

LOCAL MEMBER OBJECTIONS & PETITION

COMMITTEE DATE: 15/03/2017

APPLICATION No. **16/02196/MJR** APPLICATION DATE: 19/09/2016

ED: **CANTON**

APP: TYPE: Full Planning Permission

APPLICANT: Ahmadiyya Muslim Association

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

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

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

1. The application fails to address the vehicular trip generation that is likely to occur from the proposed development and therefore fails to demonstrate that the development will not cause unacceptable harm to safe and efficient operation of the local highway network, contrary to the provisions of Policies T6 and C1 (iv) of the Cardiff Local Development Plan (January 2016).

1. **DESCRIPTION OF PROPOSED DEVELOPMENT**

- 1.1 Permission is sought for the change of use, alterations and extensions to form Class D1 (Non-Residential Institutions) place of worship, including two-storey mosque with minaret, dome, attached two-storey Imam's residence and single-storey detached community hall together with parking and associated works at the former premises of Ian Williams Ltd, Sanatorium Road, Canton.
- 1.2 In addition to a place of worship, the site will be used for education, training, charity fundraising and other ancillary community use purposes. The planning statement accompanying the application states that the community events will include religious festivals, up to 2 weddings and up to 2 charitable lunches/dinners. The facility would also be available for private hire by external groups.
- 1.3 The ground floor comprises approximately 190 square metres and will include a women's prayer room, library/office, nursery, and toilet facilities.

- 1.4 The proposed extensions and alterations to the main building include:
- (i) Approximately 183 square metres additional floorspace at first floor to create men's prayer room, guest sitting area, office, store, lobby and toilet facilities, resulting in an increase in building height from approximately 6 metres to approximately 7.5 metres;
 - (ii) A minaret to the roof (up to 18 metres above ground level);
 - (iii) A dome to the roof (up to 13 metres above ground level);
 - (iv) Amendments to window and door openings to create traditional arched openings;
 - (v) Through coloured render applied to external walls;
 - (vi) Reconstituted stone detail course added at eaves level and first floor level.
- 1.5 The two-storey three bedroom Imam's Residence would be constructed and attached to the rear (north) elevation of the main building and would abut the east site boundary. The new build element would have a footprint of approximately 104 square metres and would be dual access, with its principal entrance onto Sanatorium Road. The dwelling would be approximately 6 metres high to eaves and 7 metres high to roof ridge. The pitched roof would be screened by parapet walling to all sides to a height of approximately 7 metres.
- 1.6 At ground floor the dwelling would contain a study, lounge, store, w.c., kitchen and dining room. Three bedrooms would be located at first floor (including one ensuite bedroom), with a family bathroom, together with a family bathroom. A private external amenity area of approximately 70 square metres would adjoin the west elevation.
- 1.7 The proposed detached single-storey Community Hall would be located at the rear of the site adjacent to the north site boundary. The hall would be approximately 7 metres to ridge and comprises a total floor space of approximately 254 square metres, of which approximately 110 square metres comprises an extension to include kitchen, storage and toilet facilities and circulation space. Approximately 144 square metres will comprise a community/dining hall. The building would be finished in through coloured render.
- 1.8 Excluding the Imam's residence, the proposed new floorspace comprises approximately 321 square metres. The total floor space proposed for Class D1 Place of Worship use comprises approximately 718 square metres (including the Community Hall). The Imam's residence will comprise approximately 200 square metres.
- 1.9 19 no. car parking spaces would be provided within the site, of which 3 no. would be disabled spaces and 2 would be designated for the Imam's residence. The Design and Access Statement accompanying the application states: *"Many of AMA's members who travel by private car are likely to be families or friends and therefore there will be high levels of car sharing, which will minimise the amount of local traffic along Sanatorium Road and the surrounding area. The site currently has 16 car parking spaces."* (paragraph 2.2.5).

1.10 Five services will occur each day and would vary according to the season: 05:00, 13:30, 17:30, 20:15 and 21:00. A Friday lunchtime service will also take place between 13:00 and 14:00. The timing of each service will alter slightly according to the sunrise and sunset. The duration of each service will last between 15 and 20 minutes.

1.11 The Transport Statement accompanying the application states:

- (i) The busiest service will take place during a typical Friday lunchtime (13:00-14:00), where up to 30 members could be in attendance. At all other service times, attendance numbers will be far lower (5.2.5);
- (ii) 50% of members live within a one to two mile radius of the site, and are therefore likely to arrive on foot, cycle, or make use of nearby public transport facilities (5.2.6);
- (iii) The typical AM peak hour (08:00-09:00) will not be affected as there are no planned services after 05:00; the next planned service being at 13:30 (5.2.7);
- (iv) There is however a planned PM peak hour service at 17:30. Members are likely to arrive and depart during this peak hour period (17:00-18:00) given that service duration is not expected to exceed 20 minutes (5.2.8);
- (v) It has been assumed for assessment purposes that a maximum of 20 worshipers will attend this particular service. Given the site's close proximity to a large residential catchment, and that 50% of members live within a one to two mile radius of the site, it is reasonable to assume that 50% of members will arrive via sustainable means i.e. walking, cycling or public transport. The remaining 10 members are therefore assumed to arrive via private car (5.2.9);
- (vi) It has also been assumed that two members will arrive in each vehicle, resulting in a maximum of five arrivals and five departures during a typical PM peak hour i.e. 10 two-way vehicular trips (5.2.10);
- (vii) There are a total of 144 Ahmadiyya Muslims in the area that could benefit from the [Eid] service (5.2.15). However, it is anticipated that up to 100 of these will attend the proposed Sanatorium Road site during Eid festivals, as it is common for a significant percentage to instead take part in far larger events e.g. those held in London;
- (viii) One of the rituals observed by worshippers during Eid festivals is to walk to and from the place of worship and to take a different route to and from the site (5.2.17);
- (ix) This effectively removes the likelihood of any additional vehicular traffic attending the site during Eid gatherings to that described under normal service conditions (5.2.18);
- (x) In addition, the [Eid] service will typically commence at 10.00am and conclude at 11.30am; i.e. mid-morning peak hour. Worshipers will arrive on time and depart soon after, to enable them to continue celebrations with their family and friends at home (5.2.19).

1.12 A Flood Consequences Assessment has been submitted in support of the application.

1.13 The agent has submitted the following additional information on 20th December 2016 in response to comments received from the Operational Manager, Transportation:

- (i) The site already has consent for the intended use and the proposed increase is negligible. The report seems to be treating this new application as an entirely new use;*
- (ii) The TRICS approach suggested as being more appropriate than the 1st principles method we have used (as was accepted for phase 1) is assuming that membership and trip attraction increase proportionate to the Gross Floor Area (GFA). This cannot be true as religious establishments would relocate to large out of town warehousing-style units up and down the county, with large car parks, to increase attendance numbers. This theory does not correlate with the real world scenario for all religious groups, as attendance numbers are typically very low across all. Also, as mentioned above, the approach suggested results in the application site having far more trips (due to factoring according to GFA) than the donor site, despite clearly having far fewer members, which again doesn't add up.*
- (iii) The report then goes on to question the community use trip forecasts; we've simply used standard parameters. Sites chosen within the attached report seem to have been selected, artificially to an extent, which has inadvertently meant that the numbers have increased. However, having said that, the difference shown in the attached is negligible, and will not have a material impact on the highway network surrounding the site.*
- (iv) The key point to this application is the site location, which is entirely sustainable in transport terms; all sustainable transport choices are available i.e. walking, cycling and public transport. The low level of parking on site will also curtail private car use, as car parking provision is the best way to influence modal choice; the lower the better in locations such as this as limited parking will help to deter private car travel.*
- (v) We genuinely feel that there is no issue from a highway and transportation perspective, especially during the network peak hours, the impact during which will be minimal.*

1.14 Following a further dialogue with the Council's Highways Officers, the agent submitted the following further information in February 2017:

- (i) The majority of members working or in education would not attend the place of worship whilst fulfilling work or education commitments during the course of the day. The exception to this rule would be Friday lunchtime prayers when members may make a special effort to attend on lunch breaks. However, for the majority of other prayer times the trip is likely to originate from home.*
- (ii) The first principals, i.e. information provided by the applicant, approach was accepted previously by the Local Planning Authority (LPA) and HA when granting planning permission reference: 14/01523/DCO for the use of the site for Class D1 purposes. Ahmadi is a minority Islamic faith making up approximately 0.5%-1% of the Islamic population (we have*

adopted 0.75% for the purpose of calculations). The wider Islamic community are not able to attend Ahmadi places of worship and vice versa because of significant doctrinal differences. This is why, therefore, using first principals is considered the best approach, as was accepted previously in granting planning permission at the site. It is unclear why the HA has adopted a different approach in respect of what is a minor planning application (less than 1,000 sq m gross) where the principle of the use of the site by the Ahmadi community for its purposes has already been accepted and permitted. This is a material consideration that must be attached significant weight and cannot simply be ignored.

- (iii) The planning application before the Council differs only from that already approved in terms of external appearance, a relatively small amount additional floorspace to enable qualitative improvements to the facilities for members, i.e. kitchen, toilet, lift, shoe racking and other facilities, with the most significant change being the addition of an Imam's residence. There is no change to membership, the numbers of worshippers anticipated or trip rates for the Class D1 use. The only change in anticipated trips is associated with the inclusion of an on-site Imam's residence which in highway terms is considered more sustainable than the alternative of commuting from an off-site location.
- (iv) Due to the fact only Ahmadi Muslims can attend the prayers and there are no other Ahmadi mosques in Cardiff and the total population is fixed at around 150 persons while there are, as set out below, over 160 x more non-Ahmadi Muslims within 5 miles of the application site – a survey of another Cardiff mosque is unlikely to yield a representative result as it is likely to be used by far more members than the application site. Furthermore, the application site will not be competing for membership with other mosques or draw people from the wider Islamic community because of the marked doctrinal differences. In short, the membership and trip rates remain the same as previously consented.
- (v) The mosque last use identified by the HA is not considered to be 'similar' to the application proposals. While we have not been provided with the full TRICS data by the HA, the site it has selected above appears to be located in Cranford, near Heathrow, London and is not an Ahmadi mosque.
- (vi) Experian data in the form of population and religion 2011 Census data from a 5-mile radius from both the Sanatorium Road and Cranford sites has been obtained. The table below summarises that there is a much larger Muslim population (92,199 non-Ahmadi) of potential attendees within a 5-mile radius of the site selected by the HA. However, in comparison, the total Ahmadi population catchment of the application site is up to 174 persons (144 actual). Therefore, the site selected by the HA has potential to be used far more intensively than the Sanatorium Road site, which is limited to a small potential membership.

Site	Total Population within 5 miles	Total Muslim Population	Estimated Ahmadi population (at 0.75%)
Sanatorium Road	373,012	23,217	174
Cranford	729,346	92,896	697

- (vii) *The above illustrates that comparing non-Ahmadi and Ahmadi mosques, even of a similar size in terms of floorspace, is an unfair comparison as the total potential membership of Ahmadi mosques is a fraction of a typical non-Ahmadi mosque and are therefore likely to be used far less intensely.*
- (viii) *The above provides further justification for the use of first principles, as previously accepted by the LPA and HA, as a better suited approach.*
- (ix) *In terms of additional evidence, AMA has provided the findings of its Transport Statement for what it considers to be its most similar mosque, in terms of local membership numbers, in Hayes, Middlesex. However, it should be duly noted that the comparison site has a higher local membership (circa 300 including infants and elderly compared to 144 in Cardiff):*

“Mon-Fri Services

Weekday Evening Up to 20 People

Friday Afternoon Up to 50 People

Friday Afternoon During School Holidays Between 75-90 People

Mode of Travel Modal Split

Car 62%

Bus 5%

Foot 29%

Mode	Mode Split	Trip Attraction (No. of People)	No. of Vehicles
<i>Car</i>	<i>50-65%</i>	<i>45-59</i>	<i>11-15</i>
<i>Bus</i>	<i>10-5%</i>	<i>9-5</i>	<i>9-5</i>
<i>Foot</i>	<i>30-25%</i>	<i>27-23</i>	<i>27-23</i>
<i>Cycle</i>	<i>10-5%</i>	<i>9-5</i>	<i>9-5</i>

The above compares with the TS figures of:

Services

Friday Afternoon (typically) Up to 30 People

Mode of Travel

Car 50%

Sustainable modes 50%

- (x) *The Hayes Transport Statement findings support the applicant’s estimates for the application site, with due consideration of the associated local membership numbers.*
- (xi) *Furthermore, the TS submitted in support of the planning application also robustly assesses trips during peak hours when the surrounding highway network is at its busiest. The trip information available in respect of the Cranford site identified by the HA does not demonstrate any conflict with peak traffic hours, raising further questions in respect of its significance and applicability to the proposed Ahmadi place of worship.*

- (xii) *There is no inconsistency in terms of the approach of the applicant or its appointed transportation consultant in terms of the potential occupancy of the community hall. The use of the community hall for special events of approximately 100 persons has been suggested from the outset and was accepted by the LPA and HA previously (see planning application reference: 14/01523/DCO Committee Report paragraph 1.9) when granting planning permission. Subsequently, a Travel Plan has been submitted to address peak attendance as requested during pre-application consultation with the LPA and HA.*
- (xiii) *For a similar reason to the above, a first principles approach, which was accepted by the HA previously, is considered a more representative methodology for assessing the proposal. There are only 144 Ahmadi members in Cardiff. It is improbable that all members would be available to attend the site at any one time for the various reasons set out in the TS, let alone the 260 persons suggested by the HA. It is unclear how the HA has arrived at this figure when it concedes that the proposed community hall as configured can only be used by approximately 60 persons.*
- (xiv) *In any case, maximum occupancy of the site is likely to be on a handful of occasions in a calendar year. The only 2 regular events would be the twice annual Eid festivals. As set out within the TS and the submitted Travel Plan, Eid festival rituals involve walking to and from the mosque and take place during off peak highway network hours. Similarly, weddings (although many marriages are not held in mosques) and gatherings are also likely to take place at evenings and weekends and will have a negligible impact on peak highway network hours.*
- (xv) *It is unclear, therefore, why this matter is receiving disproportionate (worst case scenario) attention given the minor nature of the application, the limited number of maximum occupancy events, their infrequent and off-peak nature and the amount of information provided by the end user.*
- (xvi) *Furthermore, the data obtained by the HA above also demonstrates that a community hall use would have negligible impact on peak highway network traffic.*
- (xvii) *The level of car parking has been reduced to 12 to serve the place of worship plus an additional 2 to serve the residential dwelling as requested by the LPA and HA during pre-application discussions.*
- (xviii) *In summary, planning permission for the use of the site by the Ahmadi Muslim community in Cardiff has already been granted. The planning application does not seek to change any of the principles previously established. The only significant difference between the proposal and the consented scheme is the addition of an Imam's residence. The planning application before the LPA does not seek to increase membership in any way. The proposal seeks to, mainly, make qualitative and aesthetic improvements to the place of worship already permitted to improve its appearance and ensure members are served well. Otherwise, the only significant change is the addition of the Imam's residence.*
- (xix) *With regard to highways matters, the first principles, i.e. end-user or applicant-led, approach was accepted by the LPA and HA previously when granting planning permission at the site for a place of worship*

including community hall. The use of the building by the minority Ahmadi community cannot be likened to other uses by much larger faith groups as the potential for more intensive use is considerably less due to the sheer lack of Ahmadi population to do so.

- (xx) Taking into account the above and the information provided previously, there is unlikely to be any unacceptable effects on the highway network as the majority of the site activities take place outside peak AM and PM traffic hours. Indeed, the consultation responses provided by the HA do not specifically allege any unacceptable impact on the highway network.*
- (xxi) Adequate parking and servicing facilities are available at the premises in accordance with the Council's adopted SPG in accordance with LDP Policy T6. Parking has been decreased at the site from that proposed previously at the request of the Local Planning and Highway authorities.*
- (xxii) Convenient and safe provision for cyclists, including cycle parking facilities, in accordance with adopted SPG can be provided at the site in accordance with Policy C1. This can be secured via condition if necessary.*
- (xxiii) The site and building are accessible to members that will visit the site, with gentle gradients and avoiding threshold steps and changes in levels, in accordance with LDP Policy C1.*
- (xxiv) The site is within walking distance of local bus and rail stations in addition to local facilities and amenities and maximises opportunities for travel using sustainable modes of transport. The proposal is also likely to result in minimal single-occupancy private car travel and will result in no AM peak hour and a negligible increase to PM peak hour traffic – minimising conflict with neighbouring uses. Similarly, the use of the community hall for evening classes and other purposes are likely to avoid peak AM and PM hour traffic.*
- (xxv) With regard to the handful of Eid festivals and other capacity events that are anticipated annually, the Travel Plan submitted with the planning application identifies measures to reduce private and single person vehicular occupancy traffic. The level of parking at the site will encourage car sharing and use of public and other sustainable means of transport.*
- (xxvi) In conclusion, the proposal complies with the transport policies of the Development Plan and benefits from planning permission for its use a place of worship and community facility by the Ahmadi community in Cardiff already. Essentially, the proposal seeks consent for qualitative and aesthetic improvements to the permitted use and the addition of an Imam's residence only. Consequently, it is considered that there are no legitimate highway reasons that planning permission should not be granted. We would be grateful if the HA would consider the additional evidence and information provided above and provide a considered consultation response.*

2. DESCRIPTION OF SITE

- 2.1 The site extends to approximately 0.15 Ha and includes vacant offices and workshops in one and two-storey buildings. The previous occupier of the site vacated the premises in June 2014.

- 2.2 A railway embankment of approximately 5 metres height adjoins the rear site boundary with residential properties further north, approximately 43 metres away.
- 2.3 The surrounding uses include a primary school, doctor's surgery and pharmacy, children's nursery, and a printing company. A veterinary practice, residential, and other commercial uses are located in the vicinity. Vehicular access to the site is off Sanatorium Road with courtyard parking.
- 2.4 Construction of approximately 800 houses has commenced on the former Arjo Wiggins site to the north east of the application site.
- 2.5 The site is located within Flood Zone C1 on the Development Advice Map.

3. **SITE HISTORY**

- 3.1 15/02643/MJR: Permission refused in February 2016 for change of use, alterations and extensions to form Class D1 (Non-Residential Institutions) Place Worship including two-storey mosque with minaret, dome, attached two-storey Imam's residence and single-storey detached community hall together with parking and associated works for the following reasons:
1. *The application fails to address the vehicular trip generation that is likely occur from the proposed development and therefore fails to demonstrate that the development will not cause unacceptable harm to safe and efficient operation of the local highway network, contrary to the provisions of Policies T6 and C1 (iv) of the Cardiff Local Development Plan (January 2016).*
 2. *The proposed dwelling, by reason of its siting and orientation, and provision of an inadequate amount of private amenity space, would result in a poor quality living environment for future occupiers, contrary to paragraph 9.1.2 of Planning Policy Wales (8th Edition, 2016), paragraphs 5.11.2 and 5.11.4 of Technical Advice Note 12 and Policy KP5 of the Cardiff Local Development Plan (January 2016).*
- 3.2 14/01523/DCO: Permission granted in March 2015 for change of use from Class B1 (Business) to Class D1 (Non-Residential Institutions).
- 3.3 13/01645/DCO: Permission granted in October 2013 for proposed extensions to existing office accommodation.
- 3.4 97/01987/R: Permission granted in December 1987 for pitched roof.

4. **POLICY FRAMEWORK**

- 4.1 Planning Policy Wales, Edition 9 (November 2016):

4.2.2 The planning system provides for a presumption in favour of sustainable development to ensure that social, economic and environmental issues are

balanced and integrated, at the same time, by the decision-taker when taking decisions on individual planning applications.

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

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

- putting people, and their quality of life now and in the future, at the centre of decision-making;*
- taking a long term perspective to safeguard the interests of future generations, whilst at the same time meeting needs of people today;*
- respect for environmental limits, so that resources are not irrecoverably depleted or the environment irreversibly damaged. This means, for example, mitigating climate change, protecting and enhancing biodiversity, minimising harmful emissions, and promoting sustainable use of natural resources;*
- tackling climate change by reducing the greenhouse gas emissions that cause climate change and ensuring that places are resilient to the consequences of climate change; and*
- taking account of the full range of costs and benefits over the lifetime of a development, including those which cannot be easily valued in money terms when making plans and decisions and taking account of timing, risks and uncertainties. This also includes recognition of the climate a development is likely to experience over its intended lifetime.*

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

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

- Contribute to the protection and improvement of the environment so as to improve the quality of life and protect local and global ecosystems*
- Promote access to employment, shopping, education, health, community facilities and green space*
- Foster improvements to transport facilities*
- Foster social inclusion.*
- Promote resource-efficient and climate change resilient settlement patterns that minimise land-take and urban sprawl, especially through preference for the re-use of suitable previously developed land and buildings, wherever possible avoiding development on greenfield sites;*
- Locate developments so as to minimise the demand for travel, especially by private car;*

- *Support the need to tackle the causes of climate change by moving towards a low carbon economy.*
- *Play an appropriate role to facilitate sustainable building standards (including zero carbon) that seek to minimise the sustainability and environmental impacts of buildings.*
- *Contribute to the protection and improvement of the environment, so as to improve the quality of life, and protect local and global ecosystems.*
- *Promote access to employment, shopping, education, health, community, leisure and sports facilities and open and green space, maximising opportunities for community development and social welfare.*
- *Foster improvements to transport facilities and services which maintain or improve accessibility to services and facilities, secure employment, economic and environmental objectives, and improve safety and amenity.*
- *Foster social inclusion by ensuring that full advantage is taken of the opportunities to secure a more accessible environment for everyone that the development of land and buildings provides. This includes helping to ensure that development is accessible by means other than the private car.*

4.2 Technical Advice Notes (TANs):

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

4.3 Local Development Plan (January 2016):

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

4.4 The following guidance documents were supplementary to the City of Cardiff Local Plan (1996), now superseded by the Local Development Plan (LDP). They remain a material consideration insofar as they are consistent with LDP policy:

Access, Circulation and Parking Standards (January 2010)

4.5 Supplementary Planning Guidance:

Waste Collection and Storage Facilities (October 2016)

Planning Obligations (January 2017)

Residential Design Guide (January 2017)

5. **INTERNAL CONSULTEES RESPONSES**

- 5.1 The **Operational Manager, Transportation**, notes that the primary use of the site would be for daily worship including community use to provide evening classes/workshops/training and after school kids club and a three bedroom Iman's residence with parking spaces. A Transport Statement (TS) has been submitted in support of the application, which identifies that the vehicle trip generation associated with the use would be 77No (2 way) movements daily, of which there are 9No (2 way) and 7No (2 way) in the AM (08:00 to 09:00) and PM (17:00 to 18:00) peak hours respectively, based on TRICS. This assessment of the trips is accepted for the purposes of considering the application.
- 5.2 The TS indicates that religious service times would be at 0500h – 1330h – 1730h – 2015h and 2100h. These hours of use would be for five days a week and each service would last approximately 15 to 20 minutes. A longer Friday a service is also held between 1300h and 1400h, which is expected to be the busiest time and where the TS suggests 30 members would be expected to attend. It is reported that half of the members live within a two mile radius of the site and as such it is suggested that a significant number of these people would be likely travel by more sustainable modes, i.e. choosing to either walk or cycle. He would however suggest that limited emphasis can be placed on the location of member's homes in relation to the site, particularly for services that are held during the working day, as it is considered that members will necessarily travel from work to the services, rather than their homes.
- 5.3 The TS has assumed trip rates for the Place of Worship using first principals, as informed by the end user. The reason for this has been attributed to a lack of directly comparable sites in the TRICs Database, i.e. outside of a Sunday Survey. There are however a number similar sites/land uses in Cardiff that could have very easily been surveyed to gain reliable local trip rates, the use of which would have facilitated a robust assessment of the proposals.
- 5.4 In responding the applicant's transport consultant rebutted the request, suggesting (paraphrased) that 'first principles' have previously been accepted; that the applicant Ahmadi membership represents a minority of the wider Islamic community and that the two are not interchangeable; and that the application represents a small additional floorspace and external appearance differences over/above that already approved.
- 5.5 However, notwithstanding the assessment of any previous application, the application is sufficiently different to require a new assessment that should

address the actual use class and potential occupancy as identified in the application submission. It is noted that a permission would not be personal to the Ahmadi, or any other specific religious sub-group and as such the actual potential occupancy rates should be assessed, on the basis of the floor areas applied for and range of uses identified. With reference to what has been assessed, a key concern in relation to the Community Hall is that there appears to be inconsistency regarding the potential occupancy. The TS suggests that small weddings or religious festivals could be held and these would see a maximum of 100 attendees, however the frequency and attendance numbers are not proposed to be capped. A review of the building proposals in consultation with Building Control colleagues also confirms that the building could, with minor evacuation procedure modifications, be used to accommodate up to circa 280 people (0.5 square metres per person). It is therefore considered that the Community Hall should be assessed with the maximum calculated occupancy of 280 persons.

- 5.6 In considering the above the transport consultant reiterates that the hall would only be used a small number of times a year, primarily for the Eid festival, and that the Ahmadi membership is limited to 144 in Cardiff, restricting the number of potential attendees. As discussed above however any permission would not be personal to the applicant, nor limited in terms of the frequency of use or number of attendees.
- 5.7 The TS sets out that under Place of Worship the parking provision is calculated on attendees as specified by the applicant. However as discussed above this is not considered appropriate and it should be calculated on potential capacity, as well as applying to both the Place of Worship and Community Hall.
- 5.8 In terms of the adjacent highway, parking restrictions, footway widening, crossing provision and pedestrian/cycle improvements have been implemented at the Lansdown Road junction and along the length of Sanatorium Road.
- 5.9 A Travel Management Plan (TMP) has been submitted in support of the application which identifies that travel surveys will be undertaken shortly after occupation of the site for a typical weekday PM highway network peak hour and also during the first Eid festival to determine modal split of members/visitors. Following this, appropriate modal share targets would be formulated and measures implemented to reach these targets. Officers are concerned that such targets, together with specific actions and measures are not proposed at this stage and therefore a worst case scenario has not been fully presented.
- 5.10 In conclusion, he has concerns regarding the methodology for calculating the trip generation and modal split, and therefore the robustness of the TA and TMP. He remains concerned that the presented Transport Statement fails to adequately assess the full potential traffic and parking impacts of the proposed use, by artificially limiting and thereby underestimating the potential occupancy of the development based on the use class applied for, and as a consequence does not fully assess the potential impact of the proposed development. The submission therefore fails to demonstrate that the proposed development will

not cause unacceptable harm to the safe and efficient operation of the local highway network.

- 5.11 The applicant has been asked to reassess the proposals on the basis of the potential maximum capacity identified above on a number of occasions and has thus far failed to respond positively in this regard. On the basis of the above, he can therefore confirm that Transportation objects to the as submitted proposal for the following reason for refusal. Reason for refusal – The application fails to address the vehicular trip generation that is likely to occur from the proposed development use and therefore fails to demonstrate that the development will not cause unacceptable harm to the safe and efficient operation of the local highway network, contrary to the provisions of Policies T6 and C1 (iv) of the Cardiff Local Development Plan (January 2016).
- 5.2 The **Operational Manager, Environment (Contaminated Land)**, notes that the site has been identified as formerly commercial/industrial. Records also indicate the property to be on the site of a former landfill. Activities associated with this use may have caused the land to become contaminated and therefore may give rise to potential risks to human health and the environment for the proposed end use. In addition former landfill/raise sites have been identified within 250m of the proposed development. Such sites are associated with the generation of landfill gases, within subsurface materials, which have the potential to migrate to other sites. This may give rise to potential risks to human health and the environment for the proposed end use. Should there be any importation of soils to develop the garden/landscaped areas of the development, or any site won recycled material, or materials imported as part of the construction of the development, then it must be demonstrated that they are suitable for the end use. This is to prevent the introduction or recycling of materials containing chemical or other potential contaminants which may give rise to potential risks to human health and the environment for the proposed end use. She recommends conditions and informative statements in accordance with CIEH best practice and to ensure that the safety of future occupiers is not prejudiced in accordance with policy EN13 of the Cardiff Local Development Plan.
- 5.3 The **Operational Manager, Waste Management**, advises that the dwelling and the Class D1 unit will require provision for refuse storage, which must be sensitively integrated into the design. Provision for 1 x 240 litre bin for general waste, 1 x 240 litre bin for garden waste, and 1 x 25 litre kerbside caddy for food waste will be required. If the unit is proposed solely as a place of worship then a separate collection will not be required and waste from the place of worship can be mixed with the domestic waste from the Imam's residence. This will mean no separate storage area is required. Since 27th July 2015, the developers of all new residential units are required to purchase the bin provision required for each unit. The bins have to meet the Council's specifications. They refer the agent/architect to the Waste Collection and Storage Facilities Supplementary Planning Guidance for further relevant information.
- 5.4 The **Operational Manager, Environment (Air)**, has reviewed the application from an air quality perspective, focusing on the likely traffic impact. The

pollutants of concern in this respect would be Nitrogen Dioxide (NO₂) and Particulate Matter. The Transport Statement, produced September 2016 by Corun and Highway Engineering details that the size of the developed will encompass a floor space of 838m² and include 14 car parking spaces, 3 of which are for disabled parking. Chapter 5 of the document "Trip Generation and Traffic Impact" details the type and frequency of events that are anticipated to take place at the proposed development and their associated traffic flows. It is clear that the projected figures and statements outlined in Chapter 5 have been derived from assumptions.

- 5.5 Section 5.2.1 details that TRICS was unable to be utilised during this proposal, therefore figures were generated based on historical knowledge of similar facilities within the UK. He queries what facilities are being referred to and whether they are comparable to the application. The document details the number of events to take place on a daily and annual basis. It is clear that there are many events involving the use of the new proposed facility. In order to compensate for the large number of events that are scheduled, the applicant outlines in Sections 5.2.6, 5.2.9 & 5.2.10 the likely number of trips by non-car modes as well as car-sharing. He considers that these statements are assumptions and therefore uncertainty surrounds the mode of transport that will be adopted by the proposed development's users. To develop on this point, the applicant fails to mention that an established Air Quality Management Area (AQMA) of Ely Bridge is located within two miles of the proposed site. This AQMA was established due to high levels of traffic derived emissions, this being Nitrogen Dioxide (NO₂). It is unclear from these statements where the users reside, therefore due to the uncertainty surrounding modes of transport and potential routes, the AQMA may be affected by increased traffic flows and consequently increased levels of Nitrogen Dioxide. Evidence and detail must be provided to ascertain that the AQMA will not be affected by the new proposed development. The evidence and detail will need to be assessed and a decision made if an Air Quality Assessment is required.
- 5.6 In terms of the construction phase of the development and potential nuisance associated with dust from construction activities it would be advised that the applicant submit a Construction Environmental Management Plan (CEMP) for review prior to any construction takes place.
- 5.7 The **Operational Manager, Environment (Noise)** recommends conditions in the event that planning permission is granted to prevent the use of external speakers for amplified sound and speech and to control the opening hours of the community facility.
- 5.5 The Council's **Access Officer** has been consulted and any comments received will be reported to Committee.
- 5.6 The Council's **Drainage Officer** has been consulted and any comments received will be reported to Committee.
- 5.7 The **Operational Manager, Building Control**, has been consulted and any comments will be reported to Committee.

6. EXTERNAL CONSULTEES RESPONSES

- 6.1 **Dwr Cymru Welsh Water (DCWW)** requests that conditions are added to any permission that is granted to ensure that no surface water drains into the public sewerage system and no operational development takes place within 5 metres either side of the centreline of the public sewer crossing the site. They also recommend that advisory notes be attached reminding the applicant of the need to apply for any connection to the public sewer under Section 106 of the Water Industry Act 1991, and recommend that they contact DCWW to establish whether any other public sewers or lateral drains exist (previously in private ownership) which may be affected by the development.
- 6.2 The **South Wales Police Design Out Crime Advisor** has been consulted and any comments received will be reported to Committee.
- 6.3 **Natural Resources Wales** do not object to the development. Section 6 of TAN15 requires the Local Planning Authority to determine whether the development at this location is justified and refer to the justification tests set out in section 6.2. It is their view that the development proposed in the application would result in the intensification of 'highly vulnerable development', with the likely introduction of more people into a **flood risk** area. They can confirm that the application site lies entirely within Zone C1 as defined by the Development Advice Map (DAM) referred to under Technical Advice Note 15: Development and Flood Risk (TAN15) (July 2004). Their Flood Map, which is updated on a quarterly basis, confirms the site to be within the 1% (1 in 100 year) and 0.1% (1 in 1000 year) annual probability fluvial flood outlines of the River Ely, a designated main river.
- 6.4 The Flood Consequences Assessment (FCA) undertaken by RPS dated October 2015 (ref. JER6641), which includes their response to a data request confirms that:
- (i) The proposed development consists of extensions to the existing structure and site levels will not be altered based on existing site levels of 8.42m AOD;
 - (ii) The site will not flood during a 1 in 100 year plus climate change flood event and will therefore be designed flood free. These results are compliant with the frequency thresholds set out in A1.14 of TAN15.
 - (iii) For the 1 in 1000 year flood event the site will flood to depths between 420 to 570 mm, which is considered to be within the limits of the tolerable conditions set out in A1.15 of TAN15. The depth of flooding is described to have a hazard to people classification of 'danger to some' (includes children, the elderly and the infirm).
- 6.5 It is for the Local Planning Authority to determine whether the risks and consequences of flooding can be managed in accordance with TAN15. They would recommend consultation with other professional advisors on the acceptability of proposals and on matters they cannot advise on, such as, emergency plans, procedures and measures to address structural damage that

may result from flooding. The submitted FCA should aid considerations in terms of evacuation routes, access to and egress from the site. They do not normally comment on or approve the adequacy of flood emergency response and procedures accompanying development proposals, as they do not carry out these roles during a flood. Their involvement during a flood emergency would be limited to delivering flood warnings to occupants/users. The developer can also access advice and information on protection from flooding from the ODPM publication 'Preparing for Floods: Interim Guidance for Improving the Flood Resistance of Domestic and Small Business Properties', which is available from the Planning Portal website.

- 6.6 Should the Local Planning Authority be minded to grant planning permission then they would suggest an informative note on the decision notice, recommending the applicant to consider the future insurability of this development. Although they have no involvement in this matter they would advise the applicant to review the Association of British Insurers published a paper, 'Climate Adaptation: Guidance on Insurance Issues for New Developments', to help ensure any properties are as flood proof as possible and insurable.
- 6.7 In respect of **potential for land contamination**, they consider that the controlled waters at this site are not of highest environmental sensitivity, therefore they will not be providing detailed site-specific advice or comments with regards to land contamination issues. They recommend that the requirements of Planning Policy Wales and the Guiding Principles for Land Contamination (GPLC) be followed. This is based on our assumption that gross contamination is not present at this location. If, during development, gross contamination is found to be present at the site the Local Planning Authority may wish to re-consult Natural Resources Wales.
- 6.8 Their records indicate that there is a **historic landfill** within 250m of the proposed development site and their understanding is that the local planning authority holds detailed information to inform planning decisions about risks posed by landfill gas and other factors.
- 6.4 **Network Rail** has no objection in principle and makes a number of detailed comments regarding requirements for the safe operation of the railway and the protection of their adjoining land. These comments include:
- (i) The provision and future maintenance of a suitable trespass proof fence (of at least 1.8m in height) adjacent to their boundary. Vegetation must remain undisturbed;
 - (ii) Where foundation works penetrate Network Rail's support zone or ground displacement techniques are used the works will require specific approval and careful monitoring by themselves. There should be no additional loading placed on the cutting and no deep continuous excavations parallel to the boundary without prior approval.
 - (iii) Additional or increased flows of surface water should not be discharged onto their land or into their culvert or drains. It is recommended that

soakaways should not be constructed within 10 metres of their boundary;

- (i) No work should be carried out that may endanger the safe operation of the railway or the stability of their structures and adjoining land;
- (ii) Construction and future operation of the development must not affect the safety, operation or integrity of the operational railway, Network Rail and its infrastructure or undermine or damage or adversely affect any railway land or structures. There must be no encroachment of the proposal onto Network Rail land. Any future maintenance must be conducted solely within the applicant's land ownership. Should the applicant require access to Network Rail land then they must seek approval from Network Rail Asset Protection Team.
- (iii) All roads, paths or ways providing access to any part of the railway undertaker's land shall be kept open at all times during and after the development.
- (iv) all buildings be situated at least 2 metres from the boundary fence, to allow construction and any future maintenance work to be carried out without involving entry onto Network Rail's infrastructure. Where trees exist on Network Rail land the design of foundations close to the boundary must take into account the effects of root penetration in accordance with the Building Research Establishment's guidelines.
- (v) All excavations / earthworks carried out in the vicinity of Network Rail's property/structures must be designed and executed such that no interference with the integrity of that property / structure can occur. If temporary compounds are to be located adjacent to the operational railway, these should be included in a method statement for approval by Network Rail. Prior to commencement of works, full details of excavations and earthworks to be carried out near the railway undertaker's boundary fence should be submitted for approval of the Local Planning Authority acting in consultation with the railway undertaker and the works shall only be carried out in accordance with the approved details.
- (vi) The development must not interfere with signalling.
- (vii) Railway noise, vibration and dust should be considered in building design.
- (viii) No trees should be planted closer than 1.5 times their mature height to the boundary fence. The developer should adhere to Network Rail's advice guide on acceptable tree/plant species. Any tree felling works where there is a risk of the trees or branches falling across the boundary fence will require railway supervision.
- (ix) Any scaffold which is to be constructed adjacent to the railway must be erected in such a manner that at no time will any poles or cranes over-sail or fall onto the railway. All plant and scaffolding must be positioned, that in the event of failure, it will not fall on to Network Rail land.
- (x) Any lighting associated with the development (including vehicle lights) must not interfere with the sighting of signalling equipment and/or train drivers vision on approaching trains. The location and colour of lights must not give rise to the potential for confusion with the signalling arrangements on the railway.

- (xi) The close proximity of the proposed site could bring a risk to the railway and Asset Protection involvement may be required. The Developer should contact the Network Rail's Asset Protection Western Team well in advance of mobilising on site or commencing any works.
- (xii) It may be necessary to serve the appropriate notices on Network Rail under the Party Wall Act 1996.

7. **REPRESENTATIONS**

- 7.1 A joint objection from **Councillors R Cook, S Elsmore and R Patel** has been received. They object on grounds of traffic and parking. Residents are concerned about the impact of the increase in traffic from worshippers at the mosque in what is already a very busy area with schools (rolls of 700 & 1500), GP surgery & pharmacy, veterinary surgery, nursery, gym, and other commercial units which have many visitors and deliveries in motor vehicles. This coupled with the development of the Arjo Wiggins site means that the demand on traffic and congestion will increase. When the paper mill site is fully developed (approximately 800 houses + community infrastructure) the area will become even busier. The development would add further pressure to parking within the locality, in what is already a heavily oversubscribed area.
- 7.2 A valid **petition** of over 50 signatures (c.240 signatures) has been received objecting to the application.
- 7.3 Approximately **150 no. objections** have been received from residents of Lansdowne Avenue West, Broad Street, Broadacres, Broadhaven, Flindo Crescent, Heol Terrell, Lansdowne Avenue East, Lansdowne Road, Clos Halket, Clos Gedrych Broadstairs Road, and Park Vets and The Hollies Nursery neighbouring the site. The grounds for objection are summarised as follows:
- (i) Traffic volume and congestion will increase, particularly at peak times, exacerbating existing problems.
 - (ii) Existing neighbouring uses e.g. primary school, health care, business, nursery and football match day parking have contributed to parking problems. This will worsen when the Wiggins Teape development is completed and Sanatorium Road becomes an access to this development. Also development at the old Sacred Heart Church will contribute to pressures;
 - (iii) Increased problems with illegal on-street parking in the local area;
 - (iv) Negative impact on access and parking for existing local businesses;
 - (v) Questions the level of public consultation carried out; it has been inadequate;
 - (vi) Vacant land between the health centre and school should be developed for car parking;
 - (vii) Proposed floorspace will double from 428 to 928 square metres. Permitted increases under regulations is questioned;
 - (viii) It is not clear how 22 no. spaces will be accommodated;
 - (ix) Questions the capacity of the community hall and mosque;

- (x) Design is inconsistent with the business and education buildings in the area;
- (xi) Nothing has changed from the previous application;
- (xii) Noise impact especially from call to prayer;
- (xiii) Safety concerns for pedestrians;
- (xiv) Opening hours will place added pressure on residents;
- (xv) Reduction in parking from previous application from 22 to 12;
- (xvi) An anonymous leaflet distributed in the locality suggests the Council's Cabinet approved the application in October 2016. This lacks transparency and suggests it will be approved through the back door;
- (xvii) Local residents should receive a reduction in Council Tax;
- (xviii) Requests a site visit;
- (xix) Concerns regarding access for emergency services;
- (xx) Traffic problems are a health and safety issue;
- (xxi) Not in keeping with the surrounding area;
- (xxii) Recommends the mosque is built in Lisvane, Cyncoed or in the countryside;
- (xxiii) Increase air pollution from traffic fumes;
- (xxiv) Property values will be affected;
- (xxv) Racial tension may arise if development proceeds;
- (xxvi) Overdevelopment, large in mass and scale;
- (xxvii) Out of character with area;
- (xxviii) Loss of views from Lansdowne Avenue West;
- (xxix) Inadequate parking provision;
- (xxx) There will be in excess of the estimated 30-40 worshippers;
- (xxxi) Mosques promote segregation and discrimination which should be avoided in today's society;
- (xxxii) Concerns for safety of local residents;
- (xxxiii) Application is for a non-residential institution yet includes a 3 bedroom dwelling;
- (xxxiv) TAN 1 requires new development to create places with the needs of people in mind and respect the character of the local community.

7.4 14 no. comments in **support** of the application have been received from the Archdeacon of Cardiff and residents of Clydesmuir Road (Tremorfa), Llewelyn Goch (St. Fagans), Craddock Street (Riverside), Bryn-y-Nant (Llandeyrn), Chapelwood (Llanedeyrn), Morris Avenue (Llanishen) and Bryn Celyn (Pentwyn). They consider that:

- (i) There won't be a problem with double car parking on the streets as the site has private parking;
- (ii) Small membership will mean impact is reduced;
- (iii) The applicant is a peace loving community;
- (iv) The building has been in use since 2013;
- (v) Prayer times do not coincide with peak traffic hours;
- (vi) The call for prayer will not be heard as there will be no amplification;
- (vii) The applicants have a right to worship;
- (viii) The application should be approved in the interests of equality and fairness;

- (ix) The congestion caused by roadworks in the vicinity cannot be attributed to the application;
- (x) Expresses concern at the anonymous and mis-informed leaflets that have been circulated in the local area.

8. **ANALYSIS**

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

Principle of Development

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

Design and Appearance

- 8.3 This application proposes an increase in floor space from approximately 455 square metres to approximately 718 square metres (excluding the Imam's residence), an increase of approximately 263 square metres (36%).
- 8.4 The extensions to the first floor of the main building will increase the scale and massing of the building along Sanatorium Road, however it is considered that the marginal increase in building height by 1.5 metres above the existing first floor is unlikely to be overbearing in the street scene. It is acknowledged that the use of appropriate external finishes, fenestration design, and dentil course would improve the aesthetics of the existing building.
- 8.5 The dome, which has a maximum height of approximately 13 metres, and the minaret, which would be approximately 18 metres in height, are considered to be satisfactory in design terms, being typical features for the intended use. Both features will be prominent features in the street scene and would also be visible from the upper floors of residential properties on Lansdowne Avenue West, north of the site beyond the railway line.
- 8.6 The proposed Imam's residence has a frontage onto Sanatorium Road with a private amenity space of 65 square metres. This arrangement is considered to be consistent with policies and guidance for new residential development. The finished appearance of the dwelling is considered to be acceptable.

Transportation Considerations

- 8.7 The Transport Statement (TS) accompanying the application is predicated on the basis that the maximum number of members attending each service will be not more than 30, except for the annual Eid celebrations when up to 100 people

could attend. The TS also assumes that 50% of worshippers will use non-car modes of travel as they live within 2 miles of the site, and two members will arrive in each car. The same figures were relied upon for the original change of use application which Committee approved in March 2015.

- 8.8 Paragraph 8.3 of this analysis summarises the increased scale of the proposed development in floor space terms, an increase of approximately 36% above the existing premises. The women's prayer room would be approximately 65 square metres (92 square metres if the demountable partition wall to the nursery is removed), the men's prayer room would be 158 square metres, and the community/dining hall would be 144 square metres. It is considered that the scale of development indicates that the number of visitors would likely be more than the figures relied upon in the TS and that there would be an intensification in use of the site over and above that which has previously obtained consent. The Operational Manager, Transportation, considers that the TS fails to demonstrate what the traffic impact of the development would be over and above that which has previously obtained permission.
- 8.9 Concerning the use of the proposed community hall, it is common for such ancillary facilities to be used for weddings and other religious festivals, as well as being available for hire for private events. Paragraph 5.3.4 of the planning statement accompanying the application states that the total number of community events per annum would comprise two Eid festivals, up to two weddings and up to two charity functions (lunches/dinners) and paragraph 5.3.11 confirms that there would be "*no restriction*" on hiring the hall for private functions by external groups, "*...although take up is expected to be limited.*" No reasons are given to demonstrate why this hall would only have occasional use. Mindful of the amount of floor space proposed and the provision of the attached kitchen and toilet facilities, it is reasonable to conclude that this hall be could operate on a regular basis by large groups of people.
- 8.10 It is noted that the Operational Manager, Transportation considers that the TS contains insufficient evidence to back up the assumption that half of the worshippers would use non-car modes of travel to and from the site, and those that drive will 'car-share.' The applicant has failed to provide sufficient information to alleviate his concerns.
- 8.11 It is considered that the application fails to demonstrate that the development will not cause unacceptable harm to the safe and efficient operation of the local highway network, contrary to the provisions of LDP Policies T6 and C1 (iv).
- 8.12 In the considered opinion of officers, it could not be evidenced that the approval of permission would result in increased levels of Nitrogen Oxide (NO₂) from traffic emissions within the established Air Quality Management Area (AQMA) of Ely Bridge, which is located two miles west of the proposed site.

Residential Amenity

- 8.13 LDP Policy C1 encourages proposals for new religious facilities, subject to five criteria, of which number (ii) places a requirement on such developments not

unduly prejudicing the amenities of neighbouring and nearby residential occupiers. It is noted that the neighbouring occupiers to the application site include a school, a doctor's surgery and pharmacy, a child day care facility and a printing company. The nearest residential properties are located immediately north of the application site on Lansdowne Avenue West beyond the railway embankment (approximately 5 metres high) and further away to the east (Broad Street) and southeast (Heol Terrell).

- 8.14 Although the application does not specify the proposed hours of opening nor does it confirm whether the applicant intends to operate an amplified call to prayer, it is considered that the amenities of the existing residential properties in the vicinity of the application site can be adequately safeguarded through relevant conditions restricting the hours of use and preventing any amplified call to prayer from the minaret.
- 8.15 In undertaking a site visit, the case officer observed an extraction unit in the side (east) elevation of the adjacent printing company immediately east of the application site. It is considered that the first floor bedroom window facing this flue could be conditioned to ensure a suitable living environment for the future occupier.
- 8.16 It is not considered that the proposed development would result in an adverse loss of light for neighbouring properties.

Flood Risk

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

Third Party Representations

- 8.19 In respect of the third party representations which have not already been addressed in this report:
- (i) The level of publicity undertaken for this application exceeds the requirements of Article 12 of The Town and Country Planning (Development Management Procedure) (Wales) Order 2012. Notification were not only sent to neighbouring occupiers, they were also sent to persons who made representations on the previous application;

- (ii) Land beyond the extent of this application site boundary cannot be considered under this application; This application must be determined on its own merits;
- (iii) Parking provision will be provided as shown on the proposed site layout drawing;
- (iv) The permitted capacity of the Community Hall and Prayer Rooms would be assessed against Part B of the Building Regulations (Fire Safety), which allows 0.5 square metres per person for assembly halls;
- (v) The hours of operation would be controlled via condition to safeguard residential amenity;
- (vi) The anonymous leaflet distributed in the locality in October 2016 contained errors and, in any event, is not material to this application;
- (vii) It is for Committee to determine whether a site visit is required;
- (viii) Mindful of the scale of development, it is not considered that a refusal of permission on grounds of air pollution could be sustained;
- (ix) Property values, loss of private views and concerns regarding racial tension are not material considerations for this application;
- (x) The development is not considered to prejudice the safety of existing residents.

Other Considerations

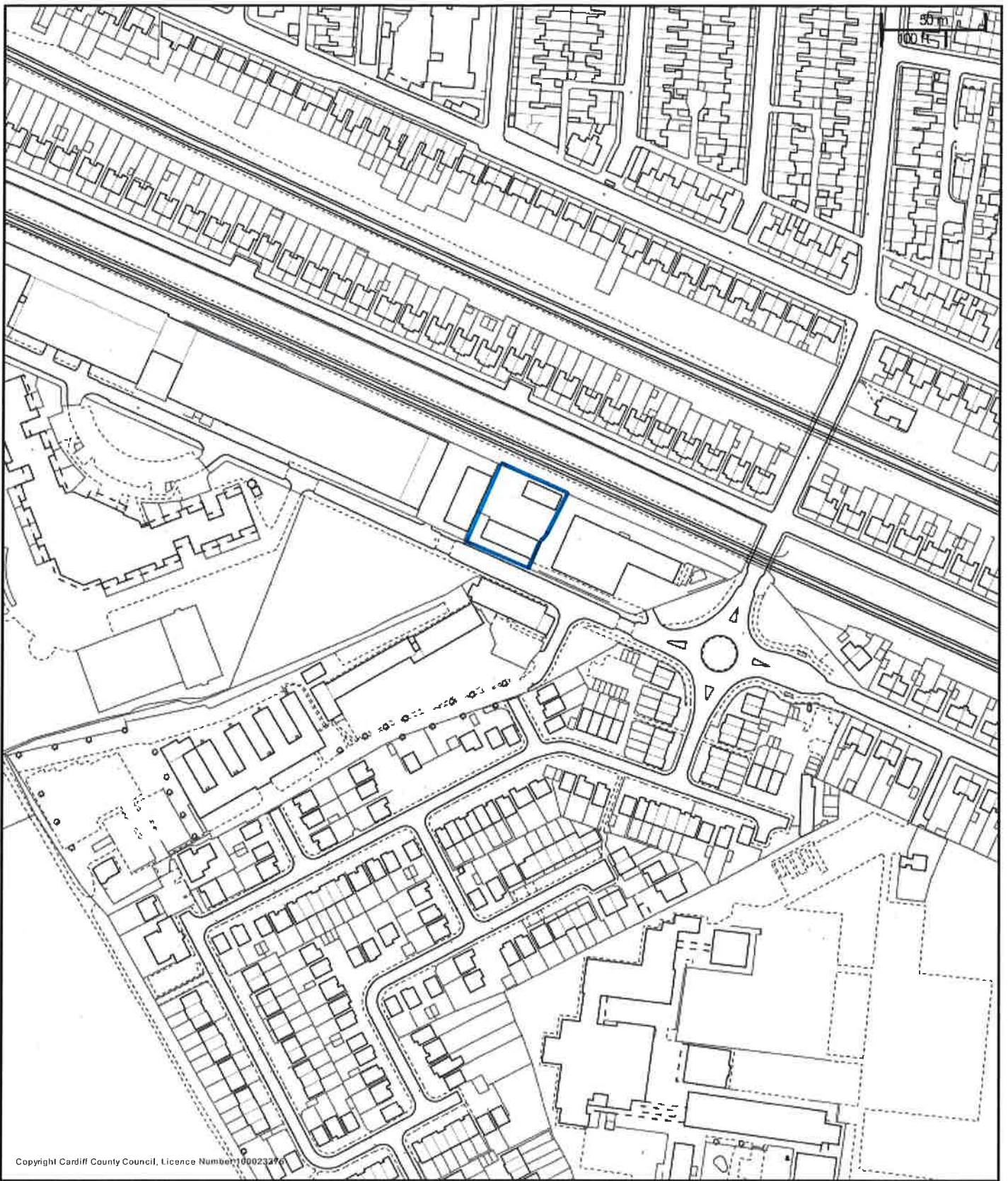
8.20 Section 17(1) of the Crime and Disorder Act 1998 imposes a duty on the Local Authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. This duty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

8.21 The Equality Act 2010 identifies a number of 'protected characteristics', namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; marriage and civil partnership. The Council's duty under the above Act has been given due consideration in the determination of this application. It is considered that the proposed development does not have any significant implications for, or effect on, persons who share a protected characteristic.

Conclusion

8.22 It is considered that the application fails to address the vehicular trip generation that is likely occur from the proposed development and therefore fails to demonstrate that the development will not cause unacceptable harm to safe and efficient operation of the local highway network.

8.23 It is therefore recommended that the application be refused for this reason.



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

City of Cardiff Council
Cyngor Dinas Caerdydd



Title

Scale: 1:2500

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Existing Post and wire Steel boundary fence

Proposed Community Hall

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Proposed Concrete kerbing along parking area.

Proposed Amenity area for Imam Residence. Proposed Concrete block paved

Proposed tarmac car park area.

Proposed Minaret

Proposed 600mm high raised planters

Proposed 600mm high raised planters

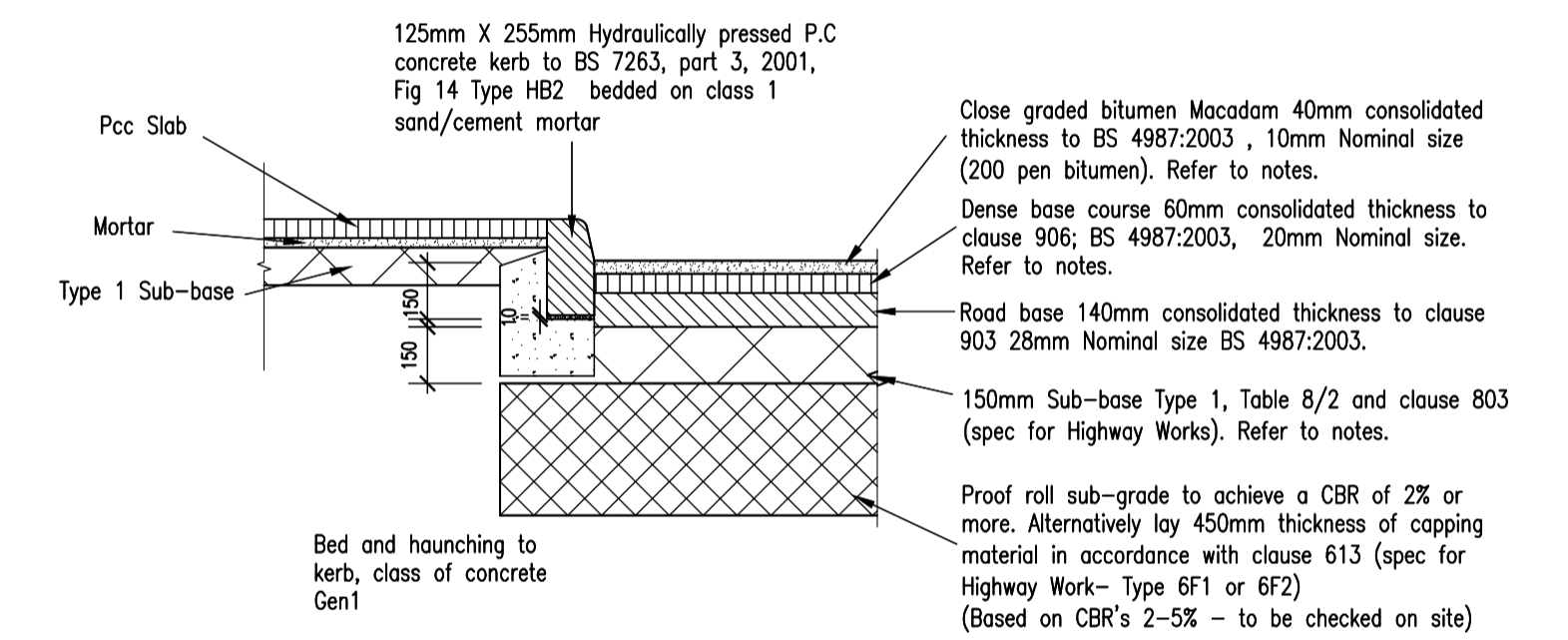
Proposed Paved Path
 Proposed 600mm high wall with Close boarded timber fencing between pillars, with access gate

Proposed Steel Pallisade replacement boundary fence

Proposed Imam Residence

Proposed Dome

Proposed Imam Residence car parking spaces



LIGHT VEHICLE AREA / CAR PARKING
 MACADAM ROAD CONSTRUCTION

Sanatorium Road

REV.	DESCRIPTION	DATE
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CLIENT
 Ahmadiyya Muslim Association UK

PROJECT TITLE
 The Cardiff Mosque at Sanatorium Road, Cardiff.

DRAWING TITLE
 Proposed Site Layout & Hard Landscaped Plan

SCALE
 1/20, 1/100 @ A1

DRAWN BY
 SBH

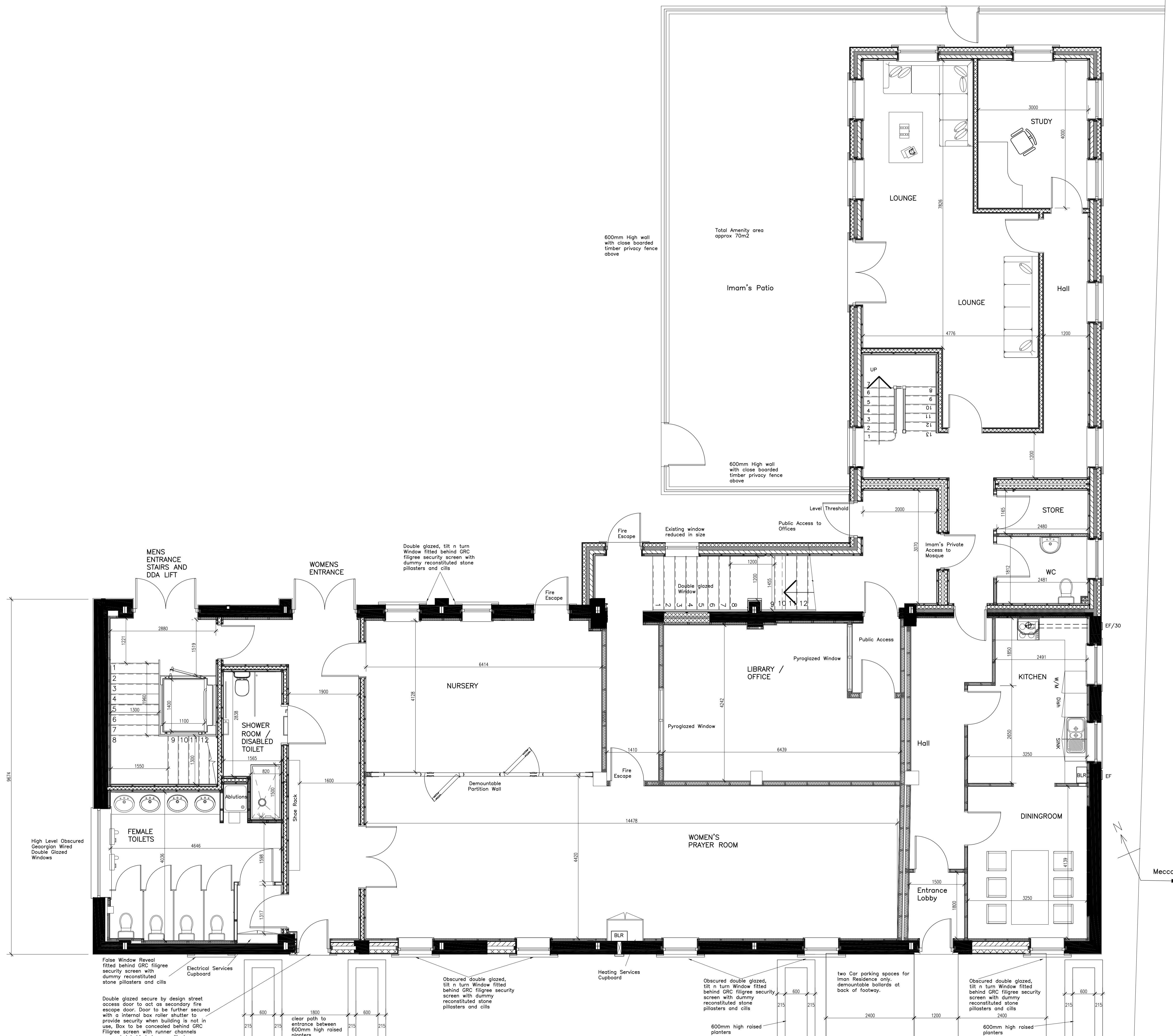
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FILE
 Planning- Option 6

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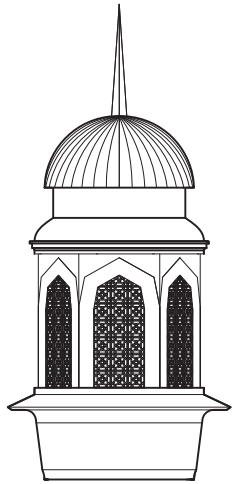
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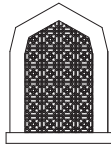
PROJECT TITLE
The Cardiff Mosque at Sanatorium Road, Cardiff.

DRAWING TITLE
Proposed Mosque Ground Floor Plan Option 6

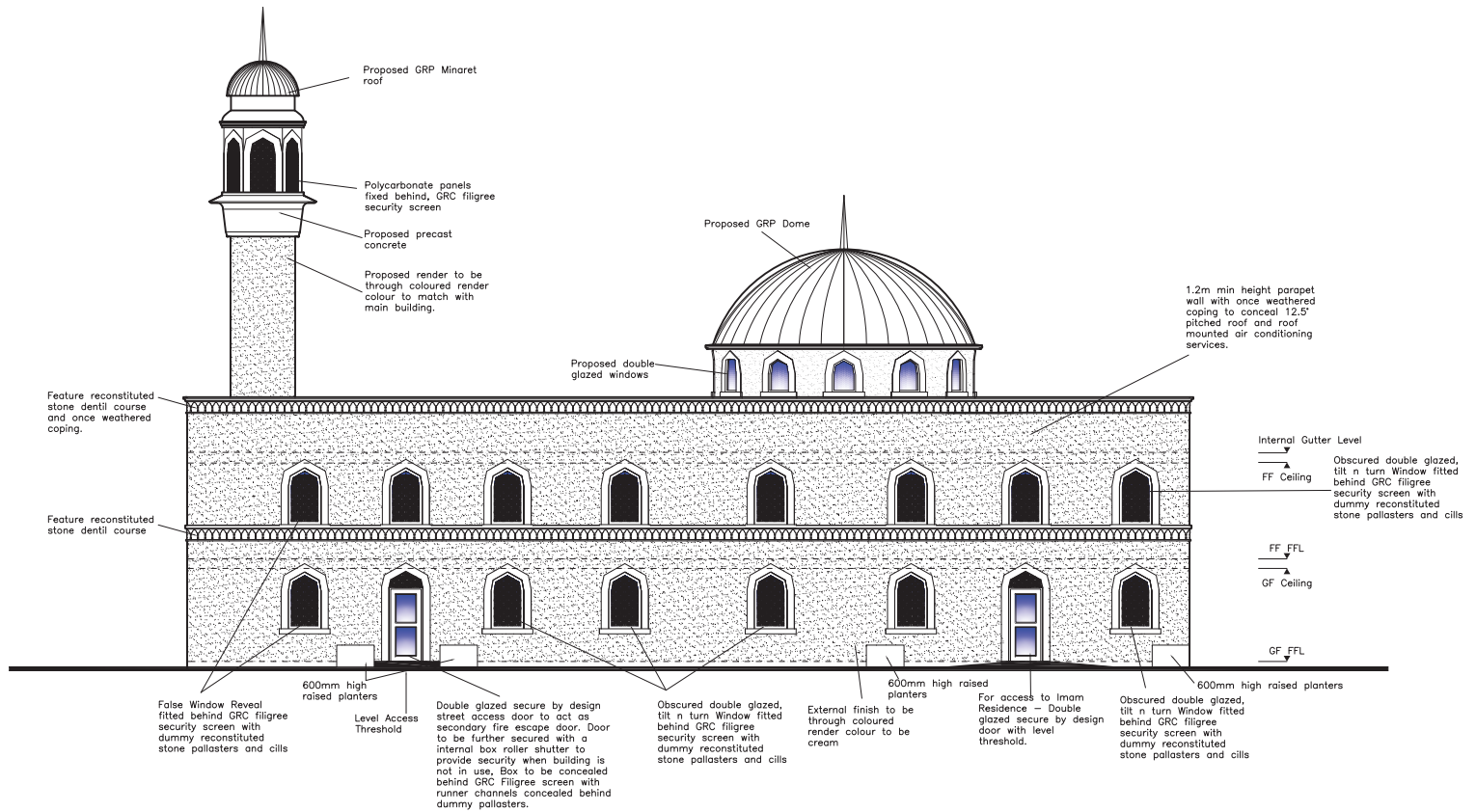
SCALE 1/50 @ A1	PROJECT - DRAWING NO. 15-008-203
DRAWN BY SBH	REV. PLO
DATE JUNE 2016	
FILE PLANNING	



Enlarged view of Minaret



Detail of window GRC Filigree



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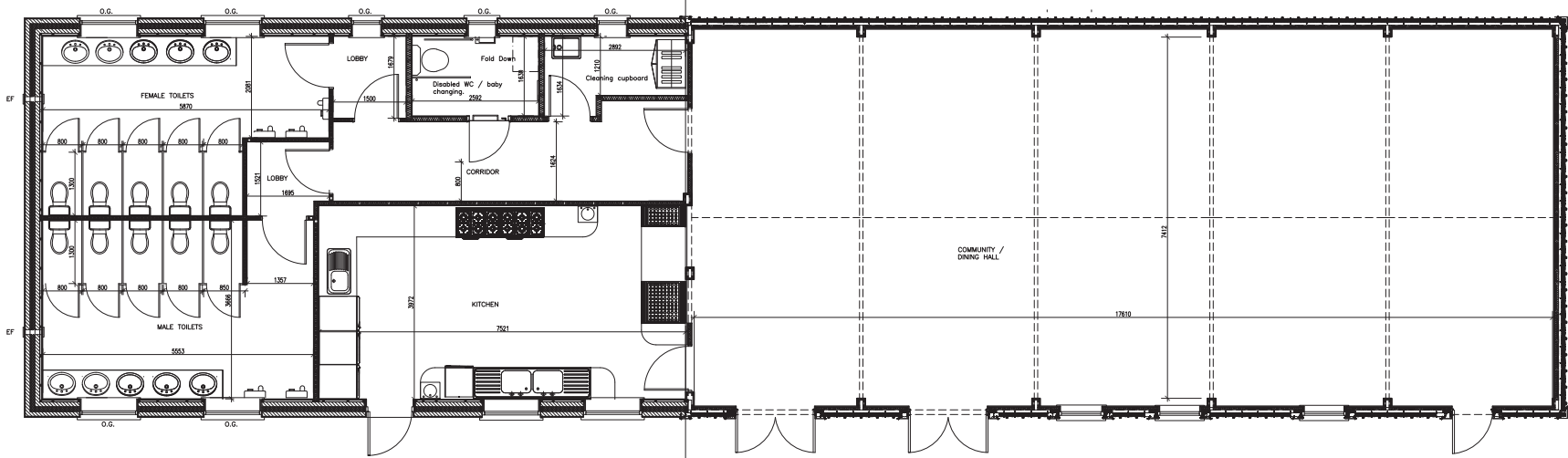
Client
Ahmadiyya Muslim Association UK

Revision	Date

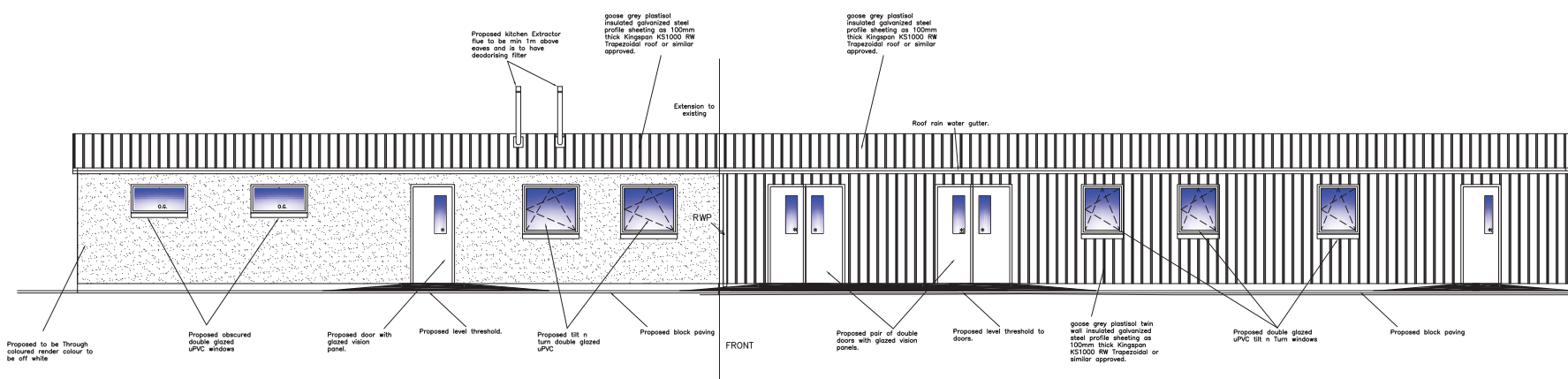
Project Title
The Cardiff Mosque at Sanatorium Road Cardiff

Drawing Title
Proposed Front Elevation As viewed from Sanatorium Road

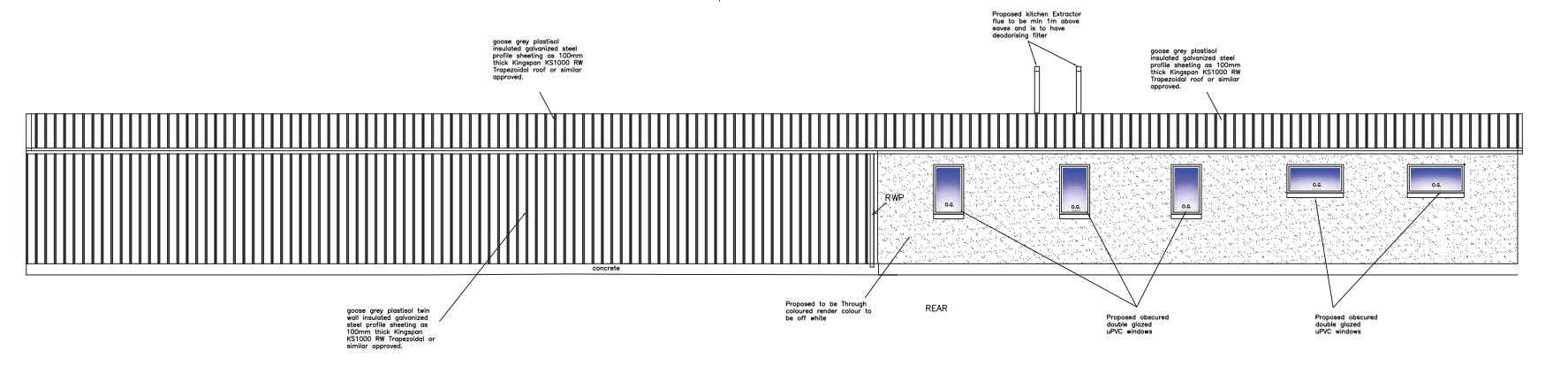
Office of Origin VALLEYS OFFICE		Status PLANNING	
Drawn By SBH	Date June 2016	Project No. 15-008	
Scale 1/50, 1/100 @A2	File Option 6	Drawing No. 205	Revision PLO



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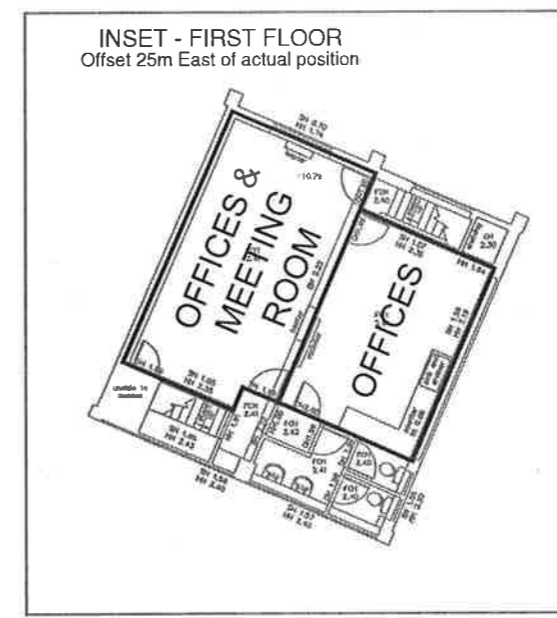
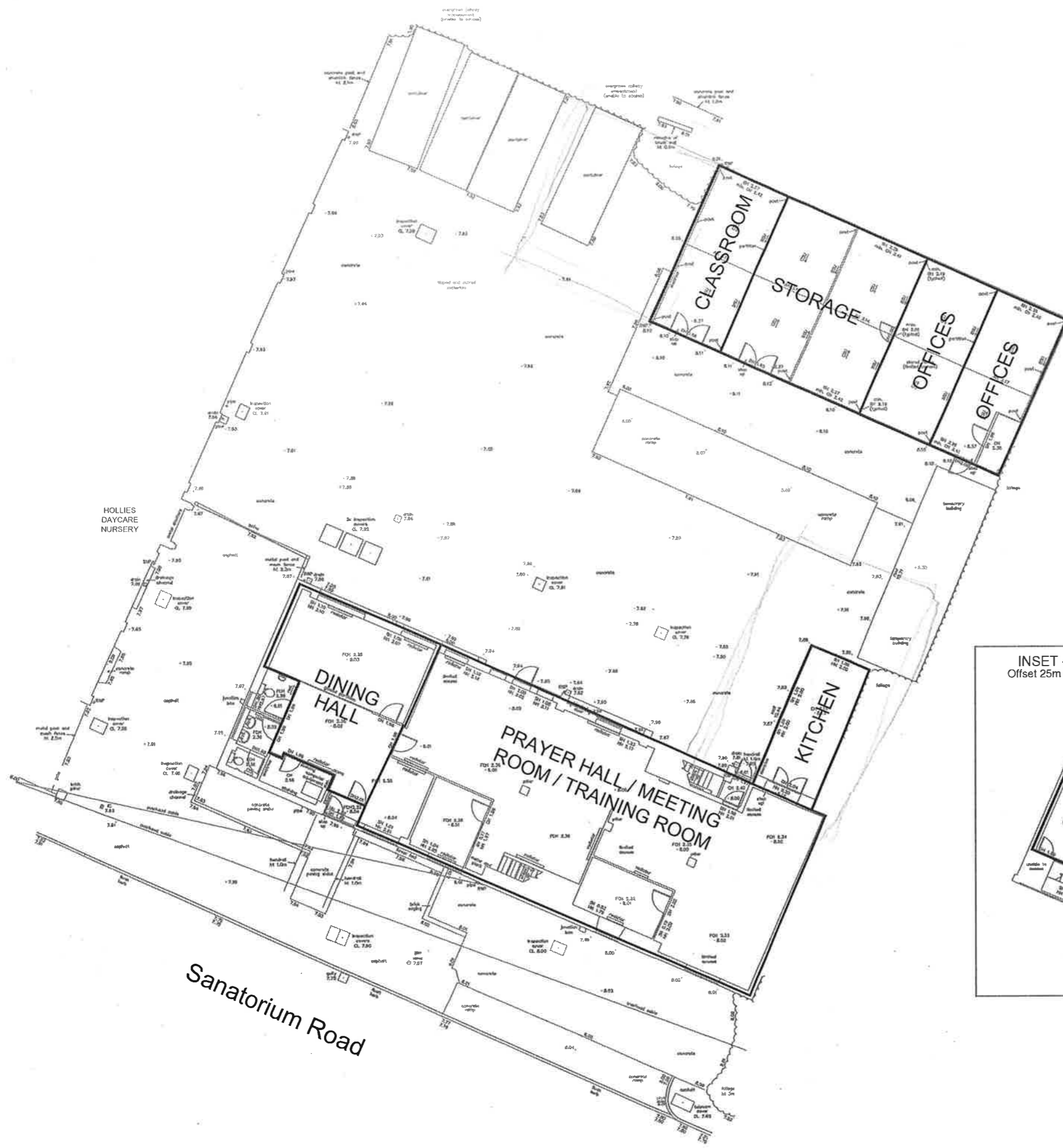
Glazing Key
 u Mirrored Glass
 c Insulated GRP Infill panel - Diagonal Matchboard Pattern
 + Safety Glass
 EW Escape Window
 o.c Obscured Glass
 f.s Fixed Pane
 All Windows to Have Trickle Vents



REV.	DESCRIPTION	DATE
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CLIENT Ahmadiyya Muslim Association UK		
PROJECT TITLE The Cardiff Mosque at Sanatorium Road, Cardiff.		
DRAWING TITLE Proposed Community Hall – Floor Plan, front and rear elevations		
SCALE 1/50 @ A1		
DRAWN BY SBH	PROJECT – DRAWING NO. 15-008-215	
DATE JUNE 2015	REV. PLO	
FILE PLANNING		

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NOTE
Baseplan sourced from Atlas Surveys Drawing Ref. ASP1395-1 (Dated July 2014)

Rev	Description	Date	Initial	Checked



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Client AHMADIYYA MUSLIM ASSOCIATION UK

Project SANATORIUM ROAD, CARDIFF

Title FLOOR PLAN

Status	Drawn By	PM/Checked by
DRAFT	RJ	DT
Job Ref	Scale @ A3	Date Created
JPW0352	1:200	AUG 14

Drawing Number	Rev
JPW0352-FP-001	-