

## MP / AM / LOCAL MEMBER OBJECTION

COMMITTEE DATE: 20/04/2016

APPLICATION No. **14/02918/MJR** APPLICATION DATE: 19/01/2015

ED: **CATHAYS**

APP: TYPE: Full Planning Permission

APPLICANT: Gower (Cathays) Ltd  
LOCATION: THE GOWER HOTEL, 29 GWENNYTH STREET, CATHAYS,  
CARDIFF, CF24 4PH  
PROPOSAL: DEMOLITION OF FORMER PUBLIC HOUSE AND  
DEVELOPMENT OF 24 NO RESIDENTIAL UNITS

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**RECOMMENDATION 1** : That, subject to relevant parties entering into a binding planning obligation, in agreement with the Council, under **SECTION 106** of the Town and Country Planning Act 1990, within 6 months of the date of this resolution unless otherwise agreed by the Council in writing, in respect of matters detailed in paragraph 8.7 of this report, planning permission be **GRANTED** subject to the following conditions:

1. C01 Statutory Time Limit
2. Notwithstanding the submitted plans, details of refuse storage and management, providing the following capacities, shall be submitted to and approved in writing by the Local Planning Authority:
  - 3x 1100 litre bins for general waste;
  - 2x 1100 litre bins for dry recyclables; and
  - 1x 240 litre bin for food waste.

The approved scheme shall be implemented prior to the beneficial occupation of the development and shall thereafter be retained and maintained.

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

3. Notwithstanding the submitted plans, details of cycle parking facilities shall be submitted to and approved in writing by the local planning authority. The approved details shall be implemented prior to the beneficial occupation of the development and shall thereafter be retained and maintained.  
Reason. To ensure appropriate provision for cyclists.
4. No part of the development hereby permitted shall be occupied until a scheme of environmental improvements to Gwennyth Street footway in the vicinity of the site has been submitted to and approval in writing by

the Local Planning Authority. The scheme should include as required, but not be limited to, the reconstruction as footway of the existing crossover and resurfacing of the remaining areas of footway; including as required, surfacing, edging, the provision/renewal of street lighting and street furniture as may be required as a consequence of the development. The agreed scheme to be implemented to the satisfaction of the Local Planning Authority prior to beneficial occupation of the site. Reason: To ensure the reinstatement of the adjacent public highway in the interests of highway and pedestrian safety and to facilitate access to the proposed development.

5. No part of the development hereby permitted shall be commenced until a scheme of construction management has been submitted to and approved by the Local Planning Authority, to include as required details of site/compound, hoardings and site access/egress. Construction of the development shall be managed strictly in accordance with the scheme so approved.

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

6. If the development hereby approved does not commence within 2 years from the date of the planning consent, further ecological surveys should be commissioned to (i) establish if there have been any changes in the presence and/or abundance of bats and ii) identify any likely new ecological impacts that might arise from any changes.

Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, any original approved ecological measures will be revised, and new or amended measures, and a timetable for their implementation, will be submitted to and approved in writing by the local planning authority prior to the commencement of development. Works will then be carried out in accordance with the proposed new approved ecological measures and timetable.

Reason: To ensure the protection of bats, which are European Protected Species.

7. Development shall not begin until an appropriate photographic survey of the existing buildings on the site has been carried out in accordance with details to be submitted to, and approved by, the Local Planning Authority. The resulting photographs should be deposited with National Monuments Record and the Historic Environment Record, operated by the Glamorgan-Gwent Archaeological Trust (Heathfield House, Heathfield Swansea SA1 6EL. Tel: 01792 655208).

Reason: To maintain an accurate historical record of the existing former Public House.

8. C2N Drainage details

9. D4A Landscape Scheme

10. C4R Landscaping Implementation
11. C20 Architectural Detailing
12. E1B Samples of Materials
13. Prior to the commencement of development details of the measures to protect the side elevation of no. 26 Gwennyth Street, exposed by the demolition of the public house, and a scheme of remediation works shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented immediately upon the substantive completion of demolition works.  
Reason: To protect the integrity of the adjacent dwelling and in the interests of visual amenity.
14. Prior to the commencement of the development, (apart from any demolition works) an assessment of the nature and extent of contamination shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall include an intrusive investigation to assess the extent, scale and nature of contamination which may be present; an assessment of the potential risks, and; an appraisal of remedial options, and justification for the preferred remedial option(s).  
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 2.63 of the Cardiff Unitary Development Plan.
15. Prior to the commencement of the development (apart from any demolition works) a detailed remediation scheme and verification plan to bring the site to a condition suitable for the intended use by removing any unacceptable risks to human health, controlled waters, buildings, other property and the natural and historical environment, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works and site management procedures.  
Reason: To ensure that any unacceptable risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy 2.63 of the Cardiff Unitary Development Plan.
16. The remediation scheme as approved by the Local Planning Authority must be fully undertaken in accordance with its terms prior to the occupation of any part of the development unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority

must be given two weeks written notification of commencement of the remediation scheme works. Within 6 months of the completion of the measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.

Reason :To ensure that any unacceptable risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy 2.63 of the Cardiff Unitary Development Plan.

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

Reason: To ensure that any unacceptable risks from land contamination to the future users of the land , neighbouring land, controlled waters, property and ecological systems are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy 2.63 of the Cardiff Unitary Development Plan.

18. D7Z Contaminated materials

19. E7Z Imported Aggregates

20. E7G Railway Noise

21. F7G Railway Vibration

22. H7G Plant Noise

23. The consent relates to the application as amended by the revised plans numbered AL(90)02 rev. A; AL(99)02 rev. A; AL(99)03 rev. A; and AL(99)04 rev. A, attached to and forming part of this planning application.

Reason: The plans amend and form part of the application.

24. This consent relates to the application as supplemented by the information contained in the email from the agent dated 4th June 2015.  
Reason: The information provided forms part of the application.

**RECOMMENDATION 2** : 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 3** : Welcome Pack – The applicant is requested to provide future residents with a welcome pack upon their arrival, detailing public transport services in the area, to help promote sustainable transport. Leaflets and advice in connection with production of the packs are available from Miriam Highgate, Cardiff Council, County Hall, tel: 029 2087 2213.

**RECOMMENDATION 4** : The contamination assessments and the effects of unstable land are considered on the basis of the best information available to the Planning Authority and are not necessarily exhaustive. The Authority takes due diligence when assessing these impacts, however you are minded that the responsibility for

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

## 1. **DESCRIPTION OF PROPOSED DEVELOPMENT**

- 1.1 An application for the demolition of a vacant former public house premises, and the construction of a 4 storey building accommodating 24 flats – 16no. one bed and 8no. 2 bed.
- 1.2 The proposed flat roof building has a street frontage of approx. 34.2m and an overall depth of approx. 13.8m. The building has an overall height of approx. 11m, stepping down in four intervals across the site frontage.
- 1.3 The proposed building is to be predominantly finished in a mix of red facing brick and white render. However, the third floor, (which has a return off the front & rear main elevations), is finished in grey metal cladding, with the ground floor façade being mainly natural stone.
- 1.4 There are Juliet balconies to the first and second floor front elevation, with small (0.6m deep) balconies to the rear elevation at first floor height. The third floor offers roof terraces, serving 8 of the flats. The application has been amended to include sight screens to the rear corners of the third floor roof terraces.
- 1.5 The site is shown as being enclosed by 2.2m high rendered walls/railings to the rear and sides, with a dwarf wall and railings fronting Gwennyth Street. The front enclosure has been amended to omit false gateways.
- 1.6 Future occupiers of the ground floor rear flats identified as flats 2, 3, 6 & 7 will benefit from small private amenity areas, overlooking the rear. A communal amenity space of approx. 123sqm is set at the side of the proposed building (adjacent to the northern boundary). Communal refuse and cycle storage facilities are also in this area.
- 1.7 Access to the proposed building is via two communal entrances fronting Gwennyth Street.

## 2. **DESCRIPTION OF SITE**

- 2.1 The site is approx. 810sqm in area, forming the northern end of a terrace of residential properties. The existing building, of predominantly red brick construction, with a pitched roof at two levels, is currently vacant and was formerly a public house.
- 2.2 The adjacent properties on Gwennyth Street are in residential use, being of mainly two storey terrace with some three storey 'Townhouse' styles.

To the rear of the site is a local railway line. To the north of the site is an existing

vehicle repair garage business, which leads on to further residential properties.

To the opposite side of Gwennyth Street there are is a residential terrace of traditional 2 storey pitched roof construction.

### 3. **SITE HISTORY**

3.1 No relevant history.

### 4. **POLICY FRAMEWORK**

4.1 The relevant Local Development Plan Policies are:

Policy KP5 (Good Quality and Sustainable Design)  
Policy H6 (Change of Use or Redevelopment to Residential Use)  
Policy T1 (Walking and Cycling)  
Policy T5 (Managing Transport Impacts)  
Policy W2 (Provision for Waste Management Facilities in Development)

4.2 The Guidance 'Infill Sites' 2011 is also relevant, and is considered to be consistent with the principles of LDP policies KP5 and H6.

### 5. **INTERNAL CONSULTEE RESPONSES**

5.1 The Transportation Manager has no objection, making the following comments:

*"I would confirm that the submission has been assessed and is considered acceptable in principle subject to the following conditions:*

*C3S – Cycle Parking;*

*Construction Management Plan condition – No part of the development hereby permitted shall be commenced until a scheme of construction management has been submitted to and approved by the Local Planning Authority, to include as required details of site/compound, hoardings and site access/egress. Construction of the development shall be managed strictly in accordance with the scheme so approved. Reason: In the interests of highway safety and public amenity.*

*Footway works condition – No part of the development hereby permitted shall be occupied until a scheme of environmental improvements to Gwennyth Street footway in the vicinity of the site has been submitted to and approval in writing by the LPA. The scheme should include as required, but not be limited to, the reconstruction as footway of the existing crossover and resurfacing of the remaining areas of footway; including as required, surfacing, edging, the provision/renewal of street lighting and street furniture as may be required as a consequence of the development. The agreed scheme to be implemented to the satisfaction of the Local Planning Authority prior to beneficial occupation of the site. Reason: To ensure the reinstatement of the adjacent public highway in the interests of highway and pedestrian safety and to facilitate access to the*

*proposed development.*

*Second recommendation:*

*Welcome Pack – The applicant is requested to provide future residents with a welcome pack upon their arrival, detailing public transport services in the area, to help promote sustainable transport. Leaflets and advice in connection with production of the packs are available from Miriam Highgate, Cardiff Council, County Hall, tel: 029 2087 2213.*

*Comments:*

*The Access, Circulation and Parking Standards SPG identifies a car parking requirement of a half to one space per dwelling and a minimum cycle parking requirement of one space per unit for flats/apartments. In accordance with the SPG the proposed development should therefore attract a minimum of 12 car parking and 24 cycle parking spaces. However in considering the matter I must take into account that the existing Public House/Hotel has a similar car parking requirement that would have also all been accommodated on-street. The proposed development therefore generates the same or less parking demand than the existing use and consequently is considered to be policy compliant with no off-street car parking spaces; subject to provision of the cycle parking identified in the requested condition.*

*It is noted that there are a number of objections to the application which mention traffic and car parking as a concern/reason for objection. However as noted above the proposals are considered to be parking policy compliant and I must also take into account that the site is within easy walking distance of shops/services locally, along with bus public transport services and Cardiff's cycle network. The site is therefore considered to be in a sustainable location in transport terms and given its nature (smaller one and two bed units) is also likely to attract residents who economically or consciously choose not to own a car.*

*I would further confirm that incoming residents of the development would not be eligible for resident parking permits and as such will not add to parking pressure on the existing bays. Therefore, while acknowledging that parking demand may well fully occupy existing uncontrolled on-street provision at certain times of the day/week, as is the case in the majority of areas where traditional terraced housing is adjacent to a district centre or area of employment, a positive determination of this application will not itself add to pressure on existing resident permit bays.*

*In conclusion the site is considered to be policy compliant, in a sustainable location and of a unit type that is likely to attract residents who economically or consciously may choose not to own a car. I must therefore confirm that I consider an objection on traffic or parking grounds would be unsustainable and that any reason for refusal on this basis would not withstand challenge."*

5.2 The Waste Manager considers the indicated refuse storage area to be



acceptable, subject to the proposals accommodating the appropriate capacities.

- 5.3 The Pollution Control Manager (Contaminated Land) has no objection to the proposals, subject to contaminated land conditions and advice.
- 5.4 The Pollution Control Manager (Noise & Air) has no objection, subject to conditions relating to railway noise, railway vibration and plant noise.
- 5.5 The Neighbourhood Renewal (Access) Manager has been consulted and any comments will be reported to Committee.
- 5.6 The Parks Manager has no objection to the proposals, subject to the developer agreeing to a financial contribution of **£33,696** towards the provision of or maintenance of existing open space in the vicinity of the site.
- 5.7 The Council's Ecologist has no objection, subject to the imposition of a condition seeking to ensure that a further Bat Report is prepared, should there be a delay of more than 2 years from the date of any consent. (Condition 6 above).
- 5.8 The Housing Strategy Manager has considered the proposals and makes the following comments:

*"In line with the LDP, an affordable housing contribution of 20% of the 24 units (5 units) is sought on this brown-field site.*

*Our priority is to deliver on-site affordable housing, in the form of affordable rented accommodation, built to Welsh Government Development Quality Requirements for purchase by a nominated Registered Social Landlord partner.*

*However, given the proposed design of the residential and overall scheme, the proposal for private units for sale, and the potential service charges for this type of residential development, all of the above could affect the affordability as well as the practicality of managing and maintaining affordable housing on-site for a Registered Social Landlord.*

*In view of the above, we would accept the affordable housing to be wholly delivered as a financial contribution in lieu of on-site affordable housing provision. On that basis we would seek a financial contribution of **£342,780** (in lieu of the 5 units) which is calculated in accordance with the formula in the Affordable Housing – Supplementary Planning Guidance (SPG) (2007)."*

## 6. **EXTERNAL CONSULTEE RESPONSES**

- 6.1 Dwr Cymru/Welsh Water have no objection subject to conditions in respect of site drainage.
- 6.2 South Wales Police offer comments in respect of crime prevention matters.

Their correspondence has been forwarded to the agent.

6.3 Network Rail have no objection and provide advice in respect of developments close to the railway.

## 7. **REPRESENTATIONS**

7.1 Adjacent occupiers have been consulted and the application has been advertised on site and in the press in accordance with adopted procedures.

7.2 19 letters of objection have been received from neighbouring residents, which raise the following concerns:

- The proposals represent an overdevelopment of the site which is out of keeping with the street context;
- The lack of any off-street parking will exacerbate the existing on-street parking congestion. The submitted Transport Assessment takes in too wide an area;
- Details contained within Planning Statement and the Design and Access statement are inaccurate, in that the building design does not comply with planning policy or local context, and the information relating to the availability of public transport is incorrect;
- The proposed building will overshadow and overlook adjacent dwellings, and impact upon natural light to existing dwellings, having an adverse impact on the amenity and privacy of adjacent occupiers;
- The loss of the existing public house building, which is of local historic significance is unacceptable;
- Alterations to the site enclosure will adversely impact upon the security of an adjacent business premises;
- The scale of the development is such that it will have an adverse impact upon the existing dated sewerage system;
- There will be considerable noise and dust disturbance during any works to implement the proposals;
- The speed of existing traffic using Gwennyth Street is already excessive and dangerous;
- There has been a lack of community consultation.

7.2 Local Members have been consulted and Councillors Weaver, Merry and Knight object to the proposals, making the following comments:

*“We are writing to object to the planning application 14/02918/MJR to convert the Gower Pub into 24 residential units (32 beds). We would also request for there to be a site meeting so that the committee can fully appreciate the full impact of this development.*

*We are concerned about three main aspects:*

- *Overly large development*
- *Failure to in-keep with the design of the area*

- *Parking issues*

*We believe the plans are not a suitable replacement for the Gower pub and some effort should have been made to retain the existing pub structure or design of the building. This application would create a solid block of flats overshadowing the existing row of houses. Currently the height is typically two stories high with one block in the exception. This application would remove much of the light for some of the existing properties and create a bulk of building that is unsuitable for the area.*

*We believe that the application fails Policy 2.20 (Good Design) of the deposited Cardiff UDP on the lines of:*

- It does not “respond to local character and context”*
- It does not address issues of “layout, density, scale, massing, height, detailing and landscaping”*

*The blue lines shown fail to convey the difference between the developments and is much more stark than shown. For this reason we believe a site visit is essential.*

*Planning Policy Wales 9.3 “New housing developments should be well integrated with and connected to the existing pattern of settlements”. Although there has been some red brick included within the designs it is clearly secondary to rendering that does not match the consistent red brick of the rest of the street. As mentioned before the Gower Pub was not a solid height through it’s whole width and therefore changes the nature of the street. Previous new build flats on the street have been red brick in their entirety and even matching the decoration above each of the windows.*

*There are strong concerns from residents opposite that the balconies invade their privacy. Some of the balconies are at the biggest height of the building or in line with upstairs bedrooms of neighbours opposite.*

*24 flats (32 beds) will certainly add to parking issues in this area. Whilst it is often cited in planning that tenants would not need to bring cars, this has been proved incorrect time after time in Cathays. Policy 27 of the City of Cardiff Local Plan states that conversion to residential use must have appropriate provision for car parking”. A plan must be provided to cope with this extra vehicular parking alongside developments happening on the old Shaw’s site in Monthermer Road adjacent to Gwennyth Street. The application does state that parking is “limited” and that it should get better “due to the removal of the former use of the existing building.” I don’t believe that removing a closed pub and adding 24 flats would do anything but majorly increase the number of parked cars in the area.*

*The stats given for parking are not recognisable as accurate to the residents or ourselves and strongly urge for the committee to challenge the findings of the transport plan. The 200m radius for parked cars is entirely unsuitable with the radius going beyond a railway which can only be crossed at one end meaning*

*parking into an entirely different ward where there are already parking issues and cannot be walked to in a straight direction.*

*Where some policies state that only limited parking needs to be considered with “good accessibility to public transport”. We don’t believe that public transport is accessible in this location with the transport statement showing the nearest stop is 230m and 400m away from the site and do not offer services to supermarkets. The nearest train station is also 1.2km away.*

*For all these reasons we believe that the application should be rejected.”*

- 7.3 Councillor Clark objects to the proposals, supporting the issues raised by Jenny Willott MP, making the following comments:

*“I am writing to object to the proposed Gower Pub Development, Gwennyth Street, Cathays on the same grounds as the local MP, Jenny Willott.*

*In addition, I would like to stress my objection to having 4 stories for the development when the houses opposite are 2 stories and even the student accommodation down the street is 3 stories. I also object on the grounds of parking considerations. I am also very much against the design of the building. In nearly every other development in residential Cathays infill developments have been built to harmonise with the rest of the street scene. For example, the houses at the end of Gwennyth Street in Fanny Street, the aforementioned student accommodation in Gwennyth Street – these are both red brick mostly flat fronted buildings. In addition, the infill development being done in Monthermer Road and formerly in Pentyrch Street also matched the rest of the street.*

*The totally modern style of the proposed Gower Pub development is out of keeping with the rest of the street. Please could the examples I have included above be included in the officer’s report if possible.”*

- 7.4 Former MP, Jenny Willott objected to the proposals, making the following comments:

I enclose with this letter my objections to the plans as currently shown for the re-development of the Gower Pub. I understand that with changing times the Gower no longer has a viable future as a pub and it is a good site to be developed for housing. I would prefer, as would many local people, that the re-development could retain the impressive architecture of its frontage, with its beautiful windows and gable, but it is understandable that the size and positioning of the windows would make re-development into smaller units rather difficult.

However, the current plans are on a scale that is quite out of keeping with the houses around, reducing both their light and their privacy. In addition, to plan to build twenty-four flats with no car parking provision at all, when it is known that local roads are already having difficulty coping with on-street car parking, is not sensible and is certainly not fair on local people.

I hope that the justified concerns of local people can be accepted and that the developer will be asked to reduce the scale of his plans and incorporate car parking.

## **OBJECTIONS TO THE GOWER PUB PLANNING APPLICATION**

I would like to add my concerns about the proposed development of the Gower Pub site to those already expressed by local residents, particularly people who live in Gwennyth Street, who will be the most affected. On the whole it is realised that with the change in social patterns, the site of the old pub is suitable for redevelopment, and residential development accords well with the rest of the area.

I have two main concerns: the scale of the development and the lack of car parking.

## **THE SCALE OF THE PROPOSED DEVELOPMENT**

The Planning Statement is submitted by Asbri Planning on behalf of the developers "Gower (Cathays) Ltd", which does not appear to be a local Cardiff company. It is registered at an accommodation address in London, Regent Street, see:

<http://www.endole.co.uk/company-by-postcode/swly-4lr?page=3> It is listed as having no reported assets and no reported net worth.

**Existing Architecture.** The Planning Statement correctly says (para 2.2) that Victorian terraces are the prevalent architectural style in this area, with buildings of two storeys. In para 4.3, it says that the new development is "designed in the context of the significant massing of the existing public house". The developer uses this sentiment to justify a building that is much bigger than the houses around it.

However, the Gower pub was an important public building, for the use of local people. As a community resource, it was built to have a presence that was greater than surrounding houses in much the same way as a church does. This does not mean that a private housing development, which has no public connotation or function, can have the same mass. It will overshadow, both literally and metaphorically, the Victorian terraces around it.

**Loss of Privacy.** The way in which this development will tower over surrounding terraces is clearly seen in the drawings submitted, which show that the second floor windows of the block of flats will be at the level of the terrace roofs around, while the third floor will be at the level of their chimneys. At the moment, the Gower pub has two floors of eight large windows, and two further windows in the gable, overlooking neighbouring houses. The planned flats appear to have at least thirty windows overlooking Gwennyth Street, and eight of those will have balconies. All these windows will greatly impact on the privacy of local residents. Moreover, in hot weather it is likely that windows and balcony doors will be open and music and noise of all sorts will seriously

inconvenience others.

**Local Recent Developments.** Other recent developments in the area have been far more in keeping with what is around them: for example, see the photo of modern two-storey housing and modern three-storey gabled flats on page 12 of the Context Analysis. In these Gower pub plans, it is evident that the developer is seeking to incorporate as many flats as he possibly can, not for their architectural merit, but in order to maximise his profit, even though this will have a huge adverse impact on local people, leading to loss of natural light in the street and a huge loss of privacy. I hope that the Planning Committee of Cardiff Council will have more concern for the wellbeing of their residents, than to let this over-sized development get consent in its present form.

## **THE LACK OF CAR PARKING**

### **Car Parking Provision 'Not Necessary'**

Page 21 of the Planning Statement says that "there is no car parking proposed on site, due to the physical limitations of the site" (para 6.14). These limitations could be overcome by having garages instead of flats on the ground floor, or by building a smaller block and using the freed-up space for a car park, though of course this would provide fewer units for sale and reduce the profits to be made by the developer. The Planning Statement goes to say that the availability of public transport nearby validates the "relaxation of car parking standards".

### **Likely Number of Cars**

Relaxing car parking standards is not the same as having no car parking provision at all. 24 flats, 8 of which are 2-bedroom, will have at least 32 occupants and probably far more, since the one-bedroom flats will often house a couple. The majority of them will have cars – for weekend trips, for visiting friends, for going to see sights. They may not use them all the time, since this area is so well situated for public transport, but in that case their cars will be parked on the street for most of the week. It is commonly hoped that university students will not come accompanied by their cars, but such hopes are never fulfilled, still less if the flats are occupied by young professional people. The streets are already over-parked – see the photo on your planning website submitted by Douglas Bragg, one of the objectors.

### **Developers' Transport Statement**

The developers have submitted a separate Transport Statement, to try to overcome objections to their complete lack of parking provision. This Statement and its appendix contain surveys of parking capacity in surrounding roads. The surveys appear to show some capacity for extra cars.

### **Parking Capacity Measurement is faulty**

However, according to the Statement, the parking capacity was estimated by measuring all kerbside space not taken up with yellow lines, driveway entrances etc, and then dividing it by 6m (the average length of a car) to get

a figure for the maximum numbers of cars that could in theory be parked on the roads at full capacity. The surveyors then counted the cars actually parked on the roads and took it away from the maximum to get a figure for spare capacity.

If the surveyors spent all that time walking up and down the roads counting cars, it would have been sensible to have counted actual spaces. Simply adding together all the kerb space and dividing it by 6m does not give the number of parking spaces. To illustrate this: two spaces between driveways of 9m each give a total of 18m, so in theory that is room for 3 cars, but in fact each space will only hold one car, with 3m left over. These figures given in the paper do not reflect the actual situation on the ground. It is plain from what local residents report that these roads are already accommodating their current load of cars with some difficulty. For a developer to propose 24 flats with no car parking provision at all is not fair on local residents and is really rather irresponsible.

In conclusion, whilst I do not object to the development as a whole, I object to two aspects of it: the size of the building and the complete lack of car parking. It would be useful if the developer could be asked to re-design his plans to remove the top floor of the flats so that it does not overshadow and intimidate surrounding houses. And in addition, he should be asked to incorporate at least one car parking space for each flat.

7.5 Jenny Rathbone AM objects to the proposals, making the following comments:

I object to the above application to demolish the Gower Hotel at 29 Gwynneth Street, Cathays, CF24 4PH to make way for development of 24 residential units.

The residential properties on Gwynneth Street are all two storey; the proposed development in its current form is out of keeping with the existing buildings.

The Gower Hotel is a building of historical interest; in the past it has been a community hub, winning Cardiff in Bloom on two occasions. Whilst I understand the reasons for its closure, the history of the Gower can be preserved if developers are prepared to re-use the facade and stonework. This would help protect Cardiff's heritage and keep the development aligned to the streetscene.

I understand that some residents are also concerned about the knock on effects of additional cars and the competing demands for parking. Have you considered any **restrictions on car ownership as a condition of occupancy, were the development of 24 units to go ahead?**

7.6 Although amended plans have been received, the amendments (as indicated above) are extremely minor and cosmetic. As such, no re-consultation was considered necessary as the alterations were considered to be unlikely to significantly change opinions on the proposals to such a degree that would affect the recommendation.

- 7.7 Subsequent to the above, Councillor Clark submitted a number of photographs of developments around the site and these were presented to Members of Committee as late representations.

In addition, Councillor Clark also submitted a petition of 52 signatures (as a late representation), in opposition to the proposals, with the grounds for objection cited as:

*“The planning application design is out of keeping with the rest of the street, would increase parking problems and lead to over-crowding and development in the area”.*

## 8. **ANALYSIS**

- 8.1 An application for the demolition of an existing two/three storey vacant public house premises, and the construction of a 4 storey building accommodating 24 self contained flats. The proposed breakdown of the accommodation is 16x 1 bed and 8x 2 bed.

The application was deferred by Planning Committee on 24<sup>th</sup> February 2016 in order undertake a site visit. That visit was undertaken on 3<sup>rd</sup> March 2016.

The application was further deferred by Planning Committee on 9<sup>th</sup> March in order to explore reasons for refusal of consent, on grounds of poor design. In light of this resolution, a draft reason for refusal is shown in paragraph 8.9 below.

- 8.2 In terms of land use policy, this application for the demolition of a vacant public house and the redevelopment of the site for 24 residential units is assessed against Policy H6: Change of Use or Redevelopment to Residential Accommodation of the Adopted Cardiff Local Development Plan 2006-2026. This policy provides the framework for the assessment of applications for the change of use, conversion or redevelopment of redundant previously developed land and premises for residential development within settlement boundaries.

The vacant public house is situated in an established residential area and afforded no specific protection in land use policy terms. It is therefore considered that there is no overriding need to retain the existing use of the premises.

Assessed against the above policy framework, the redevelopment of the site for residential purposes raises no land use policy concerns.

In this case, the key considerations are the impact of the proposals in terms of the scale and design on the character and amenity of the area and existing occupiers.

- 8.3 The existing building, although of some character and local interest, is not



Listed (Statutory), and is not on the Council's list of buildings of interest. In this case, there are no sustainable planning policy grounds to prevent its demolition.

Notwithstanding the above, the comments contained in representations, and those of the Glamorgan Gwent Archaeological Trust are noted. In this regard, condition 7 above is recommended on advice from GGAT in order to maintain a historical record.

8.4 With regard to the scale and design of the proposed flats, the following comments are made:

- The proposal is for a redevelopment of the Gower pub, which has ceased trading as a public house. The existing structure is a characterful red-brick building which it would be preferable to retain and alter, however, it is understood that the adaptation of the existing structure into residential use has been explored by the applicants and is commercially unviable.
- The area is typically characterised by 2-3 storey terraced houses with pitched roofs; one possible design solution could replicate this traditional style of building with a similarly proportioned roof line. However, the architects have chosen to respond with an alternative solution and the design put forward is a four-storey flat-roofed and contemporary building.
- The design of the fenestration, the inset of the fourth storey, duplex / penthouse element, together with the materials help to visually break up the scale and massing and integrate the proposal with its context. The ridge line is slightly higher than the ridge line of the existing pub, but not significantly higher; it is lower than the ridge line of the gable feature. Given the location of the building in the street and the existing precedent set by the Gower pub, the height is considered acceptable. The contextual visualisations indicate that the proposal would sit well in the street scene. The infill guide says that:
- All development must be of good design and make a positive contribution to the adjacent townscape/landscape; this should come about following a clear vision for the project identified after a detailed analysis of what is appropriate for the context. The design response may be expressed in a number of ways but should always make a positive contribution to the context of the area.
- It is considered that the quality of the architecture together with this use of materials will make a positive contribution to the area. The applicant has stated they will use red brick to match adjacent dwellings and white render. Pennant stone is proposed for the ground floor. It should be ensured that the colour and size of unit matches with other buildings in the vicinity, such as those found along Monthermer Road. A sample

palette should be provided and the materials conditioned where possible.

- The site maintains adequate space between buildings and there will be a useable amenity space for new occupiers.
- The building steps down in the street to mirror existing houses and works with the topography which is beneficial to breaking up the horizontal massing.

The building line frontage responds to the existing street scene and the adjacent row of terraces. The proposed boundary treatment similarly reflects the style of the street. Details of the brickwork (banding, coping, railings) should be provided.

#### 8.5 Representations have included concerns in respect of overshadowing, loss of privacy and loss of light.

Overshadowing/impact on light – It is acknowledged that the proposed building (particularly as presenting to the street frontage due to the removal of the pitched roof appearance) is larger than the existing. This increase (at second floor height – prior to the third floor return) is approx. 1.5m over the existing two storey eaves height. The proposed building is at the same point along the street frontage and is no closer to the properties opposite than the existing. Whilst there may be some impact on early morning light to the front of the dwellings at no. 13-21 Gwennyth Street, it is considered that it would not result in such significant harm to amenity that would justify or sustain refusal of consent.

The demolition of the existing building sees the removal of an existing two storey annexe to the full boundary depth with no. 26 Gwennyth Street, with subsequent re-development being of less depth, resulting in a net gain for the occupiers of no. 26.

Privacy – The proposed building undoubtedly introduces more windows, and a roof terrace, to the Gwennyth Street frontage, having views directly across the street towards no. 13-21. The elevation to elevation distance along this frontage varies between approx. 15.7m to approx. 16.1m, with the frontage to no. 21 being angled away. Whilst it is noted that these distances are below the 21m indicated in the Council's Supplementary Planning Guidance 'Infill Sites' 2011, it must be borne in mind that the existing building also has first and some second floor windows in the same position. In addition, these distances are comparable with the surrounding streets (Monthermer Rd is wider at approx. 19.5m) and also wider than the separation distances further along Gwennyth Street where the recent redevelopment of a former builder's premises is approx. 14.3m from no. 7 opposite.

It is considered therefore, that the proposed building would not result in such a significant increase in potential for loss of privacy to the occupiers of the existing dwellings, or to future occupiers of the development, that would justify or sustain refusal of consent.

The amended proposals include privacy screens to the roof terrace area of the two rear corners of the proposed building, that may otherwise afford views directly down into the garden of no. 26 and the yard area of the adjacent garage business. There are other small balconies to the rear elevations, but these are effectively screened by walls from unacceptable views to the rear of the same two properties.

8.6 With regard to other comments made in representations:

- The proposed development has been assessed in terms of its design and scale. As indicated above, there would be no sustainable grounds to refuse consent in this regard;
- The application documents have been assessed by the Transportation Manager, who has also had regard for objection comments and the location of the site, in respect of parking, public transport and other facilities. As indicated in para. 5.1 above, there would be no sustainable grounds to refuse consent on these issues;
- Whilst there are disagreements with some of the details contained in the submitted documents, the proposed development has been assessed on its merits. There would be no reasonable grounds to withhold consent in respect of any disputed information;
- The submitted plans indicate that the boundary enclosure to the garage premises to the north of the site is to be retained, with additional coping stones. Any discussions that have taken place between the agent and the occupier of the garage premises do not form part of the development under consideration;
- Welsh Water were consulted on the application. It is understood that their assessment process includes input from their various technical teams, including sewerage. Welsh Water have no objection, subject to drainage conditions. Condition 8 above is recommended;
- It is acknowledged that, should consent be granted and be implemented, there will be some local disturbance. However, this is not reasonable or justifiable grounds to withhold consent. Other legislation exists that can exercise control over working conditions and effects;
- The speed of existing traffic along Gwennyth Street is not material to the consideration of this application;
- The Council have publicised this application by direct notification letters, and by site and press notices, in accordance with adopted procedures. In addition, it is understood that the applicant/agent has also undertaken a public consultation exercise, including the distribution of leaflets (as submitted with the application) and a public meeting.

The photographs submitted in late representations have been viewed by Committee and are further available to them online.

An acknowledgement of the petition has been sent to Councillor Clark. The issues raised in the grounds of objection are addressed above.

- 8.7 S106 matters – The following contribution requests have been made, with reference made to the Community Infrastructure Levy tests:

Parks – £33,696 – Towards the improvement of open space in the vicinity. Details to be agreed in line with the CIL tests.

Affordable Housing - £342,780 – A financial contribution in lieu of any on site provision is acceptable to the Housing Strategy Manager.

The applicant has submitted information relating to the economic viability of the proposed development in light of the requested contributions. This information has been assessed by the Council's Strategic Estates Manager and, in turn, the District Valuer Service.

In their report dated 1<sup>st</sup> February 2016, the DVS concluded:

“Our appraisal as detailed above for a fully open market mixed use scheme providing an offsite Affordable Housing contribution of some £342,780 and S106 sums of £33,696 returns a negative residual value and so suggests the scheme is unviable on that basis.”

Notwithstanding the findings of the DVS, the applicant has offered the Council a single financial contribution of £24,900. In consultation with the Service Areas, it is recommended that the full amount be allocated towards the off-site provision for Affordable Housing.

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

- 8.9 Should Members be minded to resolve to refuse planning permission, in accordance with the resolution of the 9<sup>th</sup> March 2016, the following is offered as a possible reason:

*“The proposal represents an incongruous form of development by reason of its design, scale, massing and use of materials, which fails to respond appropriately to the character and context of the surrounding area, causing unacceptable harm to visual amenity and the street scene, contrary to the provisions of policy KP5 and H6 of the adopted Cardiff Local Development Plan 2016, paragraph 9.3.3 of Planning Policy Wales (Edition 8, January 2016), and Planning Policy Wales Technical Advice Note 12 ‘Design’, June 2014.”*



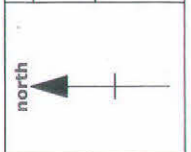
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14/02/2018 IMJR

96 Albany Road, Cardiff  
CF24 3RS T 029 2048 8656  
it@iarchitects.co.uk

Project:	The Former Gower Public House redevelopment
Address:	28 Gwennyth Street, Cathays, Cardiff, CF24 4PH
Title:	Site Location Plan
Date:	November 2014
<b>Job No:</b>	<b>1026</b>
<b>Drawing No:</b>	<b>AL(90)00</b>

Drawn By:	SW
Checked By:	LT
Revision:	




**scale:** 1:500@A3

0 1 2 3 4 5M

THE DRAWINGS TO BE READ IN CONJUNCTION WITH OTHER RELEVANT ARCHITECTS AND ENGINEERS DRAWINGS AND SPECIFICATIONS. ALL DIMENSIONS TO BE CHECKED ON SITE BEFORE AND DURING WORKS. ARCHITECT TO BE MADE AWARE OF ANY CHANGES TO DESIGN DIMENSIONS.



 north	Drawn By: SW Checked By: LT Revisited:	Scale: 1:20000
		Project: The former Gower Public House redevelopment Address: 26 Gwennyth Street, Colwyn, Cardiff, CF74 4PH Title: Site Layout OS Overlay Date/Revision: 2014
		Job No: 1026    Drawing No: AL(90)04
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Elevation to Gwennyth Street



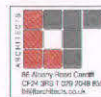
Elevation to No. 30 Gwennyth Street showing outline of existing building



Elevation to No. 30 Gwennyth Street

**Materials:**

- 1- Smooth white render.
  - 2- Red brickwork to match context.
  - 3- Natural Stone
  - 4- Dark grey metal cladding
- Fenestration - mid grey aluminium.  
Rain water goods - mid grey aluminium



Project: The Former Gower Public House redevelopment  
 Address: 28 Gwennyth Street, Cathays, Cardiff, CF24 4PH  
 Title: Proposed Elevations 01  
 Date: November 2014

Drawn By: SW  
 Checked By: LT  
 Revision:  
 A - 01.06.15 - Privacy Screens added, Deming signs omitted.

scale: 1:100@A1

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Job No: 1026 Drawing No: AL(99)02



Example of proposed Sto white render

LT Architects

86 Albany Rd  
Cardiff  
CF24 3RS

t. 029 2048 8556  
f. 029 2049 8029  
lt.architects@btconnect.com  
www.ltarchitects.co.uk







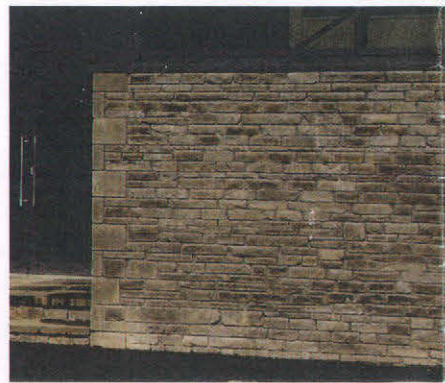
Examples of proposed brickwork

ADDITIONAL INFORMATION	
Date	04 JUN 2015
Applic. No.	

LT Architects  
86 Albany Rd  
Cardiff  
CF24 3RS

t: 029 2048 8556  
f: 029 2049 8029  
lt.architects@btconnect.com  
www.ltarchitects.co.uk





Examples of stone work to plinth

**ADDITIONAL INFORMATION**  
 Date 04 JUN 2015  
 Applic. No. 14/2918 MSZ

**LT Architects**  
 86 Albany Rd  
 Cardiff  
 CF24 3RS

T: 029 2048 8556  
 F: 029 2049 8029  
 lt.architects@ltconnect.com  
 www.ltarchitects.co.uk

