

COMMITTEE DATE: 13/12/2017

APPLICATION No. **17/02181/MJR** APPLICATION DATE: 22/09/2017

ED: **GABALFA**

APP: TYPE: Full Planning Permission

APPLICANT: ColSilverbird A Sarl

LOCATION: ALEXANDER HOUSE, EXCELSIOR ROAD, GABALFA

PROPOSAL: THE DEMOLITION OF EXISTING OFFICE BUILDING AND REDEVELOPMENT OF SITE TO PROVIDE 213 NO. BEDROOM STUDENT ACCOMMODATION SET OVER 3 BLOCKS (3-5 STOREYS IN HEIGHT), A FLEXIBLE MIX OF COMMERCIAL (A1/A2/A3/B1A/D1) USES IN TWO GROUND FLOOR UNITS IN THE CENTRAL BLOCK (BLOCK B), TOGETHER WITH CAR PARKING, LANDSCAPING AND ASSOCIATED INFRASTRUCTURE

RECOMMENDATION 1 : That planning permission be **GRANTED** subject to the applicant submitting within six months to a **SECTION 106** Agreement comprising a financial contribution as detailed in paragraph 8.47 of the report and subject to the following conditions:-

1. C01 Statutory Time Limit
2. This approval is in respect of the following plans and documents, unless otherwise amended by any other condition attached to this consent:
 - Site Location Plan (Dwg No: 0458 3 F 0 001).
 - Site Block Plan (Dwg No: 0458 3 F 0 002 Rev 00).
 - Existing Site Plan (Dwg No: 0458 3 F 0 100).
 - Existing Elevation (Dwg No: 0458 3 F 0 200).
 - Proposed Site Plan (Dwg No: D0100 Rev 03).
 - Proposed Floor Plans - Block A (Dwg No: D1100 Rev 01).
 - Proposed Floor Plans - Block B (Dwg No: D2100 Rev 01).
 - Proposed Floor Plans - Block C (Dwg No: D3100 Rev 01).
 - Proposed Roof Plan (Dwg No: D0101 Rev 02).
 - Proposed Street Elevation (Dwg No: 0458 3 D 0 200).
 - Proposed Coloured Typical Elevation (Dwg No: 0458 3 D 0 201).
 - Proposed Elevation - Block A (Dwg No: D1201 Rev 01).
 - Proposed Elevation - Block A (Dwg No: D1200 Rev 01).
 - Proposed Elevation 02- Block B (Dwg No: D2200 Rev 01).
 - Proposed Elevation 01- Block B (Dwg No: D2201 Rev 01).
 - Proposed Elevation - Block C (Dwg No: D3200 Rev 01).
 - Proposed Elevation - Block C (Dwg No: D3201 Rev 01).
 - Proposed Section AA (Dwg No: 0458 3 D 0 300 Rev 01).
 - Proposed Landscape Plan (Dwg No: D0405 Rev 00).

- Proposed Communal Courtyard (Dwg No: 0458 3 D 0 401).
- Additional Façade Details – Block A&C D0202 Rev 00.
- Proposed Boundary Treatment D0406 Rev 00.
- Proposed Tree & Open Space Plan D0407 Rev 00.
- Proposed Cycle & Refuse Store Detail (Dwg No: 0458 3 D 0 402).
- Proposed Signage & Entrance Canopy (Dwg No: 0458 3 D 0 403).
- Proposed 3D Street View (Dwg No: 0458 3 D 0 404).
- Environmental Noise Survey 452/ENS1_Rev 1
- Flood Consequence Assessment September 2017

Reason: To avoid doubt and confusion as to the approved plans.

3. 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 Local Planning Authority. If no protection measures are required than 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.

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

4. 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 shall 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 shall 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).

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.

5. 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. The scheme shall ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

All work and submissions carried out for the purposes of this condition shall 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' (July 2012).

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 neighbours and other offsite receptors in accordance with policy EN13 of the Cardiff Local Development Plan.

6. The remediation scheme approved by condition 5 shall 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 shall 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 shall be submitted to and approved in writing by the Local Planning Authority.

All work and submissions carried out for the purposes of this condition shall 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' (July 2012).

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 neighbours and other offsite receptors in accordance with policy EN13 of the Cardiff Local Development Plan.

7. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it shall be reported in writing within 2 days to the Local Planning Authority, all associated works shall stop, and no further development shall take place unless otherwise agreed in writing until a scheme to deal with the contamination found has been approved. An investigation and risk assessment shall be undertaken and where remediation is necessary a remediation scheme and verification plan 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 shall be submitted to and approved in writing by the Local Planning Authority. The timescale for the above actions shall be agreed with the Local Planning Authority within 2 weeks of the discovery of any unsuspected contamination.

Reason: To ensure that any unacceptable risks from land contamination to the future users of the land , neighbouring land, controlled waters, property and ecological systems are minimised, and to ensure that the

development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy EN13 of the Cardiff Local Development Plan.

8. 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 Local Planning Authority.

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

9. 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 the relevant Code of Practice and Guidance Notes.

Subject to approval of the above, sampling of the material received at the development site to verify that the imported material is free from contamination shall be undertaken in accordance with a scheme and timescale to be agreed in writing by the Local Planning Authority.

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

10. Any site won material including soils, aggregates, recycled materials shall be assessed for chemical or other potential contaminants in accordance with a sampling scheme which shall be submitted to and approved in writing by the Local Planning Authority in advance of the reuse of site won materials. Only material which meets site specific target values approved by the Local Planning Authority shall be reused. Reason: To ensure that the safety of future occupiers is not prejudiced in accordance with policy EN13 of the Cardiff Local Development Plan.

11. Within the flexible commercial use area hereby permitted any floorspace (maximum 289 sqm) used for A1 purposes shall not be used other than for the sale of convenience goods, including a bakery (for the sale of hot and cold food and drinks) and shall not be used for any other purpose including those set out in Class A1 of the Schedule for the Town and

Country Planning (Use Classes) Order 1987 or any Order revoking, amending or re-enacting that order with or without modification.

Reason: To prevent other retail uses which may harm the vitality and viability of defined development plan centres or threaten strategies for their protection or enhancement.

12. No development shall commence until a foul 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 and where the site will connect to the existing public sewerage system. Thereafter, the scheme shall be implemented in accordance with the approved details prior to the occupation of the development and no 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. Any pruning necessary to implement the planning permission shall be undertaken in accordance with British Standard 3998: 2010 'Tree Work' or any Standard that replaces it.

Reason: The trees are of value in the local environment and should be protected and maintained in good condition.

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

- A landscaping implementation programme.
- Scaled planting plans prepared by a qualified landscape architect.
- Proposed finished levels.
- Earthworks.
- Hard surfacing materials.
- Existing and proposed services and drainage above and below ground level.

Planting plans shall be supplemented by:

- Schedules of plant species, sizes, numbers or densities prepared by a qualified landscape architect.
- Scaled tree pit sectional and plan drawings prepared by a qualified landscape architect.
- 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 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.

15. 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 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 15.
Reason: To maintain and improve the amenity and environmental value of the area.
16. Samples of the materials to be used on the exterior walls of the buildings shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any works on the construction of the approved buildings.
Reason: To ensure that the finished appearance of the development is in keeping with the area.
17. Prior to the commencement of demolition and any development a scheme (Construction Environmental Management Plan) to minimise dust emissions and minimise the impact on the highway arising from construction activities on site during the construction period shall be submitted in writing for approval by the Local Planning Authority. The scheme shall include (but not be limited to) details of site hoardings, site access and wheel washing facilities, a strategy for the delivery of plant and materials, construction staff parking, traffic management proposals and details of dust suppression measures and the methods to monitor emissions of dust arising from the development. The demolition and construction phases shall be implemented in accordance with the approved scheme, with the approved dust suppression measures being maintained in a fully functional condition for the duration of the demolition and construction phases.
Reason: To safeguard the amenity of nearby businesses in the area and highway safety.
18. All bedrooms and kitchen/lounges on the facades highlighted RED in figure 4532/SP2 of Environmental Noise Survey 4532/ENS1 dated the 2nd August 2017 shall be fitted with façade insulation to the following specifications:

Façade Element	Description	Sound Reduction Index, R (SRI: BS EN ISO 140) at Octave Band Centre Frequency (Hz)				
		125	250	500	1000	2000
Wall	Brick/Block Cavity Wall	40	44	45	51	56
Roof	Flat, timber-joist roof, asphalt on boarding, 12mm plasterboard ceiling, thermal insulation	22	37	43	49	57
Ventilator	Based on: Greenwood EHA574 (DN,e at Octave Band Centre Frequency)	34	40	39	42	49
Windows	Based on Pilkington – 6mm / 16mm / 4mm	21	20	25	38	37

Reason: In the interests of the amenities of future occupiers.

19. The approved Cycle Parking details shall be implemented prior to the development being brought into beneficial use and thereafter maintained in perpetuity.
Reason: To ensure that adequate provision is made for the secure parking of cycles and scooters.
20. Prior to any part of the development being brought into beneficial use a Student Travel Plan shall be submitted in writing for approval by the Local Planning Authority to present ways of travelling to/from the site, with targets for commuting by non-car modes.
Reason: To encourage safe sustainable means of travel to and from the site.
21. Prior to any part of the development being brought into beneficial use a comprehensive Student Traffic Management Plan shall be submitted in writing for approval by the Local Planning Authority for the drop-off and collection of students (and their belongings) at the beginning / end of term is achieved in an orderly manner.
Reason: In the interests of highway safety.
22. The car parking spaces to the rear of Block B shall be laid out prior to any part of the development being brought into beneficial use.
Reason: To ensure sufficient off street parking is provided for this development.
23. No part of the development hereby permitted shall be commenced until a scheme of reinstatement works to Excelsior Road adjacent to the site

has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the resurfacing/reinstatement of the footway/carriageway as may be required as consequence of implementation of the development; to include surfacing, kerbs, edging, drainage, lighting, lining, signing and street furniture as required as a consequence of the scheme. No part of the development shall be occupied until the scheme as approved has been implemented.

Reason: To reinstate the footway and provide an improved pedestrian environment to facilitate safe commodious access to the proposed development.

24. The cycleway in front of the proposed development shall be protected and reinstated after the works have been completed in accordance with details to be agreed in writing by the Local Planning Authority before the development is brought into beneficial use.

Reason : In the interests of sustainable transport.

25. Notwithstanding the fencing shown on drawing 3DO 202 rev 00 details of the fencing/railings to be erected along the site frontage shall be submitted in writing for approval by the Local Planning Authority and then erected prior to Blocks A and C being brought into beneficial use.

Reason: To ensure that the finished appearance of the development is in keeping with the area.

26. Prior to the development commencing a scheme of work shall be submitted to the Local Planning Authority for approval to ensure adequate lighting levels to a minimum of average 20 lux covering all pedestrian, vehicle access, undercroft and parking areas, and shall then be implemented as approved prior to the development being brought into beneficial use.

Reason: To ensure adequate personal safety for residents and other site users.

27. Prior to the development commencing a detailed scheme of work shall be submitted to the Local Planning Authority for approval detailing access control features on communal entrance, floors accessing living accommodation, and cluster areas and individual room security and shall then be implemented as approved prior to the development being brought into beneficial use.

Reason: To ensure personal safety of residents and protect their belongings from theft.

28. Prior to the development commencing a detailed scheme work covering the management of premises shall be submitted to the Local Planning Authority for approval and shall then be implemented as approved prior to the development being brought into beneficial use.

Reason: To ensure safety and security of residents.

29. Prior to the development commencing a detailed scheme of work to ensure an effective CCTV system is installed, including coverage of the

undercroft, shall be submitted to the Local Planning Authority for approval and shall then be implemented as approved prior to the development being brought into beneficial use.

Reason: To enhance safety and security of residents.

30. Prior to the development commencing the security arrangements for cycle storage and bin areas shall be submitted to the Local Planning Authority for approval and shall then be implemented as approved prior to the development being brought into beneficial use.

Reason: To prevent theft and risk of harm from arson attacks on bin storage area.

31. Any Ground floor or vulnerable standard window shall comply with PAS24 2016 standards.

Reason: To prevent burglary and theft.

RECOMMENDATION 2 : 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;
- (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 3 : 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 4 : The developer shall have regard to the consultation responses received during the processing of this application.

RECOMMENDATION 5 : 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 DEVELOPMENT**

- 1.1 The proposal is to erect 3 student blocks with two A1/A2/A3/B1/D1 uses on the ground floor of the middle block.
- 1.2 The western block would accommodate 5 single student units, 2 accessible student units, 1 double bed unit, 56 cycle spaces, student refuse, plant, reception and lift on the ground floor. The first and second floors would each accommodate 12 single student units, 1 accessible double bed unit and 1 double bed unit. The third floor would accommodate 7 single student units and 2 double bed units. Each unit would have its own cooking facilities. The rear first and second floor windows will be splayed to angle their view away from Wickes and overlook the rear path increasing passive surveillance.
- 1.3 The middle block would accommodate two A1/A2/A3/B1/D1 uses (one 195 sq m in area and the other 94 sq m) and student refuse, plant, security office, laundry and lift on the ground floor. The first and second floors would each accommodate 29 single student units, and 4 communal kitchen/living areas. The third floor would accommodate 25 single student units and 4 communal kitchen/living areas. The fourth floor would accommodate 19 single student units and 3 communal kitchen/living areas.
- 1.4 To the rear of the middle block there would be 64 cycle spaces in a secure cycle store, 21 parking spaces (including 2 disabled spaces) and refuse store for the commercial uses. The cycle store and refuse stores would have green roofs and part zinc clad/part perforated clad walls.
- 1.5 The eastern block would accommodate 7 single student units, 1 accessible student unit, 1 double bed unit, 56 cycle spaces, student refuse, laundry, plant, reception and lift on the ground floor. The first, second, third and fourth floors would each accommodate 10 single student units, 1 accessible double bed unit and 3 double bed units. Each unit would have its own cooking facilities.

1.6 The blocks would have flat roofs. The walls of the blocks will be finished in part zinc cladding, part grey brick with a small element of grey render. The side wall of the western unit facing the A48 would have a “green wall”.

1.7 The applicant states that the application proposal will:

- Comprehensively regenerate a dated site in a manner that transforms its contribution to the amenity of the area in a significant gateway location.
- Have the potential to set a high quality design and build standard in triggering the wider regeneration of the area.
- Be of a scale and nature consistent with surrounding context and high quality design that responds effectively to the constraints and opportunities on site.
- Meet an immediate housing need identified in the local area, including through bespoke and high quality accommodation.
- Deliver a complementary mix of uses that are consistent in scale and nature with the development and the surrounding employment, leisure and commercial uses.
- Include a comprehensive landscape strategy including the significant enhancement of the public realm.
- Be highly accessible by a range of modes of transport, with excellent linkages to the local area promoting alternative modes of travel other than the private car.
- Provide safe and secure, inclusive access for all users without any significant adverse impact on the local highway network, its safety, capacity or flow.

1.8 The application was accompanied by the following documents:-

The planning application submission comprises the following information:

- Design & Access Statement;
- Transport Statement;
- Noise Assessment;
- Planning & Economic Development Statement;
- Tree Survey;
- Pre-Application Consultation Report;
- Air Quality Assessment; and
- Soils Assessment.

2. **DESCRIPTION OF SITE**

2.1 The site comprises a strip of land to the north of and fronting Excelsior Road. The site is occupied by a three storey office building in the centre of the site with parking area behind and two other car parking areas, one to the east and one to the west of the office building.

2.2 The site is 0.35 ha in area. The eastern third of the site is separated by a service road from the majority of the site.

- 2.3 To the south of the site there is a Tesco Extra store, to the north are trade counter units and a bingo hall. To the north east are two restaurants, Brickyard Industrial Estate (which apart from one unit was vacant) and beyond that student accommodation. To the south east is a petrol filling station and a tarmac surfaced footpath with street lights that connects the site to North Road, close to Nazareth House, and to Bont Road/Parkfield Place. To the west is a small landscaped area then the A48. There is a subway under the A48 that provides a pedestrian link from a residential estate to two footpaths, one runs in front of the site and the other around the rear of the western third of the site.
- 2.4 Most of the site lies within Flood Zone C1. This Flood Zone covers all the adjoining employment uses, Tesco extra and a substantial number of dwellings west of the A48. A C1 Flood Zone is an area of floodplain which is developed and served by significant infrastructure, including flood defences.

3. **PLANNING HISTORY**

- 3.1 13/01404/DC1 Erection of A1 retail bakery approved on eastern third of site 2/9/13.

4. **PLANNING POLICY**

- 4.1 It is considered that the following LDP policies are relevant to this application:-

KP5, KP7, KP8, EC1:17, EC2, EC3, H6, R6, EN6, EN7, EN8, EN13, T1, T6, C1, C3, C5 and W2.

SPG Safeguarding Business and Industrial Land and Premises 2017

SPG Planning Obligations 2017

5. **INTERNAL CONSULTEE RESPONSES**

- 5.1 Contaminated Land state:-

In reviewing available records and the application for the proposed development, the site has been identified as formerly commercial/industrial with uses including offices with associated parking, and incorporating a section of the former infilled Glamorganshire Canal. Activities associated with this use may have caused the land to become contaminated. In addition former landfill/raise sites are associated with the generation of landfill gases, within subsurface materials, which have the potential to migrate to other sites. These issues 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 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.

Shared Regulatory Services requests the inclusion of 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.

5.2 The Tree Officer has no adverse observations to the amended landscaping details subject to conditions.

5.3 Regeneration state:

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

£118, 053.12

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 onsite provision and/or a financial contribution. It would be unacceptable to grant planning consent in the absence of such provision._

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.

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.

5.4 Economic Development state:

Alexander House is centrally located within Cardiff with excellent road links via the A470 and A48 leading to the M4.

Alexander House is situated on a business park that provides a range of employment uses such as retail, industrial, office, leisure and restaurant / café uses. Alexander House provides an attractive office offer with good transport links, ample parking and amenities adjacent for employees to use.

Having a strong out of town office offer is important for Cardiff so that a range and choice of office accommodation is available to potential inward investors or indigenous companies. Alexander House has had a high level of occupation for a number of years and the majority of other employment uses on the business park have high levels of occupancy.

The Economic Development directorate is concerned at the continuing change of use requests for office property to student accommodation development and would oppose a change of use request for the site on Excelsior Road from office to student accommodation with the loss of 11,300 sq ft of employment space.

The Cardiff Local Development Plan highlights that Cardiff is forecast to deliver 40,000 new jobs over the planning period 2006-2026 and is one of the fastest growing cities in the UK. To deliver the expected jobs growth in the city it is essential that Cardiff retains its key city centre sites that can deliver the required density and high quality office developments to attract new jobs and investment and retain existing jobs in the city.

If the site were to be progressed as change of use to student accommodation then the Economic Development service area would seek a financial contribution through a S106 agreement.

Economic Development recognise that mixed use development may be considered appropriate, however if mixed use schemes with a reasonable proportion of business space are not feasible or forthcoming on a particular site, a planning obligation will be required to compensate for this loss, and mitigate the impact of this change. The Alexander House office building of circa 11,300 sq ft with the capacity to provide between 100 and 150 jobs and the low rise nature of the site could provide higher densities of employment opportunities, however if the building is lost to a residential or student accommodation use it is unlikely that the site will revert back to an employment site.

A financial contribution is sought to address the concerns relating to the loss of this employment land at a strategic out of town employment site. Economic Development is seeking a financial contribution of £21,724. This contribution

will form a package of assistance that will help support and develop companies within the Gabalfa ward and provide further employment opportunities. This figure is equitable to other figures that have been agreed on sites of the same size in other parts of the city.

The developer contributions for the loss of employment land will be utilised for Economic Development projects and are calculated from the Council's Planning Obligations SPG.

- 5.5 The Waste Management Officer originally identified certain matters that needed to be considered but following the submission of an amended waste method statement states:

The amended method statement is acceptable. Waste management has no further observations or objections to the proposed development.

- 5.6 Specialist Services Officer states:

I have reviewed the application from an air quality perspective, focusing upon the submitted Air Quality Assessment (AQA) and its conclusions. As outlined the report considers the operational phase impacts associated with the proposed development.

I acknowledge the findings detailed in the report and I am satisfied by the methods and approach used to derive the findings. The Air Quality Assessment (AQA) has been undertaken to a high standard and the very conservative approach adopted by the model is deemed best practise allowing worst-case scenarios to be portrayed. Based on the sufficient evidence and outcomes of the AQA, on the grounds of air quality I do not have any objections to the proposed development.

- 5.7 The Parks Officer states:-

I'm happy to reduce the off-site contribution to take account of open space being provided on site as indicated in my original response, but this needs to be defined open space usable for recreation e.g. seating (and ideally available for public use). The plan provided by the applicant indicates that all the areas outside the building footprint should be included, but many of these areas around the building would be considered as amenity space. I'm happy to deduct the areas shown on the attached plan, which equate to an area of 213m² or 0.0213ha. The calculation on this basis gives a revised figure of £107,316.

I have no further objections regarding the footway behind the properties if a detailed analysis of movement patterns in this area have been carried out. It is an extremely busy area in terms of both vehicle and pedestrian traffic and following desire lines for the main routes will be critical. It also appears to be adopted highway.

I retain my reservations on the seating area design and how well it will function as a comfortable space for sitting, but happy to condition them and welcome involvement of the landscape architect in examining the design further. I

welcome the proposal for the perforated screen and planting details around the building.

I also retain major reservations about the proposed planting adjacent to the highway, which although I can see would provide an additional buffer to the highway; it will create a number of other issues. If the highway is to be altered a S278 agreement would be required.

Thanks for confirming use of ANS global for the green wall. They have a solid track record and are providing a service for the Hallinan House development.

If planting is shown in the highway area Parks would definitely not agree to its adoption as it creates a number of maintenance issues.

- 5.8 The Noise Team is content that the sound insulation measures recommended are suitable.

All bedrooms and kitchen/lounges on the facades highlighted RED in figure 4532/SP2 of Environmental Noise Survey 4532/ENS1 dated the 2nd August 2017 shall be fitted with façade insulation to the following specifications:

Façade Element	Description	Sound Reduction Index, R (SRI: BS EN ISO 140) at Octave Band Centre Frequency (Hz)				
		125	250	500	1000	2000
Wall	Brick/Block Cavity Wall	40	44	45	51	56
Roof	Flat, timber-joint roof, asphalt on boarding, 12mm plasterboard ceiling, thermal insulation	22	37	43	49	57
Ventilator	Based on: Greenwood EHA574 (DN,e at Octave Band Centre Frequency)	34	40	39	42	49
Windows	Based on Pilkington – 6mm / 16mm / 4mm	21	20	25	38	37

Incidentally, the letter from Lichfields makes the point that the Noise Report states that there is “no external amenity space is indicated on this development” but that 1,080m² of open space around the development. Am I right in saying that there is no “external amenity space” associated with this development?

- 5.9 (a) Transportation welcomes the applicant taking some note of pre-application suggestions such as the student management plan and the fact that the proposal seems generally satisfactory and compliant with the SPG (Access, Circulation & Parking) in terms of cycle parking provision.

It is noted that this application wishes to cater for student accommodation. The site itself is located on Excelsior Avenue and is located near the A48, Cardiff

Metropolitan and Cardiff University. The application is to be welcomed as there is a lack of student accommodation in this area, however there are a number of conditions that need to be fulfilled.

There are, however, some concerns which will need to be allayed. It is noted that the developer wishes to employ a private contractor and collect waste from block B. My colleague in waste management has offered comments, however, I notice there is no vehicle tracking plan provided. This would need to be supplied to ensure ingress and egress to and from site is safe. Moreover, if parking is reduced to operational needs and to cater for the disabled then this would ensure more space for refuse vehicles. It would also add to the safety of students and delivery vehicles as there will be more space to cater to their needs.

There is a concern about the introduction of a loading / stop-off / drop-off layby being installed outside the proposed halls. There are currently a number of personal injury incidents recorded at this juncture and the potential increase in vehicular movements may increase the possibility of pedestrian / cycle / vehicle conflict. It should be noted that if data is not available from the South Wales Police there are other methods of obtaining the data.

An improved scheme could be developed to enhance the existing pedestrian crossing facility outside the proposed student hall. The road safety team are currently considering what could be done to improve the facility. This could be subject to a S106.

The provision of parking for residents may be reduced, which would allow greater space within the site to cater for refuse / delivery movements on-site rather than on-street.

A Road Safety Audit will be needed to review the proposals (existing or amended). This should review the proposed junction, access, pedestrian movements, refuse and delivery movements (on & off the site).

Conditions

Cycle Parking –The approved details in accordance with the council's SPG Access, Circulation and Parking Standards (2010) shall be implemented prior to the development being put into beneficial use and thereafter maintained. Reason: To ensure that adequate provision is made for the secure parking of cycles and scooters.

Construction Management Plan - No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to, and approved in writing by the Local Planning Authority. The approved plan shall be adhered to throughout the construction period. The plan shall provide for:

- (a) the parking of vehicles of site operatives and visitors
- (b) loading and unloading of plant and materials
- (c) storage of plant and materials used in constructing the development
- (d) the erection and maintenance of security hoarding

- (e) wheel washing facilities
- (f) measures to control the emission of dust and dirt during construction
- (g) a scheme for recycling/disposing of waste resulting from demolition and construction works

Student Travel Plan: A Student Travel Plan should be drafted to present ways of travelling to/from University in a sustainable fashion, with targets for commuting by non-car modes.

A Student Traffic Management Plan would be required to ensure that the drop-off and collection of students (and their belongings) at the beginning / end of term is achieved in an orderly manner. This will need to be a comprehensive plan as it will need to address an objection that has been raised.

Highway works – No part of the development hereby permitted shall be commenced until a scheme of reinstatement works adjacent to the site has been submitted to and approved in writing by the LPA. The scheme to include the resurfacing/reinstatement of the footway/carriageway as may be required as a consequence of implementation of the development; to include surfacing, kerbs, edging, drainage, lighting, lining, signing and street furniture as required as a consequence of the scheme. No part of the development shall be occupied until the approved scheme has been implemented. Reason: To reinstate the footway and provide an improved pedestrian environment to facilitate safe and convenient access to the proposed development.

Monies are sought towards the following :

- Enhanced street lighting to accommodate pedestrian movements;
- Improvements to existing cycle facilities in the vicinity (toward Cardiff Met and toward city centre);
- Improved pedestrian facilities outside the proposed hall.

(b) And

The developer wishes to make the left hand turn road off Excelsior Road, next to Alexander House, as a dedicated left hand turn only. I understand Wickes utilise this road for deliveries and would be affected by this new request. I am unsure if this was implemented whether delivery vehicles could safely negotiate the roundabout that feeds Tesco/KFC. Therefore in the interests of safety could the developer illustrate how HGV delivery vehicles would safely negotiate the roundabout via swept path analysis. The applicant would also need to discuss / agree with Wickes the proposal to make left out only before it could be progressed. The road is not public highway.

Moreover, the inclusion of a loading bay on Excelsior Drive could remove a mandatory cycle lane (which is part of the council's strategic cycle network) which would run contrary to the Council's policy of promoting Active Travel. Also the proposed loading bay could inhibit visibility for vehicles wishing to turn onto /out of Excelsior Drive. Therefore in the interests of policy and safety the inclusion of a loading bay would be opposed.

(c) After discussion with the developer it has been agreed that the benches off the public highway and cycle way (o/s block C) should be removed and also the shrubs / grass which would impact the cycleway. Delivery vehicles in / out of student car park need to enter / exit the car park in a forward gear. The developer has agreed to pay £50,000 toward the crossing improvements, which includes widening the footway to the west (o/s block A) to extend a shared footway / cycleway toward the subway. In addition to this a condition :

Cycleway : the cycleway in front of the proposed development is protected and re-instated after the works have been completed.

Finally, the developer has agreed to contribute towards a review for the need / acceptability of the potential safety impact of the HGVs utilising the roundabout outside the Tesco.

6. **EXTERNAL CONSULTEE RESPONSES**

6.1 Wales and West Utilities have submitted a plan identifying a pipeline in front of part of the site with a connection to Alexander House. The developer must not build over their apparatus.

6.2 Welsh Water says that-
We would request that if you are minded to grant Planning Consent for the above development that the Conditions and Advisory Notes provided are included within the consent to ensure no detriment to existing residents or the environment and to Dwr Cymru Welsh Water's assets.

We have reviewed the information submitted as part of this application with particular focus on the Flood Consequence Assessment dated September 2017 which comprises a surface water strategy and assessment to dispose of these flows via sustainable means. We note that the existing site is drained via private pipes which discharge to the nearby watercourse and the proposed development intends to re-use this method to drain the surface water away from the site. In line with the hierarchy, the use of infiltration has been considered but rendered unsuitable and therefore draining to an existing watercourse would be preferable to us.

Notwithstanding the above we acknowledge that the site has an existing foul water connection to the public sewer, however it is unclear where this drains off site and whether this existing connection is suitable for re-use or whether a new connection is required.

Therefore, if you are minded to grant planning permission we request that a condition and advisory notes are included within any subsequent consent.

(The only condition proposed is included as no. 12 within Recommendation 1 and the Advisory Notes have been forwarded to the applicant).

6.3 GGAT state:

We have consulted the regional Historic Environment Record and note that the application area is situated within an area of ground that was the subject of a watching brief during the construction of neighbouring retail buildings on Western Avenue in 1995. At that time the concern was that the site is near to the historic medieval crossing of the River Taff. The medieval route is approximately along the line of Western Avenue and linked the ecclesiastical centre at Llandaff with the major routes to the east and west. It is postulated that the major Roman road across south Wales also forded the Taff at this point. The watching brief showed that there were no features or finds relating to either period and therefore there is little potential that the current development will reveal buried archaeological resource.

Therefore, it is unlikely to be an archaeological restraint to this proposed development and consequently, as the archaeological advisors to your Members, we have no objections to the positive determination of this application. The record is not definitive, however, and features may be disturbed during the course of the work. In this event, please contact this division of the Trust.

6.4 South Wales Police state:-

South Wales Police have no objection in principle, but are concerned that students can be considered as a vulnerable group in society and the design and access statements do not provide sufficient detail on how safe and secure student accommodation is to be provided in the proposal. As a result South Wales Police make the following recommendations which we would ask be passed to developers.

1. Development should be designed to avoid any undercroft or unsighted areas or items such as seating which would be publically accessible and encourage anti-social gathering or loitering. Where such areas exist should be either removed or made secure to avoid crime and anti-social behaviour.
Reason to reduce crime and anti-social behaviour.
2. There should be a suitable scheme of work provided in relation to vehicle access, parking and pedestrian routes it is noted that the design and access documents refer to bollard lighting, bollard lighting will not provide on its own the necessary lighting levels and evenness of lighting to avoid shadows and contrasting lighting levels. South Wales Police would recommend that a scheme of work be submitted to the authority for approval to ensure adequate lighting levels to minimum of average of 20 lux covering all pedestrian, vehicle access and parking areas.
Reason to ensure adequate personal safety for residents and other site users.
3. There is insufficient detail on access control features to ensure student residents are safe South Wales Police recommend that a detailed scheme of work be submitted detailing access control features on communal entrance, floors accessing living accommodation, and cluster areas and individual room security. Secured by Design recommend clusters of rooms of no more than 8 where there are shared facilities and

this is seen as good practice. South Wales Police recommend that a separate scheme of work be submitted to the authority for approval detailing levels of and access control features including security standards

Reason to ensure personal safety of residents and protect their belongings from theft.

4. Student accommodation of this size requires active management and a permanent site management and security presence to prevent or react to any incident. As there is no mention in Design and Access statements of how premises of this size will be managed so South Wales Police would ask that a detailed scheme work covering the management of premises to be submitted to the authority for approval.

Reason to ensure safety and security of residents.

5. South Wales Police would recommend both internal and external CCTV is fitted to assist in management of premises and immediate surroundings and again because of lack of detail would suggest a detailed scheme of work is provided to ensure an effective CCTV system is installed.

Reason to enhance safety and security of residents.

6. Any cycle storage and bin areas need to be made secure and restricted to residents only, bin areas need to be set aside from building elevations to reduce fire risk from arson.

Reason to prevent theft and risk of harm from arson attacks on bin storage area.

7. Any Ground floor or vulnerable standard window should comply with PAS24 2016 standards which are considered to be acceptable minimum standards for dwelling accommodation.

Reason to prevent burglary and theft.

8. South Wales Police Recommend that adequate risk assessments are in place in terms of fire prevention, warning and evacuation.

Reason to save life.

9. All recent large student accommodation in Cardiff has been built to Secured by Design standards which has been shown to reduce risks of crime by up to 75%. South Wales Police would strongly recommend that developers work with the police to achieve such a standard and ensure safe, secure and sustainable development takes place.

In view of the lack of detail on how a safe and secure development is to be achieved South Wales Police would ask that items that items 1-8 be considered by way of condition should any approval be granted.

6.5 Fire Services Officer states:-

The proposed site plan in relation to the above has been examined and the Fire and Rescue Authority wish the following comments to be brought to the attention of the committee/applicant. It is important that these matters are dealt with in the early stages of any proposed development. The developer should consider the need for the provision of:-

- a. adequate water supplies on the site for firefighting purposes; and

b. access for emergency firefighting appliances.

6.6 NRW state:-

We recommend that you should only grant planning permission if you attach the following condition. This condition would address significant concerns that we have identified and we would not object provided you attach it to the planning permission. We also provide comments with regard to flood risk management, European Protected Species, foul water and historic landfill.

Land Contamination

We have reviewed the supporting information and note that a Soils Assessment has been submitted. Although this assessment is not specifically a geo-environmental site investigation and would not generally meet the best practice standards for site investigation, the soils that have been sampled do not demonstrate any gross contamination. Together with our knowledge of this site the conditions requested in our pre-application advice are not now required in full.

Condition 1

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

Reasons

It is considered possible that there may be unidentified areas of contamination at the site that could pose a risk to controlled waters if they are not remediated.

Flood Risk Management

The development that is proposed would result in the creation of residential units, 'highly vulnerable development' in a flood risk area. The application site lies 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). Our 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 Taff, a designated main river.

Section 6 of TAN15 requires your Authority to determine whether the development at this location is justified. We refer you to the justification tests set out in section 6.2.

A Flood Consequences Assessment (FCA) has been submitted. The purpose of the FCA is to ensure that all parties are aware of the risks to and from the development, and ensure that if practicable, appropriate controls can be incorporated in a planning permission to manage the risks and consequences of flooding.

The FCA by Vectos dated September 2017 indicates that in the defended scenario the majority of the site is flood free in the 100 year plus climate change (25%) flood event apart from a small area which is proposed to be landscaped. Taking the above into account the FCA has demonstrated A1.14 of TAN15 has been met.

TAN15 also requires new development to be assessed against the consequences of flooding during an extreme 1000 year flood event. Paragraph A1.15 of TAN15 provides criteria that should be assessed against the proposal during the predicted 0.1% flood event.

The FCA indicates that the 1000 year flood level is 14.27m AOD. Based on the finished floor levels provided in the FCA the West block could experience flood depths to 570mm, the Central block to 670mm and the East block to 1270mm. Therefore, the Central and East blocks do not comply with A1.15 of TAN15. However, the FCA has recommended management of this risk by using flood resilient measures as part of the development.

With regard to A1.15 criteria on access, the depths and velocities have not been assessed. We refer you to the access and egress section of the FCA. Our data request indicates a maximum hazard of danger for most. The other two criteria of A1.15, rate of rise and speed of inundation, have not been assessed.

We would refer you to other appropriate bodies for their requirements in regard to the FCA.

We would recommend you consult other professional advisors on the acceptability of proposals and on matters we cannot advise on, such as, emergency plans, procedures and measures to address structural damage that may result from flooding. Please note, we do not normal comment on or approve the adequacy of flood emergency response and procedures accompanying development proposals, as we do not carry out these roles during a flood. Our involvement during a flood emergency would be limited to delivering flood warnings to occupants/users.

In summary, we have no objection to the proposal with regard to flood risk as the majority of the site including all new built development will be flood free in the 100 year plus climate change event.

7. **REPRESENTATIONS**

- 7.1 Local Members have been notified and no representations have been received to date..
- 7.2 The application has been advertised on site and in the press as a departure from the Development Plan.
- 7.3 Adjoining occupiers/businesses have been notified.

7.4 Lichfields have objected on behalf of their client, DTZ Investors (DTZI)

To set the context, DTZI owns land adjacent to the site comprising Western Avenue Retail Park as well as the trade counters fronting onto Batchelor Road.

Principle of Development

The site which is the subject of planning application 17/02181/MJR is designated by the adopted Cardiff Local Development Plan as employment site EC1.17. The employment designation excludes Western Avenue Retail Park (WARP) and the Tesco Superstore. However it is clear that taken together, the wider context of the area is one of commercial and retail use. The area is busy and noisy due to the large number of vehicles entering the area. Large articulated lorries also regularly deliver to the shops within the area.

DTZI is concerned that the location is not appropriate for the proposed use due to the nature and character of the area. The proposed student accommodation will sit in isolation in the middle of commercial and retail uses. There is no synergy between the proposed student accommodation and Talybont's student facilities. DTZI is concerned that the introduction of a residential use here may create a conflict between the commercial operation at WARP and the proposed residential use as residents will naturally be concerned about their amenity.

DTZI is concerned that this conflict of land uses has the potential to prejudice the successful operation of the park's operators such as Wickes which is adjacent to the proposed development site. Wickes has numerous deliveries throughout the day and evening. We are concerned that future residents of this student accommodation may complain that the adjacent retail use is impacting upon their amenity. This would clearly be unreasonable as the area is currently established as a commercial and retail area. As you are aware, the access road to WARP currently runs adjacent to Alexander House. The application proposes that the access road runs in-between two of the student accommodation blocks.

We have reviewed the Noise Assessment prepared and note that paragraph 6.3 states that 'no external amenity space is indicated on this development'. However, we consider that this is not the case as drawing 0458 3 D 0 407 shows that there is 1,080 sqm of open space around the student blocks including areas of seating. We question whether this will be a pleasurable area to sit due to the background noise levels. This should be tested.

We are pleased that the Council, in its pre application response has proposed a number of conditions to deal with noise including the need to apply sound mitigation measures. We consider that this is crucial in order to ensure that if the application is approved the amenity of the students is not impacted upon by the existing and established use.

As you are aware, planning permission (17/01331) was granted on 24/7/17 to vary condition 11 of permission 94/01443/W so that food and drink products can be sold from Unit B at WARP so that Aldi could take occupation of the unit.

The introduction of Aldi at WARP will mean that more frequent deliveries will be required compared to the Staples unit as the goods are perishable. Aldi is also likely to generate more car trips than Staples which will mean more cars running in between proposed student blocks B and C. We question whether this has been taken into account as part of the noise assessment.

DTZI is also concerned that permitting this student accommodation block in this area may prejudice DTZI's ability to extend and/or upgrade the park in the future. We are concerned that allowing a noise sensitive use right in the middle of a commercial area may impact on DTZI's ability to undertake any necessary remodelling required to meet changing market requirements.

Transport

Parking

DTZI is concerned that the access road into WARP cuts in between blocks B and C of the proposed development. Our client is concerned that students will inevitably bring cars to the site, despite the assertion that students will not be able to. Our client is concerned that due to the low number of parking spaces provided students will try and utilise WARP's car park or park on the access road or grass verge leading into WARP which has the ability of impacting on customers' route into the park. DTZI would like to make it clear that students will not be able to park cars at WARP without first obtaining the express consent of DTZI. DTZI is also concerned that customers using the ground floor retail facilities will also seek to make use of WARP's dedicated parking.

Management of Student Change-Over

Despite being a car-free development, the proposed scheme would result in a high influx of vehicular movements at certain times of the year, notably at the beginning and end of term times when students are picked up and dropped off and particularly with the arrival of new students at the beginning of each academic year. Whilst some detail on the student change over process is provided in the Transport Statement we consider that further detail is required prior to the determination of the application. This is a crucial issue that will impact upon neighbouring landowners and operators and therefore the detail should not be left to be dealt with via planning condition.

The Transport Statement sets out four considerations that need to be taken into account in drafting a Management Plan. We consider that another consideration should be included which is the mechanism the operator will use in order to stop vehicles utilising WARP's car park to drop off students. There is currently no information as to how the operator will manage this.

As discussed above, this matter is important and may detrimentally impact upon our client's operations. For this reason a detailed management plan should be provided up front so that it can be publicly scrutinised in the context of the planning application.

Scale and Design

Our client is also concerned that the scale of the proposed buildings is too large

for the proposed location. The proposed buildings at 4 storeys are tall and will overlook DTZI's land. DTZI is concerned that the large buildings will obscure the view of the access point into WARP which may result in less people accessing the retail park. In this regard, it is important that the buildings do not obscure the signage on Excelsior Road which directs people into WARP. It is not clear from the submitted drawings what is proposed with this sign. Likewise, the development of Block A is likely to obscure the Wickes advertisement that fronts onto Excelsior Road.

DTZI is concerned with the proposed location of the refuse stores that front onto the access road into WARP. DTZI is concerned that bins and rubbish may be left outside the stores which will detract from the appearance of the access road into WARP. It is also unclear how these refuse stores will be serviced by a refuse collection vehicle without blocking the route into WARP. We would welcome clarity on this point.

Extent of Public Consultation

We note from the Pre-Application Consultation Report that letters were sent directly to the address of Club 3000 Bingo, Wickes and some of the trade counters on Batchelor Road which are all tenants of DTZI. Whilst these letters were addressed to the "owner/occupier" the letters did not reach DTZI, the landowner. DTZI is disappointed that no effort was made to contact DTZI directly as the landowner of the adjacent land. It is clear from the signage in and around the park that DTZ Investors is the owner of the site. DTZI would have appreciated the opportunity to discuss the proposals with the developer and his agent in order to inform the proposals.

We note that the Office Outlet (previously Staples) was not consulted.

Summary

We have set out in this letter DTZI's numerous legitimate concerns with regards to the proposed redevelopment of the site. Our client is primarily concerned that the nature of the use is not appropriate for the proposed location which is a busy commercial and retail area. This has the potential to create conflict between the established retail/commercial area and the sensitive residential use that will be introduced.

Our client is also concerned regarding transport arrangements, especially parking and the management of the student change-over day and would like more information to be put forward as part of the application so that it can be fully consulted upon as opposed to it being dealt with via a planning condition.

In addition DTZI is concerned that the buildings are overly obtrusive and that they obscure important signage that direct people to Western Avenue Retail Park and the businesses within it.

Our client also expresses disappointment that the applicant did not seek to interact with the company prior to the submission of the application.

We trust that our comments will be fully investigated and taken into account in

the determination of this application. We would be grateful if you could keep us updated on the progress of the application.

7.5 Quod on behalf of Wickes states:-

The existing Wickes branch has been operating from this site for 21 years. The store opens from 7am until 8pm on Mondays to Saturdays. Deliveries are received from Monday to Friday from 7.30am. Delivery vehicles range from HGVs to sprinter vans. Neither the delivery times nor the opening hours of the store are restricted and, if necessary, Wickes receive deliveries outside of these hours.

In addition to frequent deliveries and collections, there are on average 350 customers visiting the store a day, with the majority accessing the store via car/van. This creates approximately 700 vehicle trips through the shared access each day.

The Wickes site is therefore intensively used six days a week and, as a result, the access road to the retail store receives a considerable amount of vehicular traffic.

Wickes do not object to the proposed redevelopment of Alexander House to provide student accommodation, however given the proximity of the site and the operational requirements that Wickes have, the business needs to ensure that the Council have fully considered the proposals in relation to their business.

The existing use of the site is an office (Class B1a) with 22 car parking spaces. The proposed development will create a 213 bed student accommodation units and 289 sqm of flexible commercial floorspace with 23 car parking spaces across 3 blocks.

This is clearly a significant intensification and change of use of the site. The operations at the adjoining Wickes unit and particularly the service yard should be a material consideration in determining the proposals.

The key matters for consideration are noise emitted from the service yard, which can be early morning and late at night; and safety of the shared access road and junction with Excelsior Road.

i) Noise

Wickes intend to continue operations from this site, which is located in a commercial area, adjacent to existing employment land and retail units to the north east and south and the A48 Western Avenue to the west. This is therefore an entirely appropriate location for a non-food retail warehouse to operate, and potentially intensify its operations in the future.

Policy EN13 (Air, Noise, Light Pollution and Land Contamination) of the Cardiff Local Development Plan 2006-2026 states that development will not be permitted where it would:

“cause or result in unacceptable harm to health, local amenity, the character and quality of the countryside, or interests of nature conservation, landscape or built heritage importance because of air, noise, light pollution or the presence of unacceptable levels of land contamination.”

The supporting text to this policy emphasises that development proposals that would generate unacceptable levels of air, noise or light pollution are appropriately located and controlled, away from incompatible land uses. Specifically it states:

“...Incompatible land uses and development are not located close to potential sources of pollution;...”

It states that noise can have a harmful impact on people’s health and quality of life and that new development’s that are particularly noise-sensitive, including housing, should be located where possible, away from existing or proposed sources of significant noise.

At Paragraph 5.186 it is highlighted that mitigating noise issues after they have arisen can be significantly more expensive than avoiding them in the first place.

At a national level, Paragraph 13.15 of Planning Policy Wales (‘PPW’) (Edition 9) states that noise can be a material planning consideration, when considering proposals to use or develop land near an existing source of noise.

At Paragraph 13.14 it states that noise-sensitive developments, such as housing, should be located away from existing sources of significant noise. However, where these developments need to be located close to existing transportation infrastructure to facilitate access, they should be designed in such a way as to limit noise levels within and around those developments.

A Noise Assessment (ref. 4532/ENS1), dated 2 August 2017, was submitted to Cardiff City Council to support the planning application. Section 2 of the Noise Assessment lists suggested Conditions to protect occupiers from noise.

Wickes agree to the proposed conditions to control the effects of noise from the commercial area and, in particular, the requirement for sound insulation to protect occupiers from noise from the commercial spaces.

Paragraph 5.2 of the submitted Noise Assessment states that there is relatively short delivery yard activity on a site which is controlled by road traffic noise during the day. This is incorrect. Wickes has no restrictions on opening hours or deliveries and sometimes there is a need for early morning / late night deliveries.

The proposals are therefore currently contrary to Policy EN13 of the Cardiff Local Development Plan 2006- 2026 and Paragraphs 13.14 and 13.15 of PPW.

The Council must ensure that appropriate mitigation measures are put in place to ensure that noise generated from the Wickes store does not have a negative

impact on the proposed student accommodation units now, or in the future.

ii) Access and Highways

There are a number of transport related matters that should be taken into account. In particular, the implications of the proposed development on the shared access with Wickes.

A Transport Assessment (dated August 2017) was submitted with the planning application and provides trip data and information relating to a Start and End of Term Arrival Management Plan. The report does not however provide a Road Safety Audit or information relating to the junction with Excelsior Road.

Policy T5 (Managing Transport Impacts) is intended to ensure that all new developments for which planning permission is required properly address the demand for travel and its impacts, makes satisfactory provision for access, parking and circulation, and avoids unacceptable harm to safe and efficient use and operation of the road, public transport and other movement networks and routes.

Specifically, the policy states:

“Where necessary, safe and convenient provision will be sought in conjunction with development for:

- i. Pedestrians, including people with prams and/or young children;
- ii. Disabled people with mobility impairments and particular access needs;
- iii. Cyclists;
- iv. Powered two-wheelers;
- v. Public Transport;
- vi. Vehicular access and traffic management within the site and its vicinity;
- vii. Car parking and servicing;...”

Policy T6 addresses the impact of development on transport networks and services and states that:

“Development will not be permitted which would cause unacceptable harm to the safe and efficient operation of the highway, public transport and other movement networks including pedestrian and cycle routes, public rights of way and bridle routes.”

At a national level, Paragraph 8.7 of Planning Policy Wales (‘PPW’) (Edition 9) states that when determining a planning application for development that has transport implications, local planning authorities should take into account:

“the effects on the safety and convenience of other users of the transport network”.

There is a clear policy requirement at both local and national level that new development ensures that safe and suitable access is delivered. The intensification of the use of the site from office to 223 student accommodation units will result in a significant increase in the number of pedestrians and cyclists using the access road shared with Wickes.

This will have implications on the safety of the junction with Excelsior Road and the access road to Wickes, particularly where HGVs and service vehicles be entering and egressing the site throughout the day, as well as approximately 700 customer trips to and from the site using the same access and junction as the proposed development.

Wickes request that a Safety Audit is conducted which takes into consideration the quantum of traffic and type vehicle used to service the Wickes store, to ensure that the proposed development does not result in any significant safety issues, particularly on the access road and at the junction with Excelsior Road. It would also inform any works which may be required to improve the existing access road to reduce the risk of conflict between vehicles using the access road and residents walking / cycling to the proposed development.

Finally, a Condition requiring a Start and End of Term Arrival Management Plan should be attached to any consent, given the potential increase in number of vehicles using the access road during these times.

Summary

We were instructed by our client, Wickes Building Supplies Limited, to assess the likely impacts of the proposed application (ref. 17/02181/MJR) at Alexander House, Excelsior Road, Cardiff, on the adjacent Wickes store.

There is a potential for the existing Wickes store to effect the quality of living accommodation for future occupiers, particularly in terms of noise from the service yard; and the safety implications of the shared access road and conflict between large vehicles and pedestrians. We trust the contents of this letter clearly presents our client's position.

8 **ANALYSIS**

- 8.1 Part of the application site is identified as existing employment land (EC1:17 Excelsior Road) as defined by the LDP proposals map. The application should therefore be assessed against Policy EC1 and Policy EC3. This policy framework aims to protect existing employment land for B Use Class employment 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.
- 8.2 The first third of the site nearest the A48, Wickes, the Bingo Hall, Tesco Extra and the existing student block to the north east lies outside that area identified under EC1:17.
- 8.3 Under policy EC3, the Council seeks the retention of employment land and premises identified in Policy EC1 and defined on the Proposals Map unless it can be clearly demonstrated that:-
 - i. The land and premises are no longer well located for business, industrial and warehousing use; or

- ii. There is no realistic prospect of employment use on the site and/or the property is physically unsuitable for employment use, even after adaption/refurbishment or redevelopment; or
 - iii. There is no need to retain the land and 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; and
 - iv. There will be no unacceptable impact on the operating conditions of existing businesses.
- 8.4 The above criteria demonstrate that consideration will only be given to alternative uses where an applicant is able to clearly demonstrate that there is no demand for the site and that it is unviable to retain the site in employment uses, including the prospects of refurbishment of the existing premises or the redevelopment of the site for new employment uses.
- 8.5 The agents have provided a supporting statement with the application that assesses the alternative use against the above policy framework and demonstrates that the site is under-utilised as office, not fully occupied and part of the building has been vacant for 2 years, despite active marketing. This lack of investment interest appears to be due to the site's location and being the only office building in the area, surrounded by retail, leisure and residential uses, including student accommodation.
- 8.6 An agent's marketing statement satisfactorily demonstrates the number of enquiries and the reasons why potential occupiers chose not to locate to the premises and provides additional useful evidence in support of the proposal.
- 8.7 The application also proposes the provision of further commercial floorspace at ground floor level of the student accommodation (A1/A2/A3/B1a and D1 uses). In relation to the B1 uses, this will provide an employment function and is therefore considered an acceptable use in this location. In relation to the D1 use and A3 uses, D1 and A3 uses which include leisure uses and food and drink uses are considered complementary uses in employment areas (Policy EC2: Provision of Complementary Facilities for Employees in Business Industrial and Warehousing Developments) where they are of an appropriate scale and nature to meet the needs of employees and do not function as destinations for visiting members of the public.
- 8.8 The A1 elements of the proposal should be assessed against Policy R6 given the location is out-of-centre in terms of retail policy. A Retail Statement has been provided demonstrating that the A1 elements are deemed ancillary or complementary uses to the wider employment area. It is considered that the units are of a scale and nature that is intended to serve the future student population and visitors to the employment area. However, any A1 retail floorspace should be conditioned with regards to the amount of floorspace and the range of goods that can be sold in order to protect the vitality and viability of designated centres.
- 8.9 Notwithstanding the assessment above the site is protected employment land

in the LDP, the supply of which relies heavily on market churn and replacement, and the proposed alternative use would result in a depletion of the land bank and a depletion of the County's economic resource, as identified by Economic Development . As such the Council will see a financial contribution to offset the loss of this site to an alternative use in accordance with Policy KP7. Economic Development has identified the scale of contribution required.

- 8.10 The SPG on Safeguarding Business and Industrial Land and Premises 2017 reiterates the policy position as described above. It also states:-

5.16 Where an applicant can clearly demonstrate there is no demand for the employment land or premises and redevelopment/refurbishment is unviable, and where it is considered appropriate to do so, developers will be expected, subject to other policy considerations, to explore the prospect of a mixed use development which incorporates an element of a higher value use to cross-subsidise the partial redevelopment of the site for employment uses. This will enable employment opportunities to be retained on the site.

5.17 Mixed use development proposals involving housing and employment will need to demonstrate that the resulting residential amenity levels are satisfactory and that there will be no unacceptable impact on the operating conditions of new and proposed businesses.

5.18 Schemes involving residential accommodation should also ensure that the necessary community facilities are accessible or can readily be provided on the site. Contributions may be sought from developers towards the provision of the necessary community facilities. Open space and affordable housing provision in particular will need to be addressed, the relevant policy framework is provided in Appendix 1.

5.19 When determining the proportion of the overall site to be developed for employment uses, the Council will assess the individual merits of each case, but in doing so will take account of the employment resource being lost and the potential level of employment that can be achieved within the mixed use development.

- 8.11 Most of the internal and external consultees do not identify any significant technical issues with this development subject to certain financial contributions and conditions. Consultee comments have been shared with the applicant. The NRW proposed condition is considered to be covered by proposed condition 7 and confirmed there is no flooding objection. The Parks Officer's tree concerns are covered by proposed conditions 13, 14 and 15. The Economic Development Officer's concerns are addressed in paragraphs 8.1 – 8.10 above.

- 8.12 The applicant has agreed to the S106 contributions identified by consultees.

- 8.13 The applicant in response to a number of issues raised during the processing of the application has undertaken various amendments to the scheme and states:-

Living spaces in Block A moved to the front elevation and bin store relocated to the rear.

The elevation is updated to create a more unified and rich elevation, including a recessed zinc panel, aluminium cladding, grey brick, grey render and a perforated screen with a green buffer at ground floor level.

The improvements to the elevation are shown on the Additional Façade Details – Blocks A and C.

All Block A student rooms on the ground floor are front facing with windows. The land to the rear of Block A is not within our ownership and we have no control on it. Notwithstanding this, it is an aspiration to work with the Council to improve this land once planning permission is achieved and/or in the long-term. Please refer to the Proposed Boundary Treatment plan confirming the proposed perforated privacy screen and timber fencing as the two boundary treatments.

Base Associates are a strong promoter of urban realm greening that helps promote placemaking. They have installed many successful green walls (which have won landscape institute recognition) including one outside their office in Vauxhall.

There is no lift housing on the roofs of the 3 blocks. The scheme currently works with a Schindler 3300 product, which is a machine room-less design that doesn't require a plant space on the roof.

8.14 The developer further states:

Your email dated 13 October suggested a commitment to replace existing (dated) street lighting on the nearest link to the city centre as a means of addressing potential concerns in relation to student safety. It is your view that the suggested LED lighting is less prone to vandalism, longer lasting and failures can be remotely monitored by the Council. The estimated cost of fitting the replacement lighting would be in the region of £275 per light and there are 35 light fixtures.

In our view, the existing pedestrian footpath is lit and accommodates a significant level of pedestrian and cycle traffic between this area of Cardiff (students and residents living to the north west of the A48). There are good bus links to the city centre from the vicinity of the site. Moreover, the development is likely to serve Cardiff Met university. This suggests the route is safe and well maintained.

Notwithstanding this, our client recognises the response and officer concern discussed through the planning and pre-application stage. We also note that there is no formal response from highways at present. On this basis, and without prejudice, our client agrees to the proposed solution and financial contribution (£9,625) towards the replacement LED lighting on the pedestrian footpath. We reserve the right to review this position once all highways comments are received.

8.15 The developer further states:

It is important to note that the proposal includes a flexible range of commercial and/or employment uses at ground floor level (Block B). Moreover, the client has confirmed that they are minded to agree with the proposed financial contribution towards the mitigation of any employment impacts totalling £21,724. The amount can be secured through the S106 Legal Agreement. To this end, it is considered that the scheme is acceptable from an employment and employment land perspective.

- 8.16 The developer further states that:
There seems some inconsistency as to the status of the public footpath to the rear of the site. Our preference is to focus on the scheme as presented and discuss potential use of the path in the future by a possible amendment to the scheme, when possible.
- 8.17 The rear footpath behind Block A merely duplicates the frontage path and if it cannot be integrated into the current proposal at this point in time it would be beneficial if it were so integrated in the future.
- 8.18 The introduction of other uses into the area to provide a greater mix, and improve the quality of the environment, otherwise dominated by larger retail sheds is welcome. The three blocks would help screen much of the development to the north when viewed from Excelsior Way.
- 8.19 The scale of the development is considered appropriate within its context. The blocks are all two storeys lower than the nearest existing student block to the south east. The plans for the open spaces and green wall in particular will help improve the appearance of this site. The materials for the first to fourth floors are interesting. Samples of materials should nevertheless be the subject of a condition (proposed condition 17).
- 8.20 The representations reported in Section 7 of this report are considered to cover the following matters:-
- a) Conflict between businesses that generate noise and amenities of students, in particular to the use of the external area.
 - b) Obstruction of signage directing business users to their sites.
 - c) Conflict between vehicular movements of lorries and students and refuse collection vehicles.
 - d) Potential abuse of business parking areas.
 - e) Traffic issues at student change over.
 - f) Student accommodation isolated.
 - g) Consultation undertaken with PAC inadequate.
 - h) Contrary to LDP policy.
- 8.21 In response to these representations I have the following comments:-
- a) Conflict between businesses that generate noise and amenities of students, in particular to the use of the external area.
- 8.22 The Noise and Air Team has raised no objections in respect of this issue and require condition 18 to safeguard the amenities of students.

- 8.23 Hunter Acoustics submitted an Environmental Noise Survey dated 13/11/2017. It says that environmental noise surveys have been carried out to assess existing ambient and background noise levels impinging on the proposed Alexander House development site from local road traffic.

Survey results have been used to calibrate a noise map model. The noise map model goes onto predict road traffic noise levels at façades around the proposed development for comparison with typical Local Planning Authority conditions. Façades have been identified which fall under NEC C of TAN 11, exceeding trigger levels quoted in the typical planning condition and therefore require additional sound insulation measures.

Additional sound insulation measures including up-rated glazing and mechanical ventilation have been specified in the report. With the recommended noise mitigation measures including the internal noise criteria quoted in the planning conditions are indicated to be compliant.

Standard thermal double glazing and trickle ventilation are indicated to be sufficient on remaining façades. Mechanical ventilation is also recommended for bedrooms overlooking the Wickes delivery yard to provide mitigation against potential night-time delivery activity as well as reasonably foreseeable variation in activity and future uses on the commercial site.

Noise limits are given for fixed services plant on the scheme and the consultants advise the applicant that these should be included on any future tenancy/lease agreements for the retail units. The consultants have recommended negotiating for less stringent plant noise limits during the evening and night than indicated by Cardiff's typical (but very stringent) planning condition.

- 8.24 There is road noise directly in front of the site and on Western Avenue. There is some incidental amenity space around the buildings that would be affected by noise. There are larger areas of quieter amenity space nearby and the developer will be required through a S106 to make a significant contribution to improving or creating additional POS.

b) Obstruction of signage directing business users to their sites.

- 8.25 The applicant has confirmed that the signage to other businesses is to remain in place. Proposed Block B is set back 9m from the edge of the carriageway enabling drivers travelling from the A48 to see the signage for Wickes and other businesses identified on their sign.

- 8.26 There is an existing highway sign directly in front of the existing offices to be demolished pointing to superstore, Talybont student residences and industrial estate. There is also a small tree in front of the offices. Both these features delay the viewing of the sign identified by the objector. The proposal involves the removal of the tree which slightly improves the viewing of the Wickes sign. Wickes do have a large sign on their building facing the A48 and in their car park, between the store and the A48, which draws attention to a number of the

local businesses.

- 8.27 DTZ Investors has confirmed that the land on which the sign is located is within DTZ Investor's ownership

c) Conflict between vehicular movements of lorries and students and refuse collection vehicles.

- 8.28 The Transportation Officer has raised no objection in respect of this matter but has identified issues that need to be addressed. Vehicular movements at the junction on Excelsior Way are relatively slow and pedestrian movements already occur at this junction.

- 8.29 Connect Consultants Limited (CCL) on behalf of the applicant state:-

The accident plan shows that there were a total of seven accidents within the study area and there were no locations where five or more accidents have occurred (i.e. one or more collisions per annum). The data shows that all accidents in the recorded area have been classed as 'slight' except for 1 accident classed as 'serious'. This accident was at the Excelsior signal crossing and involved a pedestrian being hit whilst using the crossing.

A Stage 1 Road Safety Audit was conducted on 9th November 2017. The brief of the audit included the existing junction access at Excelsior Road for block B/Wickes the proposed site access arrangements for the block B car park, pedestrian movements, refuse and delivery movements and the proposed layby. The auditors were informed of observations made in a letter from Quad on behalf of Wickes which included the implications of the increase in pedestrian, cyclist and traffic flows on the safety of the Excelsior Road junction, block B access and Wickes access (both the two way service yard and customer one way entrance).

The safety audit raised only one problem:-

"There is the potential for vehicle movements right from the existing side road serving the rear of Block B to result in conflict with vehicles travelling east, particularly as the turning vehicle has to cross two lanes of traffic prior to merging with westbound traffic. In turn, this increases the likelihood of side impact type crashed. This issue is likely to be exacerbated if a vehicle (particularly a larger vehicle) is utilising the loading bay.

Recommendation

It is recommended that all vehicles are required to turn left from the side road junction and utilise the adjacent roundabout to allow westbound movements."

As part of the development the developer is willing to fund signage and a traffic order to amend the junction on Excelsior Drive to be left out only.

- 8.30 CCL further state

CCL drawing 17037-TR003 shows the swept path of the FTA design articulated lorry turning left onto Excelsior Road and undertaking a U-turn at the Tesco

access roundabout. The track plot shows that the existing road layout can accommodate this manoeuvre satisfactorily.

Although the access road serving Wickes is private, the initial section where it joins Excelsior Road is public highway, from the edge of Excelsior Road to the back of the traffic island. This provides the opportunity for the necessary signage for a left turn only restriction to be installed within the highway.

This possible restriction arose from the safety audit. We are not aware of any specific issues that have arisen from this existing manoeuvre, which has been undertaken for some years. Therefore, CCL do not accept that this is necessary, but the response to the safety audit, as noted in the 14th November 2017 CCL Technical Note, is that the developer is willing to fund signage and a traffic order to amend the junction on Excelsior Drive to be left out only. Therefore, these works can be provided at the developer's expense if required by the highway authority.

If the works are not deliverable, then the situation would remain as existing, but as previously noted, the developer is willing to fund the works if required. As the works can be accommodated within the highway, there is no need to agree this with Wickes at this stage, as the restriction would be subject to the TRO process which provides them with the opportunity to make any observations.

The scheme has been amended to delete the loading bay. Therefore block B will be serviced from the rear; this necessitates the removal of 2 car parking spaces to provide a turning area which could accommodate delivery vans and small refuse vehicles. It should be noted that the removal of 2 parking spaces to facilitate this is not detrimental to the scheme and was advised as being acceptable by highways. (A tracking plan has been submitted).

8.31 The applicant's agent agrees to the pedestrian crossing contribution, but would like to meet with Transportation to discuss the final sum ahead of Committee.

d) Potential abuse of business parking areas.

8.32 There is no evidence that students or customers to the ground floor of block B will abuse adjoining business parking. Where businesses are either concerned or experience abuse they can take steps to remedy such matters. It is not anticipated that such abuse will occur as substantial cycle parking is to be provided, conditions 19 and 20 seek to encourage the use of non vehicular traffic movements and condition 22 seeks to provide for on site parking requirement.

8.33 The Council's SPG on parking standards identifies that 1 space should be provided per 25 student beds (9 in this case). The Parking standards requires a minimum of 1 space for small A1 retail units and 1space per 60 sqm of floorspace or 1 space per 40 sqm if used for A2 and B1 purposes (ie 7 spaces for A1 and 9 spaces for A2/B1). The 21 spaces proposed slightly exceeds the Council's parking standards for a proposed student/A1/A2/B1 use.

8.34 The Council's parking standards identifies zero spaces for operational parking for A3 use and a maximum of 1 space per 10 sqm for customers. If the use were to be D1 then a minimum of 1 space would be required but the maximum would vary according to whether the use was for example a health centre or leisure centre or place of worship. Whilst the minimum standards for A3/D1 and student use would be met as no end users have as yet been identified it is not possible to calculate whether maximum standards would be met for this combination of users. The Council is seeking to encourage less reliance on private motor vehicles and as the minimum parking standards would be exceeded this is considered acceptable. In addition the Transportation Officer has raised no objection on grounds of parking.

8.35 The 35 bus service stops at Gabalfa Avenue/Western Drive every half an hour some 170 m from the site. In addition the 15, M1, M2 and M3 bus services stop relatively close to the site on Western Avenue. The bus stops on Western Avenue are some 100m from the application sites just south of the junction with Excelsior Road. The site is reasonably well served by public transport which helps further reduce reliance on private motor vehicles.

e) Traffic issues at student change over.

8.36 Condition 21 is designed to address traffic issues at student change over.
f) Student accommodation isolated.

8.37 The student accommodation would be 550m from Cardiff Met, 1.1 km from University Hospital Wales, 1.6 Km from Cardiff University, adjoins two existing restaurants, 170m from existing student accommodation (which then adjoins further student accommodation at Talybont) and is close to a major retail outlet. It is considered that this site is in a relatively convenient location to access universities, other students, retail and recreational facilities.

g) Consultation undertaken with PAC inadequate.

8.38 The PAC was undertaken by the applicant not this Authority. However, the applicant erected several site notices as required by Welsh Government. In the main letters of notification were sent to named surrounding businesses and within the letter it states "Dear owner/occupier". The Order says letters should be addressed to "the owner and/or occupier". The applicant appears to have generally complied with the spirit of the Order, has notified Wickes and surrounding businesses but has lacked a degree of precision in his neighbour notification letter. I do not consider DTZ are materially disadvantaged as their comments on this application are reported in full to Committee and the issues raised considered. It has also been open for DTZ to approach the applicant to discuss the proposal directly during the processing of this application.

8.39 Government guidance says that in some circumstances the supporting information in a PAC may be inadequate but this is not a ground for notifying applications as invalid.

h) Contrary to LDP policy.

- 8.40 The policy issues have been addressed earlier in this report.
- 8.41 I am a little concerned about the proposed metal fence to the front. Functionally it is fine as it establishes a defensible space to the front which is necessary. Visually I think it looks a bit thin and industrial, and the gold colour is likely to be harder to maintain in the long term. I would suggest that a more traditional railing at the same height might be more robust. It is proposed that a hedge will be planted behind the fence. The railing will allow this to be more visible and give it a little more room to grow. Condition 25 is recommended to address this.
- 8.42 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.
- 8.43 Improving the street lighting along the footpath leading south will make a positive contribution to the safety of future occupants.
- 8.44 The applicant states in response to the Designing Out Crime Officer:- we are happy to accept conditions 2 – 8. However, in respect of condition 1 - the undercroft area is very well covered by natural surveillance and we would be happy to accept a condition requiring further security lighting and CCTV to this area prior to occupation.
- 8.45 Conditions 26 and 29 seeks to address a number of matters including undercroft lighting and cctv coverage. It is considered that proposed conditions 8 and 9 from the Police are advisories and it is welcome that the applicant is willing to accept the recommended conditions.
- 8.46 The Equality Act 2010 identifies a number of 'protected characteristics', namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; marriage and civil partnership. The Council's duty under the above Act has been given due consideration in the determination of this application. It is considered that the proposed development does not have any significant implications for, or effect on, persons who share a protected characteristic.
- 8.47 This application for student accommodation does provide for a number of accessible units, includes lifts and 2 disabled parking spaces to the rear of block B.
- 8.48 Section 3 of the Well-Being of Future Generations Act 2016 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.

- 8.49 Whilst the development is not strictly in accordance with policy EC1:17 of the Local Development Plan for the reasons specified in paragraphs 8.5 - 8.10 above it is considered that planning permission can nevertheless be granted for this application subject to conditions and a Section 106 Agreement requiring-

£9,625 for the replacement LED lighting on the pedestrian footpath leading south east from the site to North Road towards Student safety.

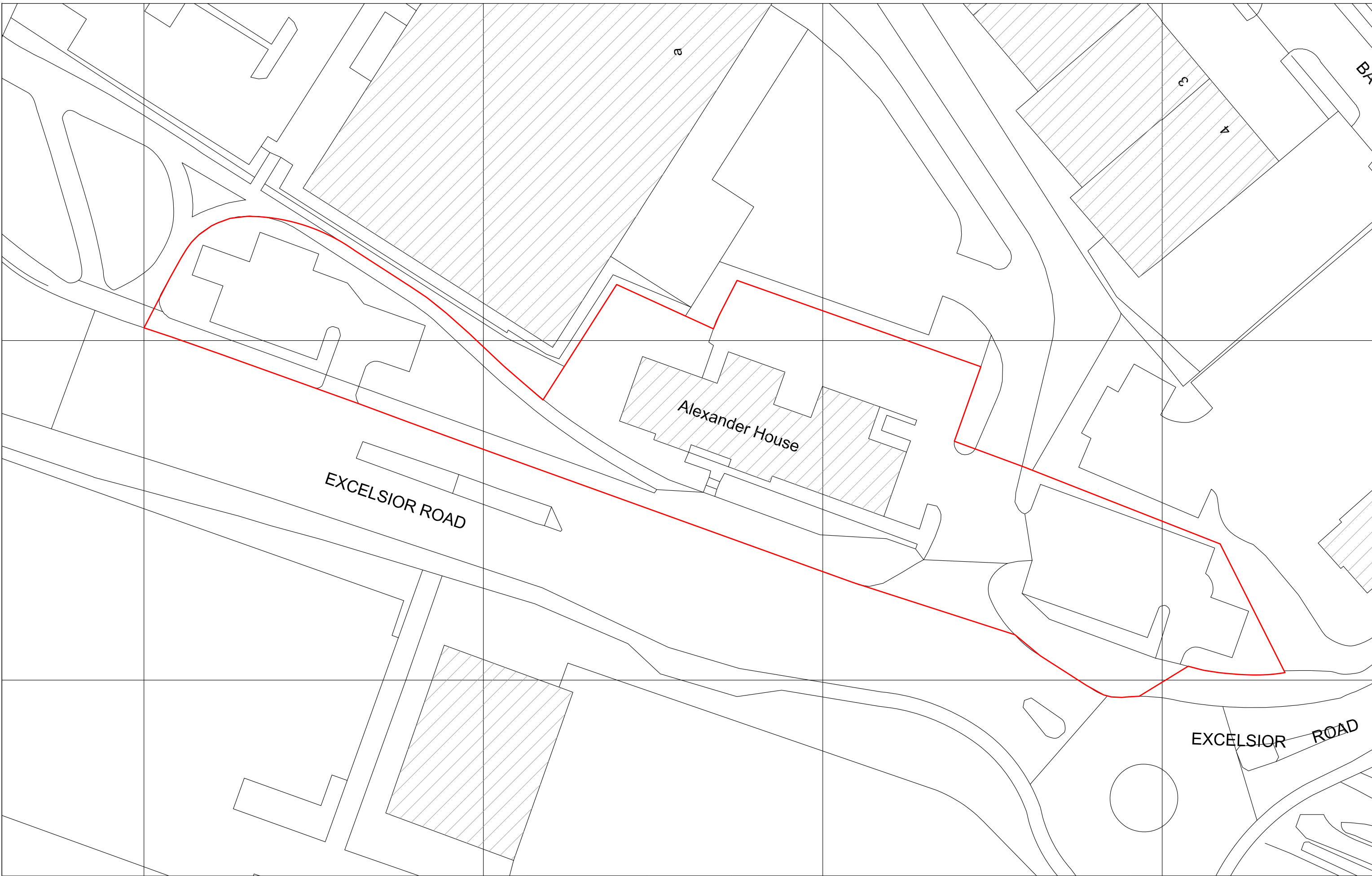
£3000 for Signage and Traffic Order to prevent vehicles turning right from the road adjoining Block B into Excelsior Road.

£50,000 towards improvements to the pedestrian crossing on Excelsior Way and widening the footway to the west to extend a shared footway / cycleway toward the subway.

£21,724 to offset the loss of this employment site to an alternative use.

£118,053.12 towards community facilities.

£107,316 for an off-site contribution towards the provision of open space, or the design, improvement and/or maintenance of existing open space in the locality.



Application Site Boundary



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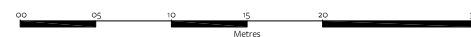
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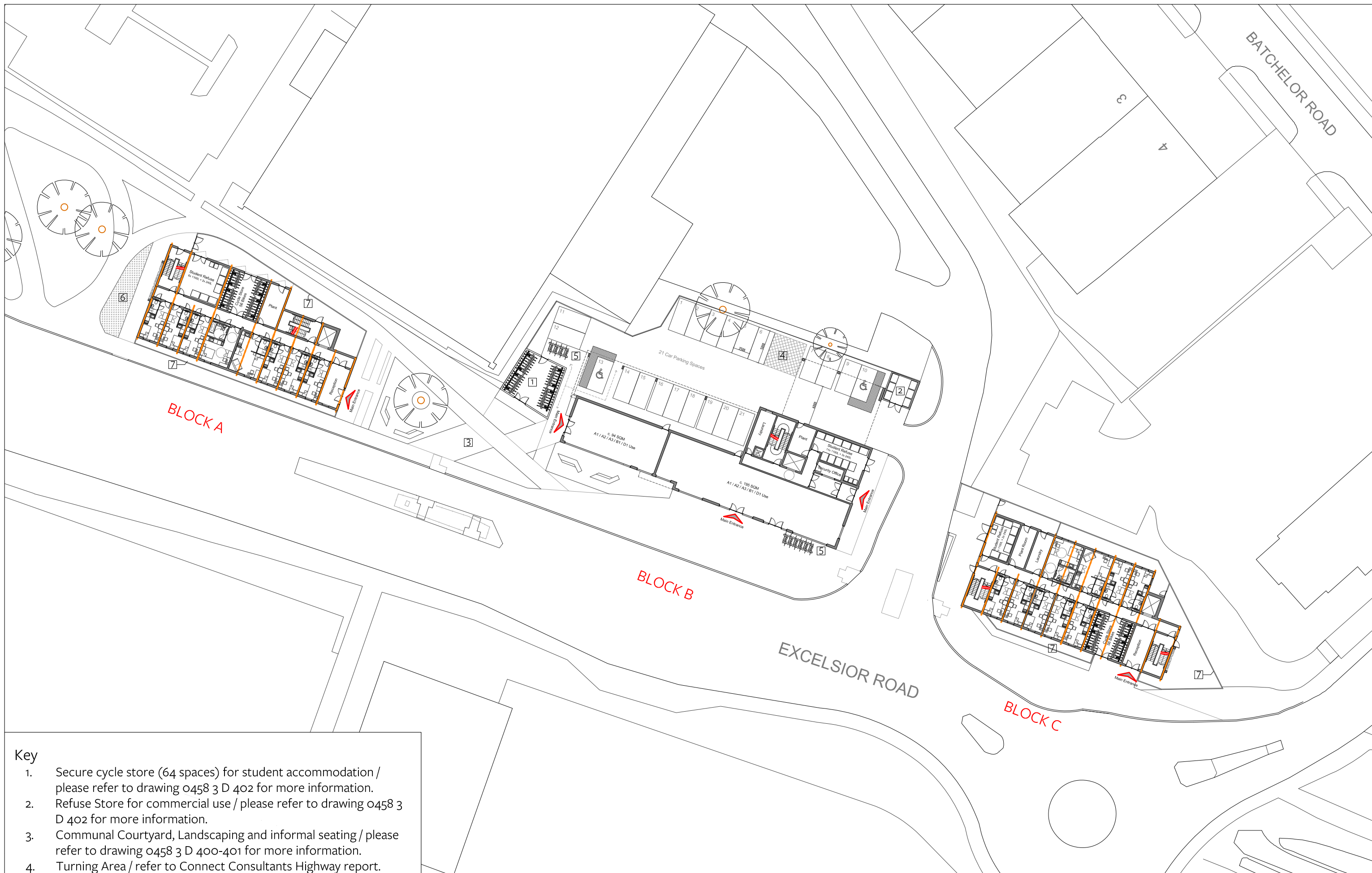
PROJECT:
Alexander House, Cardiff

Site Block Plan

CLIENT:
ColSilverbird A Sarl

FOR PLANNING ONLY

JULY 2017



Key

1. Secure cycle store (64 spaces) for student accommodation / please refer to drawing 0458 3 D 402 for more information.
2. Refuse Store for commercial use / please refer to drawing 0458 3 D 402 for more information.
3. Communal Courtyard, Landscaping and informal seating / please refer to drawing 0458 3 D 400-401 for more information.
4. Turning Area / refer to Connect Consultants Highway report.
5. Visitor cycle stands for commercial use.
6. Buffer planting.
7. Amenity buffer with low height perforated screen, please refer to drawing 0458 3 D 406 for more information.



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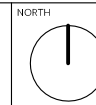
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03.	Revision after Highway Comments	28.11.17
02.	Revision after Highway Comments	23.11.17
01.	Landscaping around Block A and B updated as per Officers feedback.	12.10.17



JULY 2017

DRAWING NUMBER:
0458 3 D 0 100 rev: 03

PROJECT:
Alexander House, Cardiff

Proposed Site Plan

CLIENT:
ColSilverbird A Sarl

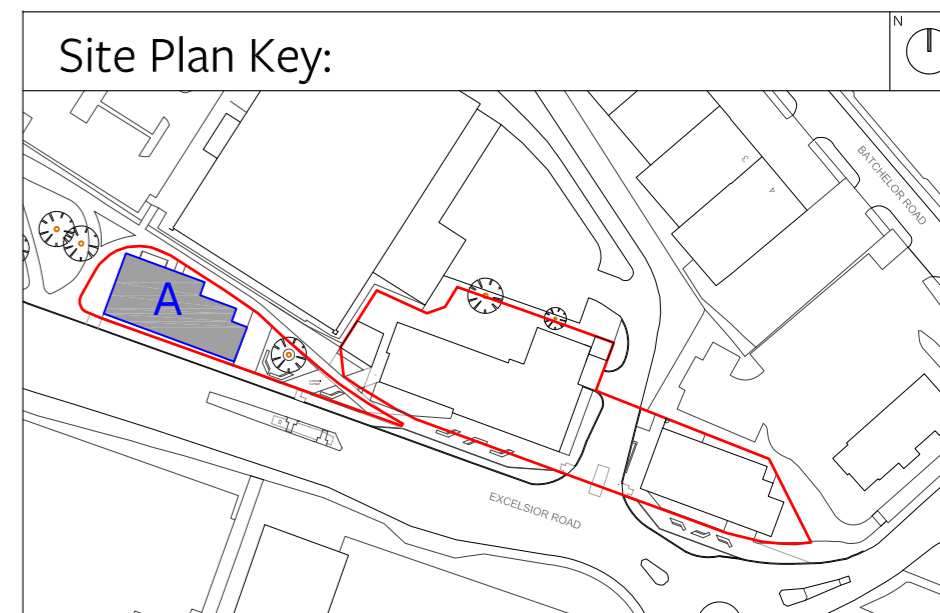
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Block A - North elevation



Block A - East elevation



- Key:**
1. Zinc cladding or similar with matching parapet flashing
 2. Grey Brick facade with matching parapet flashing
 3. Grey Render
 4. High performance glazing
 5. Aluminium cladding panel
 6. Secure Grey service doors
 7. Security and surveillance lighting
 8. Secure main entrance double glass doors with brass canopy
 9. Green wall
 10. Signage to match Zinc cladding
 11. Recessed Brick opening
 12. Recessed Zinc panel
 13. Splayed windows in Zinc to match cladding
 14. Perforated facade to match Zinc cladding



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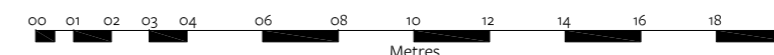
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DRAWING NUMBER: 0458 3 D 1 201 rev: 00 PROJECT: Alexander House, Cardiff

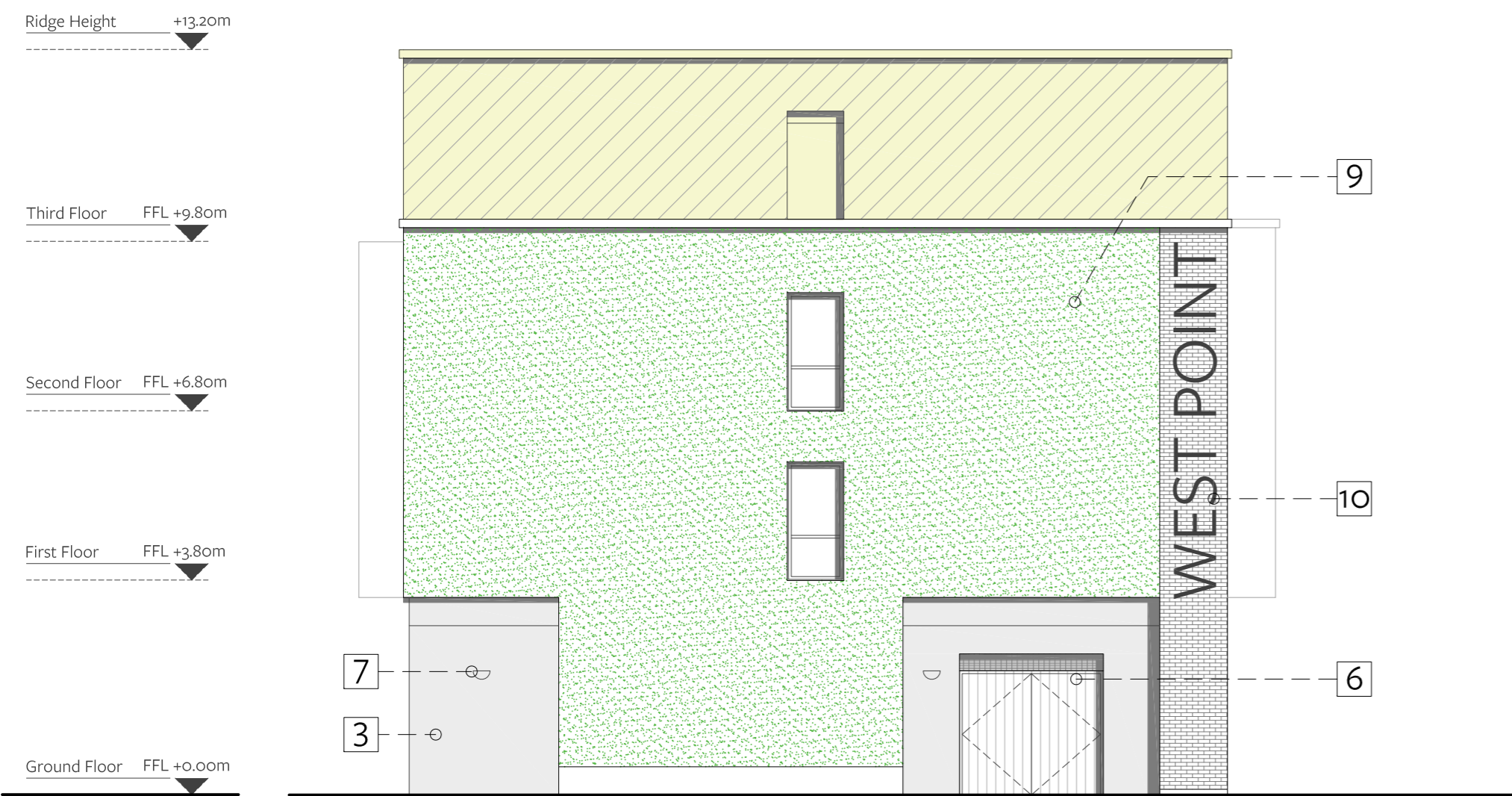
Proposed Elevations - Block A

CLIENT: ColSilverbird A Sarl FOR PLANNING ONLY

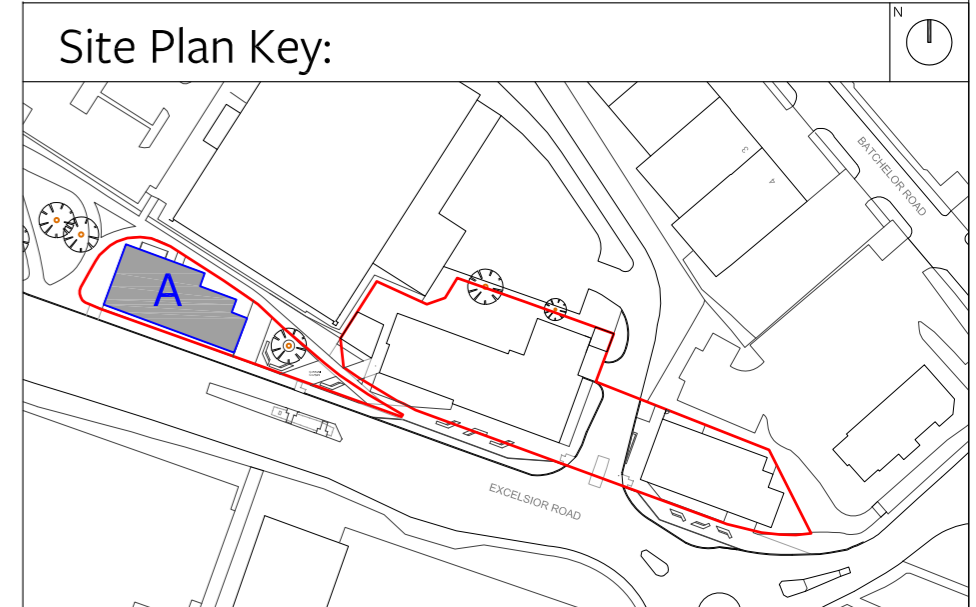
JULY 2017



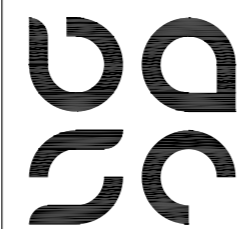
Block A - South elevation



Block A - West elevation



- Key:**
1. Zinc cladding or similar with matching parapet flashing
 2. Grey Brick facade with matching parapet flashing
 3. Grey Render
 4. High performance glazing
 5. Aluminium cladding panel
 6. Secure Grey service doors
 7. Security and surveillance lighting
 8. Secure main entrance double glass doors with brass canopy
 9. Green wall
 10. Signage to match Zinc cladding
 11. Recessed Brick opening
 12. Recessed Zinc panel
 13. Splayed windows in Zinc to match cladding
 14. Perforated facade to match Zinc cladding



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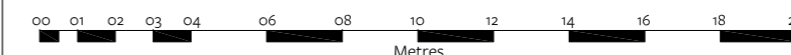
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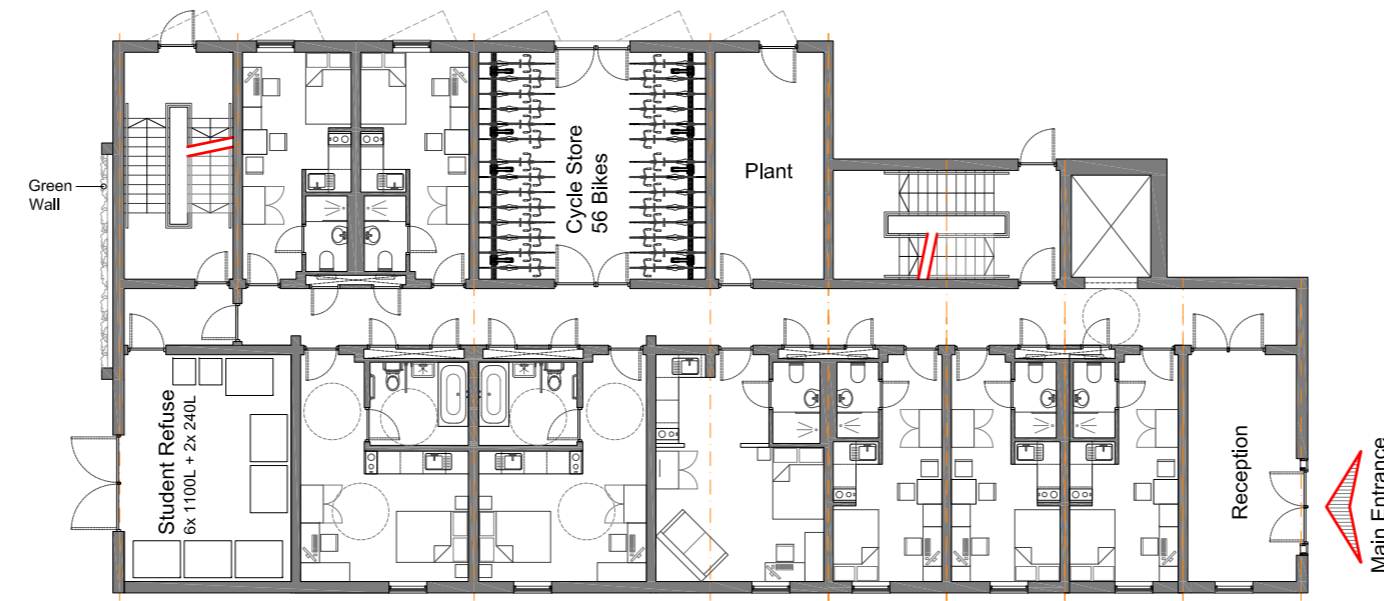
Proposed Elevations - Block A

CLIENT:

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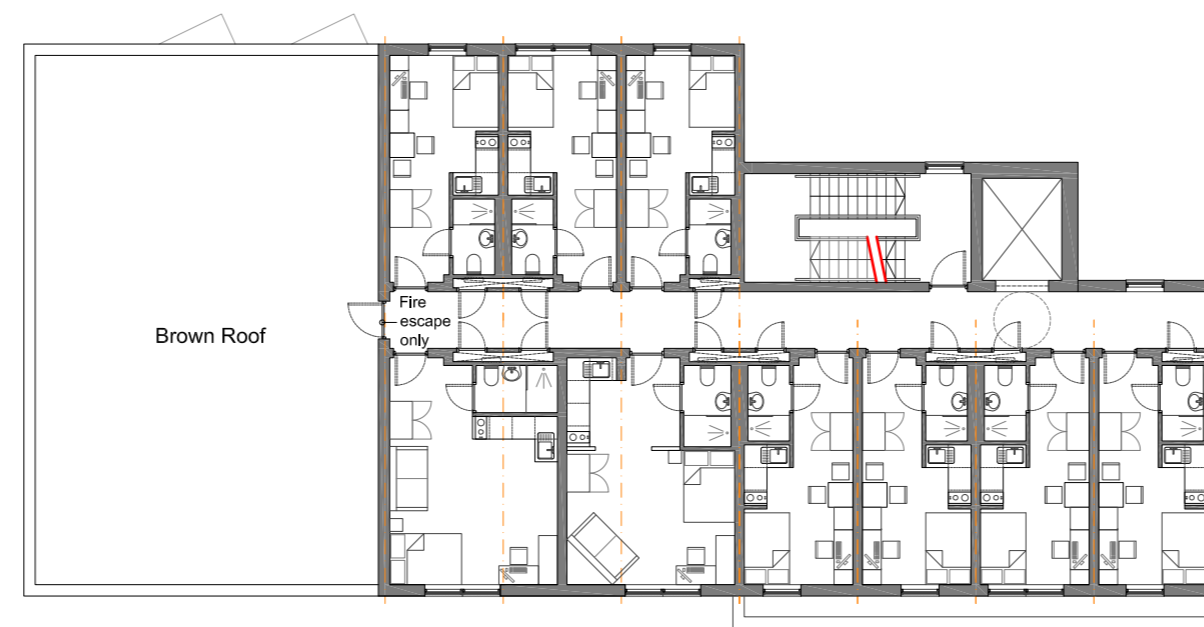
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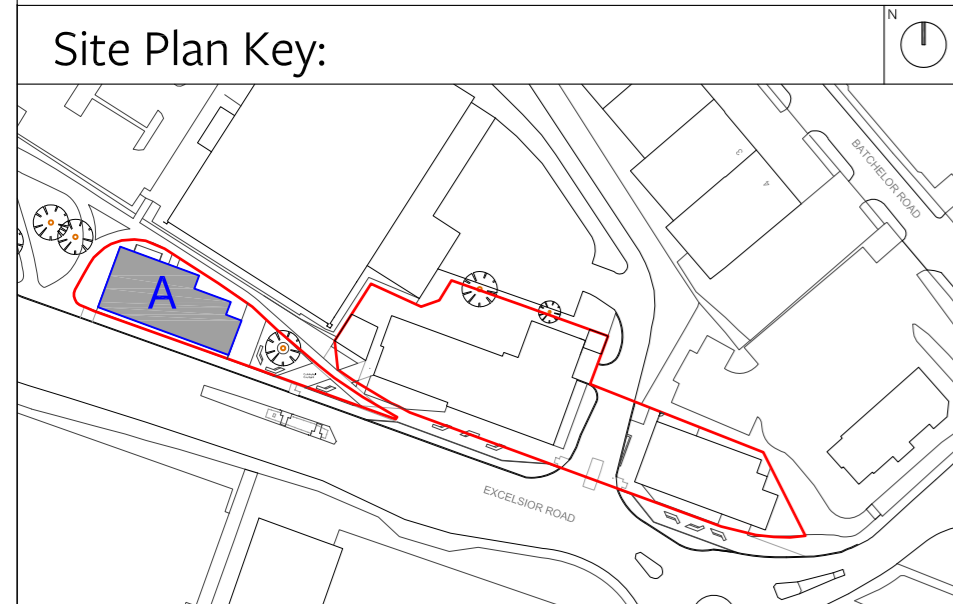
Proposed Ground Floor Plan



Proposed First & Second Floor Plans



Proposed Third Floor Plan



BLOCK A



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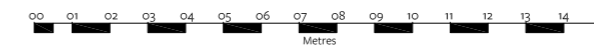
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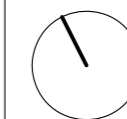
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Proposed Floor Plans - Block A

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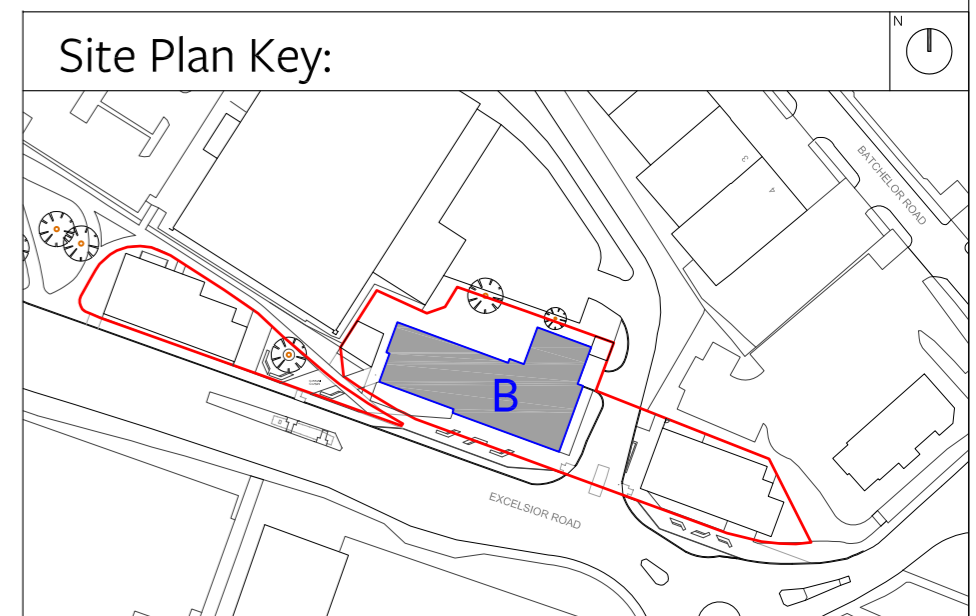
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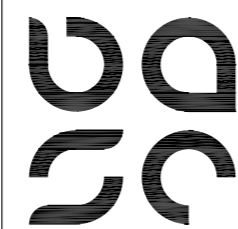
Block B - North elevation



Block B - East elevation



- Key:**
1. Zinc cladding or similar with matching parapet flashing
 2. Grey Brick facade with matching parapet flashing
 3. Grey Render
 4. High performance glazing
 5. Aluminium cladding panel
 6. Secure Grey service doors
 7. Security and surveillance lighting
 8. Secure main entrance double glass doors with brass canopy
 9. Green wall
 10. Signage to match Zinc cladding
 11. Recessed Brick opening
 12. Recessed Zinc panel
 13. Splayed windows in Zinc to match cladding
 14. Perforated facade to match Zinc cladding



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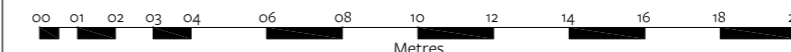
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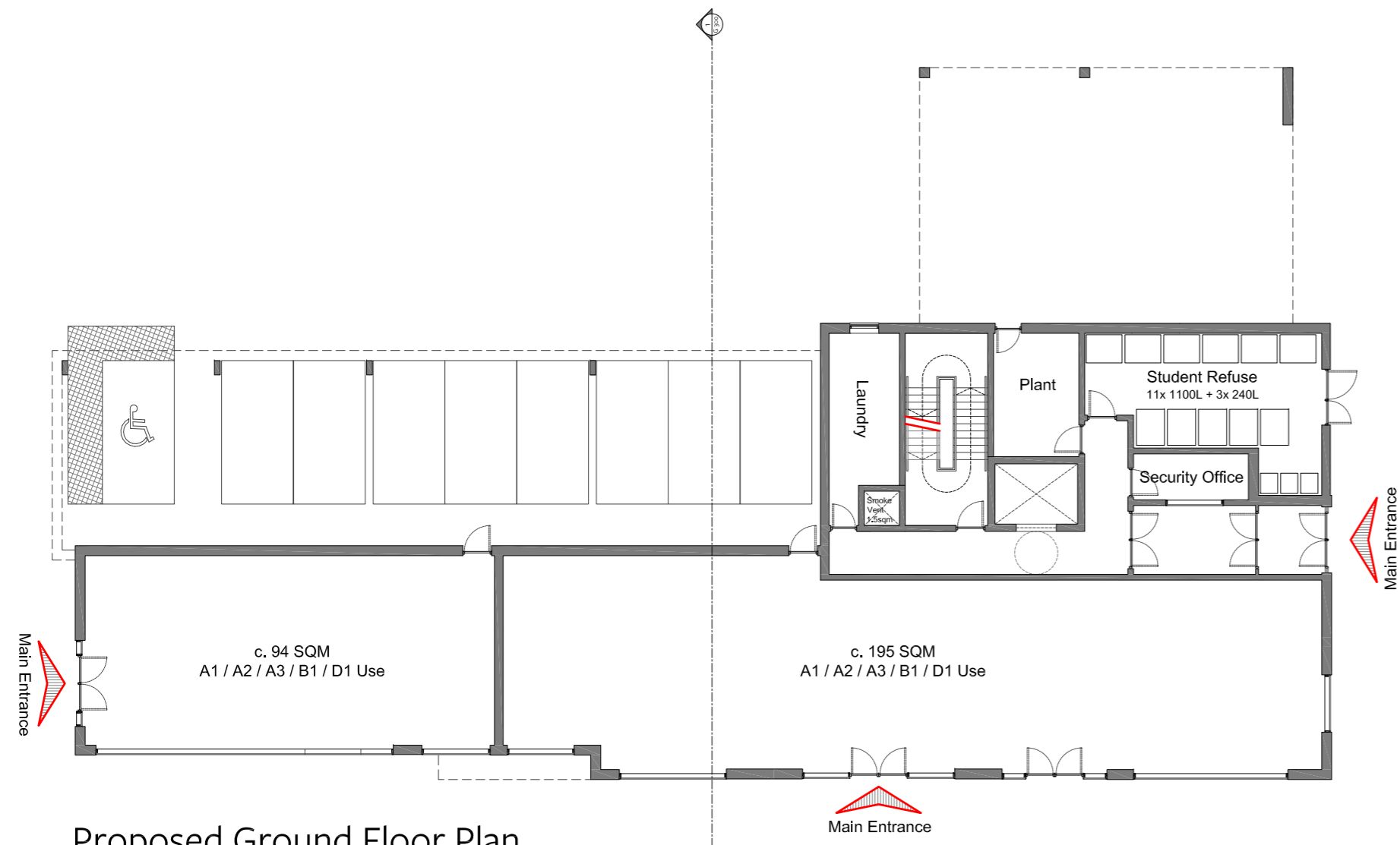
Proposed Elevations 01 - Block B

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Proposed Ground Floor Plan



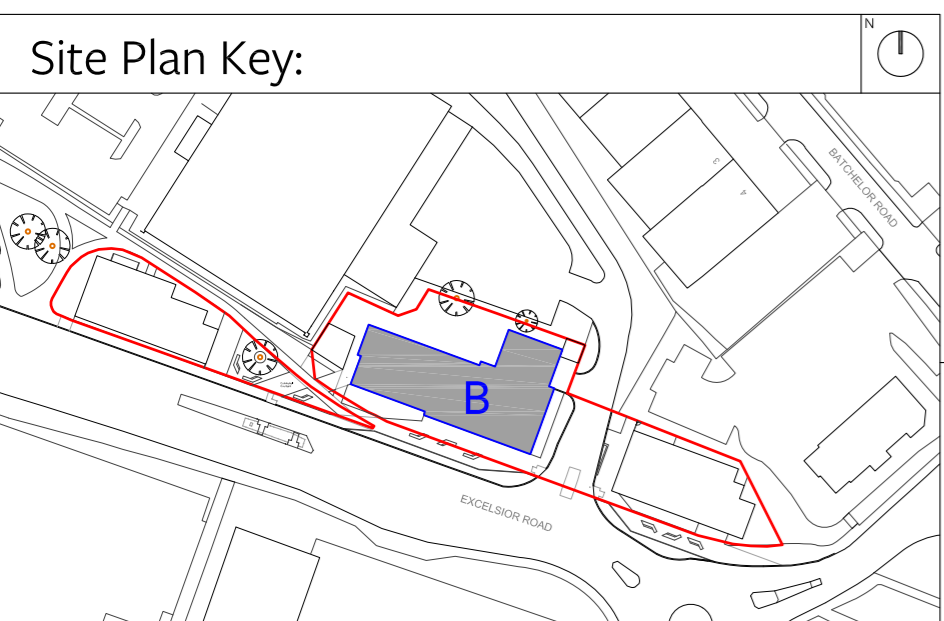
Proposed First & Second Floor Plans



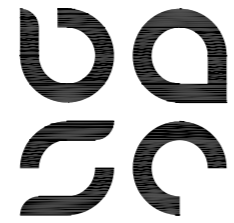
Proposed Third Floor Plan



Proposed Fourth Floor Plan



BLOCK B



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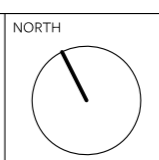
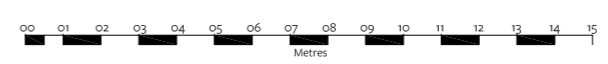
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Proposed Floor Plans - Block B

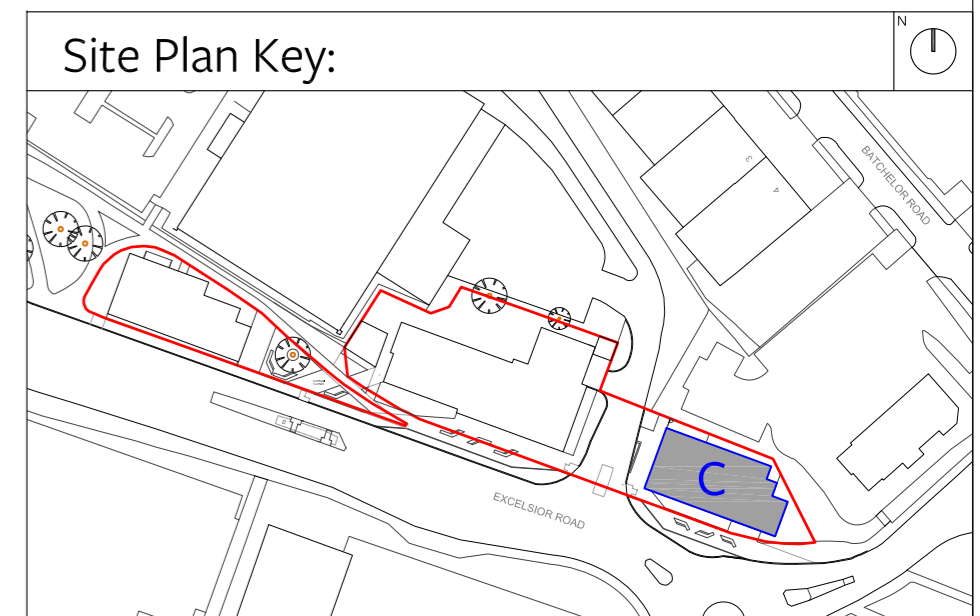
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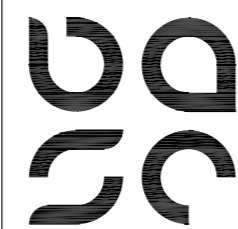
Block C - South elevation



Block C - West elevation



- Key:**
1. Zinc cladding or similar with matching parapet flashing
 2. Grey Brick facade with matching parapet flashing
 3. Grey Render
 4. High performance glazing
 5. Aluminium cladding panel
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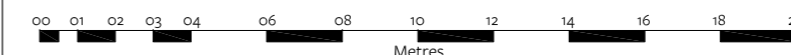
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Proposed Elevations - Block C

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Excelsior Road - Proposed 3D View



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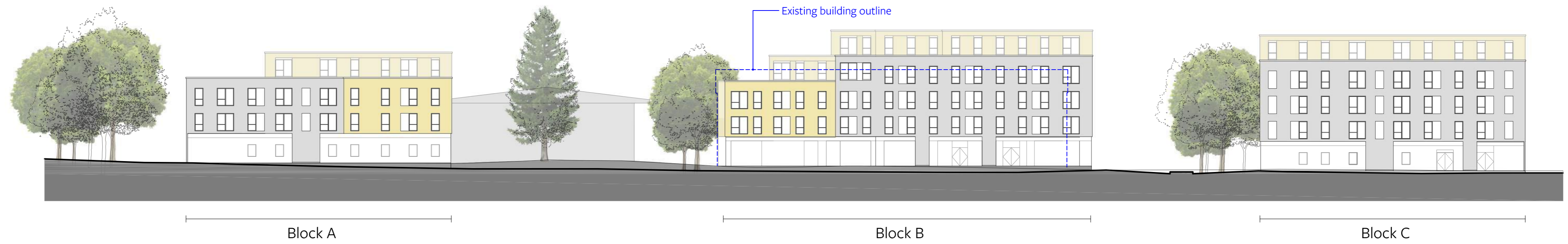
PROJECT:
Alexander House, Cardiff

Proposed 3D Street View

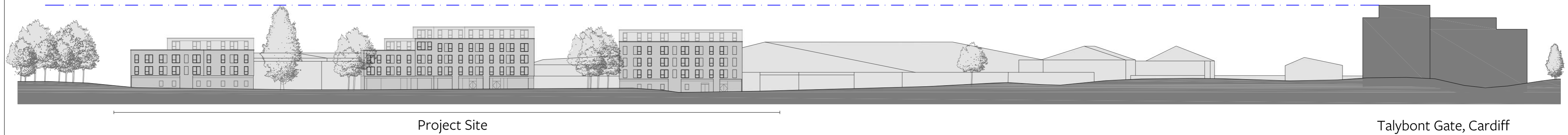
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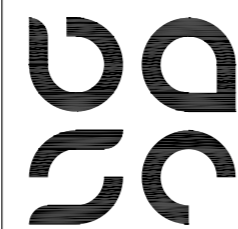
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Excelsior Street Elevation
1/200



Site Context Long Elevation



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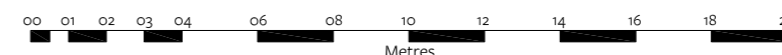
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Proposed Street Elevation

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