor is to comply in all respects with British Standard Specifications, Building Regulations etc whether or not specifically stated on this drawing.

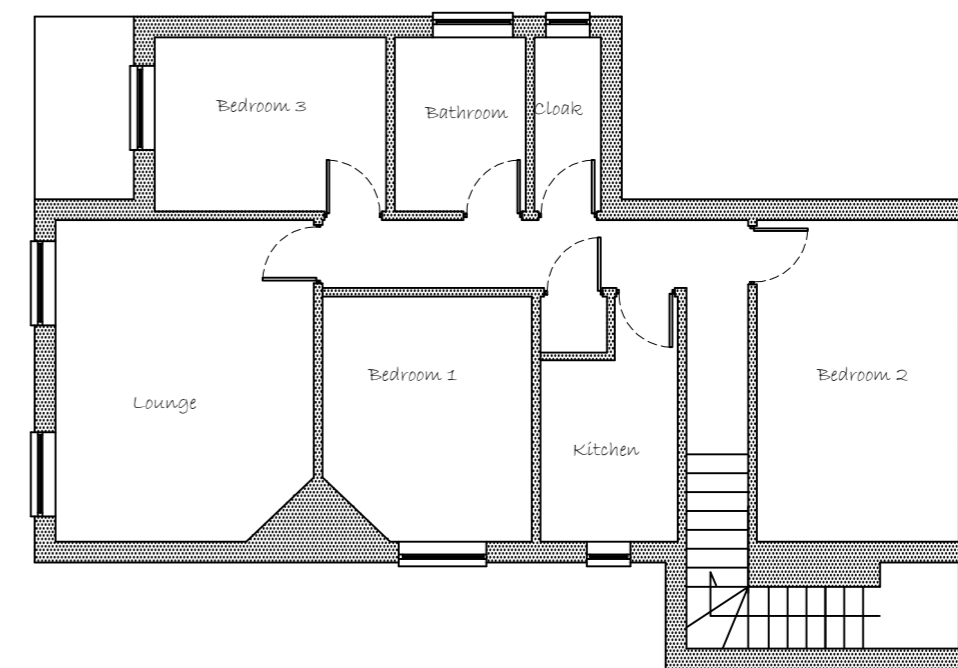
This drawing is to be read with and checked against any structural geotechnical or other specialist documentation.
Where existing trees are to be retained they should be the subject of a full Arboricultural report
The client is to confirm all legal boundaries prior to site start
The contractor is to provide method statement and risk assessment

PROJECT CONSTRUCTION OF TWO STOREY EXTENSION TO REAR OF PROPERTY
DRAWING EXISTING AND PROPOSED SITE AND LOCATION PLAN
ADDRESS 33 ST ISAN RD, HEATH CARDIFF
1:1000 and 1:250 @ A3
Drawing Number 006 REV B
Date OCTOBER 2022

Existing Elevations and Floor Plan Layout



Ground Floor Plan Layout Scale 1:100



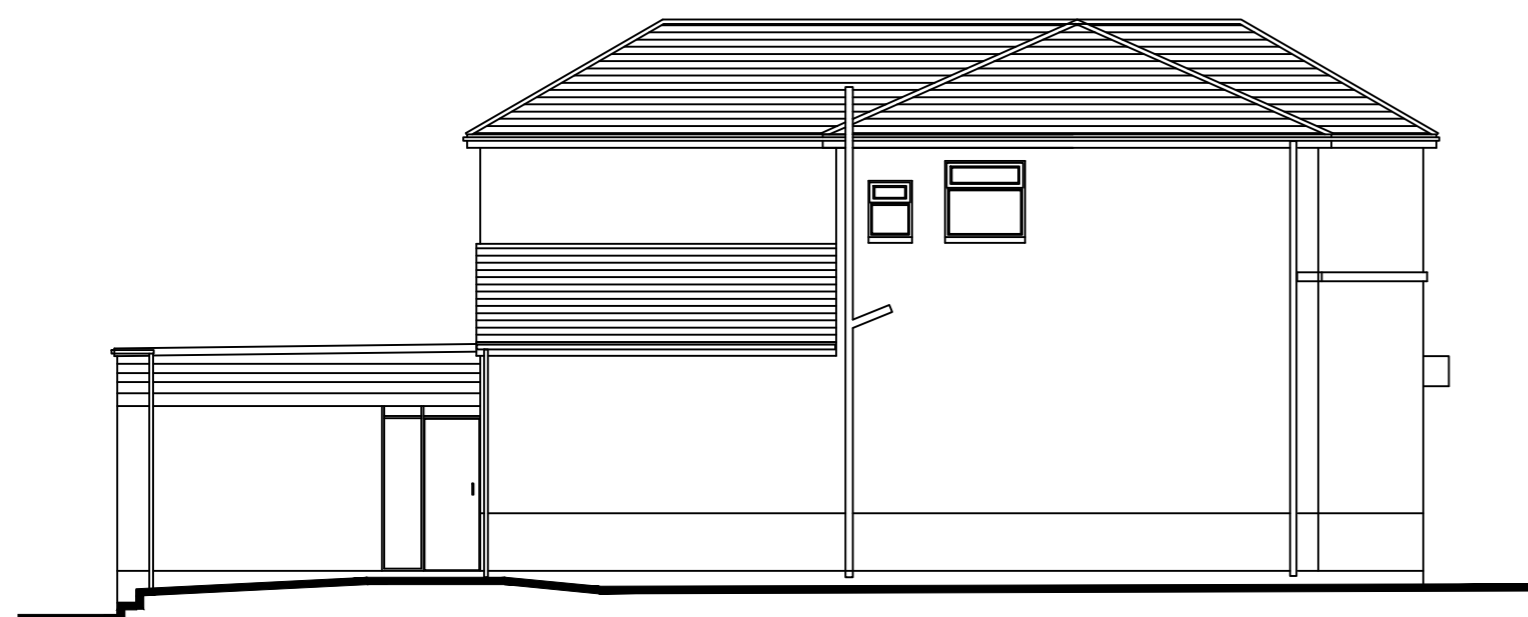
First Floor Plan Layout Scale 1:100



Rear Elevation Scale 1:100



Side Elevation Scale 1:100



Side Elevation Scale 1:100



Front Elevation Scale 1:100

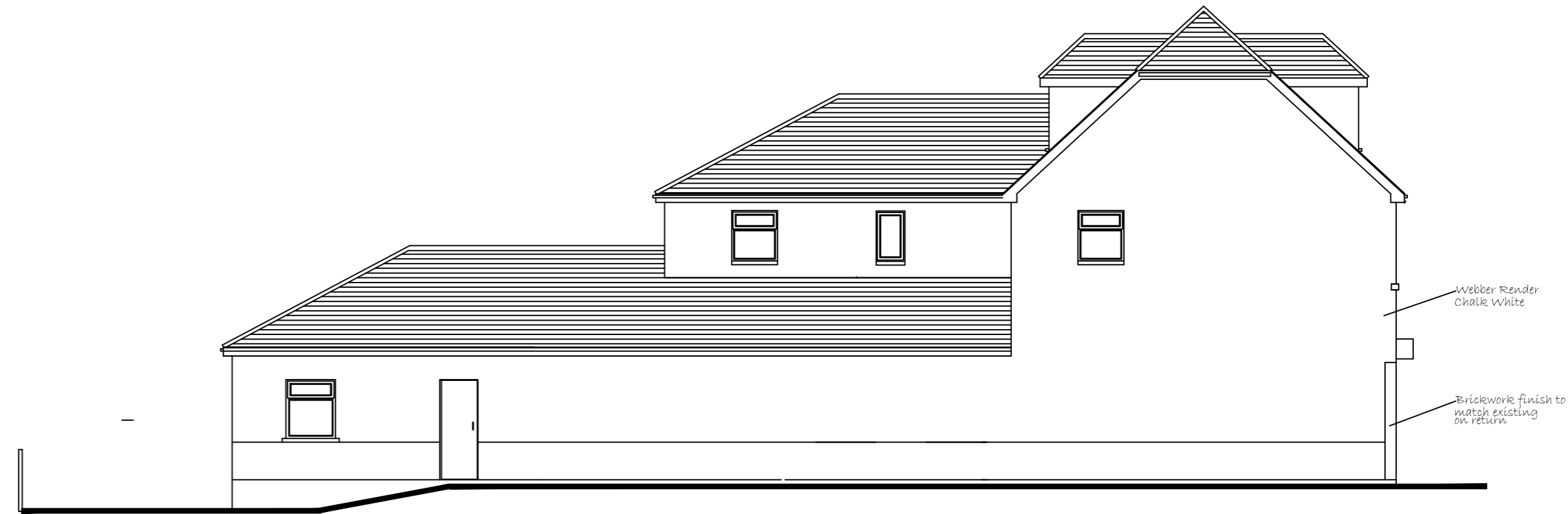
The contractor is to check and verify all building dimensions, levels and sewer invert levels at the connection point prior to starting works
 The contractor is to comply in all respects with British Standard Specifications, Building Regulations etc whether or not specifically stated on this drawing.
 This drawing is to be read with and checked against any structural geotechnical or other specialist documentation.
 Where existing trees are to be retained they should be the subject of a full Arboricultural report
 The client is to confirm all legal boundaries prior to site start
 The contractor is to provide method statement and risk assessment

PROJECT
 TWO STOREY EXTENSION
 TO REAR OF PROPERTY
 DRAWING
 EXISTING- ELEVATIONS
 FLOOR PLAN LAYOUTS
 ADDRESS
 33 ST ISAN ROAD CARDIFF

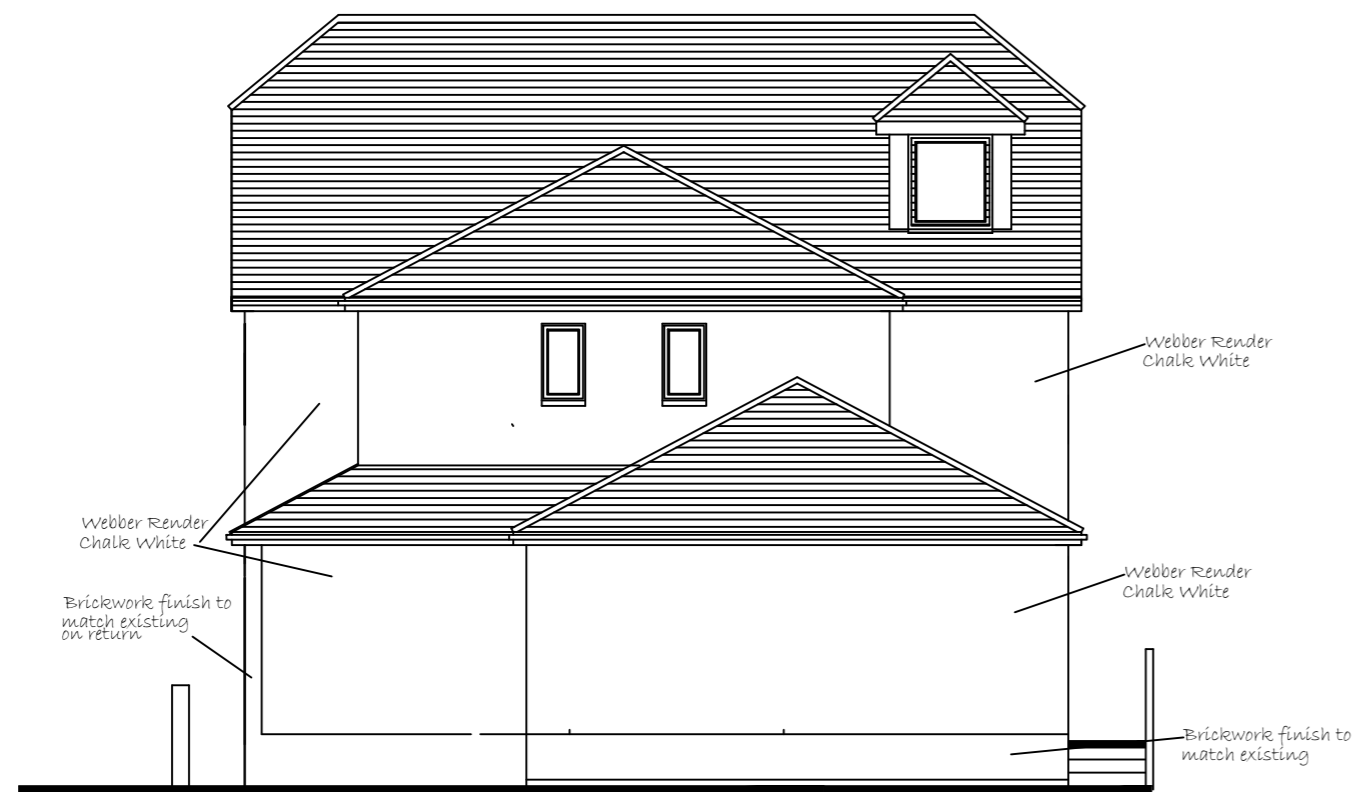
1:100 @ A2
 DRAWING NO 01
 DATE SEPTEMBER 2022



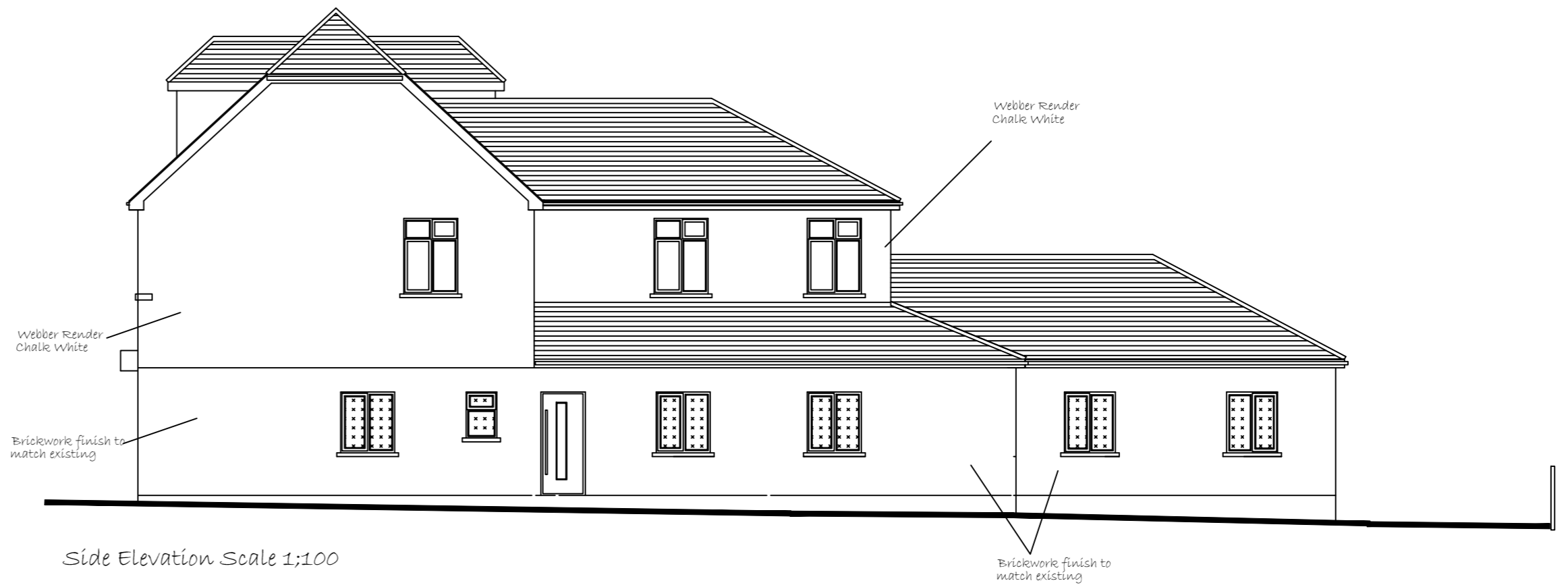
Front Elevation Scale 1:100



Side Elevation Scale 1:100



Rear Elevation Scale 1:100



Side Elevation Scale 1:100

The contractor is to check and verify all building dimensions, levels and sewer invert levels at the connection point prior to starting works

The contractor is to comply in all respects with British Standard Specifications, Building Regulations etc whether or not specifically stated on this drawing.

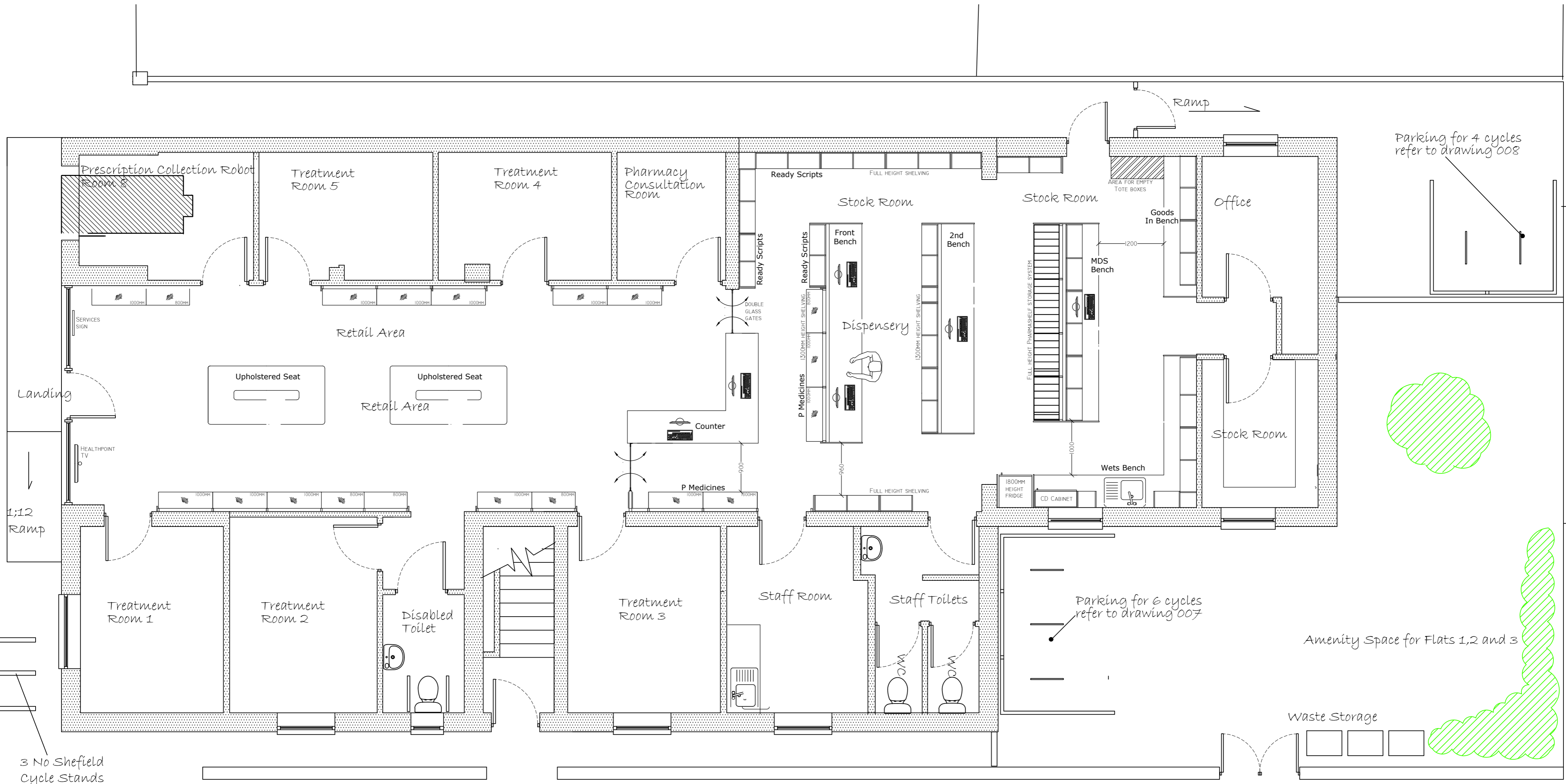
This drawing is to be read with and checked against any structural geotechnical or other specialist documentation. Where existing trees are to be retained they should be the subject of a full Arboricultural report

The client is to confirm all legal boundaries prior to site start. The contractor is to provide method statement and risk assessment

PROJECT
TWO STOREY EXTENSION
TO REAR OF PROPERTY
DRAWING
PROPOSED - ELEVATIONS

ADDRESS
33 ST ISAN ROAD CARDIFF

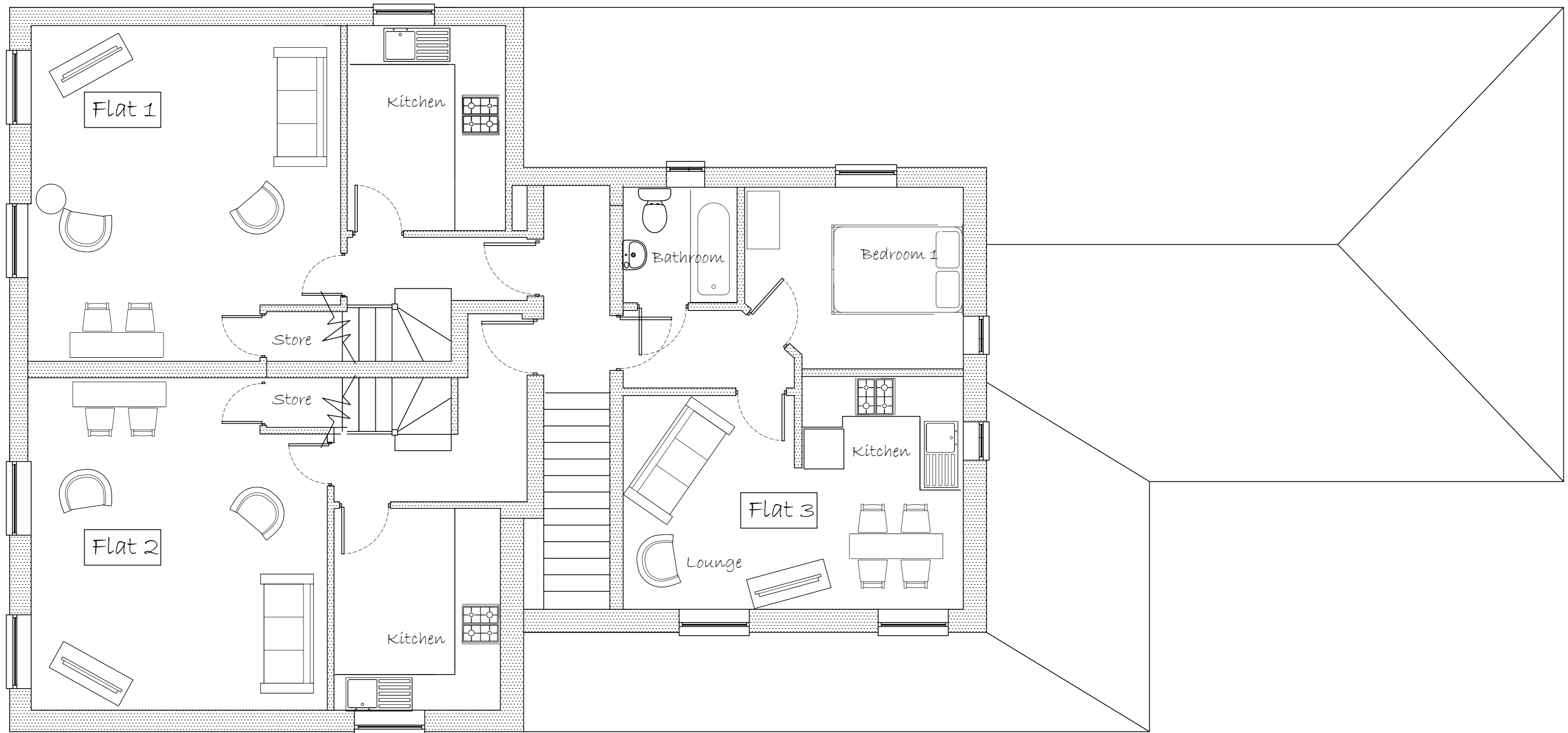
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DRAWING NO 02 REV B
DATE SEPTEMBER 2022



Ground Floor Plan Layout Scale 1:50

The contractor is to check and verify all building dimensions, levels and sewer invert levels at the connection point prior to starting works
 The contractor is to comply in all respects with British Standard Specifications, Building Regulations etc whether or not specifically stated on this drawing.
 This drawing is to be read with and checked against any structural geotechnical or other specialist documentation.
 Where existing trees are to be retained they should be the subject of a full Arboricultural report
 The client is to confirm all legal boundaries prior to site start
 The contractor is to provide method statement and risk assessment

PROJECT
 TWO STOREY EXTENSION
 TO REAR OF PROPERTY
 DRAWING
 PROPOSED - GROUND FLOOR
 LAYOUT
 ADDRESS
 33 ST ISAN ROAD CARDIFF
 1:50 @ A2
 DRAWING NO 03 Rev D
 DATE SEPTEMBER 2022



First Floor Plan Layout Scale 1:50

The contractor is to check and verify all building dimensions, levels and sewer invert levels at the connection point prior to starting works

The contractor is to comply in all respects with British Standard Specifications, Building Regulations etc whether or not specifically stated on this drawing.

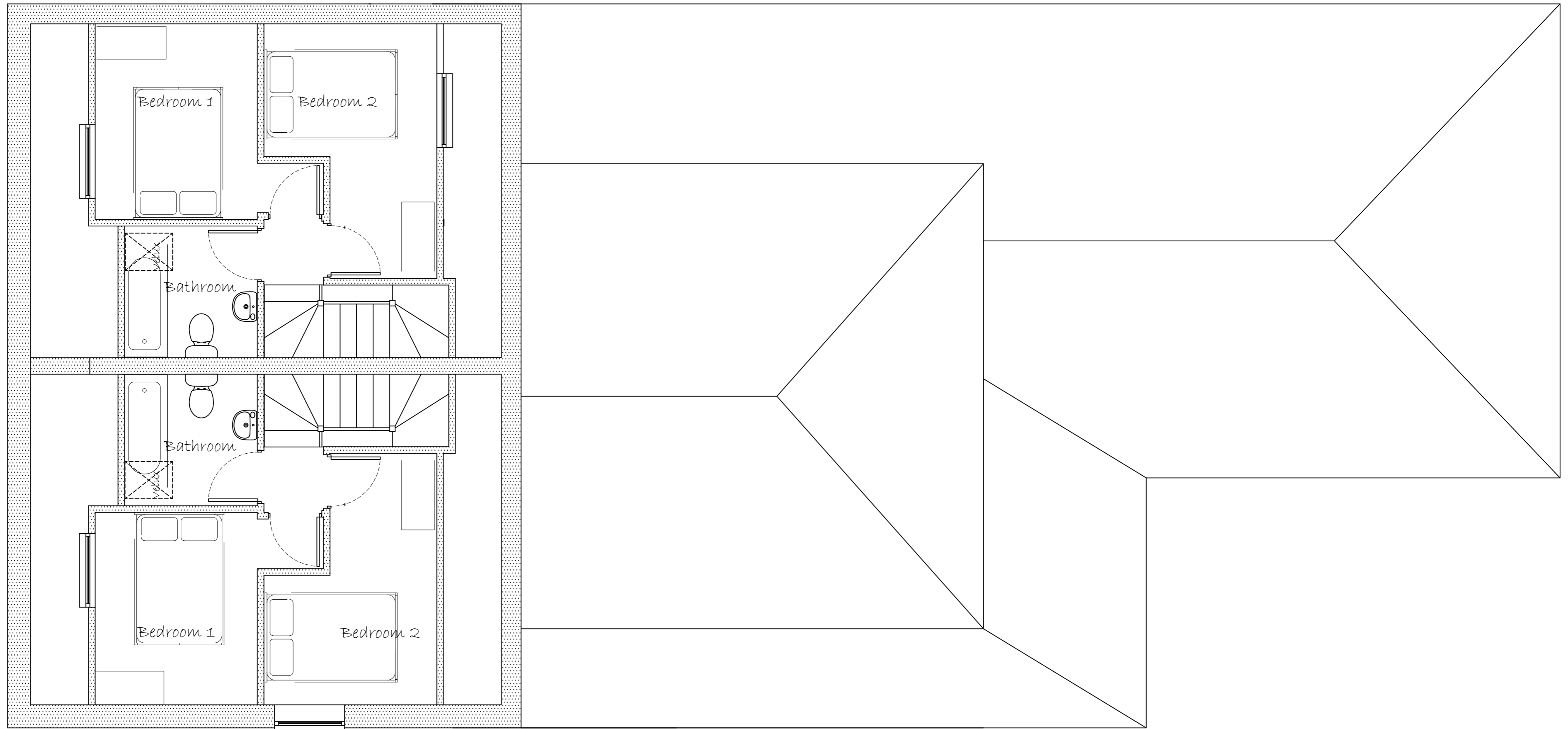
This drawing is to be read with and checked against any structural geotechnical or other specialist documentation. Where existing trees are to be retained they should be the subject of a full Arboricultural report

The client is to confirm all legal boundaries prior to site start
The contractor is to provide method statement and risk assessment

PROJECT
TWO STOREY EXTENSION
TO REAR OF PROPERTY
DRAWING
PROPOSED - FIRST FLOOR
LAYOUT

ADDRESS
33 ST ISAN ROAD CARDIFF

1:50 @ A2
DRAWING NO 04 Rev C
DATE SEPTEMBER 2022



Second Floor Plan Layout Scale 1:50

The contractor is to check and verify all building dimensions, levels and sewer invert levels at the connection point prior to starting works

The contractor is to comply in all respects with British Standard Specifications, Building Regulations etc whether or not specifically stated on this drawing.

This drawing is to be read with and checked against any structural geotechnical or other specialist documentation.

Where existing trees are to be retained they should be the subject of a full Arboricultural report

The client is to confirm all legal boundaries prior to site start
The contractor is to provide method statement and risk assessment

PROJECT
TWO STOREY EXTENSION
TO REAR OF PROPERTY
DRAWING
PROPOSED - SECOND FLOOR
LAYOUT

ADDRESS
33 ST ISAN ROAD CARDIFF

1:50 @ A2
DRAWING NO 05 Rev A
DATE SEPTEMBER 2022

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ADAMSDOWN

Application No. 23/02021/FUL Date Valid: 31/08/2023 Type: FUL Statutory Class: Minor - Dwellings (C3)
Address: 119 Clifton Street Applicant MR AHMAD ALISHAT
 Adamsdown
 Cardiff
 CF24 1LW
Proposal: Ground and First Floor Rear Extension and Conversion to Three Flats Plus Dormer Loft Conversion
Decision Date 04/12/2023 Decision: Permission Granted

Application No. 23/02385/CLEUD Date Valid: 19/10/2023 Type: CLEUI Statutory Class: Other Consent Types
Address: 274 Newport Road Applicant Mr Roy Derrick
 Adamsdown
 Cardiff
 CF24 1RS
Proposal: Use as large Sui Generis House in Multiple Occupation
Decision Date 07/12/2023 Decision: Permission Granted

Application No. 23/00656/DOC Date Valid: 29/03/2023 Type: DOC Statutory Class: Discharge of Conditions
Address: Splott Road Church Applicant Wates
 Splott Road
 Splott
 Cardiff
 CF24 1HD
Proposal: Discharge of condition 9 (Landscaping) of 21/00053/MJR
Decision Date 22/12/2023 Decision: Full Discharge of Condition

Application No. 22/02941/LBC Date Valid: 06/01/2023 Type: LBC Statutory Class: Listed Buildings
Address: 9-22 Moira Terrace Applicant Andrea Hibbert
 Adamsdown
 Cardiff
 CF24 0EJ
Proposal: Listed building consent for the refurbishment and redevelopment of 9-22 Moira Terrace to provide residential and mixed-use commercial floor space
Decision Date 22/12/2023 Decision: Permission Granted

Application No. 23/02289/FUL Date Valid: 02/10/2023 Type: FUL Statutory Class: Minor - Other Principal Uses
Address: 33 System Street Applicant Mr Douglas White
 Adamsdown
 Cardiff
 CF24 0JG
Proposal: Change of use from 3 bedroom dwelling (C3 use) to a 5 bedroom House in Multiple Occupation (C4 use), alterations to fenestration and chimney removal.
Decision Date 20/12/2023 Decision: Refuse

BUTETOWN

Application No. 23/02339/DOC Date Valid: 19/10/2023 Type: DOC Statutory Class: Discharge of Conditions
Address: Merchant Place And Applicant Cardiff Sixth Form College
 Corys Buildings
 Bute Place And Bute
 Street
 Butetown
 Cardiff
 CF10 5AJ
Proposal: Discharge of Condition 7 (Archaeological Investigation) of 22/02201/FUL
Decision Date 01/12/2023 Decision: Partial Discharge of Condition (s)

<u>Application No.</u>	23/02424/DOC	<u>Date Valid:</u>	23/10/2023	<u>Type:</u>	DOC	<u>Statutory Class:</u>	Discharge of Conditions
<u>Address:</u>	Merchant House And <u>Applicant</u> Cardiff Sizth Form College Cory's Building Bute Place And Bute Street Butetown Cardiff CF10 5AJ						
<u>Proposal:</u>	Discharge of Condition 8 (Ground Gas Protection Scheme) of 22/02201/FUL						
<u>Decision Date</u>	01/12/2023	<u>Decision:</u>	Partial Discharge of Condition (s)				
<u>Application No.</u>	23/02484/DOC	<u>Date Valid:</u>	31/10/2023	<u>Type:</u>	DOC	<u>Statutory Class:</u>	Discharge of Conditions
<u>Address:</u>	Plot 5 <u>Applicant</u> Cardiff Sixth Form College Parmer Waterside Cardiff CF10 4AA						
<u>Proposal:</u>	Discharge of Condition 11 (Archaeological Investigation) of 23/00209/FUL						
<u>Decision Date</u>	01/12/2023	<u>Decision:</u>	Partial Discharge of Condition (s)				
<u>Application No.</u>	23/02507/DOC	<u>Date Valid:</u>	31/10/2023	<u>Type:</u>	DOC	<u>Statutory Class:</u>	Discharge of Conditions
<u>Address:</u>	Plot 5 <u>Applicant</u> Cardiff Sixth Form College Parmer Waterside Cardiff CF10 4AA						
<u>Proposal:</u>	Discharge of Condition 10 (Foul Water) of 23/00209/FUL						
<u>Decision Date</u>	01/12/2023	<u>Decision:</u>	Full Discharge of Condition				
<u>Application No.</u>	23/02714/PRNO	<u>Date Valid:</u>	17/11/2023	<u>Type:</u>	PRNO	<u>Statutory Class:</u>	Other Consent Types
<u>Address:</u>	Crane House <u>Applicant</u> Mr Callum McGuiness Rover Way Butetown Cardiff CF10 4US						
<u>Proposal:</u>	Demolition of the Crane House in full including the base slab with tarmac finish.						
<u>Decision Date</u>	04/12/2023	<u>Decision:</u>	Prior Approval Required				
<u>Application No.</u>	23/02318/LBC	<u>Date Valid:</u>	06/10/2023	<u>Type:</u>	LBC	<u>Statutory Class:</u>	Listed Buildings
<u>Address:</u>	Basement And Ground <u>Applicant</u> Ms E Vidler Floor 117 - 120 Bute Street Butetown Cardiff CF10 5AE						
<u>Proposal:</u>	Retention of existing illuminated projecting sign.						
<u>Decision Date</u>	20/12/2023	<u>Decision:</u>	Permission Granted				
<u>Application No.</u>	23/01407/DOC	<u>Date Valid:</u>	26/06/2023	<u>Type:</u>	DOC	<u>Statutory Class:</u>	Discharge of Conditions
<u>Address:</u>	Former Brandon Hire <u>Applicant</u> c/o Agent c/o Agent Plc 151-153 Bute Street Butetown Cardiff						
<u>Proposal:</u>	Discharge of Condition 12 (Cycle Parking Spaces), 21 (Ground Floor Means of Enclosure), 22 (Tree Works), and 24 (Soft Landscaping) of 21/01720/MJR						
<u>Decision Date</u>	11/12/2023	<u>Decision:</u>	Full Discharge of Condition				
<u>Application No.</u>	23/02316/ADV	<u>Date Valid:</u>	06/10/2023	<u>Type:</u>	ADV	<u>Statutory Class:</u>	Advertisements

Address: Basement And Ground Applicant Ms E Vidler
Floor
117 - 120 Bute Street
Butetown
Cardiff
CF10 5AE
Proposal: Retention of existing illuminated projecting sign.
Decision Date 19/12/2023 Decision: Permission Granted

Application No. 23/02503/DOC Date Valid: 16/11/2023 Type: DOC Statutory Class: Discharge of Conditions

Address: Plot 5 Applicant Cardiff Sixth Form College
Parmer Waterside
Cardiff
CF10 4AA

Proposal: Discharge of Condition 7 (Piling) of 23/00209/FUL
Decision Date 19/12/2023 Decision: Full Discharge of Condition

Application No. 23/02592/DOC Date Valid: 01/11/2023 Type: DOC Statutory Class: Discharge of Conditions

Address: Merchant Place And Applicant Cardiff Sixth Form College Ca
Corys Building
3 Bute Place And 57
Bute Street
Butetown
Cardiff
CF10 5AD

Proposal: Discharge of Conditions 6 (Scaffolding) of 22/02204/LBC
Decision Date 19/12/2023 Decision: Full Discharge of Condition

Application No. 23/02937/WTCA Date Valid: 15/12/2023 Type: WTCA Statutory Class: Other Consent Types

Address: 19 Windsor Esplanade Applicant IG environmental services IG
Butetown
Cardiff
CF10 5BG

Proposal: T1 Maple - rear mid - remove
T2 Maple - rear left corner - remove

The tree works are proposed to stop the influence of the tree(s) on the soil below building foundation level and provide long term stability.

Decision Date 19/12/2023 Decision: GRANT - Works to Trees

Application No. 23/01377/HSE Date Valid: 14/07/2023 Type: HSE Statutory Class: Householder

Address: 27 Tyndall Street Applicant Mr. Lewis Sampson
Butetown
Cardiff
CF10 4BE

Proposal: Proposed part single, part two storey rear extension and front porch.
Decision Date 08/12/2023 Decision: Permission Granted

CAERAU

Application No. 23/01897/FUL Date Valid: 15/08/2023 Type: FUL Statutory Class: Minor - Other Principal Uses

Address: Riverbank Special Applicant Mr Ron Mclean
School
Vincent Road
Caerau
Cardiff
CF5 5AQ

Proposal: Retrospective application for the installation of a temporary Portakabin building to be used for a period of 52 weeks.

Decision Date 04/12/2023 Decision: Permission Granted

Application No. 23/00050/FUL Date Valid: 13/01/2023 Type: FUL Statutory Class: General Regulations

Address: Land South Of Narberth Road
Caerau
Cardiff
Applicant Wates Residential / Cardiff Co

Proposal: Development of 83 residential dwellings (Use Class C3, including affordable housing) as well as associated vehicular, cyclist and pedestrian access, engineering and infrastructure works, landscaping, open space and sustainable urban drainage

Decision Date 11/12/2023 Decision: Permission Granted

Application No. 23/02006/HSE Date Valid: 31/08/2023 Type: HSE Statutory Class: Householder

Address: 21 Colin Way
Caerau
Cardiff
CF5 5AJ
Applicant Mr Paul Blakeman

Proposal: First floor rear extension above ground floor footprint.

Decision Date 14/12/2023 Decision: Permission Granted

Application No. 23/02857/DOC Date Valid: 06/12/2023 Type: DOC Statutory Class: Discharge of Conditions

Address: Aldi Foodstore Ltd
Treseder Way
Caerau
Cardiff
CF5 5NU
Applicant Aldi Stores Limited

Proposal: Discharge of Condition 8 (Aggregate Material Contaminant Assessment) of 21/02181/MNR

Decision Date 14/12/2023 Decision: Full Discharge of Condition

CANTON

Application No. 23/02222/HSE Date Valid: 29/09/2023 Type: HSE Statutory Class: Householder

Address: 11 Sloper Road
Leckwith
Cardiff
CF11 8AD
Applicant Mr Chowdhury

Proposal: Single storey conservatory and garden room/ gym.

Decision Date 08/12/2023 Decision: Refuse

Application No. 23/01468/HSE Date Valid: 06/07/2023 Type: HSE Statutory Class: Householder

Address: 48B Brunswick Street
Canton
Cardiff
CF5 1LJ
Applicant Eleni Maragakis

Proposal: Single storey rear extension, including reduction of existing bin store

Decision Date 20/12/2023 Decision: Permission Granted

CATHAYS

Application No. 23/02716/ADV Date Valid: 17/11/2023 Type: ADV Statutory Class: Advertisements

Address: The Slug And Lettuce
The Friary
Cathays
Cardiff
CF10 3FA
Applicant MR JACK ROBSON

Proposal: 7 sets of halo illuminated fascia text

Decision Date 06/12/2023 Decision: Permission Granted

Application No. 23/02194/LBC Date Valid: 21/09/2023 Type: LBC Statutory Class: Listed Buildings

Address: Hodge House Applicant Legal & General Investment M
Guildhall Place
Cathays
Cardiff
CF10 1EB
Proposal: Weatherproofing to Quay Street ledge
Decision Date 06/12/2023 Decision: Permission Granted

Application No. 23/02193/FUL Date Valid: 25/09/2023 Type: FUL Statutory Class: Minor - Offices (B1(a))

Address: Hodge House Applicant .
Guildhall Place
Cathays
Cardiff
CF10 1EB
Proposal: Retention of security fencing and construction of new cycle store.
Decision Date 06/12/2023 Decision: Permission Granted

Application No. 23/02487/LBC Date Valid: 24/10/2023 Type: LBC Statutory Class: Listed Buildings

Address: Unit 20 And 22 Applicant Griffith
Wyndham Arcade
Cathays
Cardiff
CF10 1FJ
Proposal: Change of use of first floor units to provision of caretaker's accommodation with alterations to shop front of unit 20
Decision Date 04/12/2023 Decision: Permission Granted

Application No. 23/02090/FUL Date Valid: 13/09/2023 Type: FUL Statutory Class: Minor - Dwellings (C3)

Address: 22 Darran Street Applicant MR HAMISH CAMPBELL
Cathays
Cardiff
CF24 4JF
Proposal: Change of use from C4 House in Multiple Occupation to large Sui Generis house with rear dormer roof extension.
Decision Date 04/12/2023 Decision: Permission Granted

Application No. 23/02393/VAR Date Valid: 24/10/2023 Type: VAR Statutory Class: Renewals and Variation of Conditions

Address: 9 Wyeverne Road Applicant MR KASH MUNIR
Cathays
Cardiff
CF24 4BG
Proposal: Ground floor rear extensions including hip to gable roof extension with rear dormer to create 7 bedroom sui generis house of multiple occupation. (Approved 2 August 2022- 22/00848/MNR):-

Variation of Condition 6 (Maximum Occupants) of 22/00848/MNR to amend the approved scheme as follows: 1) Change of condition to allow 8 Bedroom sui generis HMO
Decision Date 08/12/2023 Decision: Permission Granted

Application No. 23/02287/LBC Date Valid: 09/10/2023 Type: LBC Statutory Class: Listed Buildings

Address: 14 - 18 St Mary Street Applicant TE Cardiff 7 Ltd
Cathays
Cardiff
CF10 1TT
Proposal: Proposed redevelopment (Phases 2 and 3) of part of the former Howells department store, including partial demolition, to deliver studio apartments (Use Class C3) and flexible commercial floorspace (Use Classes A1, A2, A3, B1, D1 and D2); restoration of Bethany Chapel and Sunday School plus upward extension (additional storeys) to the Percy Thomas Wharton Street block; public realm; related infrastructure and engineering works.
Decision Date 21/12/2023 Decision: Permission Granted

Application No. 23/02686/PRAP Date Valid: 14/11/2023 Type: PRAP Statutory Class: Pre App - Major
Address: Former Debenhams Applicant Land Securities Properties Ltc
46 - 50 St Davids Way
Cathays
Cardiff
CF10 2UF
Proposal: Demolition of 46-50 St Davids Way- the former Debenhams building (following confirmation that Prior
Approval for Demolition is required under application 23/02358/PRNO)
Decision Date 20/12/2023 Decision: Prior Approval Granted

Application No. 23/02744/ADV Date Valid: 21/11/2023 Type: ADV Statutory Class: Advertisements
Address: Four Central Square Applicant -
Central Square
Cathays
Cardiff
CF10 1FS
Proposal: New signs.
Decision Date 19/12/2023 Decision: Permission Granted

Application No. 23/01947/FUL Date Valid: 24/08/2023 Type: FUL Statutory Class: Minor - Other
Principal Uses
Address: 23 Park Place Applicant Fastnet Property Investments
Cathays
Cardiff
CF10 3BA
Proposal: Vertical extension of existing aparthotel to provide additional two floors (11 additional units).
Decision Date 18/12/2023 Decision: Refuse

Application No. 23/02524/FUL Date Valid: 31/10/2023 Type: FUL Statutory Class: Minor - Other
Principal Uses
Address: 76 Tewkesbury Street Applicant Miss Emily Hadfield
Cathays
Cardiff
CF24 4QT
Proposal: Temporary change of use to C4 House in Multiple Occupation for six years
Decision Date 18/12/2023 Decision: Permission Granted

Application No. 23/02223/LBC Date Valid: 22/09/2023 Type: LBC Statutory Class: Listed Buildings
Address: Cardiff Central Applicant Mr Mark Eldridge
Railway Station
Central Square
Cathays
Cardiff
Proposal: Remove existing Cash/Card Ticket Vending Machine (TVM) from the front concourse of the station and
replace with new Card Only TVM.
Decision Date 13/12/2023 Decision: Permission Granted

Application No. 23/02450/FUL Date Valid: 24/10/2023 Type: FUL Statutory Class: Minor - Other
Principal Uses
Address: 48 Rhymney Street Applicant ATW PROPERTIES ATW PRO
Cathays
Cardiff
CF24 4DG
Proposal: Ground floor rear extension, rear dormer extension and change of use from C3 House to class C4
House in Multiple Occupation.
Decision Date 08/12/2023 Decision: Permission Granted

CYNCOED

Application No. 22/02893/FUL Date Valid: 05/12/2022 Type: FUL Statutory Class: Minor - Retail
(A1-A3)

Address: 17-41 Clearwater Way Applicant c/o Agent
Cyncoed
Cardiff
CF23 6DL

Proposal: Retrospective permission to change the use of units 03, 07 and 08 of planning permission 20/00153/MJR from Use Class A1 (shops) to A3 (food and drink) and unit 04 from Use Class A2 (financial and professional services) to A3 (food and drink), and to allow the preparation and cooking of hot food to unit 01/01A and for external seating along the frontages

Decision Date 05/12/2023 Decision: Permission Granted

Application No. 23/00722/HSE Date Valid: 30/03/2023 Type: HSE Statutory Class: Householder

Address: 18 Lakeside Drive Applicant Gheed Kassim Daoud
Cyncoed
Cardiff
CF23 6DD

Proposal: First Floor and Two Storey Rear Extensions including External Alterations

Decision Date 08/12/2023 Decision: Permission Granted

Application No. 23/02317/HSE Date Valid: 05/10/2023 Type: HSE Statutory Class: Householder

Address: 54 Rhyd Y Penau Applicant Ms. Amy Morgan
Road
Cyncoed
Cardiff
CF23 6PU

Proposal: Partial hip to gable roof extension with side dormer roof extensions and raising ridge, including new windows and openings, extended driveway and extended decking area.

Decision Date 01/12/2023 Decision: Permission Granted

Application No. 22/03055/FUL Date Valid: 22/12/2022 Type: FUL Statutory Class: Minor - Retail (A1-A3)

Address: 19 Clearwater Way Applicant c/o Agent
Cyncoed
Cardiff
CF23 6DZ

Proposal: Change of use of Unit 2 (as approved under planning permission 20/00153/MJR, formerly part of No. 17-19 Waterloo Tea) to Use Class A3 including the preparation and cooking of hot food and for external seating along the frontage

Decision Date 05/12/2023 Decision: Permission Granted

Application No. 23/02517/HSE Date Valid: 27/10/2023 Type: HSE Statutory Class: Householder

Address: 17 Rannoch Drive Applicant Mr. David Eva
Cyncoed
Cardiff
CF23 6LP

Proposal: Two story front extension and single story infill extension to rear of property.

Decision Date 20/12/2023 Decision: Refuse

Application No. 23/02323/HSE Date Valid: 09/10/2023 Type: HSE Statutory Class: Renewals and Variation of Conditions

Address: 100 Lake Road East Applicant Gary Torosyan
Cyncoed
Cardiff
CF23 5NP

Proposal: Ground floor rear and first floor extension, loft conversion with front and rear dormers, and re-modeling of first floor openings for juliet balconies.

Decision Date 13/12/2023 Decision: Permission Granted

Application No. 23/01428/HSE Date Valid: 23/06/2023 Type: HSE Statutory Class: Householder

Address: 55 Celyn Avenue Applicant Mr. Wassam Al-Madi
Cyncoed
Cardiff
CF23 6EJ
Proposal: Floor front, rear and side extension and detached garage, and rear dormer roof extension
Decision Date 12/12/2023 Decision: Refuse

Application No. 23/02363/HSE Date Valid: 11/10/2023 Type: HSE Statutory Class: Householder

Address: 27 Llangorse Road Applicant Ms Tali Grosvenor
Cyncoed
Cardiff
CF23 6PG

Proposal: Second-storey rear extension over existing ground floor and creation of a new front porch.
Decision Date 06/12/2023 Decision: Refuse

Application No. 23/02062/HSE Date Valid: 06/09/2023 Type: HSE Statutory Class: Householder

Address: 22 Torrens Drive Applicant Ms Man Poon
Cyncoed
Cardiff
CF23 6DW

Proposal: Conservatory on a raised platform
Decision Date 08/12/2023 Decision: Permission Granted

Application No. 23/01552/REN Date Valid: 28/07/2023 Type: REN Statutory Class: Renewals and Variation of Conditions

Address: 8 Jellicoe Gardens Applicant Mr Javid Rafiq
Cyncoed
Cardiff
CF23 5QW

Proposal: Renewal of 18/03005/DCH for two storey side first floor rear and single storey rear extensions including garage conversion with change from hip to gable end of mainroof and loft conversion including rear dormer and external alterations
Decision Date 08/12/2023 Decision: Permission Granted

Application No. 23/02959/WTCA Date Valid: 19/12/2023 Type: WTCA Statutory Class: Other Consent Types

Address: 135 Lake Road West Applicant Mrs Elaine Shellard
Cyncoed
Cardiff
CF23 5PJ

Proposal: T1 Norway Maple 1 metre crown reduction
Decision Date 19/12/2023 Decision: GRANT - Works to Trees

Application No. 23/02155/HSE Date Valid: 21/09/2023 Type: HSE Statutory Class: Householder

Address: 91 Beatty Avenue Applicant M Agarwal
Cyncoed
Cardiff
CF23 5QS

Proposal: Rear single storey conservatory
Decision Date 28/12/2023 Decision: Permission Granted

Application No. 23/02472/HSE Date Valid: 24/10/2023 Type: HSE Statutory Class: Householder

Address: 29 Westminster Applicant Mr Jonathan Carrington
Crescent
Cyncoed
Cardiff
CF23 6SE

Proposal: Ground floor front extension with side return canopy
Decision Date 06/12/2023 Decision: Permission Granted

FAIRWATER

Application No. 23/02313/HSE Date Valid: 06/10/2023 Type: HSE Statutory Class: Householder

Address: 98 Bwlch Road Applicant Mrs Kate Lloyd
Fairwater
Cardiff
CF5 3DA

Proposal: Demolition of conservatory and construction of two storey side extension with rear dormer loft conversion.

Decision Date 06/12/2023 Decision: Refuse

Application No. 23/02389/REN Date Valid: 16/10/2023 Type: REN Statutory Class: Renewals and Variation of Conditions

Address: 117 Ely Road Applicant Amy Gillespie
Fairwater
Cardiff
CF5 3AB

Proposal: Renewal of planning permission 18/01771/MNR for two storey rear and side extension and conversion to three flats.

Decision Date 14/12/2023 Decision: Permission Granted

Application No. 23/02458/CLPUD Date Valid: 23/10/2023 Type: CLPUI Statutory Class: Other Consent Types

Address: 66 Wellwright Road Applicant Mr Max Baker
Fairwater
Cardiff
CF5 3ED

Proposal: Single storey rear extension

Decision Date 14/12/2023 Decision: Permission Granted

Application No. 23/01186/HSE Date Valid: 17/07/2023 Type: HSE Statutory Class: Householder

Address: 5 Cherry Close Applicant Mr Liam Rees
Fairwater
Cardiff
CF5 3RQ

Proposal: Two storey extension to side and rear, single storey extension to rear and new porch at front

Decision Date 14/12/2023 Decision: Permission Granted

GABALFA

Application No. 23/02165/DOC Date Valid: 20/09/2023 Type: DOC Statutory Class: Discharge of Conditions

Address: 93 - 95 Whitchurch Applicant mrs betsan de renesse
Road
Gabalfa
Cardiff
CF14 3JP

Proposal: Discharge of conditions 5 (Adjoining Residents Sound Insulation) and 7 (Room Sound Insulation) to 23/01565/FUL

Decision Date 15/12/2023 Decision: Full Discharge of Condition

Application No. 23/01875/FUL Date Valid: 06/09/2023 Type: FUL Statutory Class: Minor - Retail (A1-A3)

Address: 25-27 Whitchurch Applicant The Co-op Group
Road
Gabalfa
Cardiff
CF14 3JN

Proposal: Proposed upgrade of existing HVAC plant to rear of property, erection of new enclosure to right of rear access door with acoustic louvers.

Decision Date 12/12/2023 Decision: Permission Granted

Application No. 23/01400/DOC Date Valid: 21/06/2023 Type: DOC Statutory Class: Discharge of Conditions

Address: 170-172 Whitchurch Applicant
Road
Gabalfa
Cardiff
CF14 3NA

Proposal: Discharge of Conditions 3 (Footway/Carriageway Works), 4 (Site Enclosure Details), 5 (External Materials) and 6 (Cycle Storage Details) of 22/00778/MNR

Decision Date 04/12/2023 Decision: Full Discharge of Condition

GRANGETOWN

Application No. 23/02308/HSE Date Valid: 10/10/2023 Type: HSE Statutory Class: Householder

Address: 27 Mardy Street Applicant
Grangetown
Cardiff
CF11 6QU

Proposal: Conversion of Garage with Alterations to Home Office/Games Room

Decision Date 18/12/2023 Decision: Permission Granted

Application No. 23/02751/DOC Date Valid: 20/11/2023 Type: DOC Statutory Class: Discharge of Conditions

Address: Former Track 2000, Applicant Mr Matthew Hall
Resource House,
54B Penarth Road,
Grangetown,
Cardiff,
CF11 6NG

Proposal: Discharge of Condition 10 (Site Investigation/ Gas Monitoring) of 18/02622/MJR

Decision Date 01/12/2023 Decision: Partial Discharge of Condition (s)

Application No. 23/00975/HSE Date Valid: 11/05/2023 Type: HSE Statutory Class: Householder

Address: 14 Powderham Drive Applicant Mr Mohammed Rahman
Grangetown
Cardiff
CF11 8ND

Proposal: Two Storey Side Extension and Single storey rear extension

Decision Date 08/12/2023 Decision: Permission Granted

HEATH

Application No. 23/02590/NMA Date Valid: 02/11/2023 Type: NMA Statutory Class: Non Material Amendment

Address: 54 Rhydhelig Avenue Applicant Mrs Anna Fox
Heath
Cardiff
CF14 4DE

Proposal: Proposed Non-Material Amendment to Planning Permission 23/00707/HSE to enable a change pitch on front elevation and roof to match existing pitch

Decision Date 01/12/2023 Decision: Permission Granted

Application No. 23/02235/FUL Date Valid: 26/09/2023 Type: FUL Statutory Class: Minor - Other Principal Uses

Address: 336 North Road Applicant Tracy Brightmore
Heath
Cardiff
CF14 3BP

Proposal: Change of use to class C4 five bedroom HMO with associated refurbishment and alterations, external works and proposed single storey detached garage.

Decision Date 13/12/2023 Decision: Permission Granted

Application No. 23/01667/VAR Date Valid: 19/07/2023 Type: VAR Statutory Class: Renewals and Variation of Conditions

Address: Land To Rear Of Applicant MR VINOD PATEL
161-163 Pantbach
Road
Rhiwbina
Cardiff
CF14 1TZ
Proposal: Variation of Condition 2 of 19/03117/MNR to alter approved plans
Decision Date 08/12/2023 Decision: Refuse

Application No. 23/02354/CLPUD Date Valid: 10/10/2023 Type: CLPUI Statutory Class: Other Consent Types

Address: 3 St Brioc Road Applicant Mr Chris Gould
Heath
Cardiff
CF14 4HJ

Proposal: Demolition of garage and construction of single story side extension and store room
Decision Date 04/12/2023 Decision: Refuse

LISVANE AND THORNHILL

Application No. 23/02694/WTTPP Date Valid: 14/11/2023 Type: WTTPPI Statutory Class: Other Consent Types

Address: Tangle Wood Applicant Mr George Osztreicher
44 Mill Road
Lisvane
Cardiff
CF14 0XL

Proposal: Spruce, front r/h boundary, Remove lowest limb interfering with neighbours garage and inspect crown for hanging or broken/ cracked branches, remove if needed.

Decision Date 05/12/2023 Decision: GRANT - Works to Trees

Application No. 23/02904/WTTPP Date Valid: 12/12/2023 Type: WTTPPI Statutory Class: Other Consent Types

Address: Beaufort Park Applicant Mr Dan Webber
Lisvane Road
Lisvane
Cardiff
CF14 0AU

Proposal: T3(T14)- Reduce branch back to 0.5m beyond the garden (temporary fence) boundary
T4(T15)- Reduce and raise 2x branches back to 0.5m beyond the garden (temporary fence) boundary and 2m from current ground level.

Decision Date 21/12/2023 Decision: GRANT - Works to Trees

Application No. 23/02702/HSE Date Valid: 16/11/2023 Type: HSE Statutory Class: Householder

Address: 35 Heol Nant Applicant Mr McCarthy
Glandulas
Lisvane
Cardiff
CF14 0PQ

Proposal: Erect a conservatory to the rear elevation

Decision Date 20/12/2023 Decision: Permission Granted

Application No. 23/02371/HSE Date Valid: 23/10/2023 Type: HSE Statutory Class: Householder

Address: 7 Gareth Close Applicant Mr & Mrs Keoghane
Thornhill
Cardiff
CF14 9AF

Proposal: Proposed single storey flat roofed rear extension

Decision Date 19/12/2023 Decision: Permission Granted

Application No. 23/01560/FUL Date Valid: 11/07/2023 Type: FUL Statutory Class: Householder

Address: 45 Mill Road Applicant Mr Andrew Manuel
Lisvane
Cardiff
CF14 0XH
Proposal: 2 Storey front extension and attic conversion.
Decision Date 18/12/2023 Decision: Permission Granted

Application No. 23/02434/HSE Date Valid: 19/10/2023 Type: HSE Statutory Class: Householder
Address: 8 Shaftesbury Close Applicant MR RICHARD ROBINSON
Thornhill
Cardiff
CF14 9EJ
Proposal: Ground floor front and rear and first floor front extensions including change of external wall finishes and external alterations.
Decision Date 14/12/2023 Decision: Permission Granted

Application No. 23/01866/HSE Date Valid: 01/09/2023 Type: HSE Statutory Class: Householder
Address: Brynawel Applicant Mr Chris Williams
Church Road
Lisvane
Cardiff
CF14 0SJ
Proposal: Erection of a two storey side extension, single storey rear and side extensions, new front porches and alterations to combine two properties into family home with adjoining annexe.
Decision Date 08/12/2023 Decision: Permission Granted

Application No. 23/02518/HSE Date Valid: 27/10/2023 Type: HSE Statutory Class: Householder
Address: 13 Percival Close Applicant Mrs. Anne Miller
Thornhill
Cardiff
CF14 9AY
Proposal: Single storey side extension
Decision Date 06/12/2023 Decision: Permission Granted

Application No. 23/02356/HSE Date Valid: 11/10/2023 Type: HSE Statutory Class: Householder
Address: 8 Bankside Close Applicant Aideen Crowley
Thornhill
Cardiff
CF14 9EQ
Proposal: Proposed single storey lean to Extension to side.
Decision Date 06/12/2023 Decision: Permission Granted

Application No. 23/01290/HSE Date Valid: 12/06/2023 Type: HSE Statutory Class: Householder
Address: 34 Angelica Way Applicant Mr Pravir Prasad
Thornhill
Cardiff
CF14 9FJ
Proposal: Proposed two story rear and single story ground floor extension with additional alterations.
Decision Date 27/12/2023 Decision: Permission Granted

LLANDAFF
Application No. 23/02048/FUL Date Valid: 04/09/2023 Type: FUL Statutory Class: Householder
Address: Many Trees Applicant Dr Will Williams
15 Bruton Place
Llandaff
Cardiff
CF5 2ER
Proposal: Demolition of an existing ancillary building and erection of single storey dwelling with associated landscaping works.
Decision Date 08/12/2023 Decision: Permission Granted

Application No. 23/02449/HSE Date Valid: 23/10/2023 Type: HSE Statutory Class: Householder
Address: 73 Fairwater Road Applicant Mr Paul Jepras
Llandaff
Cardiff
CF5 2LF
Proposal: Demolish existing conservatory, and erect single storey flat roof rear extension on identical footprint
Decision Date 19/12/2023 Decision: Permission Granted

Application No. 23/02351/HSE Date Valid: 11/10/2023 Type: HSE Statutory Class: Householder
Address: 38 The Cathedral Applicant MRS JILL DELLAR
Green
Llandaff
Cardiff
CF5 2EB
Proposal: Demolish existing conservatory and replace with single storey rear extension
Decision Date 04/12/2023 Decision: Permission Granted

Application No. 23/01280/FUL Date Valid: 07/06/2023 Type: FUL Statutory Class: Minor -
Dwellings (C3)
Address: Part Of Land At Rear Applicant Mr and Mrs D S Griffiths
Of 28 Palace Road
Llandaff
Cardiff
CF5 2AF
Proposal: Construction of two storey four bedroom detached house.
Decision Date 08/12/2023 Decision: Refuse

LLANDAFF NORTH

Application No. 23/02192/FUL Date Valid: 21/09/2023 Type: FUL Statutory Class: Minor - Other
Principal Uses
Address: Central Garage Applicant Mr Paul Taylor
Ty-mawr Lane
Llandaff North
Cardiff
CF14 2BB
Proposal: Lifting of the central section of the existing roof
Decision Date 08/12/2023 Decision: Permission Granted

LLANISHEN

Application No. 23/02157/HSE Date Valid: 21/09/2023 Type: HSE Statutory Class: Householder
Address: 21 Mill Close Applicant Ms C Thomas
Llanishen
Cardiff
CF14 0XQ
Proposal: Erection of first floor front extension over garage. Extension to existing side dormer.
Decision Date 06/12/2023 Decision: Permission Granted

Application No. 23/02881/WTTPP Date Valid: 08/12/2023 Type: WTTPi Statutory Class: Other Consent
Types
Address: 35 South Rise Applicant Mr Gareth Cooper
Llanishen
Cardiff
CF14 0RF
Proposal: Re-Pollard to old Pollarding Points and clearance of telephone wires.
Decision Date 12/12/2023 Decision: GRANT - Works to Trees

Application No. 23/02084/VAR Date Valid: 13/09/2023 Type: VAR Statutory Class: Renewals and
Variation of
Conditions

Address: 4 Mill Close Applicant Mr Hywel Jones
Llanishen
Cardiff
CF14 0XQ

Proposal: Extension of dwelling to form a separate dwelling unit on adjacent land. (Approved 21 November 2022 - 22/01625/MNR):-
Variation of conditions 2 (Approved Plans) and 13 (Cycle Parking Details) of 22/01625/MNR to amend the approved scheme as follows:
1) The development, unless otherwise required by the ensuing conditions, shall be carried out in accordance with the following approved plans and details:
A(P)-02-rev1 - Site Plan
A(P)-03-rev1 - Plans - Existing and proposed.
A(P)-04 Existing Elevations
A(P)-05-rev1 - Proposed Elevations
2) The approved cycle details shall be implemented prior to the development being put into beneficial use. Thereafter the cycle parking spaces shall be maintained and not be used for any other purpose.

Decision Date 13/12/2023 Decision: Permission Granted

LLANRUMNEY

Application No. 23/02547/DOC Date Valid: 01/11/2023 Type: DOC Statutory Class: Discharge of Conditions

Address: Llanrumney Play Applicant N/A
Centre
Braunton Crescent
Llanrumney
Cardiff
CF3 5HT

Proposal: Discharge of Condition 3 (Material Samples) of 20/01643/MJR

Decision Date 05/12/2023 Decision: Full Discharge of Condition

Application No. 23/01040/HSE Date Valid: 14/06/2023 Type: HSE Statutory Class: Householder

Address: 29 Browning Close Applicant Mr Abdul Rouf
Llanrumney
Cardiff
CF3 5NJ

Proposal: Demolition of a single storey garage to the side and construction of a two storey side extension and single storey rear extension including a replacement garage and porch

Decision Date 20/12/2023 Decision: Permission Granted

PENTYRCH AND ST FAGANS

Application No. 23/02687/NMA Date Valid: 14/11/2023 Type: NMA Statutory Class: General Regulations

Address: Ysgol Gynradd Applicant Mr Martin Burrows
Gwaelod Y Garth
Main Road
Gwaelod-y-garth
Cardiff
CF15 9HJ

Proposal: Proposed Non-Material Amendment to Planning Permission 23/00923/FUL to allow for the installation of solar panels to the south east pitch of the roof of the proposed classroom block.

Decision Date 12/12/2023 Decision: Permission Granted

Application No. 23/02292/DOC Date Valid: 05/10/2023 Type: DOC Statutory Class: Discharge of Conditions

Address: Phase 3 Of Land Applicant Mr Darryl Rowlands
North Of Junction 33
Of The M4,
Cardiff

Proposal: Discharge of Condition 35 (Phase 3) (Construction Environmental Management Plan) of 14/00852/DCC

Decision Date 19/12/2023 Decision: Full Discharge of Condition

Application No. 21/01027/MNR Date Valid: 26/04/2021 Type: FUL Statutory Class: Minor - Dwellings (C3)

Address: Elm Cottage Applicant Courtney
Heol-Y-Parc
Pentyrch
Cardiff
CF15 9NB

Proposal: PROPOSED CONVERSION OF EXISTING BARN TO 3 SELF CONTAINED TOURISM UNITS
Decision Date 08/12/2023 Decision: Refuse

PENYLAN

Application No. 23/02328/VAR Date Valid: 16/10/2023 Type: VAR Statutory Class: Renewals and
Variation of
Conditions

Address: Avenue Retail Park Applicant UKVB LuxCo 1 S.`a.r.l
Newport Road
Penylan
Cardiff

Proposal: Variation of condition 19 of permission 03/2933R to enable 929 square metres food retail sales and 232 square metres non food retail sales floorspace from unit 4 (as identified on plan (D)PO1 Rev C) (Approved 4 April 2008):-

Variation of condition 19 (permitted goods) of 07/02064/E to amend the approved scheme as follows: 1)
Extend the range of goods permitted to be sold

Decision Date 14/12/2023 Decision: Permission Granted

Application No. 23/02285/HSE Date Valid: 02/10/2023 Type: HSE Statutory Class: Householder

Address: 29 Brandreth Road Applicant Mr. Wassam Al-Madi
Penylan
Cardiff
CF23 5NW

Proposal: Ground floor rear extension, 2 storey side extension, rear dormer and gym room.

Decision Date 04/12/2023 Decision: Refuse

Application No. 23/02082/HSE Date Valid: 08/09/2023 Type: HSE Statutory Class: Householder

Address: 10 Carisbrooke Way Applicant Mr Munayum Mustafa
Penylan
Cardiff
CF23 9HS

Proposal: Single storey rear extension, rear dormer loft conversion, pitched to gable end roof and external alterations.

Decision Date 01/12/2023 Decision: Permission Granted

Application No. 23/01779/HSE Date Valid: 24/08/2023 Type: HSE Statutory Class: Householder

Address: 41 Queenwood Applicant mr mohammad amin
Penylan
Cardiff
CF23 9LE

Proposal: Single storey side, rear and front extensions.

Decision Date 08/12/2023 Decision: Permission Granted

Application No. 23/02512/HSE Date Valid: 30/10/2023 Type: HSE Statutory Class: Householder

Address: 42 Brandreth Road Applicant Mr P Jensen
Penylan
Cardiff
CF23 5LB

Proposal: Conversion of existing conservatory to lounge, including new roof.

Decision Date 06/12/2023 Decision: Permission Granted

PLASNEWYDD

Application No. 23/02337/HSE Date Valid: 09/10/2023 Type: HSE Statutory Class: Householder

Address: 23 Boverton Street Applicant Mr James Davis
Roath
Cardiff
CF23 5ES
Proposal: Replacement of original railings and a gate to the front boundaries
Decision Date 07/12/2023 Decision: Permission Granted

Application No. 23/02294/REN Date Valid: 02/10/2023 Type: REN Statutory Class: Minor - Dwellings (C3)

Address: 9 Fair oak Road Applicant Abraham Aseeley
Roath
Cardiff
CF23 5HH
Proposal: Renewal of 18/01912/MNR -Conversion of 6 bedroom property into 4 self contained flats.
Decision Date 20/12/2023 Decision: Permission Granted

Application No. 23/02149/FUL Date Valid: 15/09/2023 Type: FUL Statutory Class: Householder

Address: 246 City Road Applicant Mr Arshad Ahmad
Roath
Cardiff
CF24 3JJ
Proposal: First floor rear extension and rear dormer to create 2 additional flats
Decision Date 28/12/2023 Decision: Refuse

Application No. 23/02920/PRAP Date Valid: 14/12/2023 Type: PRAP Statutory Class: Other Consent Types

Address: 195 - 197 City Road Applicant Mr M Cocks
Roath
Cardiff
CF24 3JB
Proposal: Demolition of the former Gaiety Cinema
Decision Date 15/12/2023 Decision: Prior Approval Granted

Application No. 23/02717/PRNO Date Valid: 17/11/2023 Type: PRNO Statutory Class: Other Consent Types

Address: 195 - 197 City Road Applicant Mr M Cocks
Roath
Cardiff
CF24 3JB
Proposal: Demolition of the former Gaiety Cinema
Decision Date 14/12/2023 Decision: Prior Approval Required

Application No. 23/02383/HSE Date Valid: 12/10/2023 Type: HSE Statutory Class: Householder

Address: 10 Timbers Square Applicant Phil Evans
Roath
Cardiff
CF24 3SG
Proposal: Erection of single storey side garage extension
Decision Date 14/12/2023 Decision: Permission Granted

PONTRENNAU AND OLD ST MELLONS

Application No. 23/02730/CLPUD Date Valid: 22/11/2023 Type: CLPUI Statutory Class: Other Consent Types

Address: 7 Bramshill Drive Applicant Mr Sujith Thomas
Pontprennau
Cardiff
CF23 8NX
Proposal: Proposed garage conversion & internal modifications
Decision Date 14/12/2023 Decision: Permission Granted

Application No. 23/02237/CLPUD Date Valid: 27/10/2023 Type: CLPUI Statutory Class: Other Consent Types

Address: 45 Hastings Crescent Applicant Mr & Mrs N Mulholland
Old St Mellons
Cardiff
CF3 5DF
Proposal: Conversion of integral garage to store and utility room, provision of replacement parking on forecourt
Decision Date 13/12/2023 Decision: Permission Granted

Application No. 23/02050/HSE Date Valid: 04/09/2023 Type: HSE Statutory Class: Householder

Address: 54 Dartington Drive Applicant Mr Tomas Doughty
Pontprennau
Cardiff
CF23 8SA

Proposal: Convert garage to single storey side extension with further extension to rear.
Decision Date 04/12/2023 Decision: Permission Granted

RADYR AND MORGANSTOWN

Application No. 23/02574/NMA Date Valid: 03/11/2023 Type: NMA Statutory Class: Non Material Amendment

Address: Pocket Park At Parc Applicant - - -
Plymouth
Radyr
Cardiff
CF15 8GW

Proposal: Proposed Non-Material Amendment to reserved matters approval 16/02016/MJR- Changes to the landscaping in the open space in the north east of the site.
Decision Date 13/12/2023 Decision: Permission Granted

Application No. 23/02405/HSE Date Valid: 16/10/2023 Type: HSE Statutory Class: Householder

Address: 52 Windsor Avenue Applicant Mr Adam Hussein
Radyr
Cardiff
CF15 8BY

Proposal: New front porch, garage, extended driveway, dropped kerb, ground floor rear extension, first floor rear extension, and new front and rear dormers to the first and loft floors respectively.
Decision Date 14/12/2023 Decision: Permission Granted

Application No. 23/02575/NMA Date Valid: 14/11/2023 Type: NMA Statutory Class: Non Material Amendment

Address: Pocket Park At Parc Applicant -
Plymouth
Radyr
Cardiff
CF15 8GW

Proposal: Proposed Non-Material Amendment to Planning Permission 14/02157/MJR- Revision to details of the Drainage scheme for Llantrisant Road North- Northern Catchment that were agreed under application 21/02785/MJR in discharge of condition 33 of 14/02157/MJR
Decision Date 15/12/2023 Decision: Permission Granted

Application No. 23/02755/CLPUD Date Valid: 22/11/2023 Type: CLPUD Statutory Class: Other Consent Types

Address: 3 Windsor Grove Applicant Mr & Mrs James Armstrong
Radyr
Cardiff
CF15 8DA

Proposal: Side extension to existing dwelling house
Decision Date 15/12/2023 Decision: Refuse

Application No. 23/02457/VAR Date Valid: 27/10/2023 Type: VAR Statutory Class: Renewals and Variation of Conditions

Address: 15 Heol Syr Lewis Applicant sabitur rahman
Morganstown
Cardiff
CF15 8LE

Proposal: Single storey wrap around extension to side and rear of property (Approved 7 December 2020-20/02218/DCH):-
Variation of condition 2 (Approved Plans) of 20/02218/DCH to amend the approved scheme as follows:
1) amendments to roof style

Decision Date 18/12/2023 Decision: Permission Granted

RHIWBINA

Application No. 23/00082/HSE Date Valid: 24/02/2023 Type: HSE Statutory Class: Householder

Address: 11 Y Groes Applicant mr John Moseley
Rhiwbina
Cardiff
CF14 6DX

Proposal: Replacement of 4 no single-glazed windows and French doors with double-glazed items

Decision Date 01/12/2023 Decision: Permission Granted

Application No. 23/00083/LBC Date Valid: 24/02/2023 Type: LBC Statutory Class: Listed Buildings

Address: 11 Y Groes Applicant mr John Moseley
Rhiwbina
Cardiff
CF14 6DX

Proposal: Replacement of 4 no single-glazed windows and French doors with double-glazed items

Decision Date 01/12/2023 Decision: Permission Granted

Application No. 22/03008/HSE Date Valid: 09/01/2023 Type: HSE Statutory Class: Householder

Address: 68 Beulah Road Applicant Mr Tom Breislin
Rhiwbina
Cardiff
CF14 6LY

Proposal: Extension to side and alterations including roof dormer to create upstairs living space

Decision Date 13/12/2023 Decision: Permission Granted

Application No. 23/02142/HSE Date Valid: 21/09/2023 Type: HSE Statutory Class: Householder

Address: 145 Pantmawr Road Applicant Mr James Murphy
Rhiwbina
Cardiff
CF14 6US

Proposal: Part single part two storey rear and side extension.

Decision Date 12/12/2023 Decision: Permission Granted

Application No. 23/02545/HSE Date Valid: 30/10/2023 Type: HSE Statutory Class: Householder

Address: 21 Lon-y-dderwen Applicant Mrs Jennifer Ferry
Rhiwbina
Cardiff
CF14 6JQ

Proposal: Hip to Gable Roof Rear Extension to Rear Elevation and a Rear and Side Extension

Decision Date 19/12/2023 Decision: Permission Granted

Application No. 21/02527/DCH Date Valid: 27/11/2021 Type: HSE Statutory Class: Householder

Address: 21 Heol Derlwyn Applicant Mr & Mrs Kumar
Rhiwbina
Cardiff
CF14 6JU

Proposal: DEMOLITION OF EXISTING CONSERVATORY AND GARAGE AND CONSTRUCTION OF REAR SINGLE STOREY EXTENSION AND DOUBLE STOREY SIDE EXTENSION, INCREASE IN ROOF HEIGHT AND NEW FRONT GABLE AND ASSOCIATED ALTERATIONS

Decision Date 08/12/2023 Decision: Refuse

Application No. LBC/22/00034/DC Date Valid: 26/05/2022 Type: LBC Statutory Class: Listed Buildings
Address: 1 Y Groes Applicant Mr Baird
Rhiwbina
Cardiff
CF14 6DX
Proposal: REPLACEMENT OF THREE WINDOWS :
1. DOWNSTAIRS BAY WINDOW AT FRONT OF HOUSE
2. UPSTAIRS WINDOW AT FRONT OF HOUSE
3. UPSTAIRS WINDOW AT THE BACK OF THE HOUSE
Decision Date 06/12/2023 Decision: Refuse

Application No. 22/01136/DCH Date Valid: 26/05/2022 Type: HSE Statutory Class: Householder
Address: 1 Y Groes Applicant Mr Baird
Rhiwbina
Cardiff
CF14 6DX
Proposal: REPLACEMENT OF THREE WINDOWS :
1. DOWNSTAIRS BAY WINDOW AT FRONT OF HOUSE
2. UPSTAIRS WINDOW AT FRONT OF HOUSE
3. UPSTAIRS WINDOW AT THE BACK OF THE HOUSE
Decision Date 06/12/2023 Decision: Refuse

Application No. 23/02224/HSE Date Valid: 25/09/2023 Type: HSE Statutory Class: Householder
Address: 1 Heol Derlwyn Applicant Derrick and Gill Ward
Rhiwbina
Cardiff
CF14 6JU
Proposal: Front roof extension and dormer
Decision Date 04/12/2023 Decision: Permission Granted

Application No. 23/02281/HSE Date Valid: 03/10/2023 Type: HSE Statutory Class: Householder
Address: 8 Ash Grove Applicant Mr Ryan Edwards
Whitchurch
Cardiff
CF14 1BE
Proposal: Removal of old conservatory, new second storey side extension with hidden inset flat roof for
photovoltaics installation
Decision Date 01/12/2023 Decision: Permission Granted

Application No. 23/01938/FUL Date Valid: 21/08/2023 Type: FUL Statutory Class: Householder
Address: 46 Heol Iscoed Applicant Mel Butler
Rhiwbina
Cardiff
CF14 6PB
Proposal: Demolition of existing bungalow and detached garage, and replace with new bungalow, garden room
and associated external works including alternative vehicular access.
Decision Date 01/12/2023 Decision: Permission Granted

Application No. 23/01971/HSE Date Valid: 29/08/2023 Type: HSE Statutory Class: Householder
Address: 19 Pen-y-dre Applicant Mr Steve Thole
Rhiwbina
Cardiff
CF14 6EH
Proposal: Replace UPVC conservatory with single storey pitched roof rear extension. New single storey outhouse
to side replacing existing sheds.
Decision Date 20/12/2023 Decision: Permission Granted

Application No. 23/01972/LBC Date Valid: 23/08/2023 Type: LBC Statutory Class: Listed Buildings

Address: 19 Pen-y-dre Applicant Mr Steve Thole
Rhiwbina
Cardiff
CF14 6EH

Proposal: Replace UPVC conservatory with single storey pitched roof rear extension. New single storey outhouse to side replacing existing sheds.

Decision Date 20/12/2023 Decision: Permission Granted

Application No. 23/02976/WTTPP Date Valid: 19/12/2023 Type: WTTPP Statutory Class: Other Consent Types

Address: 50 Beulah Road Applicant Mr Paul Snook
Rhiwbina
Cardiff
CF14 6LX

Proposal: T1. Large English Oak- Quercus Robur to be crown lifted and any dead wood to be removed
T2. Tree is located to the front of the property
T3. Tree to be lifted 1-2 metres

Decision Date 21/12/2023 Decision: GRANT - Works to Trees

Application No. 23/01715/HSE Date Valid: 24/07/2023 Type: HSE Statutory Class: Householder

Address: 29 Wenallt Road Applicant Andrew & Emma Scott-Davies
Rhiwbina
Cardiff
CF14 6SA

Proposal: Proposed two storey side extension and associated works.

Decision Date 01/12/2023 Decision: Permission Granted

RIVERSIDE

Application No. 23/02864/WTTPP Date Valid: 05/12/2023 Type: WTTPP Statutory Class: Other Consent Types

Address: St Catherine's Church Applicant Mrs Susan Parsons
King's Road
Pontcanna
Cardiff
CF11 9DE

Proposal: 1. Hornbeam, ref 1 on plan. Crown reduction 4 - 5m minimum, prune overhanging branches. 2. Yew trees ref 10 and 19. prune 1.5m - 2m 3. Lime tree ref 18. Prune to previous levels.

Decision Date 15/12/2023 Decision: GRANT - Works to Trees

Application No. 23/01202/FUL Date Valid: 31/05/2023 Type: FUL Statutory Class: Minor - Dwellings (C3)

Address: 1 King's Road Applicant Mr Graham Griffiths
Pontcanna
Cardiff
CF11 9BZ

Proposal: Removal of shopfront and change of use From Class A2 to 2 no. One Bedroom Flats with alterations to elevations.

Decision Date 11/12/2023 Decision: Permission Granted

Application No. 23/02521/FUL Date Valid: 30/10/2023 Type: FUL Statutory Class: Minor - Other Principal Uses

Address: 217A Cathedral Road Applicant Ms Ceri O'Donnell
Pontcanna
Cardiff
CF11 9PP

Proposal: Change of use from use class A1 and A2 retail to a skin treatment clinic (Sui Generis)

Decision Date 06/12/2023 Decision: Permission Granted

Application No. 23/02527/HSE Date Valid: 31/10/2023 Type: HSE Statutory Class: Householder

Address: 17 Teilo Street Applicant Mr Iestyn Thomas
Pontcanna
Cardiff
CF11 9JN

Proposal: Single storey rear extension
Decision Date 06/12/2023 Decision: Permission Granted

Application No. 23/02800/WTCA Date Valid: 28/11/2023 Type: WTCA Statutory Class: Other Consent Types

Address: 5 Talbot Street Applicant Simon Ackland And Sheila Vy;
Pontcanna
Cardiff
CF11 9BW

Proposal: We have consulted with Paul Owens, Cardiff Treescapes:-

'Section fell bay tree to approx ground level and grind out stump to approx 12 inches below ground level.'

The Bay Tree is located in the back garden of 5 Talbot Street, next to the party wall shared with 3 Talbot Street.

Decision Date 01/12/2023 Decision: GRANT - Works to Trees

Application No. 23/01870/HSE Date Valid: 04/09/2023 Type: HSE Statutory Class: Householder

Address: 12 Hamilton Street Applicant Mr & Mrs Bolwell
Pontcanna
Cardiff
CF11 9BP

Proposal: Erection of single storey side extension, new garden room and internal and external alterations.

Decision Date 20/12/2023 Decision: Permission Granted

Application No. 23/02597/HSE Date Valid: 02/11/2023 Type: HSE Statutory Class: General Regulations

Address: 88 Wyndham Crescent Applicant Nick Forder
Pontcanna
Cardiff
CF11 9EF

Proposal: Conversion of the existing roof space including rear dormer to provide an additional bedroom and bathroom.

Decision Date 06/12/2023 Decision: Permission Granted

Application No. 23/02137/FUL Date Valid: 05/10/2023 Type: FUL Statutory Class: Minor - Dwellings (C3)

Address: St Hilary Lodge Applicant Mr Hugo Souto
150 Cathedral Road
Pontcanna
Cardiff
CF11 9JB

Proposal: Change of use from B and B to dwelling with single storey rear and side extension, new dormer and erection of garage

Decision Date 01/12/2023 Decision: Permission Granted

RUMNEY

Application No. 23/02536/DOC Date Valid: 31/10/2023 Type: DOC Statutory Class: Discharge of Conditions

Address: Eastern High School Applicant N/A
Newport Road
Rumney
Cardiff
CF3 3XG

Proposal: Discharge of Conditions 5 (Remediation Verification) and 7 (Soil Validation) of 18/02519/MJR

Decision Date 22/12/2023 Decision: Partial Discharge of Condition (s)

Application No. 23/02283/HSE Date Valid: 02/10/2023 Type: HSE Statutory Class: Householder

Address: 28 Ty-fry Road Applicant MR TERRY BISHOP
Rumney
Cardiff
CF3 3JN

Proposal: Single storey side extension for disabled facilities
Decision Date 14/12/2023 Decision: Permission Granted

SPLOTT
Application No. 23/02504/FUL Date Valid: 27/10/2023 Type: FUL Statutory Class: Minor - Offices (B1(a))

Address: Unit 1 Applicant Mr Mark Greenman
East Moors Business
Park
East Moors Road
Splott
Cardiff
CF24 5JX

Proposal: Change of use from D2 to B1
Decision Date 01/12/2023 Decision: Permission Granted

Application No. 23/01979/FUL Date Valid: 24/08/2023 Type: FUL Statutory Class: Minor - Retail (A1-A3)

Address: Charnwood House Applicant Daisyvale Ltd
Ocean Way
Splott
Cardiff
CF24 5HF

Proposal: Change of use of ground floor area to retail use
Decision Date 19/12/2023 Decision: Permission Granted

Application No. 23/02329/FUL Date Valid: 09/10/2023 Type: FUL Statutory Class: Minor - Dwellings (C3)

Address: 153 Habershon Street Applicant Rhodri Meredith
Splott
Cardiff
CF24 2LA

Proposal: Conversion of 5 bedroom dwelling to 5 bedroom HMO.
Decision Date 20/12/2023 Decision: Permission Granted

TROWBRIDGE
Application No. 23/01937/FUL Date Valid: 21/08/2023 Type: FUL Statutory Class: Major - Other Principal Uses

Address: Melrose Hall Applicant Hallmark Care Homes Limited
Cypress Drive
St Mellons
Cardiff
CF3 0YZ

Proposal: Demolition of existing buildings and construction of a care home (Use Class C2) with associated facilities, landscaping, services and infrastructure works.
Decision Date 27/12/2023 Decision: Permission Granted

Application No. 23/02567/HSE Date Valid: 13/11/2023 Type: HSE Statutory Class: Householder

Address: 133 Heritage Park Applicant Mr Nathan Howells
Trowbridge
Cardiff
CF3 0DS

Proposal: Single Storey Conservatory to Rear
Decision Date 28/12/2023 Decision: Permission Granted

Application No. 23/00593/DOC Date Valid: 21/03/2023 Type: DOC Statutory Class: Discharge of Conditions

Address: Land Off Willowbrook Applicant N/A
Drive
St Mellons

Proposal: Discharge of Condition 9 (Details of the Pedestrian and Future Vehicular Link to the Playing Fields to the North) of 21/00770/MJR
Decision Date 19/12/2023 Decision: Full Discharge of Condition

Application No. 23/02763/CLPUD Date Valid: 22/11/2023 Type: CLPUI Statutory Class: Other Consent Types
Address: 6 Clos Elphan Applicant Dr Tiru Nootigattu
Trowbridge
Cardiff
CF3 2AE
Proposal: Rear lean-to extension, front porch and part garage conversion infill
Decision Date 15/12/2023 Decision: Refuse

Application No. 23/02340/DOC Date Valid: 09/10/2023 Type: DOC Statutory Class: Discharge of Conditions
Address: Wentloog Applicant Chris Murray
Environmental Centre
Newlands Road
Trowbridge
Cardiff
CF3 2EU
Proposal: Discharge of Condition 19 (Ecological Surveys) of 22/01647/MJR
Decision Date 15/12/2023 Decision: Full Discharge of Condition

WHITCHURCH AND TONGWYNLAIS

Application No. 23/01758/HSE Date Valid: 28/07/2023 Type: HSE Statutory Class: Householder
Address: 56 Ty Newydd Applicant Heledd Morgan
Whitchurch
Cardiff
CF14 1NQ
Proposal: Estyniad ochr newydd a newidiadau mewnol ac allanol.
Decision Date 18/12/2023 Decision: Permission Granted

Application No. 23/02098/FUL Date Valid: 03/10/2023 Type: FUL Statutory Class: Householder
Address: 16 Mervyn Road Applicant Arfon John
Whitchurch
Cardiff
CF14 1PR
Proposal: Single storey rear extension and internal alterations.
Decision Date 01/12/2023 Decision: Permission Granted

Application No. 23/02643/DOC Date Valid: 09/11/2023 Type: DOC Statutory Class: Discharge of Conditions
Address: Y Berllan Applicant Roberts
6 Rushbrook Close
Whitchurch
Cardiff
CF14 2BN
Proposal: Discharge of Condition 5 (Biodiversity Enhancement) of 23/02243/FUL
Decision Date 08/12/2023 Decision: Full Discharge of Condition

Application No. 23/01773/FUL Date Valid: 15/08/2023 Type: FUL Statutory Class: Minor - Retail (A1-A3)
Address: Asda Cardiff Coryton Applicant Mr Bob Greeb
Longwood Drive
Whitchurch
Cardiff
CF14 7EW
Proposal: Proposed hand car wash and associated facilities including cabin, canopied dry area and wet area.
Decision Date 06/12/2023 Decision: Permission Granted

Application No. 23/02398/LBC Date Valid: 13/10/2023 Type: LBC Statutory Class: Listed Buildings

Address: 3 Wyndham Street Applicant Mrs Gwyneth Murphy
Tongwynlais
Cardiff
CF15 7LN

Proposal: New central heating system including radiators, boiler and flue.

Decision Date 06/12/2023 Decision: Permission Granted

Application No. 23/02399/HSE Date Valid: 25/10/2023 Type: HSE Statutory Class: Householder

Address: 42 Westbourne Road Applicant Mr Ryan Hession
Whitchurch
Cardiff
CF14 2BS

Proposal: Demolish existing single storey rear extension and sun room. Replace with new part single, part two storey rear extension.

Decision Date 14/12/2023 Decision: Permission Granted

Application No. 23/01902/WTCA Date Valid: 15/08/2023 Type: WTCA Statutory Class: Other Consent Types

Address: 21 Alfreda Road Applicant Mrs Judith Evans
Whitchurch
Cardiff
CF14 2EH

Proposal: T1 Magnolia - Minor lift over pavement to allow more room for pedestrians. Minor reduction of 1 to 1.5 metres of stem growing toward house (Stem 4 in Photo)

Decision Date 11/12/2023 Decision: GRANT - Works to Trees

Application No. 23/02715/WTTPP Date Valid: 15/11/2023 Type: WTTPP Statutory Class: Other Consent Types

Address: Velindre Cancer Applicant Mr Thomas Morris
Centre
Velindre Road
Whitchurch
Cardiff
CF14 2TQ

Proposal: T64 - European Lime(Tilia x europaea). Light pruning to be carried out to facilitate access to the area partially beneath the canopy of the tree, removing secondary branches only employing natural target pruning, supervised by the project arboriculturalist as outlined in the method statement. Excavations in the RPA of the tree, supervised by the project arboriculturalist using an air spade, pruning of some minor roots below 25mm in diameter to enable ducting to be installed around larger roots.

Decision Date 01/12/2023 Decision: GRANT - Works to Trees

Application No. 23/02491/HSE Date Valid: 27/10/2023 Type: HSE Statutory Class: Householder

Address: 24 Pendwyallt Road Applicant Mr David Chaundy
Whitchurch
Cardiff
CF14 7EG

Proposal: Demolition of existing rear extension and new single storey rear extension as per drawings.

Decision Date 14/12/2023 Decision: Permission Granted

Application No. 23/02544/HSE Date Valid: 06/11/2023 Type: HSE Statutory Class: Householder

Address: 95 Bishop's Road Applicant Mr Rob Paige
Whitchurch
Cardiff
CF14 1LX

Proposal: Single storey extension to rear and side of house. Roof extension including hip to gable conversion and rear dormer.

Decision Date 20/12/2023 Decision: Permission Granted

Application No. 23/02166/NMA Date Valid: 19/09/2023 Type: NMA Statutory Class: Non Material Householder

Address: 15 Foreland Road Applicant Mr Mark Soanes

Whitchurch

Cardiff

CF14 7AR

Proposal: Proposed Non-Material Amendment to Planning Permission 21/02799/DCH- to retain the pitched roof in place of the approved flat roof

Decision Date 01/12/2023 Decision: Permission Granted

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