

COMMITTEE DATE: 20/04/2016

APPLICATION No. 15/03158/MJR

APPLICATION DATE: 12/01/2016

ED: **PENTWYN**

APP: TYPE: Full Planning Permission

APPLICANT: Cardiff Community Housing Association and Cardiff Council
LOCATION: LLANEDEYRN SHOPPING CENTRE, MAELFA, LLANEDEYRN
PROPOSAL: DEMOLITION OF EXISTING MAELFA SHOPPING CENTRE;
CONSTRUCTION OF 111 DWELLINGS AND NINE
COMMERCIAL UNITS; SETTING OUT OF CAR PARK AND
PUBLIC SQUARE; LANDSCAPING WORKS; PROVISION OF
NEW VEHICULAR ROUTES; AND ASSOCIATED
INFRASTRUCTURE AND OTHER WORKS

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, to provide a financial contribution as detailed in paragraph 9.2 of this report then planning permission be **GRANTED** subject to the following conditions:

1. C01 Statutory Time Limit
2. This approval is in respect of the following plans and documents:-
L(90)001*, L(90)002A, L(90)003N, L (90)100, L(90) 007, L(90)200D, 111E, L(00)100 K, L(00)101E, L(00)102E, L(00)103A, L(00)104A, L(00)1005A, L(00)106E, L(00)107E, L(00)108B, L(00)109C, L(00)110B, L(00)113B, L(00)200D, L(00)201C, L(00)202B, L(00)205B, L(00)206B, L(00)208B, L(00)209C, L(00)210B , L(00)211B, L(00)212A, L(00)213A, L(00)214A, L(00)300B, L(00)301B, L(00)302B, L(00)305B, L(00)306B, L(00)307B, L(00)308A, L(91)001B, L(91)002B, 91 003C, 91 0004C, 91 005C, WD01K, HB-WD01P, BK-WD01B and AN-WD01E; and Tree Constraints Plan and Pre Development Tree Survey and Assessment both prepared by TDA and updated Oct 2015; Ecological appraisal Oct 2013, Notes and Photographs from walk over 22 Sept 2015, letter to Steffan Harris dated 21/10/15 all produced by Soltys Brewster and Soltys Brewster's email dated 15/3/16; and Transport Statement December 2015 prepared by Asbritransport.
Reason: To avoid doubt and confusion as to the approved plans and documents
3. The development shall be carried out in accordance with the recommendations described in section 6.0, Conclusions and Recommendations, of the Ecological Appraisal report titled Maelfa Regeneration Project, Llanedeyrn – Ecological Appraisal, dated October 2013.
Reason: To safeguard a protected species.

4. If at any time the use of the premises is to involve the preparation and cooking of hot food the extraction of all fumes from the food preparation areas shall be mechanically extracted to a point to be agreed with the Local Planning Authority, and the extraction system shall be provided with a de-odorising filter. Details of the above equipment shall be submitted to, and approved by the Local Planning Authority and the equipment installed prior to the commencement of use for the cooking of food. The equipment shall thereafter be maintained in accordance with the manufacturers' guidelines, such guidelines having previously been agreed by the Local Planning Authority in writing.
Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected.
5. No development shall take place on a particular phase of development until samples of the external finishing materials for that phase have been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
Reason: To ensure that the finished appearance of the development is in keeping with the area.
6. No development shall take place on a particular phase of development until plans showing details of the proposed floor levels of any building in relation to the existing ground level and the finished levels for that phase shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed and completed in accordance with the approved details.
Reason: These details are not included with the application and are required to ensure an orderly form of development.
7. No development shall take place on a particular phase of development until full details of both hard and soft landscape works for that phase have been submitted to and approved in writing by the Local Planning Authority. These details shall include proposed finished levels, hard surfacing materials, proposed and existing functional services above and below ground, planting plans (noting schedules of plants, species, plant sizes and proposed numbers/densities) and implementation programme. These works shall be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme agreed in writing by the Local Planning Authority.
Reason: To maintain and improve the appearance of the area and in the interests of visual amenity.
8. E4D Preservation of Trees
9. No delivery of stock to any shop shall be made between the hours of 19.00 hours – 08.00 hours on any day.
Reason: In the interests of the amenities of the future occupants of the apartments.
10. Only shop units 4 and 5 shall be used for purposes falling within Class

A3 of the Town and Country Planning Use Classes Order. All other units shall be used for purposes falling within Class A1.

Reason: To safeguard a balanced mix of retail units in the interests of the vitality and viability of this local centre and where only units 4 and 5 have an internal extraction system.

11. No member of the public shall be admitted to or allowed to remain on the commercial premises between the hours of 23.00 and 08.00 on any day.
Reason: To ensure the amenity of occupiers of other premises in the vicinity are protected.
12. Prior to development commencing on an individual phase details of the means of boundary enclosures (and railings) within that phase, including the tower block, shall be submitted to and approved in writing by the Local Planning Authority and then constructed in accordance with the approved details prior to the part of the development they would enclose is brought into beneficial use.
Reason: In the interests of safeguarding visual amenities and/or privacy.
13. Prior to development commencing on the mixed block a scheme for illuminating the service yard and rear parking area, including security lighting, shall be submitted to and approved in writing by the Local Planning Authority and then installed in accordance with the approved scheme prior to any part of the mixed block being brought into beneficial use.
Reason: In the interests of the amenities of the future occupants of the apartments.
14. Prior to any part of the mixed use block being brought into beneficial use the associated car park and adjoining cycle parking, rear service yard, cycle and bin store shall be completed and available for use.
Reason: To ensure that satisfactory parking and servicing are available to serve this part of the development.
15. The phasing of the development in Llanederyn Drive, Round Wood, the Maelfa shopping centre, the mixed use block and car park, public square and townhouses (Phases 1 and 2 on drawing L(90)002A and excluding zone 2) shall be carried out in accordance with phasing drawings L(91)002B, 91003C, 91004C and 91005C unless otherwise agreed in writing by the Local Planning Authority.
Reason: To ensure an orderly phasing of development.
16. 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.
17. No development shall commence on any phase of the development until a surface water drainage scheme for the phase to be developed has been submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for the disposal of 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 the particular phase of development and no further 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.

18. No development shall commence on any phase of the development until a foul drainage scheme for the phase to be developed has been submitted to and approved in writing by the Local Planning Authority. Thereafter the scheme shall be implemented in accordance with the approved details prior to the occupation of the particular phase of development and no further foul water 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.

19. The positions of public sewers crossing the site shall be accurately located and marked out on site before works commence. No part of any building will be permitted within 3 metres either side of the centreline of each public sewer up to and including 300mm internal diameter and 5 metres either side of the centreline of each public sewer greater than 300mm internal diameter unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the integrity of the public sewer and avoid damage thereto protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

20. No development shall commence on any phase of the development until 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), unless the Local Planning Authority agrees to any variation.

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.

21. No development shall commence on any phase of the development until 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 must 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 must be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR 11' (September 2004) and the WLGA / WAG / EA guidance document ' Land Contamination: A guide for Developers' (July 2006), unless the Local Planning Authority agrees to any variation.

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.

22. The remediation scheme approved by condition 20 shall be fully undertaken in accordance with its terms prior to the occupation of any part of that phase of 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 2006), unless the Local Planning Authority agrees to any variation.

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.

23. 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 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 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.

24. 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.

25. 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.

26. 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.

27. A scheme of sound insulation works between the commercial units and proposed residential units shall be submitted to and agreed by the Local Planning Authority in writing and implemented prior to occupation of those units. The level of sound insulation required shall be greater than that proscribed in building Regs part E.

Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected.

28. Prior to implementation a noise assessment shall be carried out and submitted to the Local Planning Authority to ensure the noise emitted from fixed plant and equipment on the site achieves a rating noise level of background -10dB at the nearest noise sensitive premises when measured and corrected in accordance with BS 4142: 2014 (or any British Standard amending or superseding that standard).

Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected.

29. E3D Retain Parking Within Site

30. Prior to the commencement of development a comprehensive phasing plan for the construction of the roads, footpaths and other publicly accessible areas shall be submitted to and agreed with the Local Planning Authority. The phasing plan shall identify phases of construction of development and where required shall ensure safe and convenient pedestrian, cycle and vehicular access through those areas not under construction or where construction is complete. The development shall be carried out in accordance with the approved phasing plan unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure an orderly form of development with safe access through and within the site.

31. Prior to commencement of each phase of development a scheme of construction management shall be submitted to and approved by the Local Planning Authority, to include details of construction traffic routes, site hoardings, site access, contractor parking and wheel washing facilities. Construction of the development shall be managed strictly in accordance with the scheme so approved.

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

32. Prior to commencement of each phase of development details of the site access junction, improvements to footways, provision of crossings and bus stops shown for each phase are to be submitted to and approved in writing by the Local Planning Authority. The scheme to include as required, but not be limited to surfacing, kerbs, edging, drainage, lighting, lining, signing, telematics/signal equipment, street furniture, soft landscaping and Traffic Orders as may be required as a consequence of the scheme. The agreed scheme shall be implemented prior to beneficial occupation of the particular phase of development.

Reason: To facilitate safe and efficient access to and egress from the proposed development by the incoming residents, in the interests of highway and pedestrian safety

33. C3K Provision of Road Before Occup. of Dwell

RECOMMENDATION 2: 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.

RECOMMENDATION 3: This development falls within a radon affected area but does not require any radon protective measures, as recommended for the purposes of the Building Regulations 2000.

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;
- (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 5: 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 6: The highway works condition and any other works to existing or proposed adopted public highway are to be subject to an agreement under Section 38 and/or Section 278 Highways Act 1980 between the developer and Local Highway Authority.

RECOMMENDATION 7: Welcome Pack – The applicant is requested to provide future residents with a welcome pack upon their arrival, detailing sustainable transport options available 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.

1. **DESCRIPTION OF PROPOSED DEVELOPMENT**

- 1.1 The proposal is to demolish the existing Maelfa shopping centre, fill in two underpasses (one under Llanedeyrn Drive close to the Maelfa shopping centre and the other below Round Wood at the north east corner of the site), demolish the foot bridge over Llanedeyrn Drive, the police station and associated parking area with garages below (north of the existing tower block).
- 1.2 The proposed residential element of the scheme comprises 54 affordable units and 57 open market units. The affordable units will comprise 22 one bedroom flats and 16 two bedroom flats in the mixed use block, 19 three bedroom townhouses and 6 four bedroom townhouses. The open market units will comprise 38 two bedroom houses and 21 three bedroom houses.
- 1.3 The affordable houses would be accommodated in two terraces of townhouses. The terrace north of the square would be occupied by 10 units each with a car parking space to the front. The front gardens would be 2m long enclosed by a 1m high wall/fence. The end terraced units would be 3 storey and the others 2

1/2 storey. The end townhouse facing the proposed public square would incorporate side facing windows adding interest to their appearance and increasing passive surveillance. The other terrace would face the square and would accommodate 6 dwellings with the 4 central units 3 storeys tall and the end units 2 1/2 storeys high. Both terraces would be finished in buff brick, roof slates, dark grey window frames and canopies with aluminium panel features to the front.

- 1.4 Forty one of the open market units would be two storey high and the other sixteen would be 2 ½ storeys high. They would be laid out as 15 short terraces and 4 semi-detached houses. All of these houses would be 2 bedroom units. The 2 ½ storey units would also contain an office which could alternatively be used as a small bedroom.
- 1.5 18 of the proposed dwellings facing each other over rear gardens are 20m distant and 5 of the proposed dwellings facing each other over rear gardens are 19.5m distant. The SPG seeks a distance of 21m. Initially a distance of only 15m was indicated but following discussions and the receipt of amended plans privacy between these dwellings can be better protected. This slight reduction is in respect of proposed dwellings and there is no shortfall in privacy standards with existing dwellings.
- 1.6 Four of the proposed private dwellings face the rear gable walls of proposed dwellings at a distance of between 8 – 8.5m. These gable walls are to the north of the proposed dwellings and would not significantly interfere with sunlight. The outlook from the dining room/kitchen windows would be affected.
- 1.7 The proposal also includes 9 replacement retail units, 7 of which would be A1 and 2 would be A3 uses. One of the A1 units would have a 364 sqm floor area, the next largest would be 133 sqm and the other units would be approximately 100 sqm in size. The retail units would occupy the ground floor of a three storey mixed use L shaped building, with the two upper floors to be used for residential purposes as affordable flats.
- 1.8 The mixed use building would be 12.5m high and have a flat roof enclosed by a parapet. The upper two floors would be finished in buff brick with black bricks to the ground floor. On the western side of the building nearest Llanedeyrn Drive glazed curtain walling and aluminium panelling is proposed to the side staircase leading to the apartments. A second staircase would be internal. Oriel windows are proposed on the upper floors at the corner of this building clad in aluminium panels. Insulated curtain walling is proposed to part of the walls of the larger retail unit.
- 1.9 A new car park between the mixed use block and existing tower block is proposed to serve residents of the mixed use block and shoppers. Vehicular access to the car park will be directly from Llanedeyrn Drive. Cycle spaces are also incorporated into this area. A service area, and associated parking, bin and bike store, is to be located between the mixed use block and the Retreat Public House.
- 1.10 A public square is proposed between the mixed use block and tower block next to and east of the proposed car parking area. The square would be 32m x 18m in size and would be planted with six trees. There would be steps down from the

square to the proposed new housing.

- 1.11 Three new surface crossings are proposed on Llanedeyrn Drive and a fourth surface crossing is proposed on Round Wood. A new road connection is proposed between Maelfa and Round Wood to serve part of the new residential development. The road leading to the Family Centre would be extended northwards to serve a different part of the residential development. Buses would stop on Llanedeyrn Drive to pick up and drop off passengers, which would replace the existing pull off arrangement.
- 1.12 Vehicular access to the houses will be from the existing access at Llanedeyrn Drive that serves "The Retreat" and from an existing access off Roundwood.
- 1.13 The applicant has specified that the southern half of the Maelfa centre and the footbridge would be demolished first. This would allow for the decanting of retail units into the northern half of the centre. The second phase will be the building of the mixed block, associated surface car park and service yard and alterations to Llanedeyrn Drive and creation of 4 surface crossings, which will then allow for the retail units to be relocated from the northern half of the centre. The next phase is the demolition of the northern half of the Centre. The final phase will be the erection of the townhouses and construction of the public square. The private housing on the western half of the site can be built to its own timescale as it does not depend on the demolition of the centre.

2. **DESCRIPTION OF SITE**

- 2.1 The Maelfa Centre, is located at Llanedeyrn Drive, Llanedeyrn and comprises twenty six mostly vacant shop units (totalling approximately 4,300 square metres gross floorspace) designed around a central covered arcade with four main entrances, a high rise block of flats, library, and police station and public house (The Retreat which is outside the application site).
- 2.2 The application site also includes an area of land formerly occupied by a day centre, housing office and residential home (all now demolished) within an area of open space linked by a network of footpaths. The site is 28,819 sqm in area.
- 2.3 To the east of the site lies St Teilos High School. To the south of the application site there are a number of residential properties at Chapelwood. To the west, on the opposite side of Llanedeyrn Drive lies the Pennsylvania Estate. The western edge of the site is defined by Llanedeyrn Drive. A pedestrian footbridge currently provides a segregated link to the local centre from the west (which would be replaced by three new at surface crossings). To the north of the site, lies the Powerhouse Community Centre together with an area of open space and woodland (Roundwood). Terraced houses of three and two storey are located to the north east of the site. A pedestrian subway crosses beneath the road at this point (but is to be filled in).
- 2.4 The site has a 1 in 40 slope from south to north along its western boundary and is relatively level along its eastern boundary. The northern boundary is for the most part relatively level. The southern boundary gradually falls from west to east. Across the middle of the site there is a difference in levels of 4m from the western to the eastern boundary.

- 2.5 The Retreat Public House, Powerhouse Community Centre, Health Centre and Family Centre (and adjoining playground) are all outside the application site. The Maelfa residential tower block is not part of the current proposals. (However, plans are being prepared for the submission of a scheme to upgrade the tower block in a manner that would complement the mixed use block that is being proposed).

3. **SITE HISTORY**

07/1025 Outline consent for the regeneration of the Maelfa Centre with health centre, library, day centre, family centre, 1716 sq m of sui generis floorspace for a police station and 104 dwellings – approved 1/5/07.

11/1082 Redevelopment of the Maelfa Centre to provide new shopping centre (Uses A1-A3), Community uses, residential, parking, highways, public realm and landscaping - approved 16/9/11.

14/175 Demolition of day centre – approved 19/3/14.

14/176 Demolition of residential home – approved 19/3/14.

14/177 Demolition of housing office – approved 19/3/14.

11/922 New St Teilos High School and demolition of Llanederyn High School on land east of the current application site – approved 19/8/11.

15/2363 Community hub and police offices at the Powerhouse on land north of the current application site – approved 12/11/15

4. **POLICY FRAMEWORK**

LDP Policy KP5 states that:-

To help support the development of Cardiff as a world-class European Capital City, all new development will be required to be of a high quality, sustainable design and make a positive contribution to the creation of distinctive communities, places and spaces by: Responding to the local character and context of the built and landscape setting so that layout, scale, form, massing, height, density, colour, materials, detailing and impact on the built and natural heritage are all addressed within development proposals; Providing legible development which is easy to get around and which ensures a sense of continuity and enclosure; Providing a diversity of land uses to create balanced communities and add vibrancy throughout the day; Creating interconnected streets, squares and spaces as distinctive places, which are safe, accessible, vibrant and secure and incorporate public art where appropriate; Providing a healthy and convenient environment for all users that supports the principles of community safety, encourages walking and cycling, enables employment, essential services and community facilities to be accessible by sustainable transport and maximises the contribution of networks of multi-functional and connected open spaces to encourage healthier lifestyles; Maximising renewable energy solutions; Achieve a resource efficient and climate responsive design that provides sustainable water and waste management solutions and minimise emissions from transport, homes and industry; Achieving an adaptable design that can respond to future social, economic, technological and environmental requirements; Promoting the efficient use of land, developing at highest practicable densities and where appropriate achieving the remediation of land contamination; "Ensuring no undue effect on the amenity of neighbouring occupiers and connecting positively to surrounding

communities; Fostering inclusive design, ensuring buildings, streets and spaces are accessible to all users and is adaptable to future changes in lifestyle; and Locating Tall buildings in locations which are highly accessible through walking and public transport and within an existing or proposed cluster of tall buildings.

LDP Policy KP6 states that:-

New development will make appropriate provision for, or contribute towards, all essential, enabling and necessary infrastructure required as a consequence of the development in accordance with Planning Policy Guidance. Such infrastructure will be delivered in a timely manner to meet the needs of existing and planned communities and includes the following aspects which may be required having regard to the nature, scale and location of the proposed development: Essential / Enabling Infrastructure: Transportation and highways including access, circulation, parking, public transport provision, walking and cycling; Utility services; Flood mitigation / defences; Necessary Infrastructure: Affordable Housing; Schools and education; Health and social care; Community buildings and facilities including District and Local Centre improvements; Local employment and training including replacement employment opportunities where relevant; Community safety initiatives; Open space, recreational facilities, playgrounds, allotments; Protection, management, enhancement and mitigation measures relating to the natural and built environment; Public realm improvements and public art; Waste management facilities including recycling and services; District heating and sustainable energy infrastructure.

LDP Policy KP7 states that:-

Planning obligations will be sought to mitigate any impacts directly related to the development and will be assessed on a case by case basis in line with Planning Policy Guidance.

LDP Policy KP12 states that:-

Waste arisings from Cardiff will be managed by: Promoting and supporting additional sustainable waste management facilities, measures and strategies in accordance with the Collections, Infrastructure and Markets Sector Plan (2012) and TAN 21 (2014) in a manner that follows the waste hierarchy and the principles of an integrated and adequate network of waste installations; nearest appropriate installation; self-sufficiency and protection of human health and the environment; Encouraging the provision of in-building treatment facilities on existing and allocated areas of general industry; Supporting the provision and maintenance of sustainable waste management storage and collection arrangements in all appropriate new developments; and Supporting waste prevention and reuse and the provision of facilities that use recycled or composted products.

LDP Policy H3 states that:-

The Council will seek 20% affordable housing on Brownfield sites and 30% affordable housing on Greenfield sites in all residential proposals that: Contain 5 or more dwellings; or Sites of or exceeding 0.1 hectares in gross site area; or Where adjacent and related residential proposals result in combined numbers or site size areas exceeding the above thresholds, the Council will seek affordable housing based on the affordable housing target percentages set out above. Affordable housing will be sought to be delivered on-site in all instances

unless there are exceptional circumstances.

LDP Policy H6 states that:-

Change of use of redundant premises or redevelopment of redundant previously developed land for residential use will be permitted where: i. There is no overriding need to retain the existing use of the land or premises and no overriding alternative local land use requirement; ii. The resulting residential accommodation and amenity will be satisfactory; iii. There will be no unacceptable impact on the operating conditions of existing businesses; iv. Necessary community and transportation facilities are accessible or can be readily provided or improved; and v. It can be demonstrated that the change of use to a more sensitive end use has been assessed in terms of land contamination risk and that there are no unacceptable risks to the end users.

LDP Policy EN8 states that:-

Development will not be permitted that would cause unacceptable harm to trees, woodlands and hedgerows of significant public amenity, natural or cultural heritage value, or that contribute significantly to mitigating the effects of climate change.

LDP Policy T1 states that:-

To enable people to access employment, essential services and community facilities by walking and cycling the Council will support developments which incorporate: i. High quality, sustainable design which makes a positive contribution to the distinctiveness of communities and places; ii. Permeable and legible networks of safe, convenient and attractive walking and cycling routes; iii. Connections and extensions to the Cardiff Strategic Cycle Network and routes forming part of the Cardiff Walkable Neighbourhoods Plan; iv. Measures to minimise vehicle speed and give priority to pedestrians and cyclists; v. Safe, convenient and attractive walking and cycling connections to existing developments, neighbourhoods, jobs and services; vi. Infrastructure designed in accordance with standards of good practice including the Council's Cycling Design Guide; vii. Supporting facilities including, signing, secure cycle parking and, where necessary, shower and changing facilities; and viii. The provision of Car-Free Zones.

LDP Policy R5 identifies Maelfa as a Local Centre for retail purposes.

LDP Policy C2 states that:-

Proposals involving the loss or change of use of buildings currently or last used for community facilities will only be permitted if: An alternative facility of at least equal quality and scale to meet community needs is available or will be provided within the vicinity or; It can be demonstrated that the existing provision is surplus to the needs of the community.

LDP Policy C7 states that:-

Where a need has been identified for new and improved school facilities as a result of development, the Council will seek contributions towards the cost of additional education provision. Negotiated contributions will be fairly and reasonably related in scale and kind to the proposed development. Where appropriate on site provision will be required. Development of nursery, primary, secondary and sixth form education should: be well designed, well related to neighbourhood services and amenities, and easily accessible by sustainable

transport modes; and ii. Include, where appropriate, provision for other appropriate community uses in addition to their educational use.

5 **INTERNAL CONSULTATIONS**

5.1 The Tree Officer states:-

Implementation of this development will result in the loss of the x2 category 'A' (high quality) mature oaks (T21 & T22), the category 'B' oak T20 and the category 'B' (moderate quality) early mature/mature ash (T41). The 'A' category mature oak T29 will suffer a potentially harmful incursion into its Root Protection Area (RPA) from a footway whilst the 'A' category mature oak T25 will suffer unacceptably harmful incursions into its RPA by a road, footway and surface water sewer.

Proposed foul and surface water sewage pipes and attenuation tanks conflict with several (approximately 13) new trees, retained low quality trees T6 & T7, T15, T16 and an un-surveyed tree to the west of the health centre. Amongst the new trees affected are a line of x3 in the proposed public square.

Whilst the loss of and harm to high quality and moderate quality trees might be acceptable subject to satisfactory compensatory planting, unfortunately the submitted landscaping details are only indicative and conflict between several proposed trees and the proposed sewerage network is apparent. No details of other service networks are provided but it is essential that they are designed to avoid RPAs and newly planted trees, and the sewerage network is re-designed to do likewise. The alignment of the road and footway close to T25 should be amended to protect its RPA.

Very few of the new trees will be located within substantial soft-scape beds that best support healthy long-term growth of large species trees such as oak. Hard-scape characterises the main car-park and public square such that optimal growing conditions for large species trees will not be available. The car-park can only accommodate upright medium sized trees and the same applies to the square. To provide adequate root available Soil Volume (RASV) structural soils and/or soil cells will be required along with irrigation and aeration aids. Wherever possible it would be preferable to rationalise isolated narrow beds into fewer but larger soft beds (open planters) capable of supporting the healthy, long-term growth of large species trees without the need for expensive engineering solutions to maximise RASV.

Considerable removal of and disturbance to existing soils will be required to implement development as proposed. This could result in significant harm to a potentially valuable soil resource and damage to the functionality of soil retained in situ or re-used for landscaping purposes. To minimise harm to the soil resource and ensure that usable soils are managed in such a way that they do not suffer a significant loss of functionality for landscaping purposes, a Soil Resource Survey (SRS) and Plan (SRP) should be prepared in accordance with the 2009 DEFRA Code and be used to inform a detailed, upfront landscaping scheme comprising scaled planting plan, plant schedule, topsoil and subsoil specification, tree pit section and plan views for different site situations, planting methodology and aftercare methodology. Without the submission of such details that satisfactorily demonstrate how the proposed tree losses can be mitigated and important soil resources protected, I must conclude that the proposed development will result in unacceptable harm to

trees of amenity value and unacceptable harm to the best soils.

5.2 The Ecologist states inter alia that:-

The applicant should be required by planning condition to provide, and adhere to, a brief bat mitigation method statement setting out precautionary measures to avoid harm to bats during demolition, including such measures as;

- A final pre-demolition emergence survey of the Police Station, as recommended in section 6.5 of the 2013 report, together with an internal inspection of the roof void of that building
- Timing works to avoid bats' maternity and hibernation season
- Giving tool-box talks to site operatives such that they are aware that bats may be present
- Having an ecologist on call in case bats are found during demolition, etc. If bats are found during these works, they should stop immediately and Natural Resources Wales contacted for advice
- Incorporating enhancement measures for bats, such as bat bricks, bat tiles or providing bat access to roof voids, as suggested by section 5.6 of the 2013 report
- The measures set out in section 6.4 of the 2013 report in relation to the bat roost potential of the trees on the site (the 'Category 2' oak and ash trees)
- Measures to avoid disturbance to bats caused by additional lighting, as suggested by section 6.6 of the 2013 report.

The site will support nesting birds, so we should attach our standard condition to avoid damage to birds' nests:-

A copy of the full comments has been forwarded to the applicant's agent. (The developer's ecologist subsequently undertook further survey work and the Council's ecologist has verbally indicated his agreement with NRW's recent comments).

5.3 Neighbourhood Regeneration state:-This application is recognised as being part of an overall regeneration scheme within the Pentwyn ward. As part of the development, new shops will be constructed which will provide a community facility for local people. In addition, linked to the development is considerable investment in new community provision at the Powerhouse community centre, which is adjacent to the development site. Consequently, in this instance Neighbourhood Regeneration will not be requesting a contribution for community facilities.

Neighbourhood Regeneration also advise that: Basically once the police station is demolished the footbridge will lead to an expanse of empty space with no route down to the shops as all footpaths are being put at a lower level to join up with the new surface level crossings.

5.4 The Waste Regeneration Strategy Officer has made detailed comments which she asked be forwarded to the applicant and this has been done.

5.5 The Housing Officer states: This affordable housing proposal exceeds the planning policy requirements of 20% on brownfield sites, and we are fully supportive of this affordable housing scheme.

5.6 Pollution Control state: In reviewing the application for the proposed

development, the site has been identified as formerly occupied by various commercial premises, with activities having the potential to cause the land to become contaminated. This may therefore 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 garden/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.

The following conditions and informative statements in accordance with CIEH best practice and to ensure that the safety of future occupiers is not prejudiced are requested :

CONTAMINATED LAND MEASURES – ASSESSMENT
CONTAMINATED LAND MEASURES – REMEDIATION & VERIFICATION PLAN
CONTAMINATED LAND MEASURES - REMEDIATION & VERIFICATION
CONTAMINATED LAND MEASURES – UNFORESEEN CONTAMINATION
IMPORTED SOIL
IMPORTED AGGREGATES
USE OF SITE WON MATERIALS
RADON GAS PROTECTION
CONTAMINATION AND UNSTABLE LAND ADVISORY NOTICE

- 5.7 The Noise and Air Team state “There wouldn’t be an issue with a 23.00 closing time” and propose the following conditions:-

SOUND INSULATION
OPENING HOURS
CONSTRUCTION SITE NOISE
FUTURE KITCHEN EXTRACTION

- 5.8 The Transportation Officer states:
I refer to the above application and would confirm that the proposed development has been assessed and is considered to be acceptable in principle subject to the comments and conditions discussed below.

A Transport Statement (TS) was submitted in support of the application for residential redevelopment, including retail and associated works on the site of the Maelfa Shopping Centre, Llanedeyrn. The transport impact analysis of the TS is based on TRICS data for the proposed development and a comparison with the trip generation obtained from the report associated with the previous application for the site.

The assessment considers the trip generation comparison between the extant and proposed developments and demonstrates a reduction in morning peak hour traffic (AM) and an increase in PM peak hour traffic; with an overall reduction in vehicle traffic of 12 fewer vehicles across the combined peak periods. It is therefore concluded that the potential decrease in vehicle trips

generated by the proposed development is a betterment of the extant permissions.

The TS also identifies that the development generates a number of local infrastructure changes in order to facilitate direct vehicular access to the mixed use element of the site and to rationalise pedestrian access provisions to/from the west. The alterations include a relocation of bus stop facilities, the removal of the footbridge over Llanedeyrn Drive, closure of an adjacent underpass and closure/diversion of a number of footpaths.

It should be noted that the closure or diversion of any existing highway or footway will be subject to appropriate Orders under the Town and Country Planning Act 1990 and Highways Act 1980.

Pedestrian provision across Llanedeyrn Drive is to be re-provided in the form of new controlled crossings, with vehicular access achieved via a new simple priority junction along the site frontage. The relatively straight road fronting the site allows visibility splays appropriate to the 30mph speed limit to be achieved in both directions and will be kept free of obstruction.

In addition to the proposed priority junction along the site frontage, providing access to the mixed-use element, existing junctions to the north and south of the site on Llanedeyrn Drive will be utilised to access the remainder the scheme.

On the basis of the foregoing comments there are no traffic or transportation grounds to sustain an objection, subject to the details listed below being made conditional to any planning approval.

Conditions:

Cycle Parking – Standard condition C3S. Note: operational/residential/long stay cycle parking to be undercover and secure; (In terms of residential cycle parking, Transportation only require facilities to be provided for flats/apartments, the SPG does not look for specific provision for dwelling houses).

Retain Parking Within Site – Standard condition E3D;

Provision of Road Before Occupation of Dwelling – Standard condition C3K;

Phasing Plan condition – Prior to the commencement of development a comprehensive phasing plan for the construction of the roads, footpaths and other publicly accessible areas shall be submitted to and agreed with the LPA. The phasing plan shall identify phases of construction of development and where required shall ensure safe and convenient pedestrian, cycle and vehicular access through those areas not under construction or where construction is complete. The development shall be carried out in accordance with the approved phasing plan unless otherwise agreed in writing with the LPA. Reason: To ensure an orderly form of development with safe access through and within the site;

Construction management plan condition – Prior to commencement of each phase of development a scheme of construction management shall be submitted to and approved by the Local Planning Authority, to include details of construction traffic routes, site hoardings, site access, contractor parking and

wheel washing facilities. Construction of the development shall be managed strictly in accordance with the scheme so approved. Reason: In the interests of highway safety and public amenity;

Highway works condition – Prior to commencement of development details of the site access junction, improvements to footways, provision of crossings and bus stops shown in principle in the submission, are to be submitted to and approved in writing by the LPA. The scheme to include as required, but not be limited to surfacing, kerbs, edging, drainage, lighting, lining, signing, telematics/signal equipment, street furniture, soft landscaping and Traffic Orders as may be required as a consequence of the scheme. The agreed scheme to be implemented to the satisfaction of the LPA prior to beneficial occupation of the development. Reason: To facilitate safe and efficient access to and egress from the proposed development by the incoming residents, in the interests of highway and pedestrian safety.

Second recommendations:

The highway works condition and any other works to existing or proposed adopted public highway are to be subject to an agreement under Section 38 and/or Section 278 Highways Act 1980 between the developer and Local Highway Authority.

Welcome Pack – The applicant is requested to provide future residents with a welcome pack upon their arrival, detailing sustainable transport options available 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.

Conclusion:

Given the policy compliant nature of the proposed development, along with the reduced impact compared to the extant permission and availability of sustainable walking and bus public transport options, I must conclude that an objection on parking or traffic grounds would be unsustainable and any reason for refusal on this basis would not withstand challenge. I therefore have no objection to the application subject to the above requested conditions.

5.9 The Education Officer states:-

We've assessed the Maelfa development based on 111 dwellings as set out in the attached planning application/ housing mix – a contribution request of £187,438.83 based on 73 'qualifying' houses and 16 'qualifying' apartments, plus associated land costs of £113,570 – total request of £301,053.83.

- The catchment area English-medium secondary school with sixth form (Llanishen High School) is projected to be over-subscribed from within catchment, and requests for £156,883.98 for an additional 9.9 secondary school places and £30,554.85 for 1.8 sixth form places are made. There is also projected excess demand city-wide for places in the secondary sector from existing housing, so the demand could not be accommodated at any school without additional provision being made available by developers (or by the Council using other financial resources).
- The Council proposes to expand secondary school provision by establishing a new school of up to 10 Forms of entry on the North East Cardiff strategic site, and a proportionate contribution towards land costs would be sought.

This proportion amounts to 0.0766 hectares of a 9.825 Ha site. The estimated cost of this land, calculated pro rata to a site for a 1,500 place secondary school, amounts to £113,570.

- The catchment English-medium primary school serving the local area is Llanedeyrn Primary School. Projections indicate sufficient capacity between this school and the neighbouring Springwood Primary School to accommodate the yield of pupils and therefore no request is made for contributions towards English-medium primary school places.
- The catchment Welsh-medium primary school serving the local area is Ysgol Y Berllan Deg. Projections indicate sufficient capacity to accommodate the yield of pupils, and therefore no request is made for contributions towards Welsh-medium primary school places.
- The catchment Welsh-medium secondary school serving the local area is Ysgol Bro Eder. Projections indicate sufficient capacity to accommodate the yield of pupils, and therefore no request is made for contributions towards Welsh-medium secondary school places.

5.10 The Parks Planning Manager states interalia that:-

The proposals do not include an area of public open space within the development, although a public square is proposed. The latter has not been taken into account on the off-site POS calculations below.

Given the amount of housing proposed, any off-site contribution could be used to improve the nearby existing open spaces which serve the development, for example development of a new play area nearby is under discussion.

Discussions on the design of the public square and on-site tree planting are currently taking place involving Parks. I concur with the Placemaking/Design comments relating to the public square as it is vitally important for both this and the car park to be overlooked to discourage anti-social behaviour and provide a feeling of security, particularly after business hours, otherwise the square could simply become a hanging out area, which may impact on the feeling of the entire development.

Given the loss of existing trees, creation of opportunities for new tree planting, with adequate rooting volume, is essential. There could be opportunities for additional tree planting in the adjacent open spaces, although on site provision would be preferable given the lack of open space. A tree protection plan should be provided where new development is proposed close to existing trees.

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

I have calculated the additional population generated by the development to be 215.39. This generates an open space requirement of 0.52 ha of on-site open space based on the criteria set for Housing accommodation.

As no public open space is being provided on-site, the developers will be

required to make a financial contribution towards the provision of open space off-site, or the improvement (including design and maintenance) of existing open space in the locality. Based on the above assessment the contribution payable will be £233,847, which includes the 6% Development Control administration fee. Allowing for a reduction relating to the 1 bed affordable apartments which would not house children the calculation would be reduced to £209,035.

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

Demand for usage of the existing open spaces would increase in the locality as a result of the development and therefore the Council considers it appropriate that an off-site contribution is made, calculated in accordance with the guidelines set out in the SPG.

The Public Open Space Contribution shall be used by the Council towards the design, improvement and/or maintenance of public open space within the locality of the development site.

Based on the 2009 Cardiff Council Open Space Survey there is a deficiency in open space provision of 26.44 hectares in the Pentwyn Ward in which the development is situated. (Measured by the Fields in Trust recommended standard of 2.43 hectares per 1000 population). The quality and facilities of existing open spaces also require improvement, with additional capacity to take into account the increased residential population resulting from the development.

6 EXTERNAL CONSULTATIONS

- 6.1 Wales and West Utilities has provided a plan showing their apparatus. They say that there must be no building over any of their plant or enclose their apparatus. (A full copy of this response has been forwarded to the applicant's agent).
- 6.2 South Wales Police has no objection but have made a number of recommendations in order to reduce crime and enhance community safety. These comments have been forwarded to the applicant's agent to consider. The Police would like their comments imposed as conditions but this is not considered necessary.
- 6.3 NRW do not object. The scheme be implemented in accordance with the recommendations described in section 6.0, Conclusions and Recommendations, of the Ecological Appraisal Report titled Maelfa Regeneration Project, Llanedeyrn – Ecological Appraisal, dated October 2013.
- 6.4 GGAT state that: The Historic Environment Record indicates no known archaeological features or finds within the proposed application area; the area is shown as open fields on the early OS map editions. The HER does note that 0.5km east of the site there was a medieval chapel and previously we have made archaeological recommendations for a development closer to that area. However, in this case we note that the area of the proposed work has already been significantly disturbed by the current buildings and hard landscaping.

Therefore, it is our opinion that it is unlikely that archaeological material would be disturbed during the course of the current development.

As a result, there 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 this Trust.

- 6.5 Welsh Water has raised no objections subject to conditions and has indicated the position of water mains and drainage on plans attached to their response. A copy of the response has been forwarded to the applicant.

7 **REPRESENTATIONS**

- 7.1 This application has been advertised on site and in the press. Local Members have been consulted and neighbouring premises and users have been notified of this proposal.
- 7.2 A local resident has expressed concern as the loss of the library (. A second resident seeks the retention of the pedestrian bridge. A third resident has expressed support for the proposal.

8 **ANALYSIS**

- 8.1 There have been plans to redevelop the Maelfa Shopping Centre and surrounding land for some years. The existing Shopping centre has little appeal with only 7 of the 23 retail units occupied.
- 8.2 Previous schemes for the redevelopment of Maelfa have encountered viability issues which have to date inhibited progress. In this case the developer has sought to address this within the planning statement where he states:-

“The financial viability of the project is a material planning consideration and this project has undergone significant financial scrutiny in order to ensure that it is viable. This is in light of the previous aborted attempts to develop the site, which have failed largely for the very reason that a viable development solution for the site has not yet been found. This is in no small part due to the significant costs that are incurred by the phased approach to demolishing a building complex of this scale; retailer decanting activities given the need to keep a shopping facility for the local community during construction; the associated infrastructure improvements; and utility diversions required in a redevelopment project of this nature.

The regeneration scheme focuses on meeting priority community needs and will deliver new local shops, affordable and market housing, and a vastly improved environment. This application demonstrates that significant investment is being made in good quality community facilities to serve the local community, namely in the new and improved retail provision and a greatly enhance environment. Therefore there is limited provision for other wider community improvements such as contributions to schools and open spaces in the area.

The regeneration scheme is a community regeneration priority for Cardiff Council. As well as this application, the linked project to extend The Powerhouse will be taken forward under the Council's Community Hubs programme. This will provide replacement accommodation for the Llanedeyrn library and police station which will both be displaced by the redevelopment. Both of these projects combine to deliver significant regeneration benefits to the local community."

- 8.3 The proposed development to create 4 at surface crossings will improve residential access to the shops, the provision of a car parking area in front of the shops and shop windows visible from the highway in a modern building will also increase the commercial appeal of these retail units. The new residential development will further increase the shops potential customer pool.
- 8.4 The mixed use block will be a significant improvement on the appearance of the existing Maelfa shopping centre. Whilst it may be considered preferable that the building was another storey higher the developer did not have the resources to provide for this.
- 8.5 The proposed apartments are in a sustainable location above the retail units and adjacent to bus stops that provide a very regular public transport service. Covered cycle spaces in a secure building will be provided for the apartments so condition C3S is covered by proposed condition 14. The car park in front of the shops is also sufficiently large to serve the occupiers of the apartments and shoppers.
- 8.6 Fourteen of the apartments (at first and second floor level) will overlook the service yard to the shops. There may be some noise and disturbance on occasions during the day to the apartments but limiting early morning/evening deliveries and business opening hours and conditioning the lighting arrangements to the service yard should minimise this issue.
- 8.7 The ventilation from the two A3 uses will be extracted within the building to vent at roof level which avoids unsightly mechanical venting on the walls of the development and mitigates against odour nuisance to occupants of the apartments.
- 8.8 The creation of a public square creates a distinctive open space in a focal and accessible location between the retail units, the existing tower block and the new housing. The materials to be used for this area of public realm accords with Council guidance.
- 8.9 Approximately half of the dwellings proposed will be affordable which exceeds the 20% sought on brownfield sites and the 30% on greenfield sites. The residential development proposed will provide much needed affordable housing and a variety of modest to medium sized private housing. The affordable housing will accommodate larger family dwellings. The housing proposed will benefit from close proximity to a range of facilities including retail, community, medical and educational. The properties are close to two bus stops that provide a very regular service, each house will have a car parking space and each dwelling will have a cycle store.
- 8.10 The development promotes an efficient use of land with high density

development grouped around the local centre. The proposed housing development will be easy to get around.

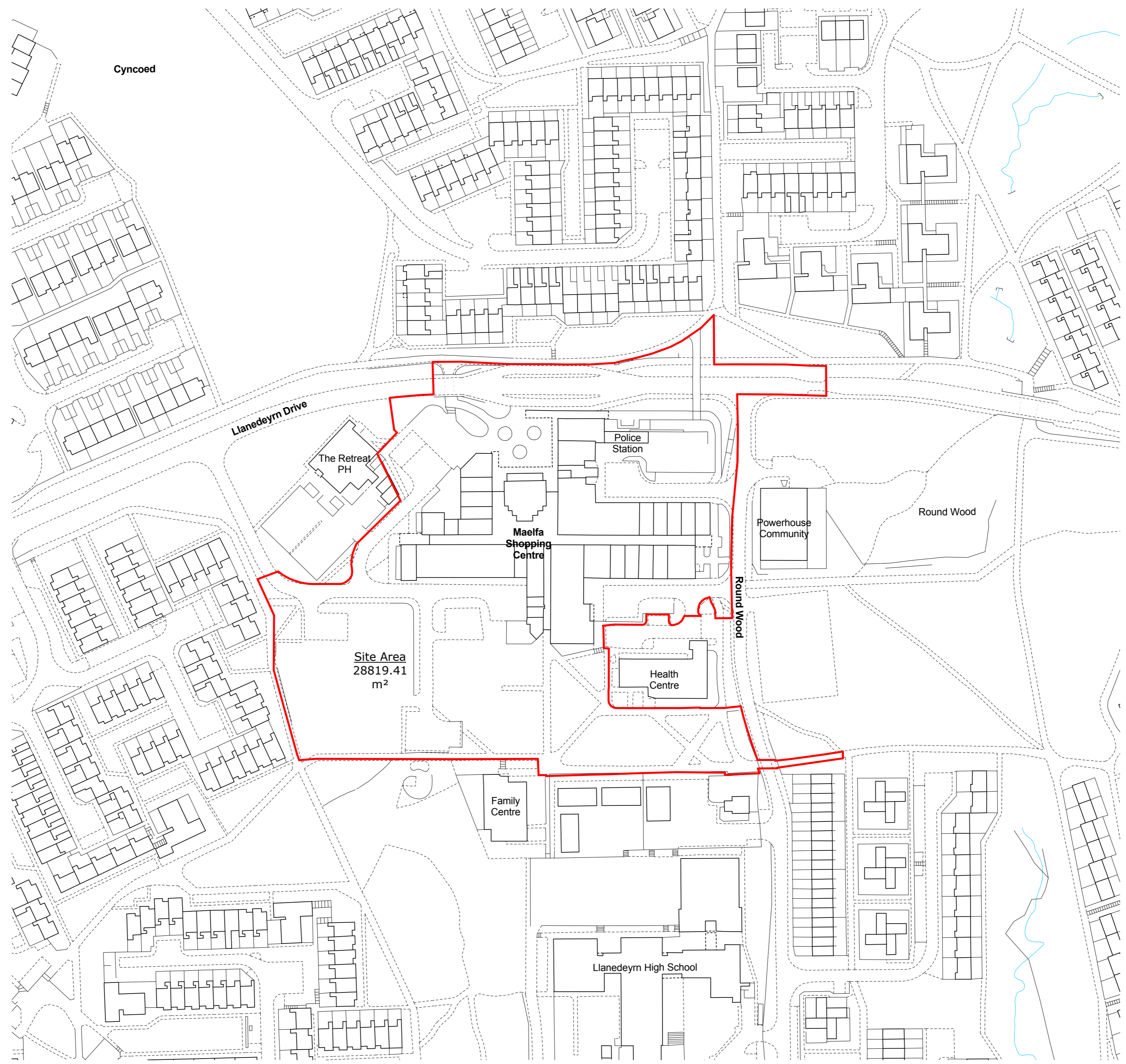
- 8.11 The private housing is set back some 80m from Llanedern Drive and is in the main screened by The Retreat and the proposed Mixed Use Block. The private housing is of contemporary design and will comprise a range of house types from the housebuilder's standard design.
- 8.12 The terrace of townhouses next to the tower block will experience some overshadowing in the afternoon, which is not desirable but is not on its own considered so significant as to warrant the refusal of this proposal.
- 8.13. The townhouses will be close to and visible from the proposed public square. The townhouses proposed are considered to be of a high standard of design and will provide good quality family homes.
- 8.14 It is regrettable that two good quality trees towards the western periphery of the site between the family and health centres would be lost along with a small number of other lesser trees in order to facilitate this development. Unfortunately the loss of the two quality trees is necessary to facilitate the construction of sufficient private dwellings to secure the overall viability of this development. Replacement tree planting will be required and this will exceed the tree loss proposed. The Masterplan indicates 53 new trees to be planted and a total of 13 trees of varying quality and size to be removed. A group of good quality trees in front of the Family Centre would be retained along with several smaller trees. Conditions for protecting retained trees and new planting are proposed in recommendation 1. It should be noted that there are several areas of woodland within 200m of the application site.
- 8.15 Natural Resources Wales originally required additional information in respect of bats which the developer satisfactorily provided. There are now no biodiversity objections to this proposal.
- 8.16 The application site covers the existing Maelfa Shopping Centre, as defined by the Adopted Cardiff Local Development Plan (2006-2026). As such, this application for the demolition of the existing Maelfa shopping centre and construction of 111 dwellings and nine commercial units should be assessed against Policy R5: Local Centres.
- 8.17 Policy R5 aims to promote and protect the shopping role of local centres, while supporting a mix of appropriate uses including retail, offices, leisure and community facilities of an appropriate scale.
- 8.18 The Maelfa Shopping Centre currently experiences very low occupancy rates and its dated design mean that it is no longer fit for purpose. It is considered that this regeneration scheme will promote the shopping role of the centre and therefore the application raises no land use policy concerns.
- 8.19 In terms of the limited representations received it should be noted that it has previously been agreed to relocate the library (and police facility) within the Powerhouse. The demolition of the bridge is necessary as it will go to nowhere with the police station being demolished and the cleared land identified for a future scheme for independent living. The surface crossings will replace the

bridge and be situated in convenient locations.

- 8.20 Whilst this development will not be able to provide all of the wider community benefits normally sought from a development of this scale it will provide much needed affordable dwellings, that significantly exceeds policy requirements for affordable housing on brownfield sites, and the redevelopment of the Maelfa shopping centre, which will have significant regeneration benefits.
- 8.21 In broad place making/urban design terms the application/development is very welcome and will mark a significant improvement to the quality of the environment for the community, and a more viable retail environment. The design/layout is considered acceptable and whilst there were some initial concerns about aspects of the proposal, the applicant has since undertaken amendments to the scheme which has satisfactorily addressed most of those concerns and landscaping details are required by proposed Condition 7.

9 **CONCLUSION**

- 9.1 The proposed development is considered to be acceptable in terms of land use, access, layout and design and is in line with Local Development Plan policies. The proposal will significantly improve the appearance of the area, increase the number and type of affordable housing, significantly improve the vitality and viability of the retail units and improve pedestrian connectivity within and to the development site. The proposal is in a sustainable location adjoining bus stops and close to a school.
- 9.2 The granting of planning permission is recommended subject to conditions and signing of a Section 106 agreement to secure the following:
- Financial contribution of £59,016 towards the improvement and provision of local educational facilities.
 - Financial contribution of £40,984 towards the improvement and provision of open space facilities.



1 Site Location Plan
1:1200

Rev	Description	By	Chkd	Date
*	First Issue	RH	MR	10.12.15

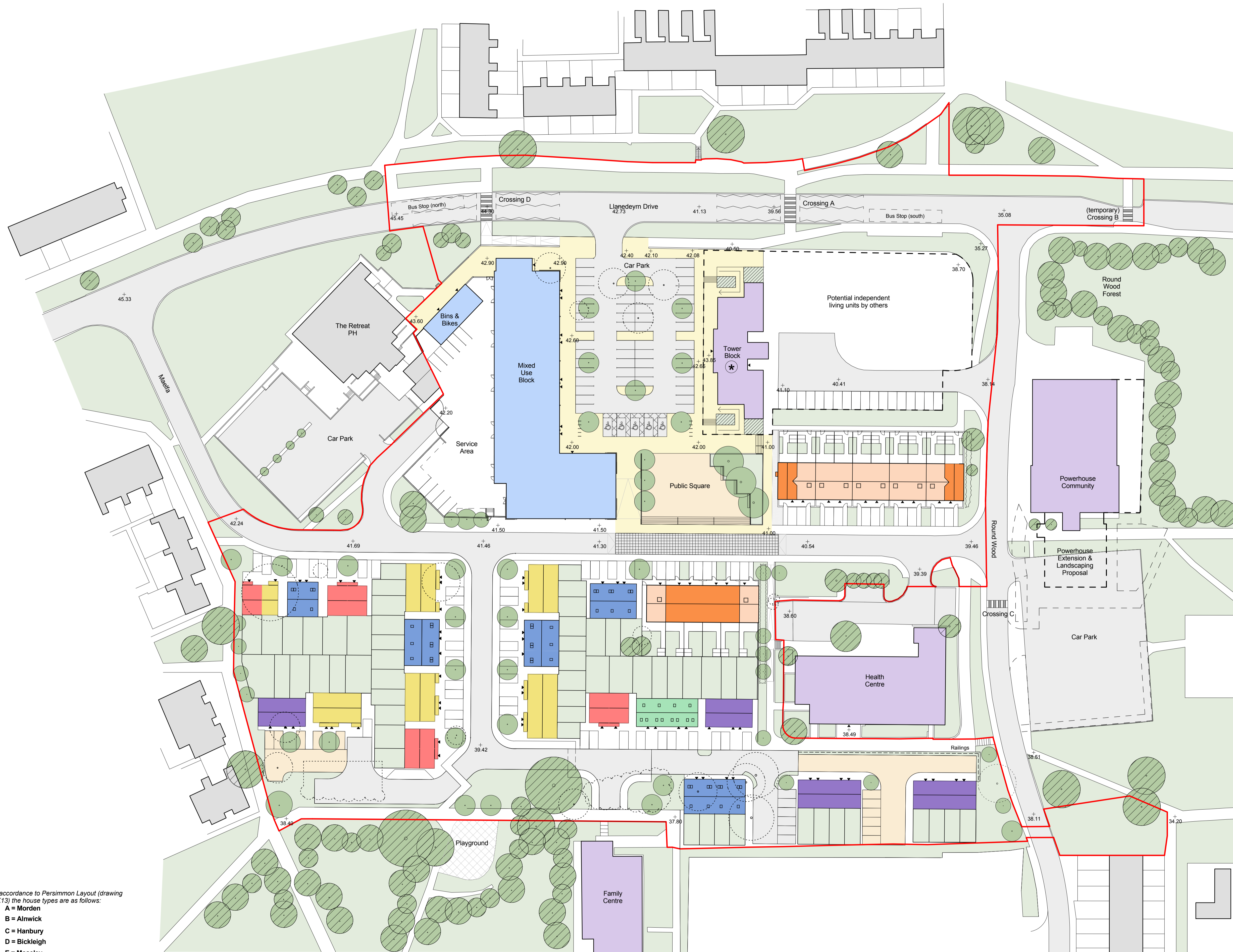
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Austin-Smith:Lord LLP
Architects Designers Planners
Landscape Architects
one Dunleavy Drive
Cardiff Bay
CF11 0SN
t +44 (0)2920 225208
e cardiff@austinsmithlord.com
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Project Maelfa Centre Redevelopment

Description	Location Plan
Job No. 315124	Revision *
Drawing No. L(90)001	



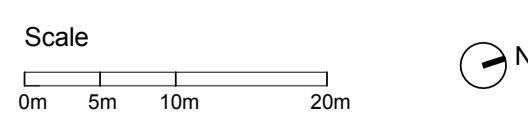
- Existing tree to be removed
- Existing tree to be retained
- New tree
- Development boundary
- Existing buildings
- Existing community buildings
- Mixed use block** - Refer to drawing series L(00)100
 - 3 storey building
 - 38 affordable apartments (22x 1 Bed / 2 Persons, 16x 2 Bed / 3 Persons) above 9 retail units.
 - Associated Car spaces = 58
- Affordable Housing** - Refer to drawing series L(00)200 & 300
 - 6x 3 storey townhouses - 4 Bed / 7 Persons
 - 10x 3 storey townhouses utilising roof space with dormer - 3 Bed / 5 Persons
 - Associated Car spaces = 16
- Private Residential House Types** - Refer to drawing series L(90)200

<ul style="list-style-type: none"> A B C D E 	} 2 storey houses	} 3 storey houses utilising roof space with dormers
--	-------------------	---

In accordance to Persimmon Layout (drawing SK13) the house types are as follows:

- A = Morden**
- B = Ailwick**
- C = Hanbury**
- D = Bickleigh**
- E = Moseley**

Note : Remodeling of tower block and landscaped 'podium' subject to separate future planning application and all work by others.



Revision	Description	By	Chkd By	Date
M	Rev. M - Private residential layout altered to show 6.5m wide shared road surface. Distances between back of houses increased.	RH	MR	30.03.16
N	Rev. N - Private residential layout amended. Houses, parking and roads behind the health centre moved by 1m.	RH	MR	31.03.16

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 Status: PLANNING
 Austin-Smith:Lord LLP
 Architects: Designers Planners
 Landscape Architects
 one Dunleavy Drive
 Cardiff Bay
 CF11 0SN
 t +44 (0)2920 225208
 e cardiff@austinsmithlord.com
 Drawings and models prepared by Austin-Smith:Lord LLP BIM using AutoCAD Revit

Austin-Smith:Lord
 Project: Maelfa Centre Redevelopment
 Description: Proposed Site Masterplan
 Job No: 315124 Drawing No: L(90)003 Revision: N

MIXED-USE BLOCK - ELEVATIONS



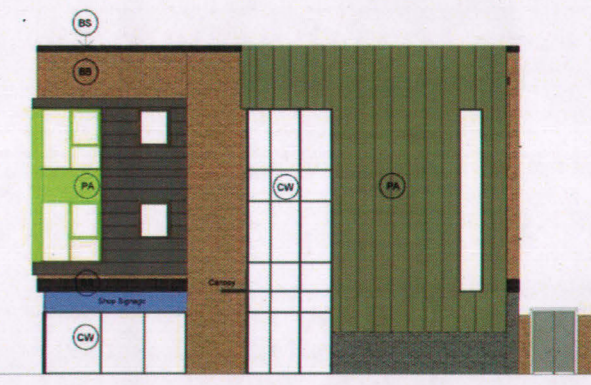
NORTH ELEVATION - MAIN VIEW FROM CAR PARK



WEST ELEVATION 1 - TO CAR PARK



EAST ELEVATION - VIEW FROM OPEN MARKET UNITS



WEST ELEVATION 2 - TO LLANEDEYRN DRIVE



SOUTH ELEVATION - TO REAR SERVICE YARD

NOT TO SCALE - SEE SUBMISSION DRAWINGS FOR FULL DETAILS

DESIGN AND ACCESS STATEMENT

TOWNHOUSES - ELEVATIONS

FRONT ELEVATION



SIDE ELEVATION



SIDE ELEVATION

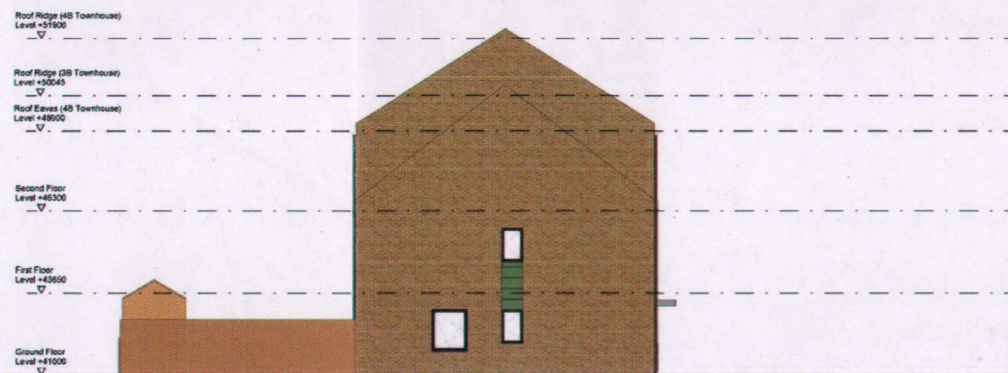


ABOVE: TEN-UNIT TERRACE
BELOW: SIX-UNIT TERRACE

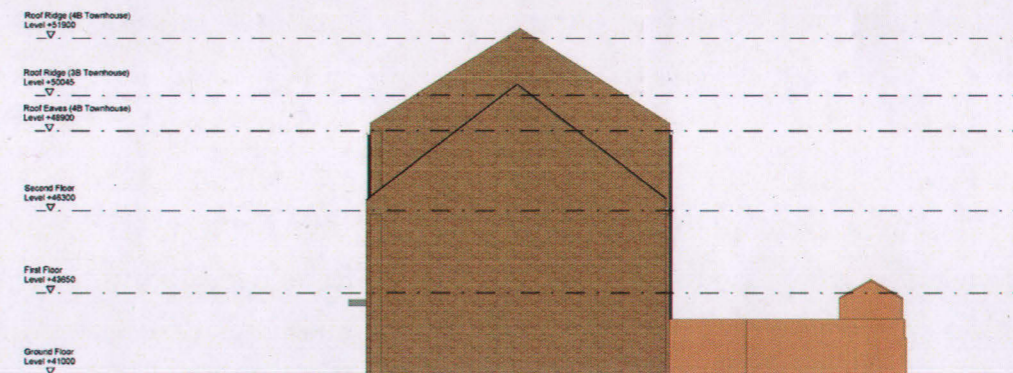
FRONT ELEVATION



SIDE ELEVATION



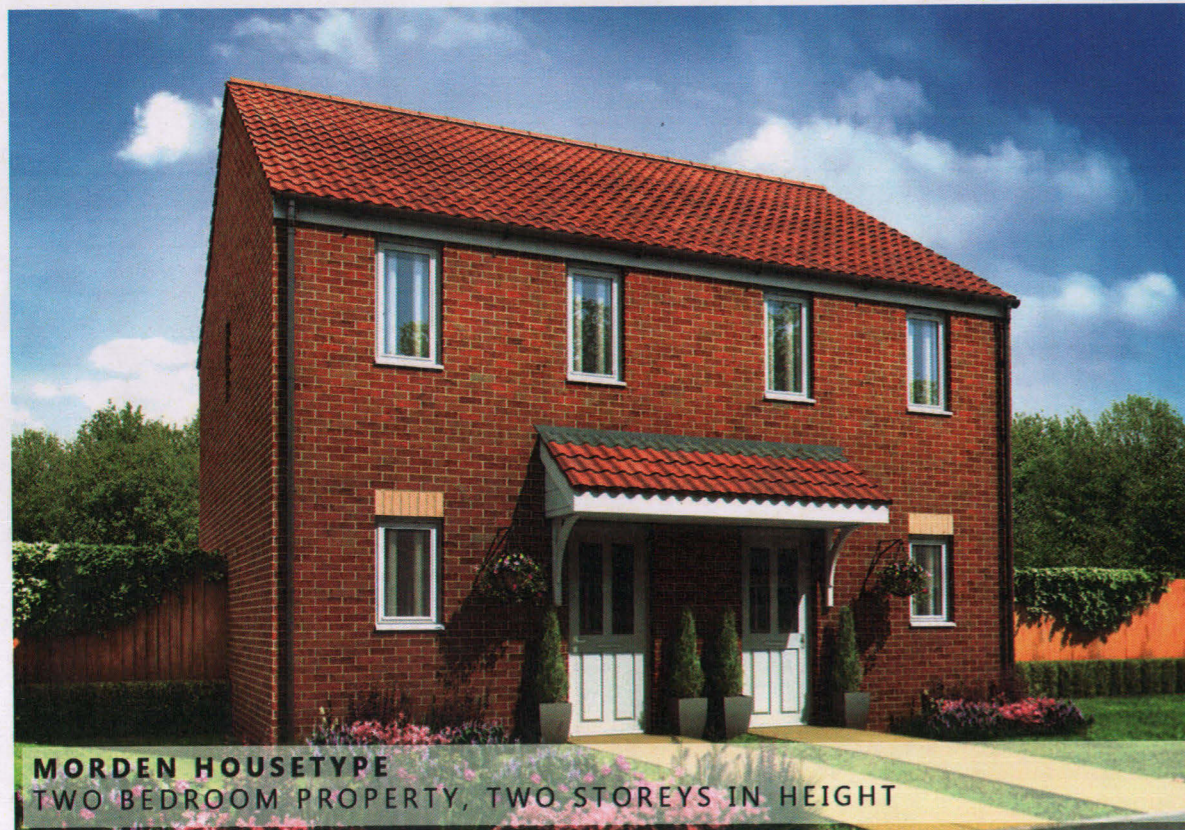
SIDE ELEVATION



NOT TO SCALE - SEE SUBMISSION DRAWINGS FOR FULL DETAILS

DESIGN AND ACCESS STATEMENT

HOUSE TYPES - OPEN MARKET UNITS



DESIGN AND ACCESS STATEMENT