

LOCAL MEMBER OBJECTION & PETITION

COMMITTEE DATE: 15/03/2017

APPLICATION No. **16/02842/MNR** APPLICATION DATE: 29/11/2016

ED: **FAIRWATER**

APP: TYPE: Full Planning Permission

APPLICANT: Mr Patel

LOCATION: LAND ADJACENT TO 176 ST FAGANS ROAD,
FAIRWATER, CARDIFF, CF5 3EW

PROPOSAL: CONSTRUCTION OF A DETACHED A1/A2 UNIT MEASURING
APPROXIMATELY 54 SQUARE METRES SITED ON LAND AT
176 ST FAGANS ROAD, FAIRWATER CARDIFF

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

1. The loss of the land would impact on the spatial character of the area to the detriment of the visual amenity of the area contrary to Policy KP5 (Good Quality and Sustainable Design) of the Cardiff Local Development Plan.
2. The positioning of the proposed building forward of the existing parade of shops would depart from the pattern of development within the locality creating an incongruous feature within the street scene and failing to appropriately respond to the local character and context contrary to Policy KP5 of the Cardiff Local Development Plan.

1. **DESCRIPTION OF THE SITE**

- 1.1 The application site is a raised area of ground laid with grass located in the Fairwater Green Local Centre. The land has been recently fenced by the operator of the adjacent coffee shop.
- 1.2 The Fairwater Green Local Centre is characterised by two central green areas and a third smaller raised area of green space (the application site) adjacent to the Bunker Coffee Station at 176 St Fagans Road giving it an open 'village green' feel.
- 1.3 A three storey block of commercial buildings sited to the west of the main green provides some visual enclosure of the area. A mixed use unit which includes a café on the ground floor is located to west of the site and further commercial units are located opposite the site on the southern side of St Fagans Road.

2. **DESCRIPTION OF PROPOSED DEVELOPMENT**

- 2.1 Planning permission is sought for the erection of a single storey detached building to create a floorspace of approximately 54 square metres for A1 (Retail) or A2 (Financial and professional services) use.
- 2.2 The proposed building will measure 11 metres wide, 6.7 metres deep and will feature a mono-pitched roof design with a maximum height of 3.6 metres. The walls of the building will be finished in grey render and timber board cladding and the roof in zinc.
- 2.3 The development site will be lowered to curb level to facilitate easy access and an outdoor seating area will be retained to the side of the building. A bin store will be sited at the rear of the building and cycle parking for five bicycles will be provided at the front of the building.

3. **PLANNING HISTORY**

- 3.1 Planning permission (13/02323/DCO) for the erection of a three storey mixed use development on the site of the former public convenience next to the application site was granted in January 2014.

4. **POLICY FRAMEWORK**

- 4.1 National Planning Policy
- Planning Policy Wales (9th Ed, 2016)
 - Technical Advice Note 12: Design (July 2014)
- 4.2 Cardiff Local Development Plan 2006-2026
- Policy KP5 (Good Quality and Sustainable Design)
 - Policy T5 (Managing Transport Impacts)
 - Policy W2 (Provision of Waste Management)
 - Policy R5 (Local Centres)
- 4.3 Supplementary Planning Guidance
- Access, Circulation and Parking Standards (2010)
 - Waste Collection and Storage Facilities (2016)

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

5. **INTERNAL CONSULTEE RESPONSES**

- 5.1 The Operational Manager (Waste Management) commented as follows:

'the proposed waste and recycling storage area has been noted and is

acceptable'

5.2 The Operational Manager (Transportation) – commented as follows:

'the proposed business is located in a business area and parking is provided for these establishments at Fairwater Green and Chestnut Road. Moreover, there is no restricted parking at this area of St Fagans Road, which suggests parking is not an issue and residents are able to go about their daily business unhindered by adverse parking problems. The nature of the proposed business would not likely induce trips specifically to attend these premises instead it would adhere to the pattern of trip chaining.'

6. **EXTERNAL CONSULTEE RESPONSES**

6.1 Welsh Water raise no objections to the proposal

7. **REPRESENTATIONS**

7.1 Consultation letters have been sent to eighteen neighbouring occupiers and eight letters of representation have been received in total, five from neighbouring occupiers, two from members of the public who would not be directly affected by the development and one from Ward Councillor Lisa Ford. A petition against the proposed development has also been received. A summary of the grounds for objection is detailed below:

- The development will add to the volume of traffic and impact on already congested roads.
- There have already been a number of traffic accidents or near misses on St Fagans Road.
- There is already a lack of parking provision for members of the public using the Local Centre.
- The proposal will impact on the amenities of the neighbours living in the flats above the shops directly behind the application site.
- The proposal in terms of its scale and design will be inappropriate and out of keeping with the area.
- The proposal will impact on the open character and appearance of the Fairwater Green Centre.
- The proposal will result in the loss of green open space.
- The impact of the proposal on an existing tree sited within the boundary of the application site.
- The disruption caused by the construction works.

8. **ANALYSIS**

8.1 **Introduction**

8.1.1 The application site falls within the Fairwater Green Local Centre as defined by the LDP proposals map. The application should therefore be assessed against Policy R5 (Local Centres). Policy R5 aims to promote and protect the shopping role of local centres and supports a range of uses of an appropriate

scale, including retail, office leisure and community facilities.

Assessed against this policy framework, the application raises no land use policy concerns.

8.1.2 The principle matters for consideration are

- the effect of the proposal on the character and appearance of the area.
- its impact on the amenities of the neighbouring occupiers.
- the acceptability of the proposal on highway safety/transportation grounds.

8.2 Impact Upon the Character of the Area

8.2.1 In assessing the impact of the proposed development, the proposal should be considered against Policy KP5 of the Cardiff Local Development Plan which 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:

- i. Responding to the local character and context of the built and landscape setting so that layout, scale form massing, height, density, colour, materials, detailing and impact on the built and natural environment are all addressed.
- ii. Ensuring no undue effect on the amenity of the neighbouring occupiers.

8.2.2 The proposed building would be sited on the grassed area currently used as external space for the commercial premises in the ground floor of No. 176 St Fagans Road. Whilst this area is presently enclosed by fencing its positioning and landscaped finish contributes to the open and green setting of the Fairwater Green Local Centre. It is considered that the loss of this space would impact on the open feel of the area to the detriment of the visual amenity of the Local Centre contrary to Policy KP5 (Good Quality and Sustainable Design) of the Cardiff Local Development Plan.

8.2.3 The proposed building would be positioned forward of No. 1 Chestnut Road thereby sitting forward of the building line created by the parade of shops sited to the North West of the application site. It is considered that the positioning of the proposed building forward of the building line would depart from the pattern of development within the locality creating an incongruous feature within the street scene and thereby failing to appropriately respond to the local character and context as required by Policy KP5 of the Cardiff Local Development Plan.

8.3 Amenity of Neighbouring Occupiers

8.3.1 The proposal would, due to its design and position is unlikely to present an overbearing impact on the occupiers of the flats above the existing commercial units sited directly behind the application site. Furthermore, the introduction of an A1/A2 use building in this location would be unlikely to exacerbate any noise disturbance that might already be experienced in the area.

8.4 **Transport Impact**

8.4.1 The Operational Manager (Transportation) raises no objections to the proposed development and as a result the proposal is considered acceptable on highway safety and transportation grounds.

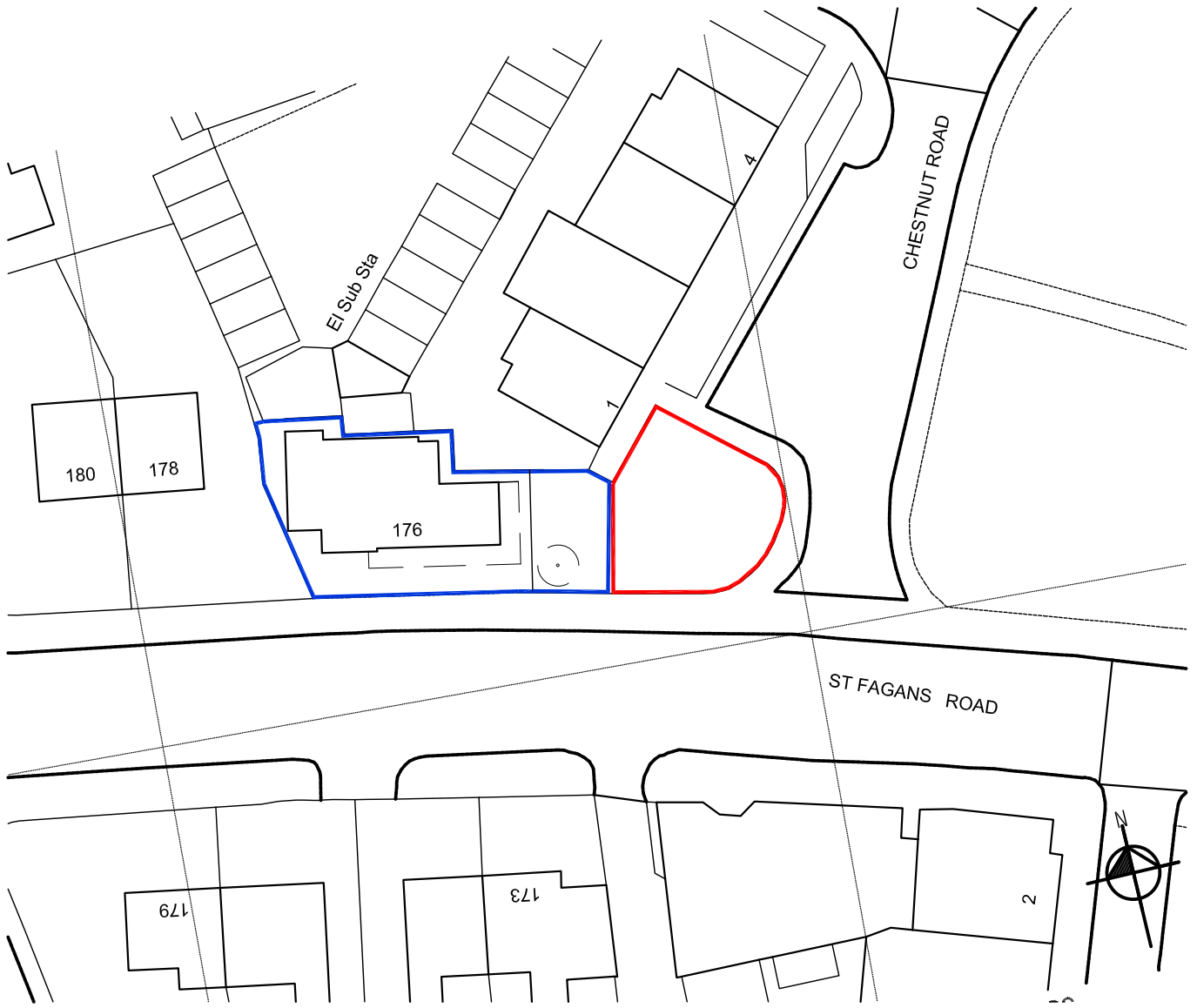
8.5 **Additional Matters**

8.5.1 In regards to comments made by neighbours which have not been covered previously, the following should be noted:

- It is noted that an existing tree sited within the grounds of the application site would need to be removed to accommodate the new building. The tree is not subject to a Preservation Order and can therefore be removed without the consent from the Council.
- Disruption caused during the construction works is not a material planning consideration.

8.6 **Conclusion**

8.6.1 Having regard to the impact of the proposal on the visual amenities of the area and the policy context above it is recommended that planning permission is refused.



LOCATION PLAN

0m 10m 20m 30m 40m 50m

REF DATE REVISION

online
architectural

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CLIENT:

Mr Patel

PROJECT:

St. Fagans Road
Fairwater
Cardiff CF5 3EW

SHEET TITLE:

LOCATION PLAN

SCALE:

1:500 on A4

DATE:

Nov. 2015

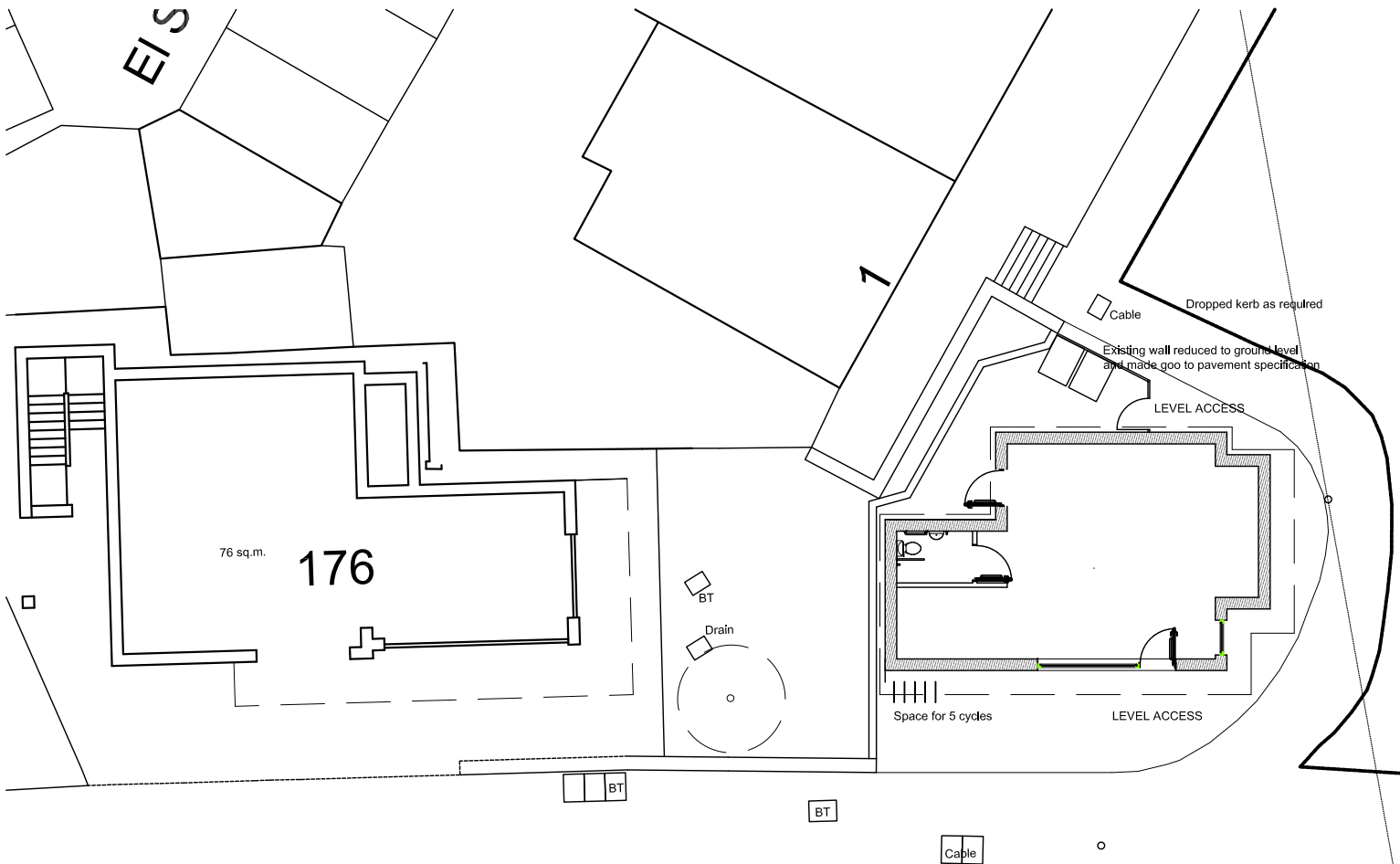
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RAP

DRAWING No

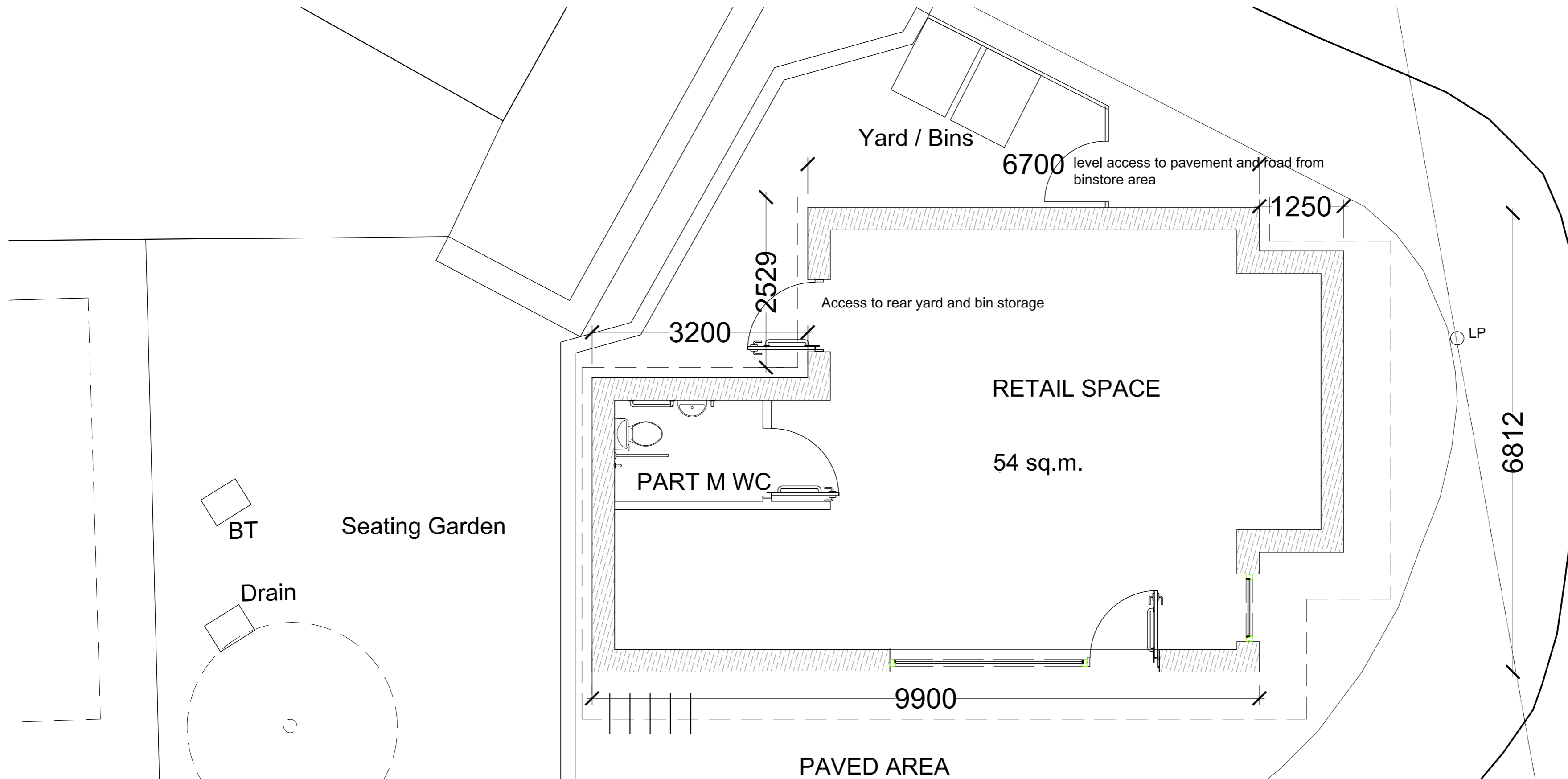
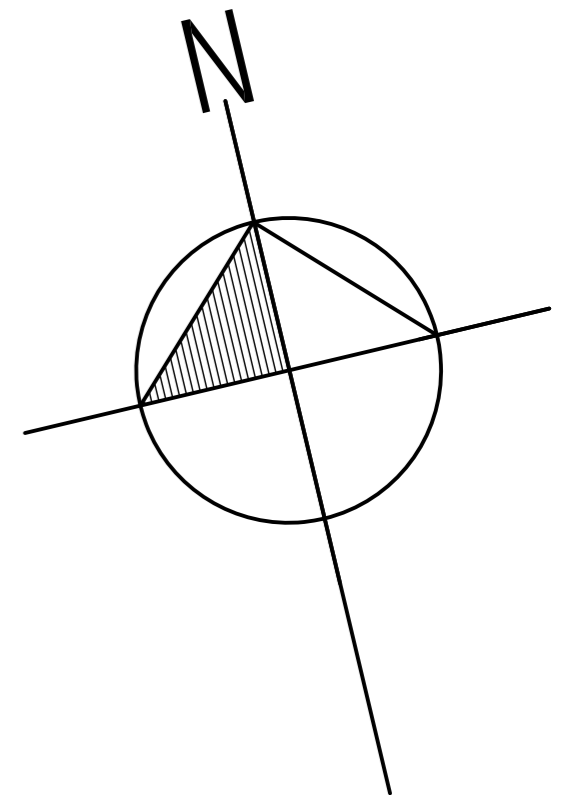
REV

13-014-PL-02



REF	DATE	REVISION
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CLIENT: Mr Patel		
PROJECT: St.Fagans Road Fairwater Cardiff CF5 3EW		
SHEET TITLE: SITE PLAN (BLOCK)		
SCALE:	DATE:	DRAWN:
1:200 on A4	SEPT 2016	JCM
DRAWING No		REV
13-014-PL-023		

PROPOSED FLOOR PLAN
SCALE 1:50



REF DATE REVISION

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CLIENT:

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St.Fagans Road
Fairwater
Cardiff CF5 3EW

SHEET TITLE:

PROPOSED PLAN & ELEVATIONS

SCALE:

1:100 on A2

DATE:

Nov. 2015

DRAWN:

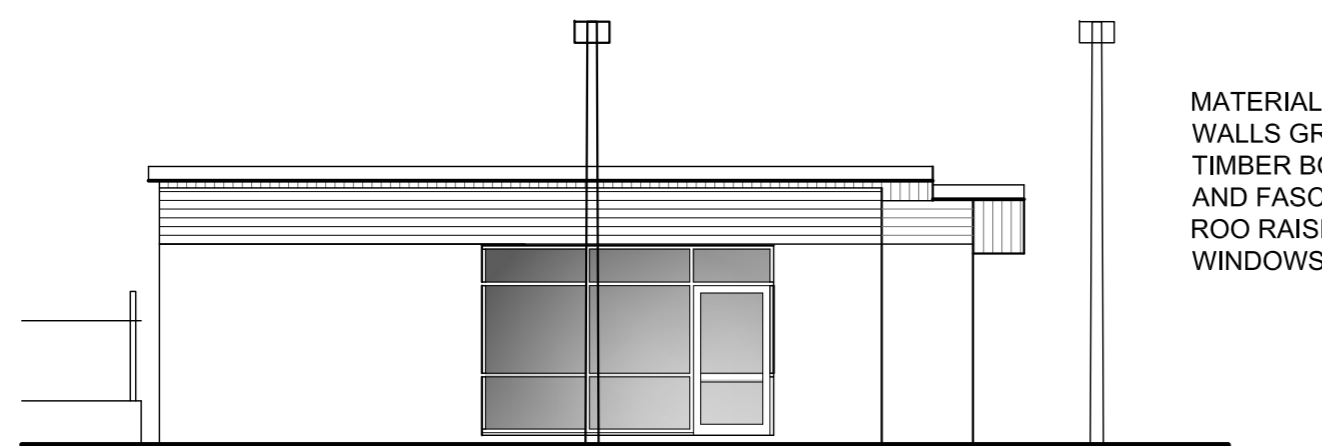
RAP

DRAWING No

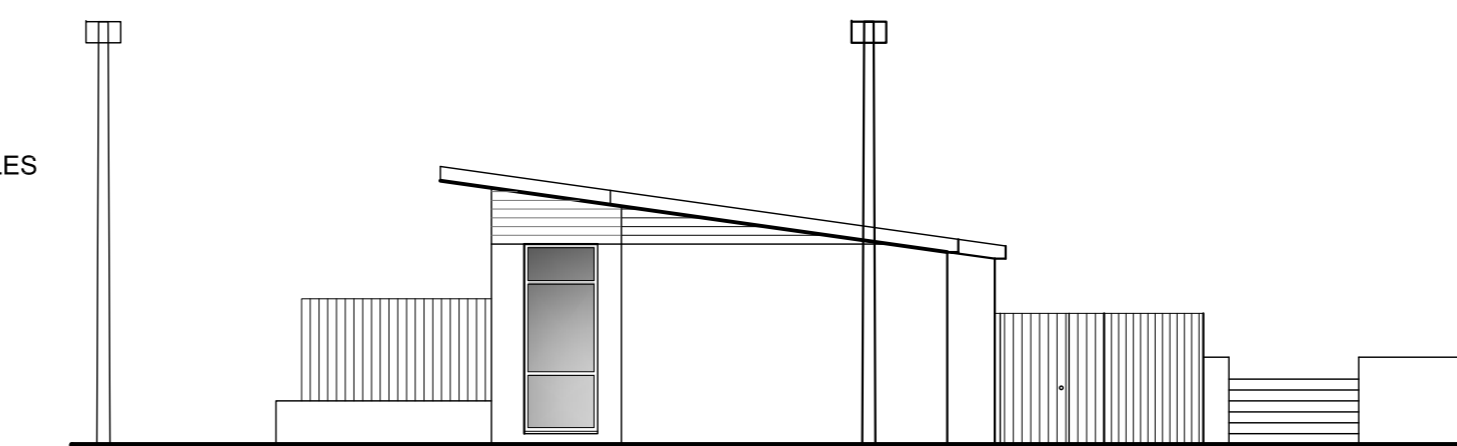
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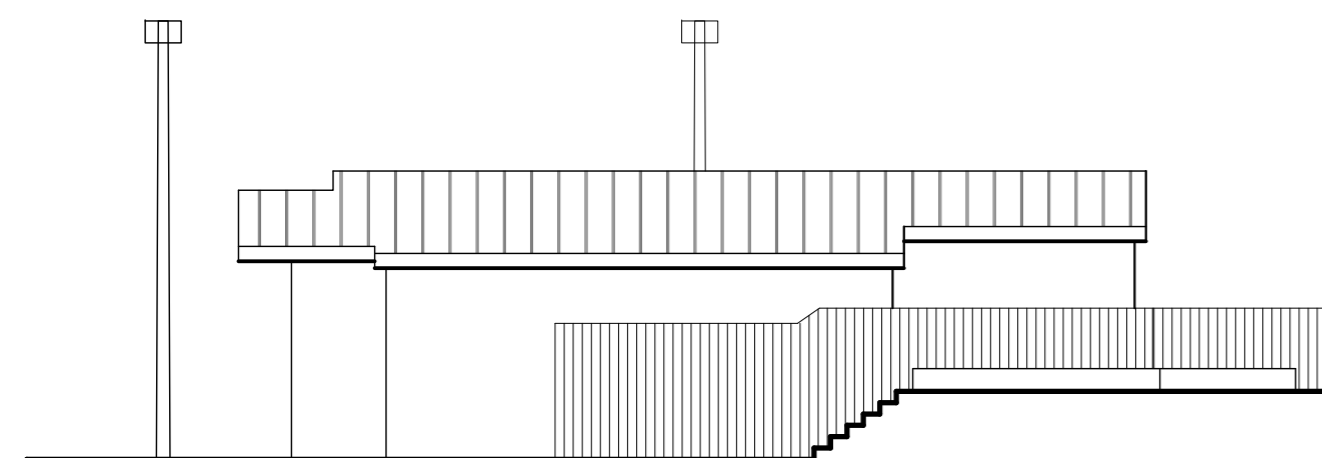
MATERIALS
WALLS GRAY RENDER WITH
TIMBER BOARDING TO GABLES
AND FASCIA
ROO RAISED SEAM ZINK
WINDOWS GRAY ALUMINUM



PROPOSED SOUTH ELEVATION

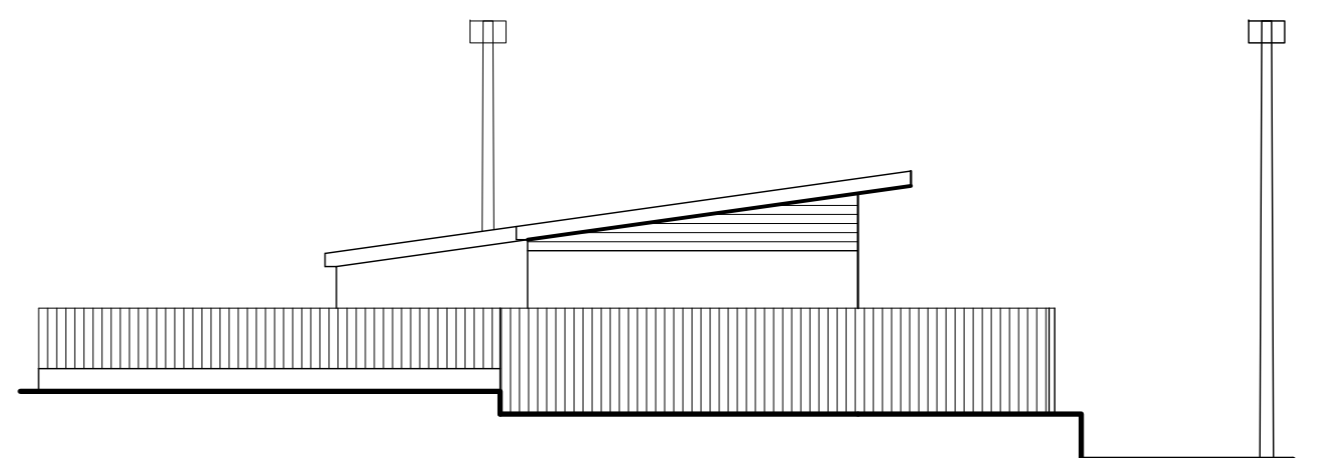


PROPOSED EAST ELEVATION



PROPOSED NORTH ELEVATION

SCALE 1:100



PROPOSED WEST ELEVATION