

COMMITTEE DATE: 09/12/2015

APPLICATION No. **15/02257/MJR** APPLICATION DATE: 21/09/2015

ED: **ADAMSDOWN**

APP: TYPE: Full Planning Permission

APPLICANT: PMG McLaren Ltd  
LOCATION: FITZALAN COURT, NEWPORT ROAD, ADAMSDOWN  
PROPOSAL: CHANGE OF USE OF THE EXISTING OFFICES TO STUDENT ACCOMMODATION COMPRISING 256 BEDS IN 223 1 AND 2 BED UNITS AND PARTIAL A1/A3 USE AT GROUND FLOOR LEVEL ALONG WITH ASSOCIATED FACILITIES AND WORKS INCLUDING REPLACEMENT WINDOWS, WORKS TO COURTYARD, INTRODUCTION OF RAMPED ACCESS AND EXTERNAL PLATFORM LIFT

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**RECOMMENDATION 1** : That, subject to relevant parties entering into a binding planning obligation in agreement with the Council under Section 106 of the Town and Country Planning Act 1990, within 6 months of the date of this resolution unless otherwise agreed by the Council in writing, in respect of matters detailed in paragraph 9.2 of this report, planning permission be **GRANTED** subject to the following conditions:

1. C01 Statutory Time Limit
2. The consent relates to the application as amended by the revised plans numbered Dwg.100A Proposed Basement Plan; Dwg.101B Proposed Ground Floor Plan; Dwg.110B Proposed Site Elevations Sheet 1; Dwg.111B Proposed Site Sectional elevations Sheet 2 attached to and forming part of this planning application.  
Reason: The plans amend and form part of the application.
3. The partial ground floor A3 use shall be limited to restaurant and café use only and for no other purpose (including any other purpose in Use Class A3 of the Town & Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument amending, revoking or re-enacting that Order).  
Reason: Other uses within Use Class A3 could prejudice the amenities of neighbouring and future occupiers and/or the area.
4. C7X No Takeaway Sales
5. No member of the public shall be admitted to or allowed to remain on

any A3 premises between the hours of 23:00 and 08.00 hours on any day.

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

6. H7G Plant Noise

7. A scheme of sound insulation works to the floor/ceiling and party wall structures between the A1/ A2/ A3 premises and the residential accommodation shall be submitted to and agreed by the Local Planning Authority in writing and implemented prior to occupation.

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

8. G7Q Future Kitchen Extraction

9. Prior to commencement of development and unless otherwise agreed in writing by the Local Planning Authority (LPA) a scheme shall be submitted to and approved in writing by the Local Planning Authority to provide that all habitable rooms exposed to external road traffic noise in excess of 63 dBA Leq 16 hour [free field] during the day [07.00 to 23.00 hours] or 57 dBA Leq 8 hour [free field] at night [23.00 to 07.00 hours] shall be subject to sound insulation measures to ensure that all such rooms achieve an internal noise level of 40 dBA Leq 16 hour during the day and 35 dBA Leq 8 hour at night. The submitted scheme shall ensure that habitable rooms subject to sound insulation measures shall be provided with acoustically treated active ventilation units. Each ventilation unit (with air filter in position), by itself or with an integral air supply duct and cowl (or grille), shall be capable of giving variable ventilation rates ranging from –

1) an upper rate of not less than 37 litres per second against a back pressure of 10 newtons per square metre and not less than 31 litres per second against a back pressure of 30 newtons per square metre, to

2) a lower rate of between 10 and 17 litres per second against zero back pressure.

No habitable room shall be occupied until the approved sound insulation and ventilation measures have been installed in that room. Any private open space (excepting terraces or balconies to any apartment) shall be designed to provide an area which is at least 50% of the area for sitting out where the maximum day time noise level does not exceed 55 dBA Leq 16 hour [free field].

Reason: To ensure that the amenities of future occupiers are protected.

10. Prior to commencement of development details of a scheme to mitigate air quality to all ground, first and second floor habitable rooms facing on to Newport Road shall be submitted to and approved in writing by the LPA. No habitable room shall be occupied until the approved air quality mitigation measures have been installed in that

room.

Reason: To ensure that the amenities of future occupiers are protected.

11. C2N Drainage details
12. No development shall take place until details showing the provision of minimum 100 cycle spaces under cover and secure for residential use plus 8 external visitor spaces have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the development being put into beneficial use. Thereafter the cycle spaces shall be maintained and shall not be used for any other purpose.  
Reason: To ensure that adequate provision is made for the secure parking of bicycles.
13. D3D Maintenance of Parking Within Site
14. Combined Travel and Student Accommodation Traffic Management Plan condition – No part of the development hereby permitted shall be occupied until a travel/parking/traffic/resident/letting management plan to include the promotion of public transport and other alternatives to the private car, the management of traffic at the start and end of term, the control of vehicular access to the site, and the exclusion and control of student resident car parking within the site and surrounding area, has been submitted to and approved by the Local Planning Authority.  
Reason: in the interest of highway safety and to regulate the impact of the development on use of the adjacent highway.
15. Construction Management Plan condition – No part of the development hereby permitted shall be commenced until a scheme of construction management has been submitted to and approved by the Local Planning Authority, to include as required details of site hoardings, site access 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.
16. Highway works: No part of the development hereby permitted shall be commenced until a scheme of works to provide the revised vehicle access from Fitzalan Road to the south of the site has been submitted to and approval in writing by the Local Planning Authority. The agreed scheme to be implemented to the satisfaction of the Local Planning Authority prior to beneficial occupation of the site.  
Reason: To facilitate safe access to the proposed development.
17. C4P Landscaping Design & Implementation Pro
18. C4R Landscaping Implementation

**RECOMMENDATION 2:** 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 3:** To protect the amenities of occupiers of other premises in the vicinity attention is drawn to the provisions of Section 60 of the Control of Pollution Act 1974 in relation to the control of noise from demolition and construction activities. Further to this the applicant is advised that no noise audible outside the site boundary adjacent to the curtilage of residential property shall be created by construction activities in respect of the implementation of this consent outside the hours of 0800-1800 hours Mondays to Fridays and 0800 - 1300 hours on Saturdays or at any time on Sunday or public holidays. The applicant is also advised to seek approval for any proposed piling operations.

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

- 1.1 The proposal is for the change of use of Fitzalan Court, a late 1980s office development comprising 4 office blocks arranged around a central courtyard, to managed student accommodation for 256 beds and ancillary student communal facilities, and partial A1/A3 use at ground floor level.
- 1.2 External alterations include replacement windows to upper floors and new full height aluminium glazing to ground floor windows, and a new external platform lift and staircase linking the basement to the courtyard.
- 1.3 The ground floor A1/A3 use is a small unit located on Newport Road adjacent to Shand House. Communal facilities comprise a common room area in the basement that will have a new glazed roof area and new lift and stairs to the courtyard, landscaped garden in the courtyard, and gym, cinema, lounge, games area, coffee bar and study areas fronting on to Newport Road.
- 1.4 Six operational parking spaces (3 for disabled students and 3 for retail staff) are provided to the rear of the development, accessed from Fitzalan Road. Long stay cycle parking for 87 bikes is provided in the basement. Plant is also located to the basement
- 1.5 There is a separate application under consideration for one and two storey rooftop extensions to the existing buildings to provide an additional 99 student beds.
- 1.6 Amended plans have been received (and consulted on) changing the description to include the ground floor retail use.

### Public realm

- 1.7 A financial contribution is secured via a section 106 legal agreement for improvements to the Newport Road southern footway to the west of the

application site to link to the Queen Street junction, and the eastern footway south of the application site as far as the car park entrance junction.

### Additional Information

- 1.8 The following additional information is submitted:
- Design and Access Statement
  - Environmental Noise Survey
  - Transport Statement
  - Draft Residential Travel Plan
  - Air Quality Assessment
  - Environmental Noise Study
  - Cardiff Student Property: Market Analysis & Development Review
  - Fitzalan Court and wider Cardiff office market assessment
  - Fitzalan Court Marketing Brochure
  - Energy Statement

## **2. DESCRIPTION OF SITE**

- 2.1 The application site is on the SE corner of the very busy Newport Road/ Fitzalan Road crossroads just to the east of the City Centre and Queen Street Railway Station, and close to the City Road shops and the Clifton Street/Broadway District Centre. It is well served by public transport, and is within walking distance of the University and Colleges and various city parks.
- 2.2 The immediate area consists of a mixture of offices, multi-storey car park, hotel and educational buildings - all of different ages, styles, heights and materials. The site is opposite the Grade II listed University Queen's Building located to the other side of Newport Road.
- 2.3 The site is bounded to the east by Shand House which was recently converted from office to student housing use, and to the southeast by office development. To the north is the busy Newport Road arterial route into and out of the city centre and to the west the more lightly-trafficked Fitzalan Road links Newport Road to Knox Road and the NCP multi-storey car park to the south.
- 2.4 The office buildings range in height from 3 to 5 storeys and are red brick under a lead feature capping and flat roof. There is a basement car park (65 spaces) accessed from Fitzalan Road with access for those using the basement via an existing stair to the central courtyard. There is pedestrian access to the courtyard from Newport Road and Fitzalan Road. There is also direct access to the two office blocks fronting Newport Road.
- 2.5 The buildings are currently approximately 30% occupied.

### 3. **PLANNING HISTORY**

- 15/02268/MJR Concurrent application under consideration for part single and part two storey vertical extensions to existing buildings to provide 99 student bedrooms.

### 4. **POLICY FRAMEWORK**

#### 4.1 Relevant National Policy Guidance

- Planning Policy Wales (Edition 7, July 2014)

#### 4.2 The policy framework for this advice is as follows:

- City of Cardiff Local Plan (Adopted January 1996)
- South Glamorgan (Cardiff Area) Replacement Structure Plan (April 1997)
- Cardiff Unitary Development Plan (to 2016)
- SPG Safeguarding Land for Business and Industry (June 2006)
- SPG Premises for Eating, Drinking and Entertainment in the City Centre (September 2000)
- SPG Restaurants, Takeaways and other Food and Drink Uses (June 1996)
- SPG City Centre Strategy (2007-2010)
- Cardiff City Centre Public Realm Manual (2009)

#### 4.3 The following Local Plan policies are considered to be of particular relevance:

- Policy 11: Design and Aesthetic Quality
- Policy 31: Residential Open Space Requirement
- Policy 36: Alternative Use of Business, Industrial and Warehousing Land
- Policy 50: Retail Development

#### 4.4 The following deposit Cardiff Unitary Development Plan policies are of particular relevance:

- Policy 2.24 Residential Amenity
- Policy 2.55 Public Realm Improvements
- Policy 2.57 Access, Circulation and Parking

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

- 5.1 **Economic Development:** Historically Fitzalan Court has proved to be a successful location for a range of business sectors including ICT, Financial and Professional Services and Creative Industries with past tenants such as Deloitte, KPMG, Eversheds and Zurich. However as the trend (last 10 years) for Grade A office space has moved towards Callaghan Square and Central Square in the heart of the city centre and waterfront developments in Cardiff Bay, Fitzalan Court has lost the above tenants to new locations and has struggled recently to attract new tenants and is now regarded as secondary

(Grade B) office space outside the core city centre area with high levels of vacancy.

- 5.2 In close vicinity to Fitzalan Court is Hastings House which at present is also unoccupied although it is hoped that this will be retained for its current use and we understand is under offer at this time.
- 5.3 Whilst the Fitzalan Court properties are largely unoccupied and have been for some time, there are neighbouring properties on Fitzalan Road that are full or mostly occupied, including:
  - Legal and General occupy 60,000 sq ft in Knox Court,
  - Trafalgar House 80% let on total sq ft of circa 52,000 sq ft
  - Cromwell House let to University of South Wales
  - Brunel House 78% let on total sq ft of 235,000 sq ft
  - Fitzalan House, high occupancy including Mott Macdonald and JLT group.
- 5.4 Due to the small floor plates in the Fitzalan Court properties the 7 individual buildings may well be better suited to other uses such as student accommodation or residential use, however Economic Development would want to develop a future policy of protection of the other office buildings in the area due to their larger floor plates and competitive secondary office space pricing (between £10 to £15 per sq ft) that would be attractive to the F&PS and other sectors and therefore providing a niche product in the city centre.
- 5.5 The Fitzalan Place site is within the Adamsdown Ward and therefore outside of the current assisted area (Tier 2) and therefore large and small companies would not receive the level of discretionary funding potentially available in other areas of the city centre (Cathays Ward) and Cardiff Bay (Butetown Ward).
- 5.6 While Economic Development is supportive of the principle of some secondary and tertiary office space being brought back into use (eg Shand House on Fitzalan Court being utilised for student/ residential accommodation), the Economic Development directorate is concerned at the amount of applications for changes of use from secondary office space to student accommodation in the city centre. It is proposed that a strategy is developed by the Council's Planning and Economic Development departments for Cardiff's existing secondary office space to protect the best of the remaining secondary and tertiary stock, and to develop a set of criteria to identify which secondary and tertiary buildings will need to be protected to provide a sustainable employment role in Cardiff.
- 5.7 Economic Development recognise that mixed use development may be considered appropriate, however if mixed use schemes with a reasonable proportion of business/industrial space are not feasible or forthcoming on a particular site within a protected employment area, a planning obligation will be required to compensate for this loss, and mitigate the impact of this change. The Fitzalan Court site as an office development provided between 500 and 700 jobs and the low rise nature of the circa 1 acre site could provide

higher densities of employment opportunities, however if the site is lost to residential or student accommodation use it is unlikely that the site will revert back to an employment site.

- 5.8 For the Fitzalan Court application for 350 student accommodation units to progress, the Economic Development division is seeking a financial contribution of £200,000. This contribution will form a package of assistance that will help support and develop companies within the city centre area and provide further employment opportunities. The sum will need to be incorporated into a Section 106 Agreement.
- 5.9 Economic Development may also be open to the developer building business incubation/ small industrial space for the Council to own and manage to encourage new business start-ups. The number of units and location of the business units to be suggested by the developer for negotiation.
- 5.10 The developer contributions for the loss of employment land will be utilised for Economic Development projects as part of the Cardiff Capital Fund and will relate directly to the site as part of the geographical ward or adjacent ward.
- 5.11 Alternatively, the provision of replacement employment opportunities may be also considered through a planning obligation as an alternative to a financial contribution. Replacement employment opportunities should be developed within the nearest protected employment areas (EC1) or Central and Bay Business Area (EC4), where appropriate or practical.
- 5.12 Transportation: No objection subject to standard maintenance of parking, student travel plan, construction management plan, and highway works conditions, a 106 contribution towards public realm works on Newport Road and Fitzalan Road, and the following comments:
- 5.13 The adopted Access, Circulation and Parking Standards SPG confirms that up to one car parking space per 25 beds may be provided for operational use and that there is no requirement for on-site resident car parking for the sui generis use of student accommodation. In addition, established practice is that one cycle parking space should be provided per two beds for the proposed type of development. The proposed change of use to student accommodation and extension application are compliant with adopted parking policy as submitted, subject to the requested conditions and provision of the cycle parking.
- 5.14 With reference to location and wider development considerations, it is noted that the site is in a central location adjacent to the City Centre, with excellent access to local employment, leisure, shopping and the main university campus. The site is also within an area where cycling and walking are considered to offer viable daily transport alternatives to the car; having good access to both bus and train based public transport services and Cardiff's cycle network. The site is therefore considered to be very sustainably located in transport terms and entirely appropriate for the proposed form of development.



- 5.15 Subject to agreement of the Traffic Management Plan there is sufficient capacity within the adjacent public highway to accommodate the arrival and departure of the students at the start and end term. The management plan will also control vehicle access to and student car parking within the site and surrounding area.
- 5.16 Pollution Control (Noise): Consultation response will be reported to committee as a late rep.
- 5.17 PC (Air): Consultation response will be reported to committee as a late rep.
- 5.18 Waste Management: The Sustainable Planning Officer has no objection subject to access and collection point comments. These comments have been forwarded to the agent.
- 5.19 Parks Services: The Parks Officer notes that under current policy the proposed development is subject to Policy 31 of the Local Plan (Provision of Open Space on New Residential Developments). As no recreation 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. Utilising the residential information Parks request a contribution of £171,519. This is calculated in accordance with the Open Space SPG.
- 5.20 The use of the contribution will be determined in accordance with the approved procedure which requires consultation with Members. The baseline figure for open space provision for student accommodation excludes the playground element of typical public open space provision.

## 6. **EXTERNAL CONSULTEE RESPONSES**

- 6.1 Welsh Water: Welsh Water has not provided a consultation response.
- 6.2 Police Architectural Liaison: The Police Architectural Liaison Officer has no objection to the development and makes a number of recommendations regarding security. The advice has been forwarded to the agent.

## 7. **REPRESENTATIONS**

- 7.1 The proposals were advertised in the press and on site as a major application, and Local Members and neighbours were consulted. One letter from a tenant of Fitzalan Court requesting details of the application has been received. Details have been provided. Any representation will be reported as a late rep to committee.

## 8. **ANALYSIS**

### Land Use

- 8.1 The site is located within the City Centre Principal Business Area (PBA), of the adopted City of Cardiff Local Plan. As such, the main land use planning policy issues relate to:
- 8.2 Loss of land for B1 (Business) use: Policy 35 of the Local Plan favours office development within the City Centre Principal Business Area (PBA), whilst policies E3 of the Structure Plan and 36 of the Local Plan seek to protect existing business, industrial and warehousing land from inappropriate changes of use. The key policy criteria introduced by Policy 36(i) to assess such proposals are:
- Whether there is demand for business, industrial or warehousing use on the application site; and
  - Whether there is a need to retain the land for business, industrial or warehouse use.
- 8.3 Given the availability of similar existing and consented office accommodation within the city centre PBA and acknowledging that Fitzalan Court is predominantly vacant despite having been actively marketed for the past five years, there is some policy justification to support the proposed change of use on quantitative grounds in this instance.
- 8.4 Economic Development position: In relation to the loss of office premises within the City Centre Principal Business Area Economic Development raise concerns over the loss of secondary and tertiary office space to student housing schemes.
- 8.5 However given the outdated nature of Fitzalan Court Economic Development has no objection subject to a financial contribution of £200,000 be secured via a 106 legal agreement towards supporting and developing companies within the city centre area to mitigate the loss of office space and employment land within a protected employment area.
- 8.6 A financial contribution of £95,000 is considered reasonable given standard student housing scheme SPG requirements for contributions towards public realm, public open space and community facilities improvements.
- 8.7 Student Accommodation at this location: Whilst student accommodation is a 'sui generis' use, the nature of such a use exhibits many characteristics of a typical high density city centre residential scheme, particularly in terms of impact on its surroundings / environs and the need to protect the amenity of future residents and adjoining businesses. It is acknowledged that student / residential uses can be appropriate within city centre locations, as evidenced by similar recent developments at Summit House and Shand House.
- 8.8 For the above reasons and subject to detailed design, amenity and public realm considerations, the proposed student accommodation use is considered acceptable in land use policy terms.

8.9 49sqm ground floor A1/A3 retail unit: As the site is located outside the Principal Shopping Area (PSA) of the City Centre and also falls outside of any designated District and / or Local Centres as identified within the Local Plan, any proposal for a Class A1 (shop) use at this location would have to satisfy the three tests of out-of-centre retail policy.

8.10 In this regard and given the relatively small scale of the proposed unit at 49sqm, an element of convenience retail could be considered acceptable to serve the newly established population associated with the wider development. The sale of comparison goods would not be considered acceptable at this location and an associated condition could be attached that excludes the sale of comparison goods.

8.11 In terms of the A3 use, it is recommended that the premises be restricted to a snack bar/ café use (excluding hot food takeaway), with a restriction on the opening hours of the premises in order to protect the amenity of residential occupiers within the surrounding area, including on the upper floors of the building.

#### Public realm

8.12 This is a large scale proposal, where the increase in floorspace and intensification of use will place increased pressure on the surrounding pedestrian environment, particularly due to the nature of the proposal as student accommodation where movements will take place across a longer period of time, including late at night.

8.13 The public realm along Newport Road is generally of a poor quality and there is a need to upgrade the public realm surrounding the site to a standard commensurate with that in the core of the city centre in order to provide a safer and more efficient pedestrian environment than that which serves the area at present.

8.14 Planning Policy Wales, Paragraph 3.4.3 states that 'When a new building is proposed, an existing building is being extended or altered, or a change of use is proposed, developers should consider the need to make it accessible for all those who might use the building. The appropriate design and layout of spaces in, between and around buildings, including parking provision and movement routes, is particularly important in ensuring good accessibility'. As this proposal is for student accommodation, where movements to and from the building will predominantly take place on foot, the public realm in the immediate vicinity of the site should be considered in this context.

8.15 As part of recent similar student accommodation schemes within the city centre developers have undertaken comprehensive improvements to the public realm as part of their applications. Work is currently being undertaken on proposals for a wider highway / public realm improvement scheme along Newport Road and as such, a financial contribution would be sought in this instance.

- 8.16 The financial contribution is sought towards public realm improvements along the site boundary at Fitzalan Road and along Newport Road (to the junction with Station Terrace) in order to enhance the quality of the pedestrian environment and improve pedestrian priority through the area. The public realm works would include resurfacing the footways with 400x400 silver-grey exposed aggregate concrete slabs (together with associated kerb replacements) and the upgrading of street furniture including the replacement of pedestrian guard railings along the route.
- 8.17 A financial contribution of £75,000 is requested towards public realm / highway improvements along and at the junction of Newport Road / Fitzalan Road, as identified on Plan 1 attached to the Strategic Planning Advice dated 20.11.15.

#### Design

- 8.18 The inclusion of active uses to the ground floor and the replacement of the ground floor windows with full height glazing, and the associated public realm improvements to Newport Road/ Fitzalan Road footways (and the pedestrian crossing points – to be delivered using separate funding) represent a significant enhancement of this prominent corner and busy junction.

#### Access and Parking

- 8.19 There is no objection from transportation. The site is in a highly sustainable location and policy and SPG does not require on site resident car parking for the sui generis use of student accommodation, or for the associated facilities.

#### Amenity of future and neighbouring occupiers (noise & air quality)

- 8.20 The proximity to a busy arterial road raises the issue of noise for future occupiers and this is addressed by a standard road noise condition. Potential noise and nuisance for existing and future occupiers from potential A3 use is controlled by standard conditions.
- 8.21 In relation to road traffic noise a noise survey in the immediate vicinity of the site was carried out. The consultant held discussions with Pollution Control and these are detailed in their report. The Environmental Noise Study concludes that to achieve the target limits required by Cardiff Council standard thermal double glazing (4/12/6) will be satisfactory along with a mix of standard window head trickle ventilators and through-wall acoustically rated vents for the habitable rooms not impacted upon by the poor AQ on Newport Road.
- 8.22 Rooms affected by poor AQ will need to be provided with fresh air via a suitable alternative pathway. It is assumed a fully ducted mechanical supply and extract system will be installed for this purpose. Provided this is acoustically rated to meet Council standards glazing to habitable rooms on the lower floors first will achieve the recommended internal levels with a similar standard double glazing specification.
- 8.23 A standard road traffic noise condition is imposed.

- 8.24 In relation to air quality (AQ) an assessment of AQ in the immediate vicinity of the site was carried out. The AQ Assessment report concludes that predicted PM10 (particulate matter) concentrations fall within safe limits. However predicted NO2 concentrations approach or exceed the relevant AQ objectives in 2013 and 2017 across the ground, first and second floors along the north-facing facades of offices (fronting Newport Road).
- 8.25 Mitigation measures are therefore required at ground, first and second floor levels on the Newport Road façade. Details of the mitigation measures required are outlined in the report and require an additional form of ventilation so that the occupants of these rooms are not reliant solely on opening windows to ventilate their rooms. Clean air can either be drawn in from 3<sup>rd</sup> floor or above (preferably rooftop level) or incoming air could be filtered to reduce the concentration of NO2.
- 8.26 A condition is imposed requiring that details of AQ mitigation measures are submitted for approval prior to commencement of the works.
- 8.27 There may also be a 106 contribution towards future monitoring of air quality in the immediate vicinity. This is likely to form part of the pollution control consultation response which will be reported to committee as a late rep.

Amenity of future occupiers (community facilities & external amenity space)

- 8.28 A financial contribution to the improvement of community facilities in the vicinity of £105,000 has been requested by Neighbourhood Regeneration.
- 8.29 The Community Facilities and Residential Development SPG does not provide any criteria for assessing the adequacy or otherwise of onsite provision, stating only that a contribution will be required where there is no onsite provision. However the intention of the document is clearly to mitigate the impact of additional pressure arising from significant (>25 dwellings) residential development on existing community facilities.
- 8.30 The future occupiers have access to an extensive range of community facilities at basement and ground floor level. A reduced contribution is considered acceptable in planning terms given the relatively generous level of onsite provision (in excess of 600 sqm). The problem is calculating the level of contribution in the absence of guidance.
- 8.31 Other recent large purpose-built student housing developments in the city centre are of relevance: Windsor House (321 bed spaces, ~500 sqm onsite provision) zero contribution; Student Castle (540 bed spaces, ~100 sqm onsite provision) £109,000 contribution; Howard Gardens (671 beds, ~750 sqm onsite provision) £95,000 contribution.
- 8.32 The above examples do not demonstrate a consistent approach to calculating the level of contribution however they do establish the principle of a financial contribution where on site provision is limited.

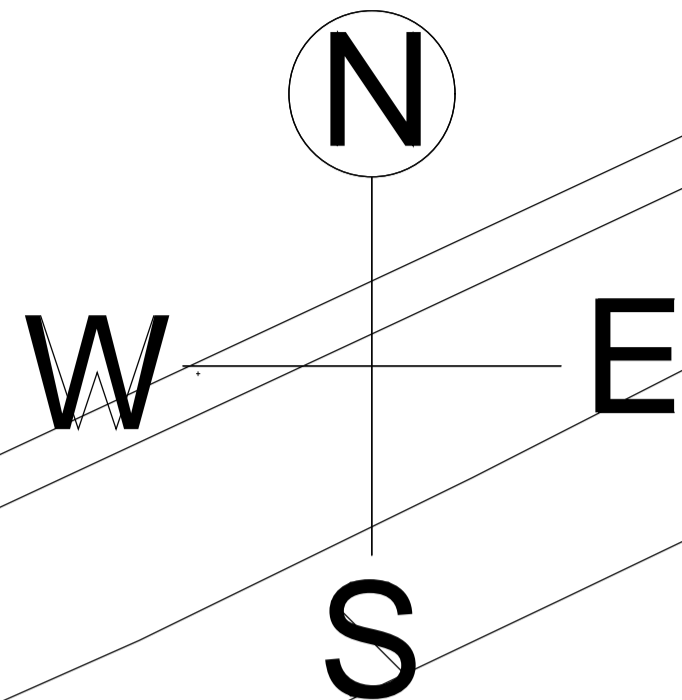
- 8.33 Notwithstanding the relatively generous onsite provision it is concluded that the size of the scheme (255 students) will give rise to additional demand on community facilities. A financial contribution of £45,000 is requested.
- 8.34 Given that no public open space is provided on site and the high level of use by students of public parks in the city centre a contribution towards the improvement of public open space in the vicinity is required.
- 8.35 The sum requested by Parks is £171,519 calculated in accordance with SPG.
- 8.36 This contribution is however offset to an extent by the provision of a high quality and easily accessed landscaped central courtyard for the use of the students.
- 8.37 A financial contribution of £135,000 towards the provision of open space off-site or the improvement (including design and maintenance) of existing open space in the locality is therefore sought. To be secured by means of a Section 106 legal agreement.

#### Waste Management

- 8.38 The Waste Management Officer has no objection subject to a standard waste storage details condition.

### **9. CONCLUSION**

- 9.1 The proposals provide a new use for a prominent under-utilised office block. The loss of land for business use is acceptable, as is the proposed student housing use. The proposed ground floor restricted A1/ A3 use is acceptable. The renovation of the existing building and public realm works and pedestrian crossing improvements will significantly enhance the area. The site is in a highly sustainable location and there is no policy requirement for parking.
- 9.2 The granting of planning permission is recommended subject to conditions being imposed and a legal agreement that restricts the development to student use only and secures financial contributions towards employment creation, community facilities, public open space and highways/ public realm improvements, as follows:
- A financial contribution of £95,000 towards supporting and developing companies within the city centre area.
  - A financial contribution of £135,000 towards the provision of open space off-site or the improvement (including design and maintenance) of existing open space in the vicinity
  - A financial contribution of £45,000 towards the improvement of community facilities in the vicinity
  - A financial contribution of £75,000 towards public realm improvements on Newport Road and Fitzalan Road.
- 9.3 The above financial contributions totalling £350,000 have been agreed in principle with the developer.



NOTE  
 RED LINE PLANNING BOUNDARY  
 SHOWN REPRESENTS AN  
 INTERPRETATION OF  
 INFORMATION RECEIVED FROM  
 THIRD PARTIES



Rev	Date	AM	Check	DESCRIPTION
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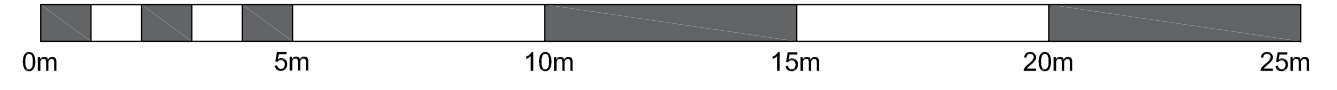
Project  
 Fitzalan Court  
 Newport Road, Cardiff  
 PMG-McLaren  
 Title  
 Existing Site Location Plan  
 Status  
 Planning  
 Scale at A1  
 1:200

Job No	Zone	Sheet No	Rev
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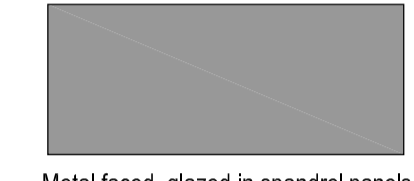


**Materials Key:**

1. Existing brickwork
2. Existing lead feature roof
3. Existing aluminium windows
4. New aluminium windows to replace existing
5. New curtain wall system with feature metal plinth below glazing
6. New metal clad feature entrance fin
7. New large format diamond shingle metal cladding (nominal 1m x 1m)
8. New aluminium windows with feature surround
9. New metal cladding to existing stair/new flues & lower brick plinth
10. New aluminium feature band above curtain walling
11. New metal clad shadow band between existing and new materials

All colours to be confirmed

Location of Spandrel panel:

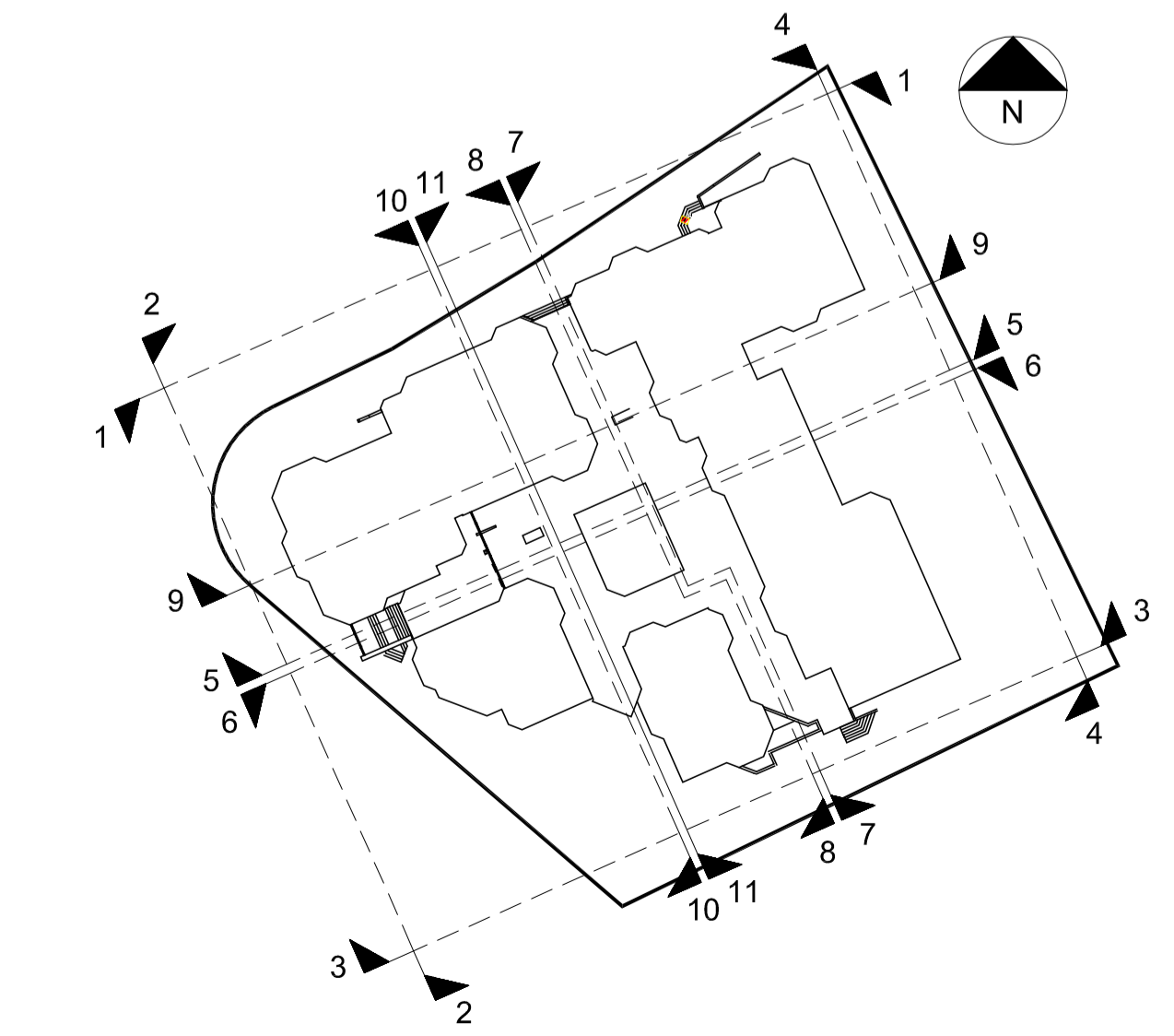


Metal faced, glazed in spandrel panels, colour to be confirmed

**PROPOSED NEWPORT ROAD ELEVATION (Sectional Elevation 1)** 1:150



**PROPOSED FITZALAN ROAD ELEVATION (Sectional Elevation 2)** 1:150



**SECTIONAL ELEVATION LOCATION KEY PLAN** NTS

Rev	Date	Check	Description
B	12.11.15	CJ	Refuse store added
A	17.09.15	DL	Updated to suit planners comments
-		AM	FIRST ISSUE

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Title  
Proposed Site Elevations Sheet 1  
Status  
Planning  
Scale at A1  
As Indicated

Job No	Zone	Sheet No	Rev
4090		PL-A-00-110	B

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Please consider the environment before printing this document  
Refer to dimensions where provided - do not scale from the drawing