

COMMITTEE DATE: 09/12/2015

APPLICATION No. **15/00966/MJR** APPLICATION DATE: 06/05/2015

ED: **GRANGETOWN**

APP: TYPE: Full Planning Permission

APPLICANT: Mr Burridge

LOCATION: WINDSOR BUILDINGS, FERRY ROAD,
GRANGETOWN, CARDIFF, CF11 0JL

PROPOSAL: PROPOSED AFFORDABLE HOUSING DEVELOPMENT
OF UP TO 19 NO. UNITS AND ANCILLARY WORKS

RECOMMENDATION 1 : That planning permission be **REFUSED** for the following reasons :

1. The development, by virtue of whole site coverage/siting, design, and quantum of accommodation represents an overdevelopment of the site resulting in a poor quality of access, outlook, quality of living environment, amenity space and opportunity for landscaping, contrary to policies 2.20: Good Design, 2.21: Redevelopment to Residential Use; of the Unitary Development Plan Deposit written statement Oct 2003, and policy 11(Design and aesthetic quality) of the Cardiff Adopted Local Plan January 1996.
2. The development by virtue of whole site coverage and design is considered to be prejudicial to the future development of the land to the west, and to be likely to have a detrimental impact on the business interest of the existing auto repair garage operation contrary to policies 2.20: Good Design, 2.21: Redevelopment to Residential Use; of the Unitary Development Plan Deposit written statement Oct 2003.

RECOMMENDATION 2: That the applicant be advised that given the constraints of the site, that the Local Planning Authority remain of the opinion that the site would likely yield a better quality of development if developed comprehensively with adjoining land.

1. **DESCRIPTION OF DEVELOPMENT**

- 1.1 This application seeks to demolish an existing corner warehouse building in Grangetown and to provide 19 flatted residential units in a three storey block. The accommodation is indicated as being for affordable housing.
- 1.2 The development proposes 17 one bedroom units and 2 two bedroom units accessed from a perimeter boardwalk at upper levels and an enclosed corridor access at ground floor.
- 1.3 Revised Drawings and supplementary information were submitted by the

applicant on 10th November 2015.

2. **DESCRIPTION OF THE SITE**

- 2.1 The site is located on the corner of Ferry Road and South Clive Street and comprises a long rectangular furniture sales warehouse. The building has a ridged roof which parallels South Clive Street, which is of mixed single storey and two storey height with the lower section to the middle and, with the corner to Ferry Road elevated to provide a wrap around gable presentation to the Junction; and the southern end of the site finished with a raised central ridge. The site is noted to share a common boundary with a commercial garage which also parallels South Clive Street and has a frontage to Ferry Road and secondary building extensions to the rear (s) of the site fronting South Clive Street.
- 2.2 The northern boundary of the warehouse is formed by Ferry Road - which currently provides pedestrian access into the warehouse. The eastern boundary is formed by Clive Street which contains a large roller shutter door to its southern end in the elevated section; The western boundary of the site is formed by a directly abutting car repair garage and the southern boundary formed by a lean-to structure associated with the car repair garage.
- 2.3 The South Clive Street/Ferry Road junction is a busy traffic junction used by many vehicles accessing the nearby Ferry Road retail park.
- 2.4 Surrounding development is essentially residential of varying age and character, but generally traditional inter-war two storey family houses, Victorian Terraced dwellings and newer build three and four storey flatted developments.

3. **SITE HISTORY**

- 3.1 06/00172/C Units 1 & 2 Windsor Buildings, Ferry Road, Grangetown, Cardiff Outline Application For Residential Apartments (25 No: 1 And 2 Bedroom Apartments) Withdrawn May 2006.
- 3.2 05/02776/C Unit 2 Windsor Buildings, Ferry Road, Grangetown, Cardiff Outline Application For Residential Apartments (16 No. 1 Bedroom) Withdrawn Jan 2006.
- 3.3 05/02061/C Windsor Buildings, South Clive Street, Grangetown, Cardiff A1, Retail Warehouse Certificate of Lawfulness Issued Dec 2005.
- 3.4 05/00349/C Windsor Buildings, South Clive Street, Grangetown, Cardiff Demolish Existing Retail Warehouse And Build 12 2 Bedroom Flats With 12 Parking Spaces Planning Permission Refused May 2005.
- 3.5 05/00151/C Windsor Buildings, South Clive Street, Grangetown, Cardiff A1, Retail Warehouse Certificate of Lawfulness Not Issued May 2005

4. **POLICY FRAMEWORK**

Planning Policy Wales

WG Technical Advice Notes

TAN 1:	Joint Housing Land Availability Studies (2006)
TAN 2:	Planning And Affordable Housing (2006)
TAN 11:	Noise (1997)
TAN 12:	Design (2009)
TAN 15:	Development and Flood Risk (2004)

Welsh Office Circular

11:99	Environmental Impact Assessment
16/94	Planning out Crime

Cardiff Unitary Development Plan Deposit Written Statement 2003

Policy 2.20:	Good Design
Policy 2.21:	Change of Use or Redevelopment to Residential Use
Policy 2.23:	Affordable Housing
Policy 2.24:	Residential Amenity
Policy 2.26:	Provision for Open Space, Recreation and Leisure
Policy 2.37:	Change of Use of Industrial and Warehousing Land
Policy 2.55:	Public Realm Improvements
Policy 2.57:	Access, Circulation and Parking Requirements
Policy 2.62:	Flood Risk
Policy 2.63:	Contaminated and Unstable Land
Policy 2.64:	Air, Noise and Light Pollution
Policy 2.74:	Provision for Waste Management Facilities in Development

Cardiff Adopted Local Plan January 1996

Policy 9	Development in areas at risk of flooding
Policy 10	Contaminated or unstable land
Policy 11	Design and aesthetic quality
Policy 24	Affordable and special needs housing
Policy 25	Affordable housing within the built-up area
Policy 36	Alternative use of business, industrial and warehousing land
Policy 37	Safeguards for residential amenity and existing industrial areas or operational docks

SPG

Access, Circulation and Parking Standards	Jan 2010
Affordable Housing	Mar 07
Developer Contributions for Transport	Jan 2010
Householder Design Guide	March 07

Infill Sites Design Guide April 2011
Open Space Mar 08 including May 2011 update to Section 106 Baseline
Contribution Figure
Residential Design Guide Mar 08
Waste Collection & Storage Facilities Mar 07

Interim planning policy

The following document was approved by the Council on 21 October 2010 and has Interim Planning Policy Status.

Affordable Housing Delivery Statement Oct 2010

5. **INTERNAL CONSULTEE RESPONSES**

Contaminated Land

- 5.1 In reviewing available records and the application for the proposed development, the site has been identified as commercial/industrial with uses including part of the site of the former 'Windsor Works', warehouse and retail. Activities associated with this use may have caused the land to become contaminated and therefore may give rise to potential risks to human health and the environment for the proposed end use. In addition former landfill/raise sites have been identified within 250m of the proposed development. Such sites are associated with the generation of landfill gases, within subsurface materials, which have the potential to migrate to other sites. This may give rise to potential risks to human health and the environment for the proposed end use.
- 5.2 Should there be any importation of soils to develop the landscaped areas of the development, or any site won recycled material, or materials imported as part of the construction of the development, then it must be demonstrated that they are suitable for the end use. This is to prevent the introduction or recycling of materials containing chemical or other potential contaminants which may give rise to potential risks to human health and the environment for the proposed end use.
- 5.3 Pollution Control requests the inclusion of the following conditions and informative statements in accordance with CIEH best practice and to ensure that the safety of future occupiers is not prejudiced in accordance with policy 2.63 of the Cardiff Unitary Development Plan:
- 5.4 Namely, Ground Gas Protection; Contaminated Land Assessment; Contaminated Land Remediation and Verification Plan; Remediation and Verification; Unforeseen Contamination; Imported Soils; Imported Aggregates; Use of Site won materials; R4 Contamination and Unstable Land Advisory Notification.

Drainage

- 5.5 Whilst I have no objection in principle to the consent of this application from a drainage viewpoint, where ground conditions are suitable surface water should

be drained via sustainable drainage techniques, such as permeable paving or soakaways etc, as indicated in TAN 15 (specifically for the proposed parking area). In light of the above and in order to minimise any risk of flooding and pollution I would request that the following condition be added to any planning permission:-

- 5.6 *Prior to the commencement of development ground permeability tests shall be undertaken to ascertain whether sustainable drainage techniques can be utilised and a drainage scheme submitted for the disposal of surface water to the approval of the Planning Authority. The scheme shall be completed as approved.*

Housing

- 5.7 Our priority is to deliver on-site affordable housing, in the form of affordable rented accommodation, built to Welsh Government Development Quality Requirements for purchase by a nominated Registered Social Landlord partner. Although we would be supportive of this development being solely built out for affordable housing the application does not meet the requirements of Technical Advice Note (TAN) 2 to allow the proposal to be considered as genuine affordable housing:
- 5.8 The definition of 'affordable housing' for the purpose of the land use planning system as described in this Technical Advice Note is housing where there are secure mechanisms in place to ensure that it is accessible to those who cannot afford market housing, both on first occupation and for subsequent occupiers. However, it is recognised that some schemes may provide for stair-casing to full ownership and where this is the case there must be secure arrangements in place to ensure the recycling of capital receipts to provide replacement affordable housing. Affordable housing includes:
- Social rented housing
 - Intermediate housing
- 5.9 Social rented housing is that provided by local authorities and registered social landlords. Intermediate housing is that where prices or rents are above those of social rent but below market housing prices or rents.
- 5.10 All other types of housing are referred to as "market housing" - that is private housing for sale or rent where the price is set in the open market and their occupation is not subject to control by the local planning authority
- 5.11 In view of the above, this application could not be considered as 'affordable housing' as there are no secure mechanisms in place to ensure that it remains as affordable housing on first and subsequent occupations; also, and there is no mention of any agreement with a Registered Social Landlord (RSL) to purchase the units once completed.
- 5.12 Therefore, we would have to treat this application as a market housing site and given the proposed design of the residential and overall scheme, and the

potential service charges for this type of residential development, all of the above could affect the affordability as well as the practicality of managing and maintaining affordable housing on-site for a Registered Social Landlord.

- 5.13 In line with the emerging LDP, an affordable housing contribution of 20% of the 19 units (4 units) is sought on this brown-field site.
- 5.14 In view of the above, we would accept the affordable housing to be wholly delivered as a financial contribution in lieu of on-site affordable housing provision. On that basis we would seek a financial contribution of **£263,350** (in lieu of the 4 units) which is calculated in accordance with the formula in the Affordable Housing – Supplementary Planning Guidance (SPG) (2007).
- 5.15 The Housing Officer confirms that the above comments remain pertinent to the revised submission, as there is still no mechanism in place to deliver the site wholly as affordable housing, Although the site is promoted as 100% affordable, there is no mechanism to guarantee this. It is noted that in the past this has been resolved by means of the submission of a joint application with an RSL partner.

Trees

- 5.16 The application is disappointing in that it does not provide for any significant de-sealing of soil or new soft landscaping and does not improve the future growth potential of the three street tree limes on South Clive Road. Preferably amendments will be made to design that provide for a reduced hard footprint and increased soft landscape. There appears to be dead space either side of the vehicular access on the current layout, but the development should seek to create space for soft landscape, not restrict it to the space leftover. The provision of just one tree capable of large size and long-life for example, could make a significant difference in terms of the environmental quality of development. In any event, full details of soft landscaping proposals should be submitted and comprise a scaled planting plan, plant schedule, topsoil and subsoil specification, tree pit section and plan view (as appropriate), planting methodology and aftercare methodology.
- 5.17 No tree assessment in accordance with BS 5837:2012 has been submitted, but the street trees are a material consideration since their future growth above and below ground could be affected by development. The development should be designed to improve the growing environment for street trees, but unfortunately only results in an increased constraint in above ground growing space.
- 5.18 The Tree Officer confirms that this view remains in respect of the revised submission which simply seeks to address the de-sealing of soils around the street trees and to provide for their future maintenance, and to provide a further tree off site.

Pollution Control Noise and Air

- 5.19 Pollution Control would seek conditions relating to Road Traffic Noise

mitigation (dBA specified); Plant Noise limitation; and a construction site noise advisory notice.

Waste

- 5.20 The refuse area has been noted; however ideally the storage should be enclosed in a secure, purpose built enclosure, undercover and screened from the view of the main street. Doors to this enclosure should open outwards and be wide enough to easily accommodate the bins on their route to their collection point.
- 5.21 Please ensure the refuse storage area is large enough to accommodate the following recommended provisions for 19 flats:
- | | |
|------------------|--------------------------|
| Dry Recyclables: | 2 x 1100 litre bulk bins |
| Food waste: | 2 x 240 litre bins |
| General waste: | 2 x 1100 litre bulk bins |
- 5.22 The Waste Officer confirms that the revised submission clarifies the location of a waste collection point and addresses the above comments, and are considered acceptable.

Transportation

- 5.23 The Officer notes the supplementary Transport Statement; and has verbally confirmed that he would not consider an objection to the development on parking grounds sustainable in the given context, especially when considered alongside the availability of other transport opportunities. Any further comments will be reported at Committee.

6. EXTERNAL CONSULTEE RESPONSES

Natural Resources Wales

- 6.1 Raise no Objection to the development given a slab level of 7.35m AOD. They suggest the site will flood to a level of approximately 600mm in a 1 in a thousand year extreme flooding event; but that the applicant has recognised this position by virtue of the submission of a flood consequences assessment and demonstrated that the consequences can be managed by means of the incorporation of flood defences into the design of the scheme, undertaking to sign up to the NRW's early flood warning scheme and by confirming a safe evacuation route to future residents.

Welsh Water

- 6.2 Request drainage conditions be applied to any approval, in respect of a comprehensive drainage scheme for foul, surface and land drainage run off. They also require that any foul connection to the existing sewerage network should be made between stipulated points in South Clive Street to prevent hydraulic overload of the public sewerage system and pollution of the

environment.

South Wales Police

- 6.3 Confirm a higher than average level of Crime and Anti-Social Behaviour in the area; and would welcome the opportunity to discuss opportunities to discuss improvements to the design of the scheme to better address crime related issues and aim for 'Secured by Design' accreditation. In this regard SWP make specific recommendations in respect Lighting, Doors and windows, Access Arrangements and Access Controls, Balconies and balcony access, Smoke/ Fire Alarms, Dwelling identification, Secure cycle storage, Garage security, Service Meter provision, and Landscaping.

7. REPRESENTATIONS

- 7.1 **Owner of 11 Clive Street** is not resistant to the principle of development but does not support the proposal in its submitted form.
- 7.2 Raises concern over the fact that there was no prior discussion with near neighbours. That the Southern end of the development is not in keeping with the residential context of South Clive Street in respect of appearance and , scale, and that there are issues of overlooking, inappropriate density; and inadequate parking as the development might be occupied by young professionals wishing for easy access to the A4232 and M4 by car. and although supportive of the principle of redevelopment to residential use, including affordable housing. cannot support the proposed development in its current form.
- 7.2 **The Freeholder of the Autocare Service Centre** has written to object to the proposals in a number of separate communications. In summary his objections relate to what is perceived as an Incongruous layout; lack of landscaping/secluded rear gardens ; an unacceptable degree of overlooking of properties in York Place and Ferry Road and potentially in South Clive Street; the significantly greater height and massing than the existing building; Outdated utilitarian design; Blighting of his land; Likelihood of an unacceptable impact on the Autocare business by virtue of complaints against currently legitimate and authorised activities, noise, and fumes associated with a motortrade garage; Prejudicial to future development of the Autocare site; Lost opportunity for comprehensive development.

8. ANALYSIS

Environmental Impact Assessment

- 8.1 The works are not a Schedule 2 development for the purposes of assessment under the Environmental Impact Assessment regulations and are not considered to have such significant environmental effects as to warrant the

submission of an Environmental Statement to allow the Local Planning Authority to determine the application.

Land Use

- 8.2 The proposal is for residential use in a predominantly residential area but involves the change of use of commercial warehousing premises, albeit based around the retail sale of bulky goods, on a site adjacent to an operational B2 car repair business. The proposals therefore fall to be considered against policies 2.21 and 2.37 of the Deposit UDP and Policy 36 of the Local Plan.

Loss of Warehousing Land

- 8.3 As the existing retail warehouse is located in an out-of-centre location in terms of retail policy, it is afforded no protection by development plan policies. Therefore, the loss of the retail warehouse does not raise any policy concerns in the context of Policy 2.37 of the Deposit UDP and Policy 36 of the Local Plan.

Acceptability of Residential Use

- 8.4 As the application site is located in an existing residential area, as identified on the City of Cardiff Local Plan Proposals Map, the principle of the proposed use of the land for residential purposes raises no land use policy concerns subject to the criteria indicated in the plan and any other material considerations.
- 8.5 Policy 2.21 of the Deposit UDP (Change of Use or Redevelopment to Residential Use) indicates that residential use will be permitted where:
- a). there is no over-riding need to retain the existing use of the land or premises and no over-riding alternative local land use requirement;
 - b). the resulting residential accommodation and amenity will be satisfactory;
 - c). there will be no unacceptable impact on the operating conditions of existing businesses; and
 - d). necessary community facilities are accessible or can be readily provided.

Need to retain existing land use./ Alternative local land use requirement.

- 8.6 It is accepted that the traditional makeup of areas where industrial and commercial uses commonly operated cheek by jowl with residential neighbours has changed and continues to change in a climate where residential land values far exceed the rental yield of commercial floor space or profits of commercial enterprise, and although it might also be argued that the out of centre location and scale of the operation offer a useful alternative to allocated uses on industrial estates or retail parks, any argument to suggest that the retention of the 700m² of A1/B8 use was a necessity in land use planning terms

would likely be unsustainable and it is accepted that there is no overriding need to retain the existing use of the land for such purposes.

- 8.7 There is also no local land use requirement in respect of the buildings or land, all alternative uses of the site being judged on their individual merit..

Access to community facilities

- 8.8 Within the design and access statement, the agent suggests that the site is well located in respect of access to nearby facilities, shopping and service opportunities, leisure facilities and transport links. This view is generally concurred with.

- 8.9 There is therefore no objection to the use of the site for residential purposes when considered under criteria a) and d) however there are a number of concerns regarding the acceptability of the residential accommodation proposed; and likely impact of the development on the operating conditions of the existing adjacent business as detailed below.

Design

Layout/Coverage

- 8.10 The development proposes whole site coverage on the same near rectangular footprint as the existing building. The accommodation is provided over three storeys with a parking garage for 5 cars, a refuse storage area and five units of accommodation on the ground floor; and seven units of accommodation on first and second floor levels. 17 flats would be one bed roomed and 2 (1st and 2nd floor flats nearest the Ferry Road extreme of the complex) would be two bed roomed. [19 units – 21 beds total].

Landscaping

- 8.11 Whole site coverage is a choice of the architect, and does not provide for any soft landscaping, landscape setting, communal amenity space or defensible space. Given that this is a new build scheme, this is considered disappointing, although perhaps inevitable given the linear constraints of the site and decision to maximise site coverage.

- 8.12 The commentary provided by the agent that the development of the adjoining garage site, might offer potential scope to include some landscaping within the site at that stage, suggests to the planning officer that the proposal is an overdevelopment of the site, and that, as has been suggested by others, that the comprehensive development of this and the adjoining land would be far more likely to provide an acceptable and higher quality development.

Access

- 8.13 Pedestrian access to all flats will be provided from the north of the building (Ferry Road) via a shared entrance. The Ground floor flats will also benefit from

access from an entrance from the integral garage area, and the four units fronting South Clive Street from direct access from street level; a secondary access to upper floors would also be provided from the southern boundary of the site on South Clive Street.

- 8.14 Access to individual flats utilises a communal deck access to the west of the building adjacent to the autocare centre boundary on all three levels. This realises an integral corridor access at ground floor; an semi-enclosed balcony terrace at first floor which becomes enclosed at both ends by virtue of the staircase enclosure and higher level wall of the repair garage buildings to the southern end of the site; and an open balcony to second floor levels, with the two upper levels fronting the roofscape of the adjacent repair garage.
- 8.15 This design concept is not favoured, as it necessitates having to go outside the building to access individual flats on the upper two levels.

Aesthetic

- 8.16 In terms of building presentation, the southern elevation of the building would provide an unfenestrated gable end detail toward No. 2 South Clive Street with a ridge height of 8.5m and a further ridge of 9.5m some 2m further to the north. This roof presentation would be further separated from the immediate neighbour at 2 South Clive Street by an extension to the autocare centre building which returns to the rear of the site and has a monopitch roof of some 5.5m in height and abuts the neighbouring boundary. This allows for a tiering mechanism and a distance of approximately 7.755m between the new flatted development and the side elevation of 2 South Clive Street which is a two storey hipped roof house. This is considered acceptable as a means of grading/breaking up the southern presentation of the development to the height of the immediately neighbouring residence.
- 8.17 The South Eastern corner of the eastern elevation to South Clive Street would present a glazed secondary entrance door to GF level and full height windows at upper levels serving the upper stair core to the southern end of the building; the garage entrance door and associated window openings with roller shutter security further to the north (in a not dissimilar position to the existing warehouse vehicle access), and thereafter a rhythm of 8 columns and infill planter detail enclosures further north again toward ferry road. This would form the enclosure of the GF units which would be set back with a corresponding number of French doors from living room areas of the ground floor units under the balcony overhang of the upper floor flat units. At upper levels the development breaks the façade with a staggered relief, providing for a number of inset balcony presentations with intermittent in-plane bedroom windows. The Ferry Road elevation would also contain balcony features related to the upper floor two bedroomed units.
- 8.18 The development is shown finished in a number of blue/grey and white painted and mineral render tones with grey fenestration and a grey metal shallow inclined roof.

- 8.19 The Design and Access Statement (Page 12) suggests that whilst the scale of the South Clive Street elevation is higher than the existing, the use of different coloured paints, relief detail within the elevation, and the broken roofline of the building proposed ensures that the impact of this increase in scale mitigated against in terms of visual massing.
- 8.20 The design and access statement also suggests that the character and style of the existing local built form is very mixed in character, and that the proposed building picks up on themes from the existing and surrounding structures such as colour and balcony presentations.
- 8.21 Overall the aesthetic of the development is not objected to, and as the area is not a conservation area or area where the character of a predominant building form is desired to be preserved, the use of balconied elevations, coloured render presentations and slow metal roof within the materials palette is considered acceptable, however the design has less satisfactory implications for potential residents in terms of amenity and quality of living environment proposed.

Amenity

- 8.22 There are a number of issues related to the proposed design which are considered less than satisfactory and to provide an undesirable living environment for proposed residents.
- 8.23 At ground floor, the principal access to the apartments is considered to be very oppressive, formed by an wall set back only a short distance from the corresponding boundary wall of the repair garage, the access is essentially an internal corridor, and speculated by the planning officer, especially in respect of the units with an alternative access onto South Clive Street, unlikely to be used. The rear outlook from kitchen windows on the ground floor would therefore be into an internalised space with no natural daylight, and no natural bathroom ventilation in respect of units 2 to 5. Unit 1 would have a high level bathroom window, but into this enclosed and shared communal internal area which is considered unsatisfactory. The alternative outlook from the Ground floor apartments, being the outlook from the principal living rooms and bedrooms of units 2-4 onto south Clive street would in the opinion of the planning officer, be adversely affected by the overhanging balcony arrangement of the upper level accommodation, resulting in a very dark and oppressive access and outlook to both sides of the accommodation. The planter enclosures to South Clive Street also giving a less than desirable enclosure in terms of site security and defensible space in comparison with the defensible front gardens of adjacent properties. Unit 1, being the GF flat to the Northern end of the site abutting the Ferry Road footway would have a living room window directly to the back of the South Clive Street footway, a recessed patio with Living room French doors and a glazed bedroom door and lite, set back behind a 1m high hedge boundary to the cropped Ferry Road Corner of the building and a further small bedroom window to the back of the Ferry Road footway on its northern elevation. All of which are considered unsatisfactory in respect of outlook and

privacy and resultant of the overdevelopment of the site.

- 8.24 The first floor accommodation, being accessed from a walkway similar in character to an American Motel model, or high rise balcony access architecture of the 1960s is also considered compromised by the proximity of the boundary of the autocare repair centre. The section and elevation drawings confirm that the elevation of that building would come to approximately the same height of the balustrade enclosure of the boardwalk access in respect of units 7 to 10 in the mid-section of the building; at a distance of only a metre; and which in respect of the higher level of the garage to the southern end of the site would actually abut and enclose the access deck opposite the western aspect of units 11 and 12. Reducing the amount of daylight to the kitchen and high level bathroom windows of the former units and completely denying any natural light to the kitchen and bathroom windows, of the later. This would similarly be the case for units 6 and 7 at the Northern end of the building. Unit 6 being a replication of ground floor unit 1 with the addition of a further bedroom, and balcony to Ferry Road above the shared access door at ground level.
- 8.25 As indicated previously this arrangement requires residents of flats 8, 9 and 10 having gained access to the interior of the building, to have to go outside the building again to access their apartment entrance doors.
- 8.26 The second floor would at least benefit from a lesser degree of enclosure from adjacent buildings but would again require residents to go outside to access their apartment entrances, and would overlook the somewhat uninviting roof space of the adjoining autocentre in terms of view.

Amenity Space

- 8.27 The development provides for no communal amenity area except for the deck access area.
- 8.28 The agent comments that a number of units benefit from the provision of a small balcony area or in the case of the ground floor units, a small area enclosed from the highway which offers some amenity provision, against a background of many flatted developments which provide little or no amenity space,
- 8.29 The planning officer considers that this remains a lost opportunity. It is also considered that the footway aspect of the enclosed areas available to the ground floor units may make them less inviting/usable as private amenity space by GF residents.
- 8.30 Overall the resulting amenity space for the flats and available outlook is considered uninviting, inhospitable, dark and oppressive for the majority of residents and is not supported.

Parking

- 8.31 An underscroft garage and service area is shown accessed from South Clive

Street. No objection is raised to the access point for the garage which is considered sufficiently far from the junction not to be frustrated by vehicle queuing or to unduly adversely affect the free flow of traffic.

Parking space for 5 vehicles is shown on the submitted drawings. This would be compliant with the Council's parking standards for affordable housing which would accept a minimum of 0.25 parking spaces per unit (4.75 spaces total) and a maximum of 1 space per unit (19 spaces). However as suggested by the Housing Manager, with no RSL identified or any guarantee of the use of the property for Affordable housing purposes, the development would need to be considered on the basis of Market Housing where the minimum number of spaces required by the Parking Guidelines would be 9.5 (maximum 21). And the proposed 5 off street car parking spaces must therefore be considered deficient when assessed against these standards.

- 8.32 The applicant suggests however that the location of the development and other transport options available are material, and has therefore provided an additional transport statement which accounts for the nature and frequency of bus and train services and other modes of travel available to the site and potential occupants.
- 8.33 Revised plans also indicate the provision of 6 No. cycle stands (12 cycles) within the undercroft garage area. This is again deficient in respect of absolute standards (19 cycle spaces would be required) but does go some way to addressing the balance given the opportunities for public transport and walking options. The Transportation officer has therefore verbally confirmed that he would not consider an objection to the development on parking grounds could be sustained, and this view is accepted.

Housing / Affordable Housing

- 8.34 The comments of the Housing Manager are noted.
- 8.35 The applicant has advised that interest has been shown in acquiring the scheme as an affordable housing development by Taff Housing Association, and reports that the Taff have advised that "It has always been Taff Housing Association's intention to purchase the development as part of a deal with Mr Burrige; this would be conditional upon a reasonable land value, board approval, planning permission and a DQR compliant design".
- 8.36 The Local Planning Authority have asked Taff Housing Association to confirm their interest, as to whether the latest revised scheme is considered to be DQR compliant for their purposes, and as to whether a board report has been prepared/considered, and if so the outcome. Taff Housing Association have not responded to date.
- 8.37 As neither Taff HA or any other registered social landlord is cited as a development partner or registered as joint applicant in the planning application submission, the development has to be considered on the basis of market

housing development, which if considered acceptable in all other respects would be required to provide for 20% affordable housing, or in this instance a contribution of in lieu of on site provision of **£263,350** (in lieu of the 4 units).

Air, Noise and Light Pollution

- 8.38 An acoustic assessment has been provided with the application, which notes that the existing levels of traffic noise, normally outweigh the levels of noise from the adjacent daytime repair garage, even when the ferry road roller shutter door is open, as the activities are undertaken within an enclosed roofed building. The observations of the Pollution Control Officer are noted and it would appear reasonable, that noise levels from the adjacent use and from road traffic noise generally would be capable of appropriate suppression through sound insulation and provision of acoustic glazing/ventilation. However, the immediate juxtaposition of the proposed accommodation directly abutting the car repair garage to the west is not considered a desirable relationship, and still potentially to give rise to complaints from future occupants.
- 8.39 It is not considered likely that the development would be unduly affected by light pollution from adjacent premises, or from adjacent traffic light installations, which although in close proximity to the site boundary, are shielded in terms of the direction of illumination.

Provision for Open Space

- 8.40 The development does not provide for any Public Open Space, and as such would be considered against the Supplementary Planning Guidance relating to open space provision and in respect of the appropriateness of requiring an alternative payment in lieu for the creation of new, or enhancement of existing open space in the locality.
- 8.41 The Parks manager has confirmed that based on the current formulae in the Council's SPG the 19 units of accommodation proposed would result in the need for a payment of **£ 26,676** for off-site provision and maintenance of open space to offset the on-site deficit and that if the development were recommended favourably that the specific usage of this figure would be apportioned according to CIL criteria.

Contaminated and Unstable Land

- 8.42 The comments of the Contaminated land Officer are noted. The site is considered likely to contain contaminants, but unlikely to contain any contaminants or ground gases which cannot be effectively mitigated against.

Flood Risk

- 8.43 The FCA submitted accepts the risk of flooding which is estimated at 600mm in a 1 in 1000 year extreme flood event and proposed to be managed by means of incorporating flood resisting features within the design (e.g. high level electrical

installations); subscription to the early warning system provided by NRW to advise of a potential flooding event, and the provision of an advisory escape route for residents in the event of such a situation.

8.44 Subject to adherence to the above, this is considered acceptable.

Waste Management Facilities

8.45 The undercroft garage and servicing area would appear to have sufficient space for bin storage and the adjacent highway to be wide enough for presentation of bins on collection days

Other Matters

Equalities

8.46 Section 149 Equality Act 2010 requires that due regard be given to any actual or potential differential impact of the development on the needs of those with protected characteristics.

8.47 The scheme includes for Ground Floor accessible accommodation of a similar character to that elsewhere in the scheme.

8.48 As such although the development is considered unacceptable for the reasons stated it is not believed to propose any undue differential impact to those with such protected characteristics.

Street Trees.

8.49 The footway to South Clive Street contains three Lime Trees, and the scheme is effectively reliant on those for landscape setting. The tree canopies of these trees are however in an unfortunately coincide with the position of the proposed front balcony areas of three of the units and bedroom windows of three more. This would require future management in terms of canopy spread and may also compromise the outlook from, those units.

8.50 Discussions between the applicant and developer have confirmed that the Council's Parks department would require an additional maintenance sum of

8.51 £2890 to cover the costs of tree pruning over a 20 year period and to cover the cost of planting an additional tree in the Marl of **£3490**

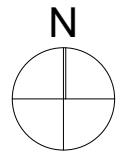
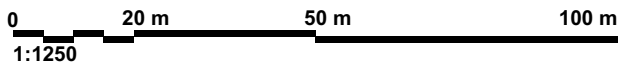
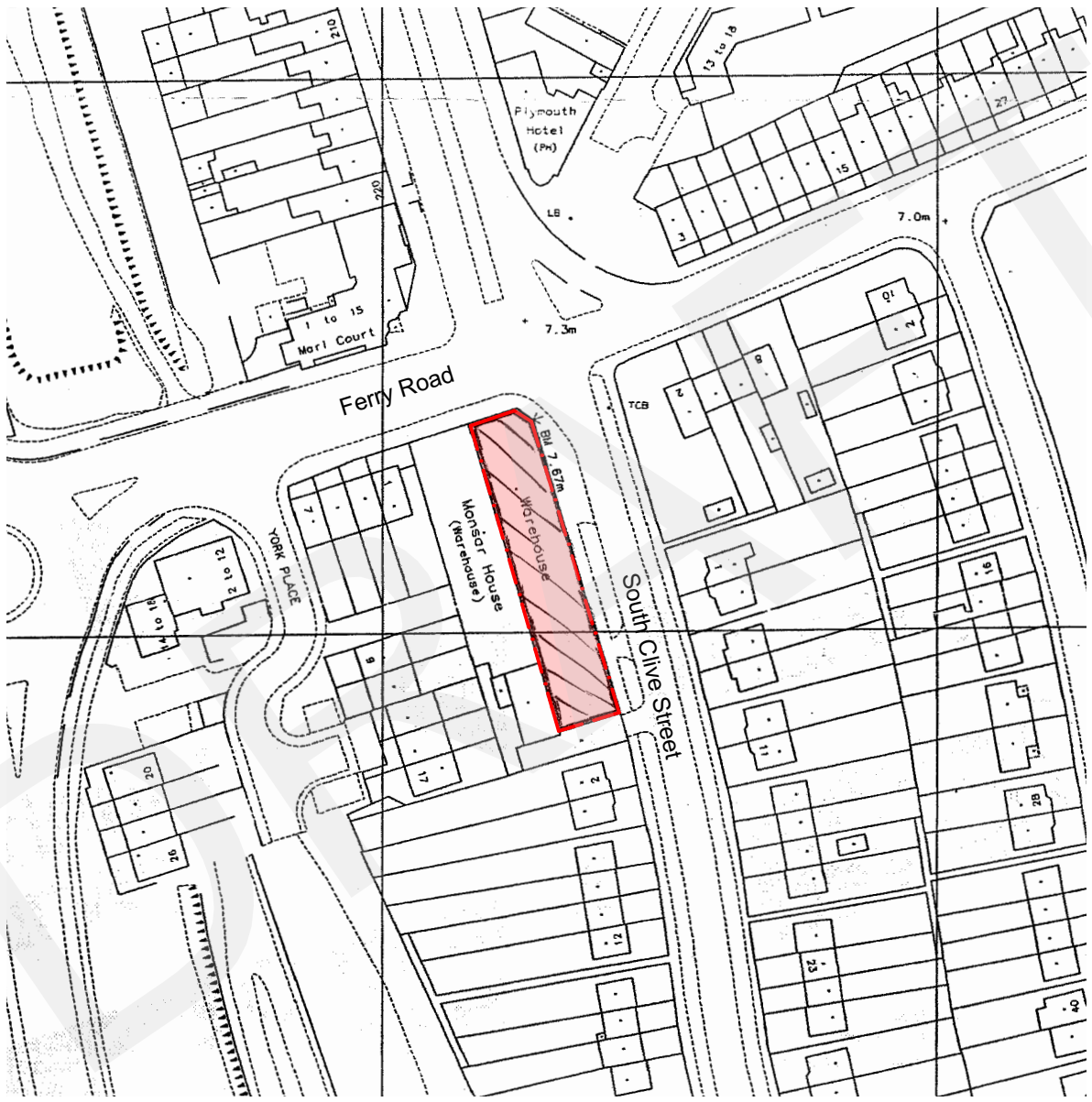
8.52 This is noted, however the position of the trees, even with managed canopies, would still be very close to balcony and bedroom window presentations within the apartments which may make them dark and to have poor outlook.

9.0 Conclusion

9.1 The Refusal of Planning Permission is recommended on the basis of the overdevelopment of the site; the poor quality of accommodation proposed and

impact on the residential amenity of future occupiers; and on the grounds that the development would be prejudicial to the development of the adjacent site.

- 9.2 A second recommendation is also considered appropriate to advise the applicant that the Local Planning Authority remain of the opinion that the site would likely yield a more acceptable, and better quality of development/environment if developed comprehensively with adjoining land.



1:1250 @ A4

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Job Title
Windsor Buildings

Drawing Title
Location Plan

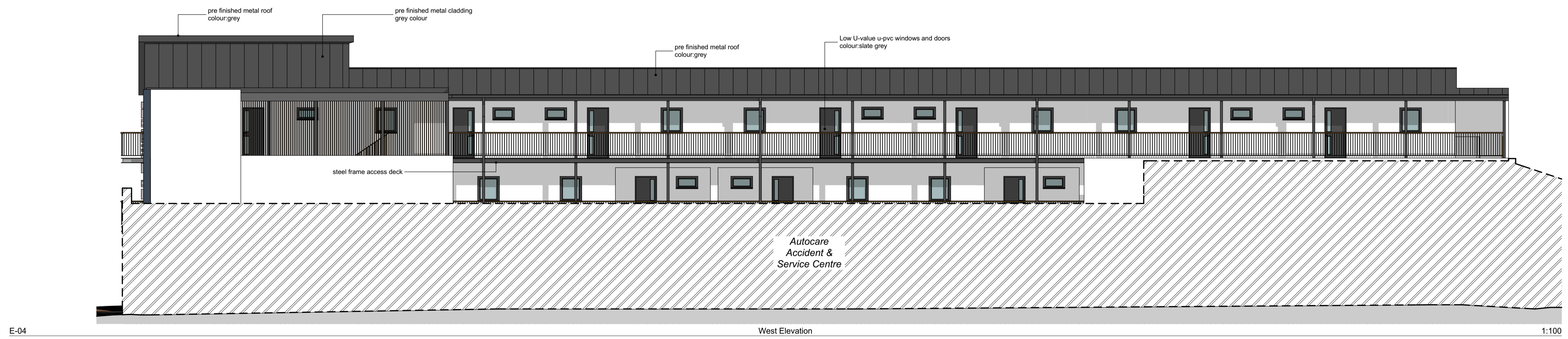
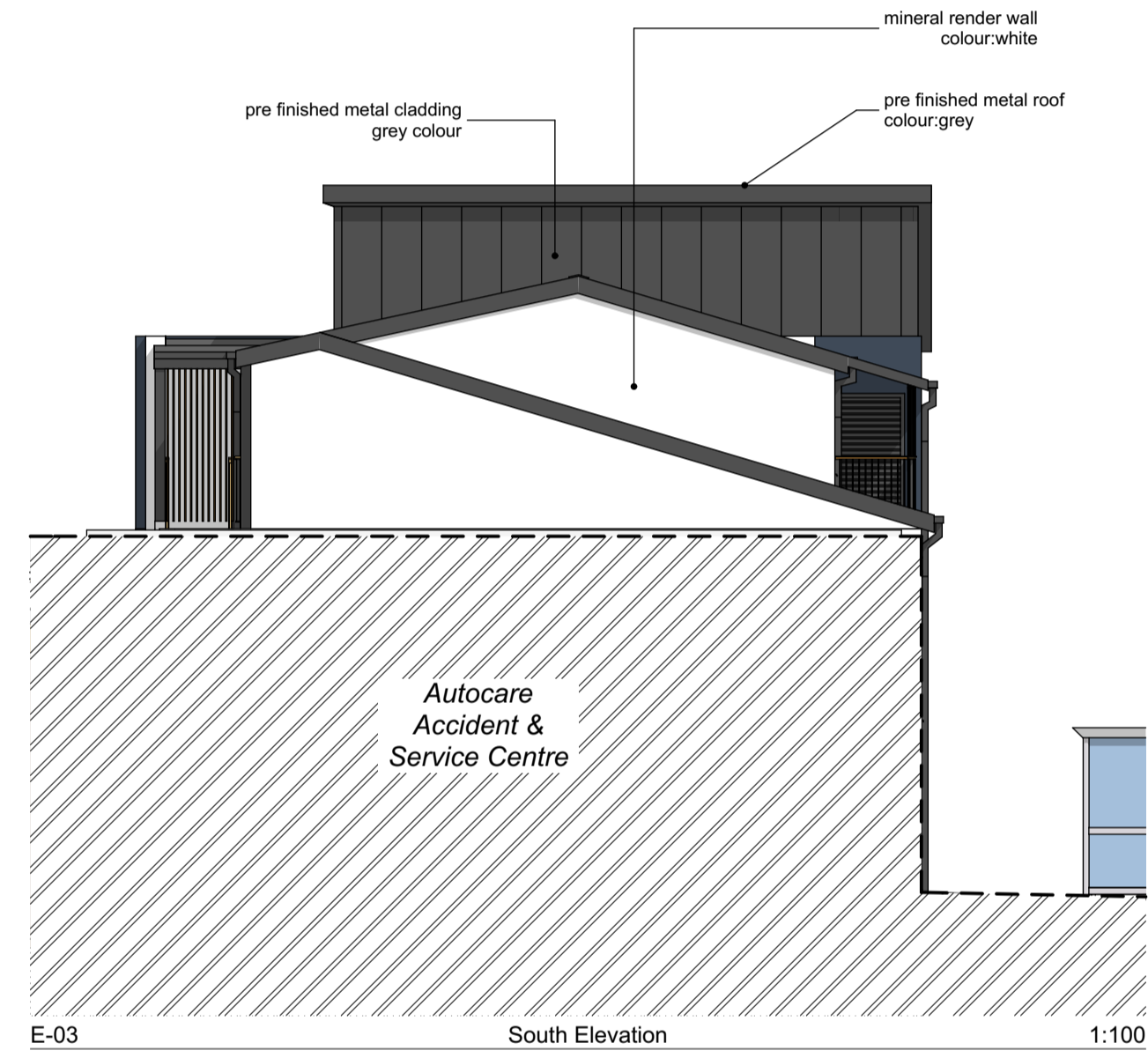
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Drawing No Revision

C195/AL(0)1 **P**

Client
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File: C195 Windsor Buildings - Planning_150128.pln



Revisions

1:100 @ A1
1:50 @ A3

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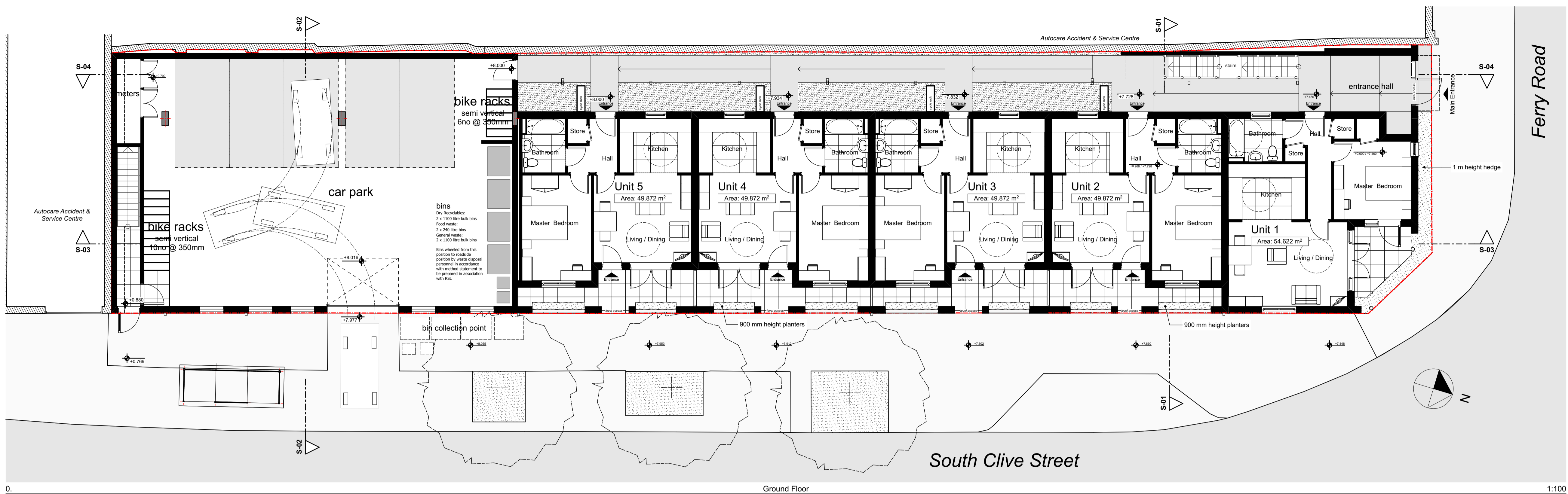
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Drawing Title
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Date 28/01/2015 Drawn by:
CEN
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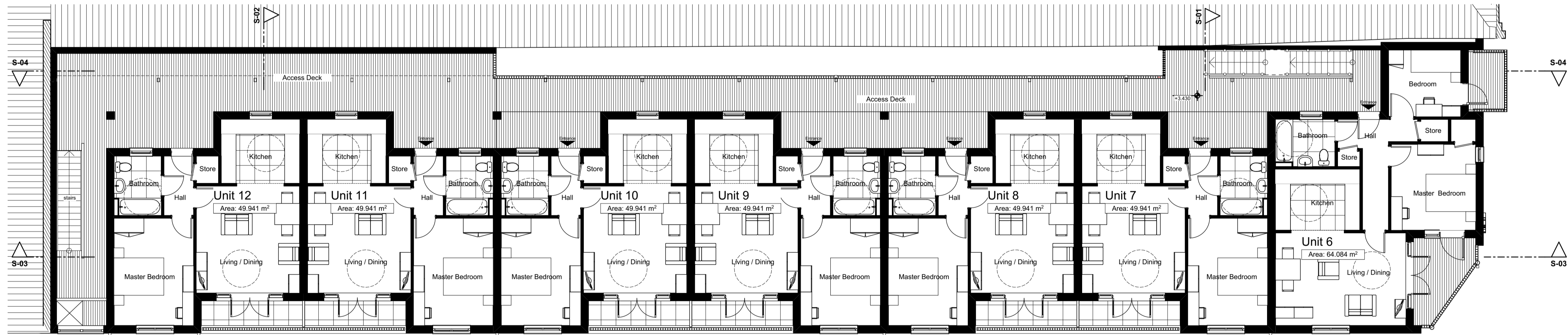
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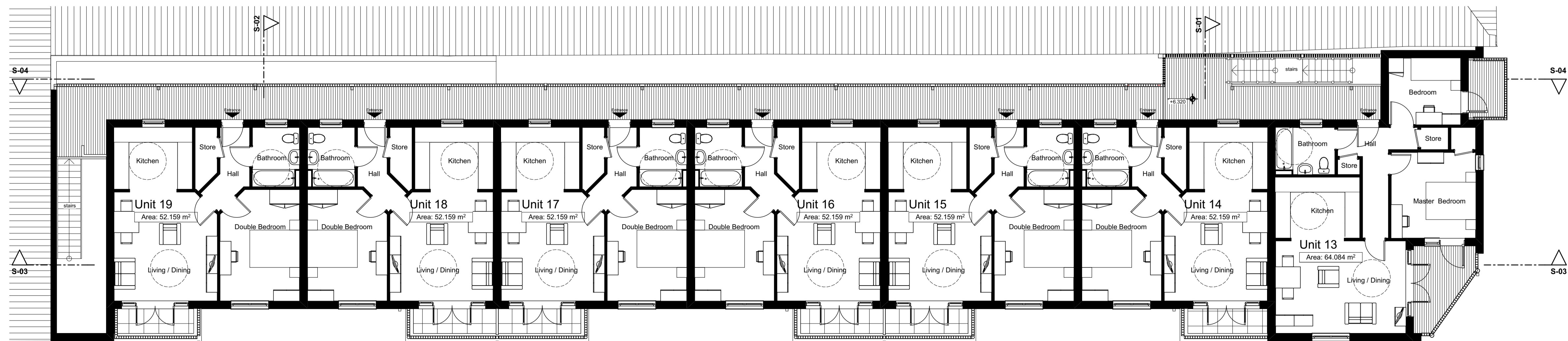
	Unit	#Beds	Area
Ground Floor	#1	1Bed	54.62 m ²
	#2	1Bed	49.87 m ²
	#3	1Bed	49.87 m ²
	#4	1Bed	49.87 m ²
	#5	1Bed	49.87 m ²
1st Floor	#6	2Bed	64.08 m ²
	#7	1Bed	49.94 m ²
	#8	1Bed	49.94 m ²
	#9	1Bed	49.94 m ²
	#10	1Bed	49.94 m ²
	#11	1Bed	49.94 m ²
	#12	1Bed	49.94 m ²
2nd Floor	#13	2Bed	64.08 m ²
	#14	1Bed	52.16 m ²
	#15	1Bed	52.16 m ²
	#16	1Bed	52.16 m ²
	#17	1Bed	52.16 m ²
	#18	1Bed	52.16 m ²
	#19	1Bed	52.16 m ²
		21 Beds	994.86 m²

0. 1:100



1:100 @ A1
1:50 @ A3

1. 1:100



P2 Drawing amended with bin collection notes and re positioned of cycle racks ARG 13-08-15
P1 Drawing updated with bin collection notes and positions of cycle racks ARG 11-08-15

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Job Title
Windsor Buildings

Drawing Title
Plans

Date 13/08/2015 Drawn by: CEN
Revision

C195/AL(0)5 P2

File: C195 Windsor Buildings - Planning_150811.pln

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