COMMITTEE DATE: 20/04/2016

APPLICATION No. 15/02593/MJR APPLICATION DATE: 09/11/2015

ED: LISVANE

APP: TYPE: Full Planning Permission

APPLICANT: CARRINGTON BROTHERS LTD

LOCATION: CHERRY ORCHARD COTTAGE, HAUL FRYN, FELINDRE FACH

AND BRYNCOED, CHERRY ORCHARD ROAD, LISVANE,

CARDIFF, CF14 0UE

PROPOSAL: PROPOSED DEMOLITION OF CHERRY ORCHARD COTTAGE

AND HAUL FRYN AND CONSTRUCTION OF A REPLACEMENT

DWELLING WITH DETACHED DOUBLE GARAGE.

CONSTRUCTION OF A BLOCK OF 10 SELF CONTAINED RESIDENTIAL APARTMENTS, CREATION OF A NEW SITE ACCESS. ASSOCIATED VEHICULAR AND CYCLE PARKING

AREAS AND BIN STORES

RECOMMENDATION 1: That subject to persons having relevant interest in the application site 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 the maters detailed in paragraph 8.6 of this report then planning permission be **GRANTED** subject to the following conditions:

- 1. C01 Statutory Time Limit
- This approval refers to the following plans and documents AL(00)01 B; AL(10)10 D; AL(10)11 B; AL(10)20 B; AL(10)21; AL(90)01 B; Arboricultural Report date surveyed 27 Jan 2016, Arboricultural Impact Assessment, Tree Constraints Plan and Tree Protection Plan all dated Feb 2016; and the Ecological Assessment dated September 2015 by Ethos Environmental Planning and Addendum dated March 2016. Reason: To avoid doubt and confusion as to the approved plans and documents.
- 3. No development shall commence until a drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for the disposal of foul, surface and land water, and include an assessment of the potential to dispose of surface and land water by sustainable means. Thereafter the scheme shall be implemented in accordance with the approved details prior to the occupation of any part of the development and no further foul water, surface water and 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.

4. The mitigation measures identified in the Ecological Assessment dated

September 2015 by Ethos Environmental Planning and Addendum dated March 2016 shall be carried out in full.

Reason: In the interests of biodiversity.

5. If site clearance in respect of the development hereby approved does not commence (or, having commenced, is suspended for more than 12 months) within 2 years from the date of the most recent survey for bats, the approved ecological measures secured through condition 5 shall be reviewed and, where necessary, amended and updated. The review shall be informed by further ecological surveys 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, the original approved ecological measures will be revised and new or amended measures, and a timetable for their implementation, shall 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: In the interests of biodiversity.

- 6. No development shall commence on site until details of the means of enclosure to the rear and side of the new house and the adjoining pair of existing semi- detached dwellings has been submitted to and approved in writing by the Local Planning Authority and then constructed in accordance with the approved details prior to the occupation of any of the apartments. Reason: In the interests of the amenities of the occupiers of the proposed house and existing dwellings.
- 7. The developer shall notify the Local Planning Authority of the commencement of development on site.

 Reason: To comply with the Development Management Procedure (Wales) Order 2012.
- 8. C1B Materials Specification Required
- 9. C2F Details of Floor and Ground Levels
- 10. C3K Provision of Road Before Occup. of Dwell
- 11. The access road shall be a minimum of 4.8 metres wide.

 Reason: To avoid doubt and confusion as to the width of the access road, in the interests of highway safety and satisfactory off road parking.
- 12. D3D Maintenance of Parking Within Site
- 13. The cycle parking spaces shown on the approved plans shall be provided prior to any apartment being put into beneficial use. Thereafter the cycle parking spaces shall be maintained and shall not be used for any other purpose.

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

- 14. C3X Garage to be retained for parking
- 15. No demolition shall commence on Haul Fryn and Cherry Orchard Cottage until a demolition scheme has been submitted to and approved in writing by the Local Planning Authority. If no contract has been let to erect a replacement dwelling house on this site a month before the commencement of demolition a site restoration scheme shall also be submitted to and approved in writing by the Local Planning Authority.

 Reason: In the interests of visual and residential amenities and highway safety.
- 16. Prior to any development commencing on site a Soil Resource Survey and Plan shall be submitted with a landscaping scheme to the Local Planning Authority for approval. The approved landscaping scheme shall be implemented as approved during the first planting season following the occupation of any of the apartments.

 Reason: In the interests of visual amenities, biodiversity and the amenities of future occupants.

17. F4D Details of tree planting

RECOMMENDATION 2: While the access road would not be considered for adoption future residents would benefit from the inclusion of a system of public lighting.

RECOMMENDATION 3: The developer is reminded to display a notice confirming the grant of planning permission and a plan at or near the development site in a safe place for public inspection during the development of the site.

1. DESCRIPTION OF PROPOSED DEVELOPMENT

- 1.1 The proposal is to demolish a pair of semi-detached dwellings and construct a detached house and double garage; construct a two/three storey block to accommodate 10 apartments; and create a new vehicular access to serve the new house and apartments.
- 1.2 The new house would be at the front of the site on part of the site of the semidetached units to be demolished. The house would accommodate a lounge, kitchen/diner, utility and wc on the ground floor, with 3 bedrooms, an en-suite and bathroom at first floor level and a fourth bedroom and en-suite above. The dwelling would appear two storeys from the front and three storeys from the rear. The house would have a roof of synthetic slate and walls of through render with facing brick panelling. Windows and doors would be finished in powder coated aluminium grey in colour. Habitable windows would face front and rear. The rear garden would be 8m long and the front garden would be 9m long.
- 1.3 The proposed double garage to serve the house would have a low pitched roof and would be sited to the rear of the house.
- 1.4 The apartments would each accommodate a lounge/kitchen/diner, 2

bedrooms, a bathroom and an en-suite. The ground and first floor would each accommodate 4 apartments with 2 apartments on the upper floor along with a plant room. There would be an internal stairs and lift. The apartments on the upper floors would have balconies. The apartment block would be finished in materials to match the proposed house.

- 1.5 11 open car parking spaces are proposed to serve the apartments laid out around an open courtyard with cycle and bin storage areas. A communal garden area is proposed to serve the apartments.
- 1.6 The rear gardens of Bryncoed and Felindre Fach would be reduced in length to help provide space required for the proposed apartments. The rear garden of Felindre Fach would be reduced to 10m in length and Bryncoed's rear garden would be reduced to 15m in length.
- 1.7 The nearest apartment window to the proposed dwelling or an existing dwelling would be a minimum of 26.5m distant.
- 1.8 The applicant has agreed to fund off site landscaping between his site and the entrance road leading to Cefn Onn Park.

2. **DESCRIPTION OF SITE**

- 2.1 The site comprises a pair of semi-detached dwellings known as Cherry Orchard Cottage and Haul Fryn and part of the rear gardens of another pair of semi-detached dwellings known as Bryncoed and Felindre Fach. At its longest the site is 87m in length and its widest 32m in width. The site tapers from south to north. The site is 2,480 sq m in area. There is a slight slope up to the existing dwellings from the public highway then the site is generally level. The dwellings to be demolished are not of any great architectural merit.
- 2.2 The site lies between the entrance to Cefn Onn Park to the west, the Caerphilly railway line and its wooded embankment to the east, a roundabout and highway to the south and some mature trees to the north which separates the site from part of the Cefn Onn Park car park. Lisvane railway station is less than 100m to the south east. The site would not be readily visible from the north and east and would be partially obscured from the south by existing houses and the proposed house. The site would only be visible from the entrance road leading to Cefn Onn car park.
- 2.3 There are a few unprotected trees along the western boundary of the site and a few garden trees within the site.

3. **PLANNING HISTORY**

06/2137 Extension to Felindre Fach approved 07/1135 Extension to Haul Fryn approved 01/1447 Extension to Bryncoed approved 06/2676 Extension to Bryncoed approved

4. **POLICY FRAMEWORK**

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

KP1 Level of Growth

KP3 (B) Within the Settlement Boundary

KP5 Good Quality and Sustainable Design;

KP6 New Infrastructure

KP7 Planning Obligations

KP8 Sustainable Transport;

H3 Affordable Housing

H6 Change of Use or Redevelopment to Residential Use

C2 Community Safety/Creating Safe Environments;

C4 Provision for Open Space, Outdoor Recreation and Sport

W3 Provision for Waste Management Facilities in Development.

5. **INTERNAL REPRESENTATIONS**

- 5.1 Education will not seek S106 contributions on this development owing to the scale proposed being below our SPG.
- 5.2 Waste Management has provided advice to the developer in respect of necessary waste arrangements, a copy of which has been forwarded to the applicant's agent.
- 5.3 The Tree Officer states that: No trees of significant quality will be lost to development and that subject to compliance with the submitted Arboricultural Method Statement and Tree Protection Plan, the important trees within and bounding the site can be retained.

Since a large part of the site currently comprises garden space, it is likely that a valuable soil resource that may require protection or that would be appropriate for re-use as part of landscaping is present. A Soil Resource Survey (SRS) and Plan (SRP) should therefore be prepared in accordance with the 2009 DEFRA Code and used to inform the upfront submission of a detailed landscaping scheme comprising scaled planting plan, plant schedule, topsoil and subsoil specification, tree pit section and plan views, planting methodology and aftercare methodology. The submitted layout plan does accommodate spaces suitable for the planting and future growth of large species trees, but early consideration needs to be given to the location of any existing and proposed services, including drainage, to ensure that there is no conflict with soft landscaping, including tree planting."

- 5.4 The Council's ecologist says that the addendum to the ecological assessment has addressed all of my concerns in relation to the survey work and proposed mitigation of impacts upon protected species, at this site. Therefore can we have a condition to secure all of the mitigation measures that they have proposed in the Ecological Assessment and the addendum thereto?
- 5.5 The Housing Development Officer says that in line with the Local Development Plan (LDP), an affordable housing contribution of 20% of the proposed 11 units (2 units) is sought on this brown-field site.

She would be prepared to accept the affordable housing being provided as a

financial contribution in lieu of on-site affordable housing provision. On that basis a financial contribution of £154,860 (in lieu of 2 units) is required, which is calculated in accordance with the formula in the Affordable Housing – Supplementary Planning Guidance (SPG) (2007).

5.6 The Transportation Officer states: The proposed access is not ideal in terms of its proximity to the adjacent roundabout at the junction of Cherry Orchard Road with Excalibur Drive. However, mindful that it's an existing access, and that the increase of vehicular movements associated with 10 two bed flats (minus the displaced existing dwelling) will be minimal, then I'm satisfied that these can be adequately accommodated and would not impact on highway safety to the extent that an objection on highway grounds would be sustainable.

In terms of parking the requirement of the SPG (Access, Circulation and Parking) for 2 bed flats is 'between 0.5 and 2 spaces per unit', and so the provision of 11 spaces in association such 10 flats is in compliance – though in this relatively affluent suburban location a provision towards the most onerous end of the range stipulated in the SPG may be appropriate. Overspill parking can be adequately accommodated along the access road without obstructing the passage of other vehicles.

In line with current policy aimed at promoting non car-borne modes of travel a contribution towards public transport enhancement is appropriate. Bus boarders have previously been provided at the closest bus shelter though it is currently without electrical connections which preclude the introduction of additional features. A contribution of £5,000, secured under a Section 106 agreement, would enable such connection to be provided together with the installation of a security light – and would represent an acceptable contribution.

While the proposed access road would not be considered for adoption as public highway, future residents would benefit greatly from the inclusion of a system of private lighting. The nearest bus shelter is approximately 100m to the south.

A copy of the Transportation Officer's comments has been forwarded to the applicant's agent.

5.8 The Parks Officer says there aren't any objections in terms of the Heritage Lottery bid for planting in this area. In order to fit into the park there needs to be more than 5 trees, along with some under-planting (ie native whips/shrubs). Five trees if planted in a straight-line along the boundary would suffice as they would screen the building, but these would be close to the boundary and reduce light to the windows, so it would be better to plant a more flowing pattern, with trees set slightly further into the park. This could be achieved with minimum six trees, and about 200 whips/shrubs.

The wording on the Drake Walk scheme reads that the cost should have been £5000 for planting (£500 per tree), plus an additional commuted sum for maintenance.

For shrub/whip planting a recent scheme has cost around £2 per whip (supply and plant) = £300 for 150 whips. On Park Cefn Onn, the relatively sheltered location means that trees can be planted at a slightly smaller size, £400 per tree for supply and plant in this location should be achievable. A commuted

maintenance sum would normally be around £300 per tree in a park (more in a highway situation); however in order to progress the application, I propose a reduced figure giving the following:

6 trees (supply and plant) @ £400 = £2400 Whip/shrub planting £300 Commuted sum £500

Total: £3200

6. **EXTERNAL REPRESENTATION**

- 6.1 Dwr Cymru/Welsh Water has no objection subject to a condition. Advisory notes were also submitted which have been forwarded to the applicant's agent.
- 6.2 South Wales Police has no objection to the proposed development and would welcome the opportunity for detailed consultation with the developers with an aim of fully exploring the opportunities for designing out crime prior to any decisions being made. (The Police comments have been forwarded to the applicant's agent).

7. **REPRESENTATIONS**

- 7.1 The application has been advertised in the press and on site. Any representations from local members will be reported to the Planning Committee.
- 7.2 Lisvane Community council objects on the following grounds:
 - (i) The scale of the whole development is out of keeping with the immediate surroundings and will seriously affect the appearance, reputation and entrance to one of Cardiff's iconic parks. Although the background review of the Ecological Assessment states that the closest SSSI, Cefn Onn, is 2.3km north of the proposed site, the boundary of the park runs alongside the site.
 - (ii) The proposed 3-storey flats would be particularly intrusive. The 10 flats are proposed to be 2 bed-roomed, which could mean 20+ people living in the block. The proposals only allow for 13 car spaces and 8 cycle spaces. Therefore this could mean parking problems occurring in the area.
 - (iii) With parking for 13 cars and 8 cycles and the access to the site just past the roundabout at the entrance to Cefn Onn Park, there are likely to be traffic problems on this stretch of Cherry Orchard Road, which carries a heavy volume of traffic at peak times. Visibility when turning left out of Cefn Onn Park would be poor. This particular part of the road narrows before the next roundabout at Clos Llysfaen/Blossom Drive, where residents have already complained about the danger of joining Cherry Orchard Road. The traffic situation is further complicated by the exit from the station car park.
- 7.3 A local resident states that: The title of this application is misleading as my understanding is that the property name of the planning application title (Bryn

Coed) is not in the current application to be demolished and neither is the adjoining property (Velindre Fach). The two properties to be demolished in the current plan are in fact Haulfryn and Cherry Orchard Cottage, the two closest to the park. This (accidental?) misrepresentation means that there may be less responses to the application than if it was obvious that it was the two properties next to the park being demolished. I believe that would be a lot more public interest, perhaps even concern, and this rightly needs to be appropriately aired, heard and addressed. Furthermore, the ecological appraisal is incomplete, the subject of the planning application (Bryn Coed) is the one property affected for which the appraisal was not conducted. Perhaps the planning application should more accurately be described as something like "Proposed demolition of the two semi-detached cottages adjacent to Parc Cefn Onn, and erection of flats/house etc".(The location and description on the Planning page of the Council website is in line with that identified above).

8. ANALYSIS

- 8.1 The site is within the settlement boundary of Cardiff and the principle of its development for residential use would be in accordance with the Local Development Plan.
- 8.2 The proposal is considered to be a sustainable form of development close to Lisvane railway station, an existing bus route and makes more efficient use of very long, underused garden areas.
- 8.3 The siting of the proposed dwelling house and apartments will safeguard the amenities of adjoining and future residents in terms of privacy, outlook and size of garden areas/communal amenity space. The movement of vehicles to and from the apartments will have an impact on the amenities of the Felindre Fach but this can be mitigated by the erection of a suitable means of enclosure to the side and rear of that property (which can be addressed by proposed Condition 6).
- 8.4 The proposed dwelling is of contemporary design and will be finished in materials to match the proposed apartments. The proposed dwelling, the existing semi-detached dwellings and a mature beech tree adjoining the site will part obscure most of the apartment building when viewed from the highway some 50m to the south.
- 8.5 In respect of the comments made by the Community Council I have the following comments:
 - (i) The western side of the apartments will be viewed from the entrance to the Cefn Onn Park. The nearest part of the apartments to the entrance road to the Park is 40m distant separated by a wide grass verge and hedge. The Park itself is primarily to the north of the M4. The Parks Service was consulted on this application and has no objections. The Parks Officer has identified measures that will help mitigate any visual impact the development would have at the entrance to the park and enhance the appearance of the Park at a point which currently provides an open view of the rear gardens of the 4 dwellings on Cherry Orchard Road.

The roof of the apartments facing the Park entrance road would be stepped down to create 4 different roof heights ranging from a maximum height of 12.8m to a minimum of 10.8m. The apartment building facing the Park entrance road would be 27m long, 10m of which would be 2 storeys. Whilst a mews development could be designed to create a better scheme the application has to be determined as submitted. The overall design of the development is considered acceptable for this particular location. As new landscaping matures it will help integrate the development into its surroundings. It is not considered that a development of this scale and in this location would have such a significant adverse effect on Cefn Onn Park as to justify refusal.

The design of the apartments has been amended since the Community Council submitted their objection, which has helped break up the mass of the roof, centralised the gable and created more defined vertical panels to the elevation facing the Park entrance road.

There are two 3 storey buildings off Cherry Orchard Drive at Caedelyn Drive located to the west of The Old Cottage pub set behind a belt of trees which reduces their visual impact. These buildings do not adjoin the Park entrance but are next to Cherry Orchard Road.

- (ii) The Transportation Officer has carefully assessed the parking requirement for this development and found that it complies with the Council's Parking Standards. In addition proposed condition 11 will provide an opportunity for six additional cars to be parked within the site. Furthermore the site is conveniently located in respect of bus and train services, and cycle parking is also to be provided within the site.
- (iii) The Transportation Officer has examined the access arrangements. Whilst the proposed access is not ideal in terms of its proximity to the adjacent roundabout it is an existing access, the increase of vehicular movements will be minimal, can be adequately accommodated and would not impact on highway safety to the extent that an objection on highway grounds would be sustainable. In addition visibility leaving the site is good in all directions.
- 8.5 The Ecological Assessment concludes that the habitats on site were of low conservation value and their loss would not be significant. The site is used by breeding birds, reptiles and foraging bats and mitigation and enhancement measures for these species is proposed. An addendum ecological report was submitted last month which has satisfied the Council's ecologist.
- 8.6 In summary it is considered that the proposal is in accordance with Council planning policies and does not cause significant harm to the amenities of local residents and future occupants, the appearance of the Park and wider area, highway safety or ecological interests and subject to the applicant entering into a Section 106 Agreement to provide a financial contribution of £154,860 for off-site affordable housing, £5,000 towards improving the nearest bus shelter and £3200 for landscaping at the entrance to Cefn Onn Park and the planning conditions identified in the recommendation the development is considered acceptable.



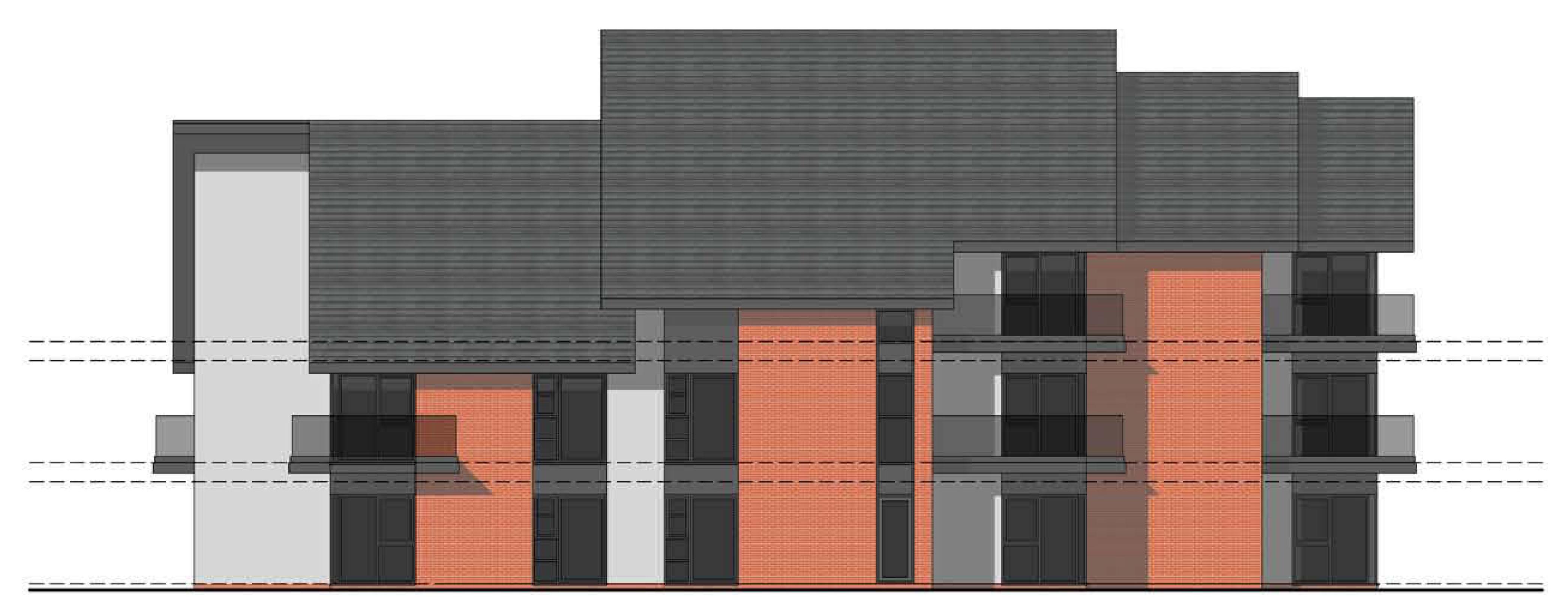




Side Elevation (Facing onto Entrance to Park)



Front Elevation



Side Elevation (Facing onto Woods)

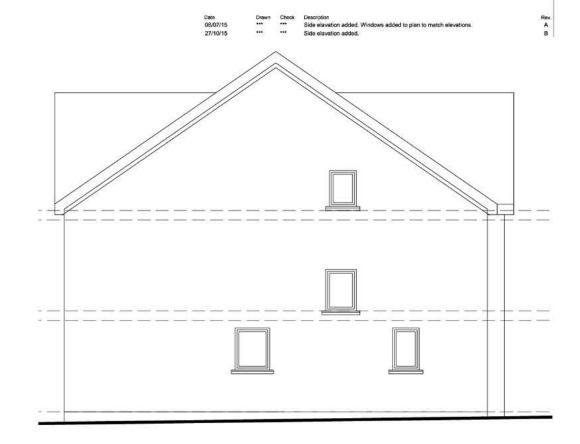


Rear Elevation

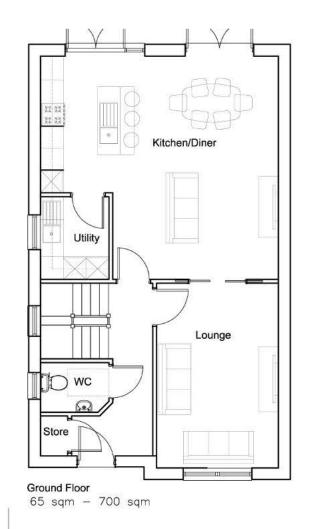
| Plot At Bryncoed Cherry Orchard Road Lisvane | | Job No. 14_033 | |
|--|-----------------------------|---|------|
| | | Dwg No. | Rev. |
| | | AL(10)10 | D |
| Title Proposed Ap | partment Building | | |
| Date | Drawn | Scale | |
| 27/05/14 | BK | 1:200@A3 1:100@A1 | |
| | Architects Environmental | Town p & Urban | |
| Unit 1A, Compass Business Park, Pacific Road, Cardiff. CF24 5HL | | www.cz jarchitects.co.u tel: 029 2045210 | |



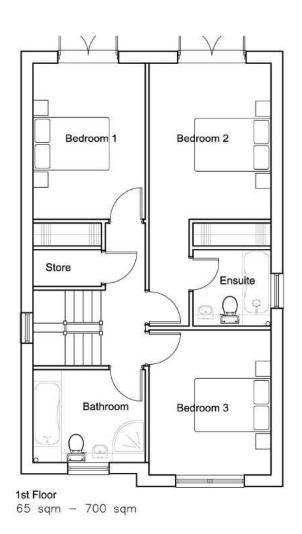


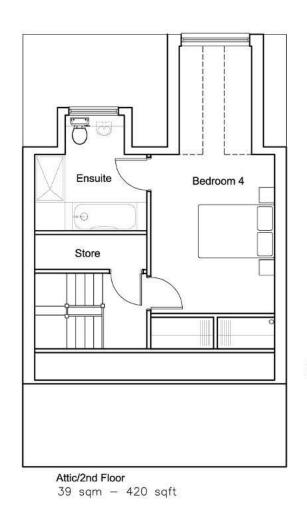


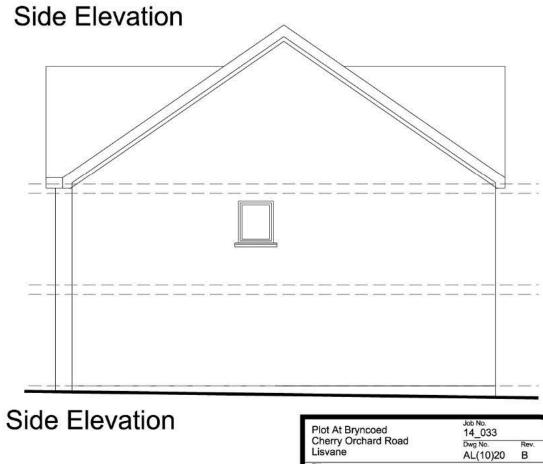
Front Elevation



Rear Elevation







Plot At Bryncoed Cherry Orchard Road Lisvane

Scale 1:100@A3 1:50@A1

Proposed Houses

