

COMMITTEE DATE: 08/11/2017

APPLICATION No. **17/01300/MJR** APPLICATION DATE: 19/06/2017

ED: **BUTETOWN**

APP: TYPE: Full Planning Permission

APPLICANT: JEDS Investments Ltd.

LOCATION: FORMER EVANS HALSHAW CITROEN, 1 EAST BAY CLOSE,
ATLANTIC WHARF, CARDIFF, CF10 4BA

PROPOSAL: ERECTION OF STUDENT BLOCK TO FORM 711 NO
STUDENT ROOMS AND ANCILLARY ACCOMMODATION
PLUS LANDSCAPING AND CAR PARKING

RECOMMENDATION 1 : That, subject to relevant parties entering into a binding planning obligation in agreement with the Council under **SECTION 106** of the Town and Country Planning Act 1990, within 6 months of the date of this resolution unless otherwise agreed by the Council in writing, in respect of matters detailed in paragraph 10.1 of this report, planning permission be **GRANTED** subject to the following conditions:

1. C01 Statutory Time Limit
2. The consent relates to the following approved plans and documents:

Plans

| | |
|------------------------|-------------------------------------|
| 1437-LP | Location Plan |
| 1437-100 rev. A | Existing Site Plan |
| 1437-101 rev. K | Proposed Site Plan |
| 1437-102 rev. J | Proposed Site Plan |
| 1437-102A | Proposed Site Plan (Amendment) |
| 1437-200 rev. G | Proposed Ground & first Floor Plan |
| 1437-201 rev. D | Proposed Second & Third Floor Plan |
| 1437-202 rev. D | Proposed Fourth & Fifth Floor Plan |
| 1437-203 rev. D | Proposed Sixth & Seventh Floor Plan |
| 1437-204 rev. D | Proposed Eighth & ninth Floor Plan |
| 1437-300 rev. D | Proposed Elevations (1) |
| 1437-301 rev. E | Proposed Elevations (2) |
| 1437-302 rev. C | Proposed Elevations/Sections (3) |
| 1437-303 | Existing Street Scenes |
| 1437-304 rev. E | Proposed Street Scenes |
| 1437-500 rev. D | Proposed Block Plan |
| ExA_1713_PL_001 rev. C | Hardworks Plan |
| ExA_1713_PL_002 rev. C | Softworks Plan |

Documents

KDP Pre-Application Consultation Report dated June 2017
KDP Design & Access Statement rev. G, dated 19th April 2017
The Planning Consultancy, Planning Statement
Right of Light Consulting, Daylight and Sunlight Study dated 11 May 2017
Andrew Harker Associates BS5837 Arboricultural Report ref: Cardiff/RB/17 dated March 2017
Schedule of Accommodation ref: 1437/SRD/CW/JEC rev. C dated 19 April 2017
Aether, Air Quality Assessment Version 4 ref: AQ_assessment/2017/East_Bay_Close dated 11 May 2017
Groundsure, Enviro Insight Report ref: GS-3711918 dated 08 March 2017
Groundsure, Enviro Insight Report ref: GS-3711919 dated 08 March 2017
Groundsure, Enviro Insight Report ref: GS-3711920 dated 08 March 2017
Earth Environmental & Geotechnical, GeoEnvironmental Desk Study, Report No. A1943/13 dated March 2017
RVW Consulting, Drainage Strategy Statement, revision 01 ref: DR-Rep01 dated April 2017
Hunter Acoustics, Environmental Noise & Vibration Assessment ref: 4472/ENVA1 dated 06 April 2017
Hunter Acoustics, Noise Map and External Building Fabric Assessment ref: 4472/EBF1 dated 16th June 2017
RVW Consulting, Flood Consequences Assessment, Revision B. ref: C6622 dated 06 October 2017
ADL Traffic, Transport Statement ref: AL/LRJ/3408/11A dated May 2017
ADL Traffic, Framework Travel Plan ref: ADL/LRJ/3408/11A dated May 2017
Middlemarch Environmental, Preliminary Ecological Assessment ref: RT-MME-124930-01 dated April 2017
Middlemarch Environmental, Preliminary Bat Roost Assessment ref: RT-MME-124930-02 dated April 2017
Middlemarch Environmental, Nocturnal Emergence and Drawn Re-Entry Bat Surveys ref: RT-MNE-125589 dated September 2017.

Images

East Bay Close 001 rev. B
East bay Close 002 rev. C
East Bay Close 003 rev. B

Reason: for the avoidance of doubt.

3. No above ground superstructure works shall be commenced until samples of the external finishing materials have been submitted to and

approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory finished appearance to the development.

4. Prior to the commencement of any development works a scheme to investigate and monitor the site for the presence of gases* being generated at the site or land adjoining thereto, including a plan of the area to be monitored, shall be submitted to the Local Planning Authority for its approval.

Following completion of the approved monitoring scheme, the proposed details of appropriate gas protection measures to ensure the safe and inoffensive dispersal or management of gases and to prevent lateral migration of gases into or from land surrounding the application site shall be submitted to and approved in writing to the LPA. If no protection measures are required then no further actions will be required.

All required gas protection measures shall be installed and appropriately verified before occupation of any part of the development which has been permitted and the approved protection measures shall be retained and maintained until such time as the Local Planning Authority agrees in writing that the measures are no longer required.

* 'Gases' include landfill gases, vapours from contaminated land sites, and naturally occurring methane and carbon dioxide, but does not include radon gas. Gas Monitoring programmes should be designed in line with current best practice as detailed in CIRIA 665 and or BS8485 year 2007 Code of Practice for the Characterization and Remediation from Ground Gas in Affected Developments,.

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

5. Prior to the commencement of the development an assessment of the nature and extent of contamination shall be submitted to and approved in writing by the Local Planning Authority. This assessment must be carried out by or under the direction of a suitably qualified competent person * in accordance with BS10175 (2011) Code of Practice for the Investigation of Potentially Contaminated Sites and shall assess any contamination on the site, whether or not it originates on the site.

The report of the findings shall include:

- (i) a desk top study to identify all previous uses at the site and potential contaminants associated with those uses and the impacts from those contaminants on land and controlled waters. The desk study shall establish a 'conceptual site model' (CSM) which identifies and assesses all identified potential source, pathway, and receptor linkages;

- (ii) an intrusive investigation to assess the extent, scale and nature of contamination which may be present, if identified as required by the desk top study;
- (iii) - an assessment of the potential risks to:
 - human health,
 - groundwaters and surface waters
 - adjoining land,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - ecological systems,
 - archaeological sites and ancient monuments; and
 - any other receptors identified at (i)
- (iv) an appraisal of remedial options, and justification for the preferred remedial option(s).

All work and submissions carried out for the purposes of this condition must be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR 11' (September 2004) and the WLGA / WAG / EA guidance document ' Land Contamination: A guide for Developers' (2012), unless the Local Planning Authority agrees to any variation.

* 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 in accordance with policy EN13 of the Cardiff Local Development Plan.

6. Prior to the commencement of the development a detailed remediation scheme and verification plan to bring the site to a condition suitable for the intended use by removing any unacceptable risks to human health, controlled waters, buildings, other property and the natural and historical environment, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works and site management procedures.

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.

7. The remediation scheme as approved by the LPA must be fully undertaken in accordance with its terms prior to the occupation of any part of the development unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Within 6 months of the completion of the measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.
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.
8. 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.
9. 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.
10. Any aggregate (other than virgin quarry stone) or recycled aggregate material to be imported shall be assessed for chemical or other

potential contaminants in accordance with a scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority in advance of its importation. Only material approved by the Local Planning Authority shall be imported. All measures specified in the approved scheme shall be undertaken in accordance with Pollution Control's Imported Materials Guidance Notes. Subject to approval of the above, sampling of the material received at the development site to verify that the imported soil is free from contamination shall be undertaken in accordance with a scheme and timescale to be agreed in writing by the LPA.

Reason: To ensure that the safety of future occupiers is not prejudiced.

11. Any site won recycled aggregate materials shall be assessed for chemical or other potential contaminants in accordance with a scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority in advance of its reuse. Only material approved by the Local Planning Authority shall be reused.

Reason: To ensure that the safety of future occupiers is not prejudiced.

12. No development shall commence until a drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The scheme shall demonstrate how the site will be effectively drained; the means of disposal of surface water and indicate how foul flows will communicate to the existing public sewerage system. Thereafter, the scheme shall be implemented in accordance with the approved details prior to the occupation of the building and no further surface water or land drainage shall be allowed to connect directly or indirectly with the public sewerage system.

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

13. Unless otherwise agreed in writing with the LPA no development other than demolition and remediation works shall take place until a potable water scheme to serve the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be informed by the undertaking of a Hydraulic Modelling Assessment and demonstrate that the existing water supply network can suitably accommodate the proposed development site.

Thereafter, the building shall not be occupied until any necessary reinforcement works identified through the Hydraulic Modelling Assessment have been completed on the public water supply system that serves that building.

Reason: To ensure an adequate water supply and to protect the integrity of the public water supply system.

14. Prior to completion of the development a detailed acoustic assessment

of the noise environment that examines the likely internal noise levels within each habitable room shall be submitted to and approved in writing by the Local Planning Authority. The assessment will also specify the standard of mitigation required to achieve an internal noise level of 40dB(A) $L_{Aeq, 16hrs}$ during the day and 35dB(A) $L_{Aeq, 8hrs}$ at night. The acoustic assessment should be submitted to the Local Planning Authority for approval. The mitigation measures recommended by the detailed acoustic assessment shall be installed and confirmed to be operational prior to the beneficial occupation of the development.

Reason: To meet policy EN-13 i.e. to prevent unacceptable harm to health and local amenity due to noise.

15. Notwithstanding the submitted plans, prior to any above ground development, details of the facilities for refuse storage, which shall have regard to the information contained in the email to the agent dated 03 July 2017, 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. The facilities shall be provided prior to the beneficial occupation of the development and shall thereafter be retained and maintained.

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

16. Prior to the commencement of any above ground development, a revised Air Quality Assessment (AQA) is to be submitted and approved by the LPA. The revised AQA should project air quality levels at agreed sensitive receptor locations and examine the level of impact which is expected from the on-site energy plant for the proposed year of opening or if necessary a revised year. The assessment shall consider the cumulative impact expected from the on-site energy plant and the already modelled traffic emission data, examining projected levels for NO_2 and PM_{10} at the various levels of expected residency and any surrounding sensitive receptor locations. Should the assessment indicate that the development will negatively impact upon air quality of the future occupiers and any nearby sensitive receptor locations, then appropriate mitigation measures must be developed and their effectiveness assessed and be approved by the LPA prior to the development commencing.

Reason: To ensure that the development does not have a detrimental impact on the local environment and public health.

17. Prior to commencement of development, details of bird nesting boxes attached to and incorporated into the new buildings shall be submitted to and approved in writing by the Local Planning Authority. The nature and location of bird nesting boxes shall be appropriate for the following species:-

- Swift (*Apus apus*)
- Swallow (*Hirundo rustica*)

- House Martin (*Delichon urbica*)
- House Sparrow (*Passer domesticus*)

The details shall be implemented as approved.

Reason: To ensure the enhancement of nesting habitat for birds on site, in accordance with the duty upon Cardiff Council to seek to maintain and enhance biodiversity in the exercise of its functions as set out in Section 6 of the Environment (Wales) Act 2016.

18. No above-ground development shall take place until details of the undercover and secure cycle parking facilities for 240 cycles has been submitted to and approved in writing by the Local Planning Authority and the development shall not be brought into beneficial use until the approved scheme is implemented.

Reason: To ensure that adequate provision is made for the secure parking of cycles.

19. No part of the development hereby permitted shall be occupied until a travel/parking/traffic/resident/letting management plan to include, but not limited to, the promotion of walking, cycling, public transport and other alternatives to the ownership and use of the private car; the management of student drop-off and collection/traffic at the start and end of term; the control of vehicular access to the site and the exclusion, and control of student resident car parking within the site and surrounding area, has been submitted to and approved by the Local Planning Authority.

Reason: in the interest of highway safety and to regulate the impact of the development on use of the adjacent highway.

20. No part of the development hereby permitted shall be commenced until a scheme of construction management has been submitted to and approved by the Local Planning Authority, to include as required but not limited to details of site hoardings, site access and wheel washing facilities. Construction of the development shall be managed strictly in accordance with the scheme so approved.

Reason: In the interests of highway safety and public amenity.

21. No part of the development hereby permitted shall be commenced until a scheme of highway works to East Bay Close adjacent to the site has been submitted to and approval in writing by the LPA. The scheme to include the provision of an extended footway/cycleway, new vehicle entrance and closure of the existing vehicle entrance on East Bay Close along the frontage of the site; to include as required: surfacing, kerbs, edging, tactile paving, drainage, lighting, lining, signing and street furniture as may be required as a consequence of the scheme. No part of the development shall be occupied until the approved scheme has been implemented to the satisfaction of the LPA.

Reason: To provide pedestrian, cycle and vehicle facilitate for safe commodious access to the proposed development.

22. No part of the development hereby permitted shall be commenced until the details of a before and after survey, and protection method statement for Central Link flyover where it over-sails the site have been submitted to and agreed in writing with the LPA. The survey to record the condition of the flyover and supports that may be exposed to construction activity, the survey to be repeated following completion of construction; and the protection method statement to ensure that the structure is adequately protected before and during construction, and thereafter during occupation/operation of the development. The condition survey is to be submitted to the Council and construction and subsequent operation of the development to be undertaken strictly in accordance with the approved method statement.

Reason: To ensure that Central Link, the flyover and all associated structures (be they overground or underground) are appropriately protected during construction and throughout the life of the development.

23. No demolition, site preparation or development shall take place until full details of the soft landscaping specification have been submitted to and approved in writing by the Local Planning Authority. These details shall include:

- A landscaping implementation programme.
- Topsoil and subsoil specification for all planting types, including full details of soil assessment, protection, stripping, storage, handling, amelioration and placement to ensure it is fit for purpose. Where imported planting soils are proposed, full specification details shall be supplied, including certification in accordance with British Standards and interpretive reports by a soil scientist demonstrating fitness for purpose and a methodology for handling, amelioration and placement.
- Planting methodology and minimum 5 year post-planting aftercare methodology prepared by a qualified landscape architect.

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, and to monitor compliance.

24. Any newly planted trees, plants or hedgerows, which within a period of 5 years from the completion of the development die, are removed, become seriously damaged or diseased, or in the opinion of the Local Planning Authority (LPA) otherwise defective, shall be replaced.

Replacement planting shall take place during the first available planting season, to the same specification approved in discharge of condition *,

unless the Local Planning Authority gives written consent to any variation.

Reason: To maintain and improve the amenity and environmental value of the area.

25. Notwithstanding the submitted plans, details of the sports and other external communal facilities indicated on plans numbered 1437-101 rev. K and 102 rev J. I shall be submitted and approved in writing by the Local Planning Authority. The approved facilities shall be provided prior to the beneficial occupation of the development and shall thereafter be retained and maintained.

Reason. To ensure the delivery of essential facilities for future occupiers.

26. Prior to the commencement of any above ground development, details of the means of post construction site enclosure, external communal lighting and CCTV systems shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the beneficial occupation of the development and shall thereafter be retained and maintained.

Reason. To make appropriate provision for the safety and security of future occupiers, in the interests of crime prevention.

27. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Consequences Assessment (FCA) submitted by RVW dated October 2017 with Finished Floor levels to be set at 8.850 metres above Ordnance Datum (AOD)

Reason: To reduce flood risk to the site and its occupants.

RECOMMENDATION 2: The highway works condition and any other works to the existing public highway (to be undertaken by the developer) are to be subject to an agreement under Section 278 Highways Act 1980 between the developer and Local Highway Authority.

RECOMMENDATION 3 : The contamination assessments and the effects of unstable land are considered on the basis of the best information available to the Planning Authority and are not necessarily exhaustive. The Authority takes due diligence when assessing these impacts, however you are minded that the responsibility for

- (i) determining the extent and effects of such constraints and;
- (ii) ensuring that any imported materials (including, topsoils, subsoils, aggregates and recycled or manufactured aggregates / soils) are chemically suitable for the proposed end use. Under no circumstances should controlled waste be imported. It is an offence under section 33 of the environmental Protection Act 1990 to deposit controlled waste on a site which does not benefit from an appropriate waste management license. The following must not be imported to a development site:
 - Unprocessed / unsorted demolition wastes.

- Any materials originating from a site confirmed as being contaminated or potentially contaminated by chemical or radioactive substances.
 - Japanese Knotweed stems, leaves and rhizome infested soils. In addition to section 33 above, it is also an offence under the Wildlife and Countryside Act 1981 to spread this invasive weed; and
- (iii) the safe development and secure occupancy of the site rests with the developer.

Proposals for areas of possible land instability should take due account of the physical and chemical constraints and may include action on land reclamation or other remedial action to enable beneficial use of unstable land.

The Local Planning Authority has determined the application on the basis of the information available to it, but this does not mean that the land can be considered free from contamination.

RECOMMENDATION 4 : To protect the amenities of occupiers of other premises in the vicinity attention is drawn to the provisions of Section 60 of the Control of Pollution Act 1974 in relation to the control of noise from demolition and construction activities. Further to this the applicant is advised that no noise audible outside the site boundary adjacent to the curtilage of residential property shall be created by construction activities in respect of the implementation of this consent outside the hours of 0800-1800 hours Mondays to Fridays and 0800 - 1300 hours on Saturdays or at any time on Sunday or public holidays. The applicant is also advised to seek approval for any proposed piling operations.

RECOMMENDATION 5: The applicant may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water Industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of www.dwrcymru.com

RECOMMENDATION 6: Prior to the commencement of development, the developer shall notify the local planning authority of the commencement of development, and shall display a site notice and plan on, or near the site, in accordance with the requirements of Article 12 of the Town & Country Planning (Development Management Procedure)(Wales)(Amendment) Order 2016.

1. **DESCRIPTION OF PROPOSED DEVELOPMENT**

- 1.1 A full application for redevelopment for student accommodation (711 bedspaces), with external sports/play facilities, cycle parking and car parking provision, landscaping and rooftop terrace amenities.

The accommodation is broken down into 455no. studio rooms, 218no. cluster rooms (with ancillary communal kitchen/lounge areas), and 38 accessible rooms.

The Ground floor of the southern element includes communal facilities such as a laundry, gym, cinema, meeting rooms, refuse storage and management offices. Lift access is available in four locations.

- 1.2 The proposals are for the construction of a large, predominantly 'H' shaped block enclosing two courtyard areas either side of the central spine, with activity areas set out underneath the flyover serving the 'Central Link' road.
- 1.3 The northern element, facing the main Cardiff-London Rail line (and Tharsis Close beyond), is 10 storeys in height for a frontage of approx. 60.6m and is sited approx. 8m back from the boundary to the adjacent railway land.
- 1.4 The southern element, facing East Bay Close has a frontage of approx. 58m, and is set off the back edge of the pavement to East Bay Close by approx. 14.4m (closest point). The height is split. From the western end of this element, to the point up to and including the junction with the central spine, the height is 10 storeys. However from the junction of the spine to the eastern end it is 9 storeys, with an open rooftop terrace amenity area at tenth floor level.
- 1.5 The central spine (of the 'H' shape) separates the northern and southern elements by approx. 30.8m, is 9 storeys high and includes a further open rooftop terrace at tenth floor level.
- 1.6 There is a fourth element, which runs along the same axis as the central spine, but projects from the southern element towards East Bay Close, to a point approx. 3.5m off the back edge of the pavement. This projection has an angled frontage, following the line of the pavement, is 6 storeys in height and benefits from a large expanse of glazed curtain walling overlooking East Bay Close.
- 1.7 The facades are to be finished in a combination of grey metal rainscreen cladding, interspersed with areas of glazed curtain walling. Doors and windows are to be grey metal framed double glazing units. The facades (predominantly fronting East Bay Close) are broken up using setbacks, balconies and different window angles to assist in reducing the visual impact, especially in terms of bulk and massing.
- 1.8 Substantial external communal facilities areas comprising sports pitches, seating areas and other casual entertainment spaces are included in the

proposals. The majority of the sporting facilities are sited on land underneath the Central Link flyover, with the more casual open spaces located either side of the central spine structure, between the northern and southern elements. No details of the facilities are provided and this is the subject of a condition above, along with a requirement to implement prior to beneficial occupation and maintain.

- 1.9 The proposed development will be predominantly car free, however, there are facilities for the parking of up to 32 vehicles, with five dedicated disability bays.

Cycle parking is to be provided at the fringe of the car park area, and along the communal sports area, with a capacity for 240 cycles. No details of the stands & shelters are provided and this is the subject of a condition above.

- 1.10 The site is to be accessed via a new access road, sited closer to the junction of East Bay Close and the Tyndall Street roundabout, with the existing site entrance and crossover being extinguished. The new access arrangement includes a drop off zone, set in front of the main residential entrance.

- 1.11 Pre-application discussions have been held with Council Officers. In summary, the bulk and massing of the proposed development has been reduced from earlier iterations to reduce overlooking and overbearing impacts, particularly on the northern elevation. The height in the north western corner in particular was reduced and effectively relocated to the north eastern corner to provide a landmark local feature.

2. **DESCRIPTION OF SITE**

- 2.1 The site is approx. 0.98Ha in size and is located within an area of existing employment land as identified in the LDP (EC1.22 – Land at East Bay Close). The site is currently occupied by a temporary car showroom.

- 2.2 The site is bounded to the north by the Cardiff-London Railway line, to the east by a Construction Plant Hire premises, to the south by a large electrical sub-station and to the west by the Central Link Road flyover.

- 2.3 Beyond the flyover, to the north side of Tyndall Street there are existing warehouse premises set behind two storey semi detached dwellings. To the south side of Tyndall street on the west side of the flyover are further dwellings and office accommodation ranging from 3 to 9 storeys in height.

- 2.4 Further to the east there are other low level commercial premises, including a fishmongers premises and a builders merchant warehouse & yard.

- 2.5 To the south, across East Tyndall Street and beyond the electrical sub-station there is a 3 storey Youth Hostel, sitting alongside a large vehicle showroom/workshop facility.

- 2.6 Beyond the railway line to the north there are dwellings on Tharsis Close,

comprising bungalows and 3 storey block of flats.

3. **PLANNING HISTORY**

3.1 11/01002/DCI – Change use from car showroom to B1/B2/B8 with external changes – Approved

16/02064/MNR – new 6 car temporary showroom with customer and office facilities – Approved – use to cease on/before 21 Oct 2019.

4. **POLICY FRAMEWORK**

National policy

4.1 Planning Policy Wales (PPW) Edition 9, 2016 favours the sustainable re-use of previously developed land.

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

- TAN 12: Design

4.3 The following policies of the recently adopted 2016 City of Cardiff LDP are relevant to the consideration of this application:-

- KP5 Good Quality and Sustainable Design
- KP6 New Infrastructure
- KP7 Planning Obligations
- C1 Community Facilities
- C5 Provision for Open Space, Outdoor Recreation, Childrens' Play and Sport
- EC1 Existing Employment Land
- EC3 Alternative Use of Employment Land and Premises
- EN12 Renewable Energy and Low Carbon Technologies
- T1 Walking and Cycling
- T5 Managing Transport Impacts

4.4 The following Supplementary Planning Guidance relates to the previous 1996 Local Plan. It is under review following the adoption of the LDP however it remains a material consideration in considering the application insofar as it is consistent with LDP policy:

- Safeguarding Land for Business and Industry SPG (June 2006)
- Tall Buildings (2009)
- Open Space (2008)
- Community Facilities and Residential Development (2007)
- Access, Circulation and Parking Requirements (2010)
- Infill Sites (2011)

4.4 In addition to the above, the following new Supplementary Planning Guidance is also relevant:

- Locating Waste Management Facilities Jan. 2017
- Planning Obligations Jan. 2017

5. **INTERNAL CONSULTEE RESPONSES**

- 5.1 The Operational Manager Transportation has no objection to the proposals, subject to conditions and a financial contribution of **£150,000**, making the following comments:

The adopted Access, Circulation and Parking Standards SPG confirms that up to one car parking space per 25 beds may be provided for operational use, to include disabled parking provision, and that there is no requirement for on-site resident car parking for the sui generis use of student accommodation. In addition, established practice is that one cycle parking space be provided per two beds for the proposed type of development, albeit that an initial relaxation of this requirement to one cycle space per three beds has been agreed, subject to the demand for cycle parking being reviewed via the Travel Plan and provision being increased as required by review.

Being mindful of the location of the site and nature of the proposed development, I am satisfied that the proposed is compliant with adopted parking policy as submitted; with limited on-site operational/servicing vehicle parking only and the provision of resident cycle parking as required by proposed condition. Active travel and specifically demand for cycle parking will also be monitored as part of the conditioned Travel Plan and, in addition to any other measures, provision of cycle parking enhanced as may be required to respond to any identified shortfall.

With reference to the location and wider development considerations, it is noted that the site is in a city centre fringe location within a reasonable walking/cycling distance of employment, leisure, shopping, etc. opportunities, as well as university campus/facilities, to the north of the rail line. The site is also within an area where walking, cycling and public transport offer viable daily alternatives to the use of a private car, having access to bus based public transport services on Tyndall Street and Schooner Way; local and national rail services at Queen Street and Central train stations; and continuous footways/Cardiff's cycle network. Subject to my further comments below, the site is therefore considered to be reasonably sustainably located in transport terms and therefore in this context appropriate for the proposed type of development.

It is nonetheless noted that the introduction of circa 700 residents who will be wholly reliant on walking, cycling and public transport for daily journeys will put a not insignificant amount of additional non-motorised traffic onto the adjacent footways, cycleways and crossings in the vicinity of the site and along routes to the above mentioned facilities. In respect of which (walking/cycling) it is noted the applicant has offered by way of a S106 undertaking, to make a financial contribution totalling £30,000 towards:-

- The provision of a controlled crossing on Ellen Street, £29,000; and

- *Cycle lane lining on Tyndall Street, west side of the Central Link roundabout, £1,000.*

The above combined contribution is however considered insufficient to either complete the schemes to which they relate or mitigate the anticipated additional pedestrian and cycle traffic that the proposed development will generate.

In respect of the provision of controlled crossing facilities on Ellen Street, an indicative lump sum cost estimate of £29,000 has been suggested to the Council by the applicant's Transport Consultant. However we have not been provided with a design or breakdown of what is included in the indicative cost, and understand it does not take account of detailed design, procurement, traffic management, project management/supervision, etc. In contrast, our experience is that a crossing scheme of the kind we understand to be envisaged would typically cost in excess of twice the offered contribution of £29,000 to actually deliver.

Notwithstanding the above, in its response to the pre-application and in subsequent correspondence with the applicant, the Council confirmed that it viewed securing enhanced pedestrian connectivity to the City Centre/University Buildings as critical to making the proposed development acceptable. This improved connectivity initially focused on a route to the south of the rail line, however improvements to the junction of Tyndall Street/Ellen Street/Schooner Way, as shown in principle on the attached Aecom drawing M001.121-005, were also identified in the transportation comments. In the absence of proposals to provide a dedicated pedestrian/cycle route to the south of the rail line, a S106 contribution of £150,000 is sought towards the cost of the improvements identified of the attached Aecom drawing and/or other pedestrian and cycle improvements to the route between the site and Smart Way/Smart Bridge as may be agreed.

A new vehicular access and extended footway/cycleway on East Bay Close to link with Tyndall Street is also proposed to serve the development. The footway/cycleway will extend along the frontage of the site to provide a continuous pedestrian access to the proposed development. These works will be completed under a Highways Act 1980 Section 278 Agreement and are subject to proposed condition.

I am also satisfied, subject to agreement of the conditioned Traffic Management Plan, that there is sufficient capacity on the adjacent public highway to accommodate the arrival and departure of students at the start and end term, and any daily servicing requirements of the proposed development. The Traffic Management plan will also assist with the control of student car parking within the site and surrounding area.

- 5.2 The Pollution Control Manager (Noise & Air) notes the submitted Acoustic Report. However it is considered that further Noise Assessment is required, with details of any mitigation measures necessary. In this case, condition 14 is recommended.

- 5.3 The Pollution Control Manager (Contaminated Land) has no objection, subject to conditions in respect of contaminated land issues, with further contaminated land advice.
- 5.4 The Highways Drainage Manager has been consulted and no comments have been received.
- 5.5 The Air Quality Manager has no objection, subject to a condition requiring the submission of a revised Air Quality Assessment.
- 5.6 The Regeneration Manager has no objection, making the following comments:

Request for Community Facilities

The Cardiff Planning Obligations SPG 2017 (Section 8 – Community Facilities) states 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’.

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 | | £720.51 | £0.00 |
| 2 | | £997.63 | £0.00 |
| 3 | | £1,385.60 | £0.00 |
| 4 | | £1,718.14 | £0.00 |
| 5+ | | £2,106.11 | £0.00 |
| Where number of bedrooms unknown | | £1,291.38 | £0.00 |
| Single Student Bedroom | 711 | £554.24 | £394,064.64 |
| TOTALS: | 711 | | £394,064.64 |

In summary, the following contribution is sought from the developer:

£394,064.64

Community Infrastructure Levy (CIL)

CIL Regulation 122(2) provides:

A planning obligation may only constitute a reason for granting planning permission for the development if the obligation is—

- (a) necessary to make the development acceptable in planning terms;*
- (b) directly related to the development; and*
- (c) fairly and reasonably related in scale and kind to the development.*

Comments in respect of the request for contributions towards community facilities are as follows:

(a) Necessary to make the development acceptable in planning terms:

The Cardiff Planning Obligations SPG was formally adopted by Council on 26th January 2017. The SPG was adopted to help to ensure that developments contribute toward the provision of necessary infrastructure and measures required to mitigate their impact. Policy KP6 of the Cardiff Local Development Plan (adopted January 2016) supports the provision of community facilities as part of new residential developments.

It is also in accord with Planning Policy Wales which supports the negotiation of planning obligations and states “Contributions from developers may be used to offset negative consequences of development, to help meet local needs, or to secure benefits which will make development more sustainable”. A development proposing a significant increase in population, such as this, would create pressures on existing local facilities that need to be offset via a financial contribution. It would be unacceptable to grant planning consent in the absence of such provision.

(b) Directly related to the development

Several community facilities are located within proximity to the site and are likely to experience an added pressure as a result of the new population. It is envisaged that a forthcoming community facilities contribution would be directed towards these facilities:

(c) Fairly and reasonably related in scale and kind to the proposed development

Contributions towards community facilities are derived using a formula-based calculation which takes into account, amongst other things, the size of the residential development and the projected increase in population.

5.7 The Parks Manager has no objection, making the following comments:

Design Comments

The development is located some distance from existing public open space, the nearest being Craiglee Drive Open Space. Two small open spaces (Tharsis Close and Adamscroft) are located the opposite side of the railway line. There may also be some limited public realm nearby as part of the Capital Quarter development.

Therefore I welcome the recreational area proposed for site, which is essential given the location and size of the development. The main recreational area containing a MUGA, table tennis table, table football and fitness area lies under the link road I have no objection to this as a location as it provides a positive use in an otherwise dead space and has been used elsewhere. On the pre-application design there was concern about the proximity of the MUGA to nearby bedrooms, but this has been overcome in the current design.

I'm unsure if the recreational area includes proposals for lighting, which would allow much more extensive use. Given the very shaded nature of the area and inclusion of seating some form of low level lighting during the day may have benefit, although without visiting the site to assess light levels it's difficult to determine whether this is required.

I presume access for essential repair works to the link road structure has been taken into consideration in the design. An inspection and maintenance regime in line with RoSPA guidelines will be required for the MUGA and fitness equipment to ensure these remain in a safe condition.

The presence of two reasonable sized courtyards is also welcome. A sun shade analysis of these two areas to ascertain how much sunlight they receive would have been useful. Given the link road structure on one side, and buildings on the remaining three sides, noise and shading will undoubtedly be an issue with the largest courtyard but again impact on this as a recreational space is difficult to ascertain.

Open Space Provision

These comments relate to the current LDP (C5 Provision for Open Space, Outdoor Recreation, Children's Play and Sport; KP16 Green Infrastructure), and the 2017 Planning Obligations Supplementary Planning Guidance (SPG), supported by policies set out in the 2008 SPG for Open Space which set the Council's approach to open space provision.

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

Based on the information provided on the number and type of units, I have calculated the additional population generated by the development to be **711**.

This would generate an open space requirement of **0.91 ha** of on-site open space based on the criteria set for **Student accommodation**, or an off-site contribution of £388,581.

A number of areas of well-equipped recreational space (courtyards and formal recreation area including the green buffer strip beyond the link road) are being provided on site to service the student population, albeit not formally public open space for external users as well. Therefore I have measured these areas based on the drawings submitted at approximately 3332m² or 0.3332 hectares of recreational open space being provided on site. This has been deducted pro rata from the POS requirement, leaving the remaining amount of 0.5768 hectares. This would result in a remaining off-site contribution of **£246,279**. I enclose a copy of the calculation.

The use of S106 contribution from this development will need to satisfy CIL and the current distance requirements set out in the 2017 Planning Obligations SPG – play areas 600m (not applicable to student and sheltered accommodation), informal recreation 1000m, and formal recreation 1500mm, measured from edge of the site.

Notes relating to provision for student housing

The calculation for student accommodation applies a lower rate compared to the full amount required for general purpose housing. This takes into account omission of the play provision element which is not applicable and the resident's accessibility to student sports facilities

However students will still regularly use public open spaces and sporting facilities within Parks, and therefore the off-site contribution relates to increased use of local public open spaces, with a corresponding need for increased maintenance, more rapid upgrading and potential expansion of existing facilities.

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

Consultation would take place with Ward Members to agree use of the contribution, and this will be confirmed at S106 stage.

- 5.8 The Economic Development Manager has no objection, making the following comments:

Given the location of the site (within protected employment area in LDP) and above 1,000m² we would look for **£16,272** for loss of employment land from the developer in line with recently agreed S106 SPG.

- 5.9 The Council's Trees Officer has no objection, subject to the imposition of conditions relating to the submission and approval of further soft landscape details, and ongoing maintenance.

5.10 The Council's Ecologist has no objection, making the following comments:

I note from the Preliminary Bat Roost Assessment (revised April 2017) submitted in support of this application that no bats were found in the buildings on this site nor was there any bat roost potential in the buildings or trees on the site. I support these conclusions.

I note in their response of 5th June 2017 that NRW have requested a bat survey of the flyover bridge adjacent to this site. Whilst I do not necessarily support this request, if a report into such a survey is submitted then I would be happy to consider it and provide comment if requested.

Bridge structures can support bat roosts, and indeed we have two bridge SINC's – The Leckwith Woods Viaduct and the Cogan Spur Viaduct – both of which support Lesser Horseshoe Bats. However, what these bridges have in common is a box-girder structure with a large central void, and close proximity to bat feeding habitats such as the River Ely and Leckwith Woods. In the case of the bridge adjacent to the present site, there is no such central void nor are there suitable feeding habitats in close proximity. There may be crevices in between the concrete structures which make up the bridge which bats could inhabit, but considering the surrounding environment I would be surprised if a survey reveals any bat roosts.

I do not support the statements in sections 6.2 and 7.1 of the Preliminary Ecological Appraisal (PEA) that the Severn Estuary SAC, SPA and Ramsar site may be indirectly affected by the proposed development. At about 1760 metres away, the foreshore of the Severn Estuary is unlikely to see an increase in recreation caused by this development, beyond that resulting from an already growing city, and there is no scope for direct disturbance to the estuary's wildlife or habitats. Furthermore, issues of increased recreation were considered in the Habitats Regulations Appraisal of the LDP, and found to be unlikely to have a significant effect on the Severn Estuary or any of the other international designations in the region. These conclusions were accepted by NRW, and NRW have not raised concern at the impact of the present scheme upon the Severn Estuary designations.

The PEA did not highlight any other significant nature conservation concerns, but I do support the recommendations R3 to R7 inclusive, as set out in sections 7.2 and 7.3. In relation to the recommendation in R3 to provide nest boxes for '*species such as house sparrow*' I would prefer that nest boxes for priority species in Cardiff such as Swift, Swallow and House Martin are deployed. Generic nest boxes for these species are commercially available and can be incorporated into the structure of the new building at minimal cost. The applicants' ecologist can provide advice on an appropriate level and location of bird nest box provision.

In light of these comments, condition 17 is recommended.

5.11 The Neighbourhood Regeneration Manager (Access) has been consulted and

no comments have been received.

- 5.12 The Housing Strategy Manager advises that as the development is wholly for student accommodation, no affordable housing contribution is required.

6. **EXTERNAL CONSULTEE RESPONSES**

- 6.1 Welsh Water have no objection subject to a potable water and standard drainage details conditions.
- 6.2 Network Rail have no objection. They have provided advice in respect of development impacting on Railway land that has been passed to the agent.
- 6.3 South Wales Police have no objection. Further advice in respect of crime prevention has been provided and has been passed to the agent.
- 6.4 Natural Resources Wales have no objection to the proposals in light of the amended Flood Consequences Assessment submitted. However, they have requested a condition that requires the development to be implemented in accordance with that FCA and having a specified ground floor level (condition 28 above).

7. **REPRESENTATIONS**

- 7.1 Local Members have been consulted and any comments received will be reported to Committee.
- 7.2 Adjacent occupiers were notified and the occupier of an adjacent site (Ashstead Plant Hire Co.) makes the following comments:

“Traffic is already horrendous on east bay close, with all extra cars and residents, will be impossible to park and worried about people parking on my property, so unless there is plans to change road infrastructure, this could be a disaster, also worried about security of kit (7 million pounds of kit)”

- 7.3 The occupier of 4 Hope Terrace, Splott, has emailed comments to Councillor Ed Stubbs, who in turn forwarded them to the Chair of Planning Committee. They comment that:
- The proposed building is out of keeping with the local community (2-3 storey housing);
 - The proposed car and cycle parking is insufficient, there is limited public transport, and there is concern that there will be overspill parking in nearby Splott;
 - While Councillor Thomas hopes this proposal will help regenerate the area, they feel that the students will not use facilities in Splott given the benefits they have on site;
 - Any S106 money should be used “for the benefit of the local community and to integrate students into that community.”
 - With several existing student developments and a reduction in student

- registrations, are there alternatives for any surplus accommodation;
- Will local residents be able to use the on site sports facilities proposed;
- Cllr Thomas notes existing anti-social behaviour in the area and there are concerns that the proposals will exacerbate this;
- While there is a need to regenerate the area, and quality student accommodation would ease the issues of HMO's in Cathays & other areas, the proposal is in the wrong place and too large.

7.4 The application was publicised as a Major development by way of site and press notice. No comments have been received.

8. **ANALYSIS**

8.1 The application site is identified as existing employment land as defined by the LDP Proposal Map. The proposal is located within the EC1.22 Land at East Bay Close which is a locally protected employment site.

8.2 The application site is located on existing employment land as defined by the Adopted Cardiff Local Development Plan proposals map. The application should therefore be assessed against Policy EC1 and Policy EC3. This policy framework aims to protect existing employment sites for 'B' Use Classes to ensure that a range and choice of employment land and premises are available across the city to assist economic competitiveness, encourage entrepreneurship and promote the growth of indigenous business. Policy EC3 identifies a range of criteria against which applications for the alternative use of business and industrial land will be assessed.

The application site is currently used as a temporary car showroom.

From a detailed review of the evidence submitted, there is a need to carefully consider the following criterion of the Policy *EC3: Alternative Use of Employment Land and Premises*

- *There is no need to retain the land or premises for business, industrial or warehousing use, having regard to the demand for such land and premises and the requirement to provide for a range and choice of sites available for such use*
- *There is no realistic prospect of employment use on the site and/or the property is physically unsuitable for employment use, even after adaptation/refurbishment or redevelopment;*

The evidence presented and discussed with colleagues in Economic Development have been carefully considered.

Evidence that there is no need to retain the premises for employment premises, has been presented in relation to detailed long term marketing evidence, expressions of interest and market reasons why the unit is not suitable.

The property has been marketed, available either leasehold or potentially freehold, since 2009.

Despite this long term vacancy it is considered that the site still remains well located for industrial/warehouse use.

- 8.3 The constraints on some existing employment sites may be of such a scale that the provision of any new employment uses on the site may be proven to be unviable at that point in time. Irrespective of this, the County's employment land is a finite resource and once it is lost it is highly unlikely to ever return to that use. In addition, the economics of development can change over time and although the retention of employment uses on the site may not be economically viable at this time, it is not to say that it could not become a viable proposition in the future. As such the loss of the site would still represent a depletion of the County's economic resource in a location that is considered to be acceptable for economic development uses in land use terms.

Where a developer is able to demonstrate that a current employment has no prospects for continued use, or for a mixed use development that retains a significant element of Class B use on site, under the prevailing economic conditions, the Council will give consideration to other uses (subject to other LDP policies) on the condition that the developer provides compensation for the economic harm arising from the loss of the site to non-employment uses.. This compensation should take the form of a financial contribution secured via a Section 106 Agreement

- 8.4 Assessed against the relevant policy framework and taking account of the above considerations, and the advice received from the Economic Development Manager, the application does not raise land use policy concerns.
- 8.5 Whilst it is acknowledged that the proposed building is very large, this is taken in context of the setting, with the elevated highway dominating the western side of the site and the commercial environment to the east. In addition, it is also of note that the topography of the area see the ground level rising when travelling eastward.
- 8.6 In addition to the above, the scale and massing of the proposals when viewed from the raised level of East Tyndall Street to the east is such that it would be viewed against the backdrop of the City Centre. In this case, it is considered that this would not result in any significant harm to the street scene.
- 8.7 It is considered that the architectural treatment performs well in breaking up the mass of the building and creating enough interest and varying views. To the street the scale is reduced, before stepping up towards the railway line, where the scheme has less impact. Elements of the building project forward of the main building facade creating variety and emphasis. The pattern of fenestration establishes a classical disposition of solid and void, and is well composed. Blank elevations are reasonably positioned to reduce impact, and

do not impact on communal spaces.

- 8.8 The materials as indicated are considered to be acceptable in principle, and the submitted illustrations appear to demonstrate that the mix offers a good level of interest. However given the mass of the building, its material finish is considered to be of significant importance and therefore a condition requiring the submission and approval of materials samples is recommended.
- 8.9 The scheme benefits from a range of on site community facilities and a significant element of outdoor amenity space and this is reflected in reduced S106 POS financial contributions.
- 8.9 The wider off-site public realm works that will be brought forward as part of the development proposals to facilitate movement between the application site and the neighbouring Howard Gardens development and the city centre will be required as part of the Section 106 legal agreement.
- 8.10 With regard to the comments made by the adjacent occupier, the proposals have been considered by the Transportation Manager, who has no objection subject to conditions. The comments regarding security area noted. Notwithstanding that there is no evidence that the development will compromise the existing level of security to the adjacent site (it could be held that the intensification of use on the application site would actually increase security through passive surveillance), details of means of enclosure to the development site, external lighting and CCTV facilities are conditioned above.
- 8.11 The buildings to be demolished are not listed (and not locally listed) and the site is not in a conservation area.

9. **OTHER CONSIDERATIONS**

- 9.1 *Crime and Disorder Act 1998* – Section 17(1) of the Crime and Disorder Act 1998 imposes a duty on the Local Authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. This duty has been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable increase in crime and disorder as a result of the proposed decision.
- 9.2 *Equality Act 2010* – The Equality Act 2010 identifies a number of ‘protected characteristics’, namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; marriage and civil partnership. The Council’s duty under the above Act has been given due consideration in the determination of this application. It is considered that the proposed development does not have any significant implications for, or effect on, persons who share a protected characteristic.
- 9.3 *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.

10. **PLANNING OBLIGATIONS**

10.1 The following contribution requests have been made, with reference made to the Community Infrastructure Levy tests:

Parks – A contribution of £246,279 is requested towards the maintenance/provision of open space in the vicinity of the site.

Regeneration – A contribution of £394,064.64 is requested towards the provision/maintenance of community facilities in the vicinity of the site.

Transportation – A contribution of £150,000 is requested, towards the improvement of the Tyndall St/Ellen St/Schooner Way junction.

Economic Development – A contribution of £16,272 is requested to offset the loss of existing employment land

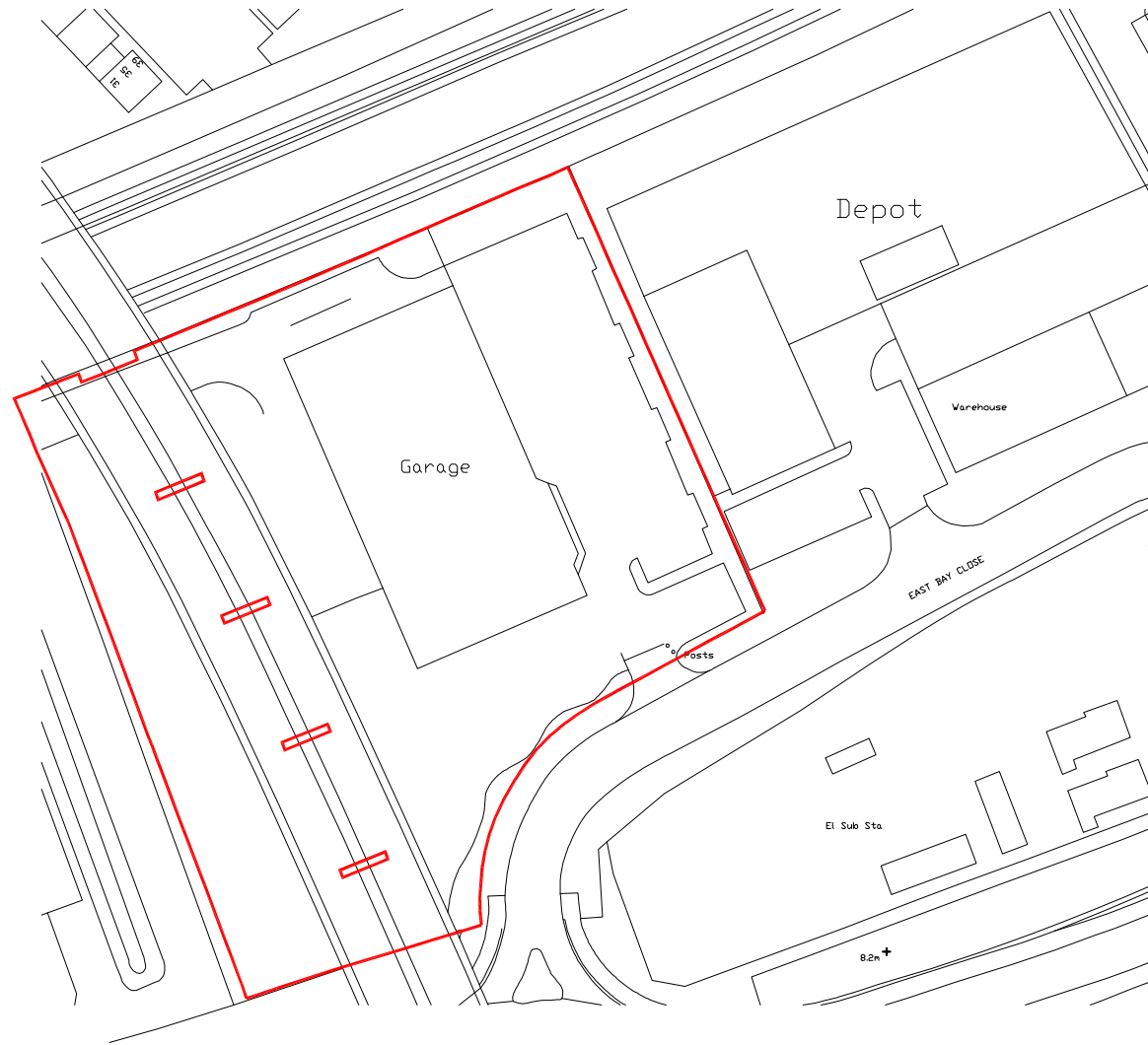
In addition to the above, it is recommended that future occupancy by students only is secured through any legal agreement made.

The agent has confirmed that the above mentioned contributions are acceptable to the applicant.

11. **CONCLUSION**

11.1 The proposals will redevelop a brownfield site and provide a significant quantum of purpose-built student housing in a location that is consistent with other development sites nearby. The quality of the layout and design is considered to enhance the appearance and amenity of the area.

In light of the above, and having regard for adopted planning policy guidance, it is recommended that planning permission be granted, subject to conditions and a Legal Agreement.



Location Plan Scale 1:1250

All dimensions to be checked on site. Figured dimensions to be read in preference to scaled. KDP accepts no responsibility for any unauthorised amendments to the drawing and does not permit unauthorised copying of the drawing. This drawing is copyright and remains the property of KDP unless otherwise agreed.

| Revisions | | | Ink | Check |
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| KDP ARCHITECTS | THE KEITH DAVIDSON PARTNERSHIP <small>CHARTERED ARCHITECTS - PROJECT MANAGEMENT - 3D VISUALISATION</small> | | Planning | | | | | | | | |
|--------------------------|--|---------|--|--|-------|-------|---------|------|------------|-----|-----|
| | 13 Seymour Terrace Seymour Street Liverpool L3 5PE | | Client - | Job number 1437 | | | | | | | |
| | Telephone: +44 (0) 151 709 1777 Facsimile: +44 (0) 151 708 9998 | | Job title Eastbay Close, Cardiff CF104BA | Drawing number LP | | | | | | | |
| | Email: info@kdparchitects.com Website: www.kdparchitects.com | | Drawing title Location Plan | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th>Scale</th> <th>Drawn</th> <th>Checked</th> <th>Date</th> </tr> <tr> <td>1:1250@ACW</td> <td>ACW</td> <td>SRD</td> <td>22.08.16</td> </tr> </table> | Scale | Drawn | Checked | Date | 1:1250@ACW | ACW | SRD |
| Scale | Drawn | Checked | Date | | | | | | | | |
| 1:1250@ACW | ACW | SRD | 22.08.16 | | | | | | | | |



El Sub

2.4 x 43m VISIBILITY SPY

DROP OFF ZONE

VISITORS PARKING (32 No.)

AREA TO REMAIN UNDEVELOPED (Hatched Pink)

Proposed Site Plan
Scale 1:200



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| Rev | Date | Description | Int. | Check |
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| A | 21.03.17 | SCHEME REVISED | CW | SRD |
| B | 19.04.17 | Scheme Revised following comments from LPA | KH | SRD |
| C | 22.04.17 | Landscaping Amended | KH | SRD |
| D | 22.04.17 | Additional cycle spaces added | KH | SRD |
| E | 24.04.17 | Amendments to Car Park | KH | SRD |
| F | 24.04.17 | Bin Store Amended | KH | SRD |
| G | 26.04.17 | Landscaping amended | KH | SRD |
| H | 05.05.17 | Cycle Spaces amended | CW | SRD |
| I | 11.05.17 | Landscaping amended | CW | SRD |
| J | 19.09.17 | Scheme amended | CW | SRD |

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THE KEITH DAVIDSON PARTNERSHIP
CHARTERED ARCHITECTS - PROJECT MANAGEMENT - 3D VISUALISATION

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Client
Job title
Eastbay Close, Cardiff
CF104BA
Drawing title
Proposed Site Plan

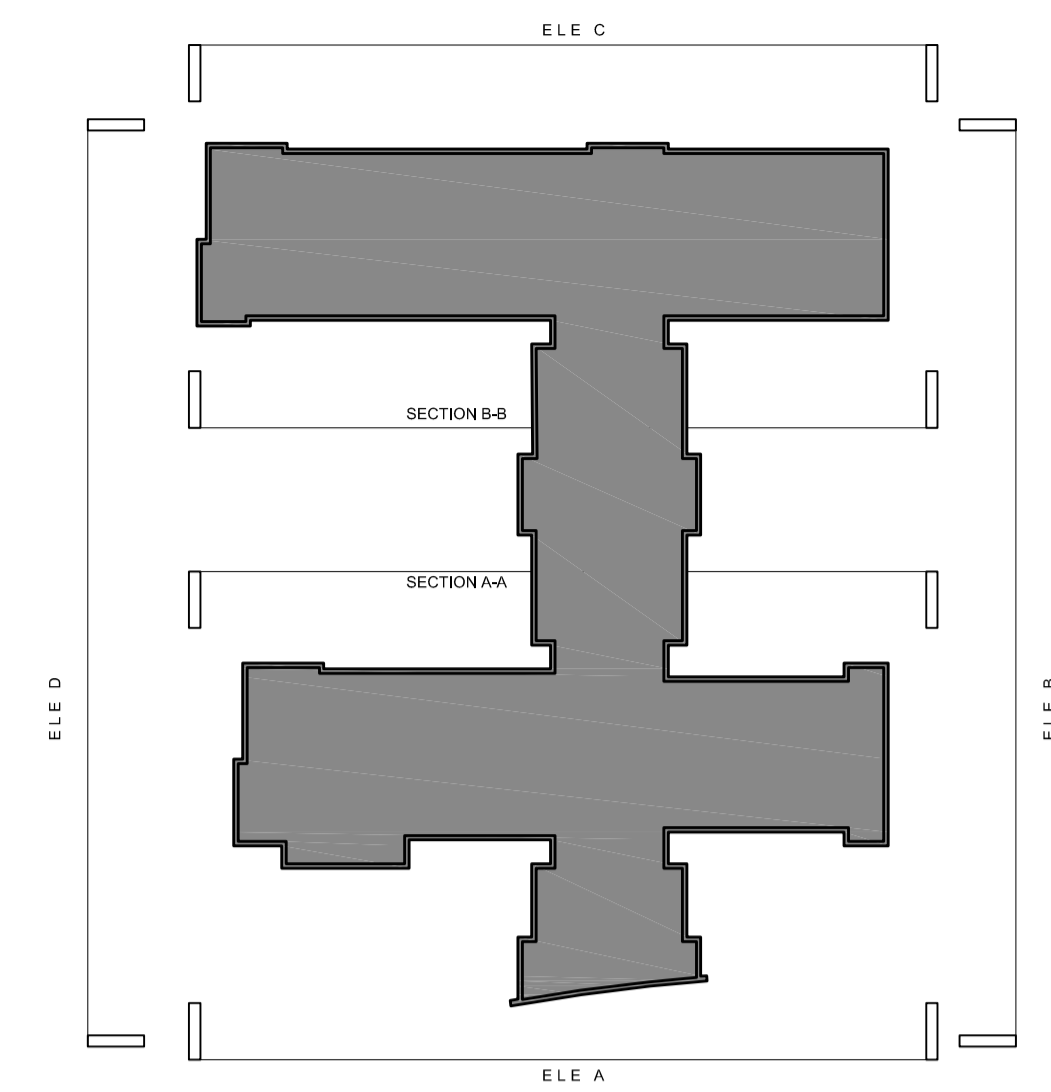
Planning

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Drawing number
102
Scale
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Drawn
CW
Checked
SRD
Date
20.08.16

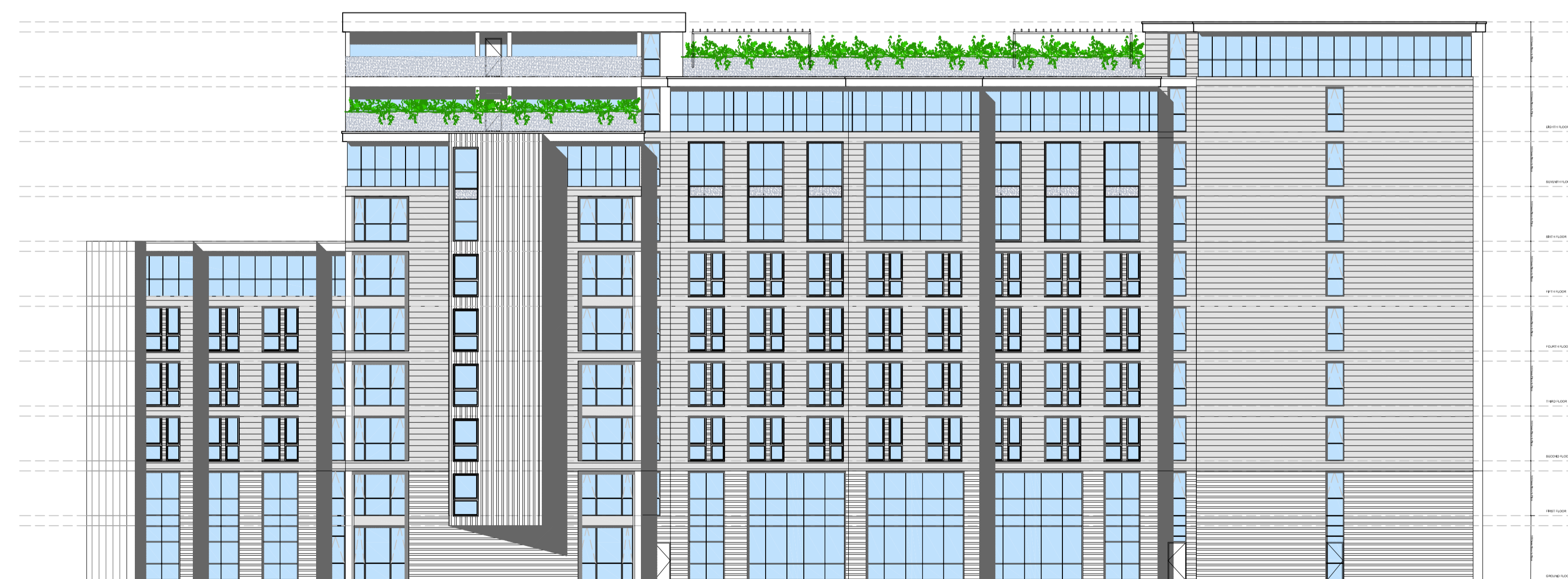
J



Proposed Front Elevation (ELE A)
Scale 1:200



Key Plan Scale NTS



Proposed Side Elevation (ELE B)
Scale 1:200

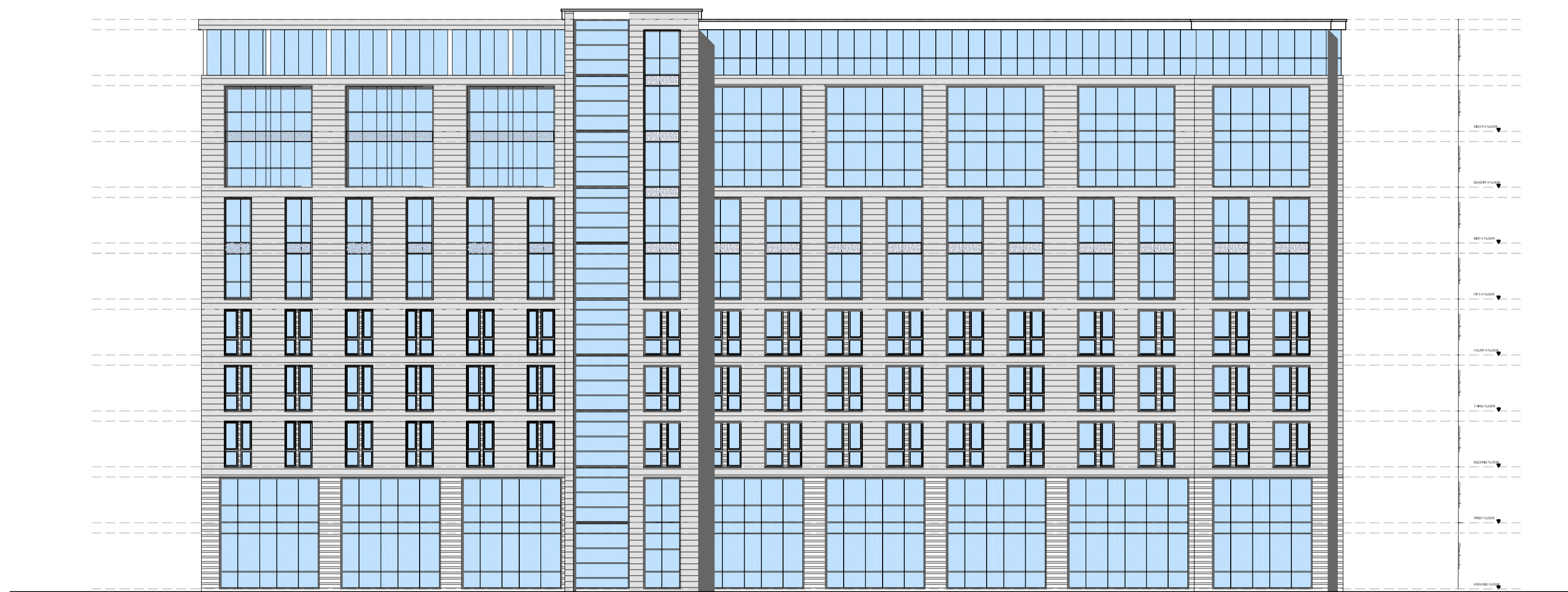


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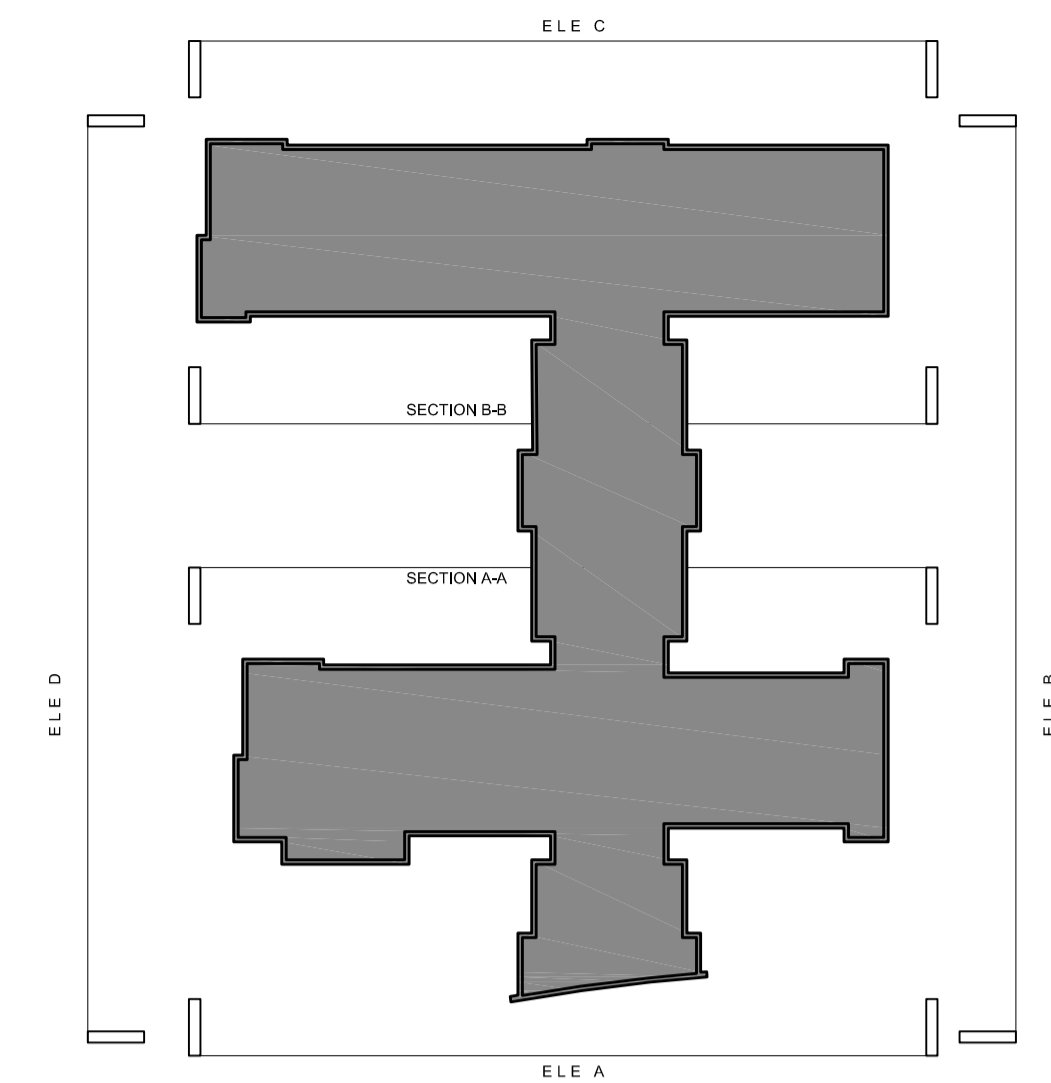
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| Rev | Date | Description | Init. | Check | Rev | Date | Description | Init. | Check | Rev | Date | Description | Init. | Check | Rev | Date | Description | Init. | Check |
| A | 06.03.17 | SCHEME REVISED | CW | SRD | | | | | | | | | | | | | | | |
| B | 21.03.17 | SCHEME REVISED | CW | SRD | | | | | | | | | | | | | | | |
| C | 19.04.17 | Scheme Revised following comments from LPA | KH | SRD | | | | | | | | | | | | | | | |
| D | 19.09.17 | Scheme amended | CW | SRD | | | | | | | | | | | | | | | |



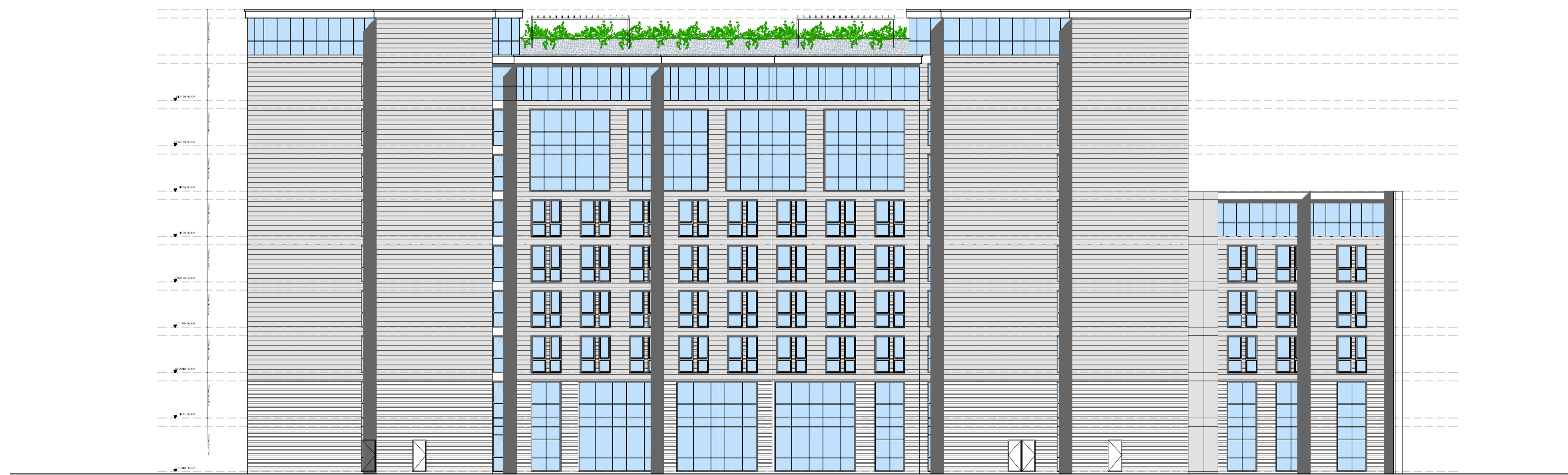
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| THE KEITH DAVIDSON PARTNERSHIP <small>CHARTERED ARCHITECTS - PROJECT MANAGEMENT - 3D VISUALISATION</small> | | Planning | |
| 13 Seymour Terrace Seymour Street Liverpool L3 5PE | | Client | Job number 1437 |
| Telephone: +44 (0) 151 709 1777 Facsimile: +44 (0) 151 708 9998 | | Job title Eastbay Close, Cardiff CF104BA | Drawing number 300 |
| Email: info@kdparchitects.com Website: www.kdparchitects.com | | Drawing title Proposed Elevations (1) | Scale 1:200@A1 |
| | | Drawn CW | Checked SRD |
| | | Date 20.06.16 | Revision D |



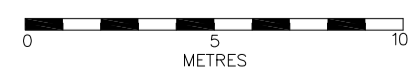
Proposed Rear Elevation (ELE C)
Scale 1:200



Key Plan Scale NTS



Proposed Side Elevation (ELE D)
Scale 1:200



All dimensions to be checked on site. Figured dimensions to be read in preference to scaled. KDP accepts no responsibility for any unauthorised amendments to the drawing and does not permit unauthorised copying of the drawing. This drawing is copyright and remains the property of KDP unless otherwise agreed.

| Revisions | | | | Revisions | | | | Revisions | | | | Revisions | | | | Revisions | | | |
|-----------|----------|--|-------|-----------|-----|------|-------------|-----------|-------|-----|------|-------------|-------|-------|-----|-----------|-------------|-------|-------|
| Rev | Date | Description | Init. | Check | Rev | Date | Description | Init. | Check | Rev | Date | Description | Init. | Check | Rev | Date | Description | Init. | Check |
| A | 06.03.17 | SCHEME REVISED | CW | SRD | | | | | | | | | | | | | | | |
| B | 21.03.17 | SCHEME REVISED | CW | SRD | | | | | | | | | | | | | | | |
| C | 19.04.17 | Scheme Revised following comments from LPA | KH | SRD | | | | | | | | | | | | | | | |
| D | 26.04.17 | Double Door added to Bin Store | KH | SRD | | | | | | | | | | | | | | | |
| E | 19.09.17 | Scheme amended | CW | SRD | | | | | | | | | | | | | | | |

KDP
ARCHITECTS

THE KEITH DAVIDSON PARTNERSHIP
CHARTERED ARCHITECTS - PROJECT MANAGEMENT - 3D VISUALISATION

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Client
Job title
Eastbay Close, Cardiff
CF104BA

Drawing title
Proposed Elevations (2)

Planning

Job number
1437

Drawing number

301

Scale Drawn Checked Date
1:200@A1 CW SRD 20.06.16

Revision
E