

## LOCAL MEMBER OBJECTIONS, MP OBJECTION & PETITIONS

COMMITTEE DATE: 01/03/2017

APPLICATION No. **16/01760/MJR** APPLICATION DATE: 20/07/2016

ED: **CYNCOED**

APP: TYPE: Full Planning Permission

APPLICANT: Cardiff Metropolitan University  
LOCATION: CARDIFF METROPOLITAN UNIVERSITY CYNCOED  
CAMPUS, CYNCOED ROAD, CYNCOED, CARDIFF, CF23  
6XD

PROPOSAL: DEMOLITION OF FORMER CARETAKERS BUNGALOW AND  
CONSTRUCTION OF A 7 STOREY STUDENT  
ACCOMMODATION BLOCK INCORPORATING 56 CLUSTER  
FLATS (TOTTALLING 518 BED SPACES), DETACHED TWO  
STOREY 'FORUM' BUILDING INCORPORATING GROUND  
FLOOR ANCILLARY USES AND FIRST FLOOR  
CONFERENCE FACILITIES, TOGETHER WITH ASSOCIATED  
SITE ENGINEERING, LANDSCAPING AND CIRCULATION  
WORKS

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**RECOMMENDATION 1:** That, subject to relevant parties entering into a binding legal agreement with the Council under the provisions of **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 Section 9 of this report, planning permission be **GRANTED** subject to the following conditions:

1. C01 Statutory Time Limit
2. The development shall be carried out in accordance with the following approved plans and documents:
  - 01001 Revision P22.0 – Location Plan
  - 01002 Revision P22.0 – Existing Site Plan
  - 01005 Revision P22.0 – Proposed Site Masterplan;
  - 02100 Revision P29.0 – All Blocks – Proposed Floor Plans Ground & First (Sheet 01)
  - 02101 Revision P22.0 – The Forum – Proposed Floor and Roof Plans
  - 02102 Revision P29.0 – All Blocks – Proposed Floor Plan Second & Third (Sheet 02)
  - 02104 Revision P29.0 – All Blocks – Proposed Floor Plans Fourth & Fifth (Sheet 03)
  - 02106 Revision P29.0 – All Blocks – Proposed Floor Sixth & Roof

Plans (Sheet 04)

- 02110 Revision P22.0 – All Blocks – Proposed Area Plans (GIFA)
- 02110 Revision P22.0 – The Forum – Proposed Area Plan (GIFA & GEFA)
- 02111 Revision P22.0 – All Blocks – Proposed Area Plans (GEFA)
- 03001 Revision P22.0 – Proposed Site Elevations Sheet 1
- 03002 Revision P29.0 – Proposed Site Elevations Sheet 2
- 03100 Revision P29.0 – All Blocks – Proposed Flat Elevations
- 03101 Revision P22.0 – The Forum – Proposed Elevations
- 04001 Revision P22.0 – Proposed Site Sections Sheet 1
- 04002 Revision P29.0 – Proposed Site Sections Sheet 2
- 04003 Revision P29.0 – Proposed Site Sections Sheet 3
- 04004 Revision P29.0 – Proposed Site Sections Sheet 4
- 90001 Revision P22.0 – Landscape General Arrangement
- 91040 Revision P28.0 – Soft Landscape Plan
- 91060 Revision P22.0 – Hard Landscape & Furniture Plan – The Forum
- 91061 Revision P22.0 – Hard Landscape & Furniture Plan – Courtyard 1
- 91062 Revision P22.0 – Hard Landscape & Furniture Plan – Courtyard 2
- 94001 Revision P22.0 – Proposed Bin Store – Design Intent Drawing
- 94002 Revision P22.0 – Proposed Cycle Store – Design Intent Drawing
- 94003 Revision P22.0 – Combined Cycle and Bin Store – Design Intent Drawing
- 21101 Revision P29.0 – Block 1 – Proposed Elevation Detail
- C6472-RVW-XX-BG-DR-C-002 Revision P1 Proposed Drainage and Landscaping Mitigation
- Planning Massing and Materials Supplement, Stride Treglown, 29 November 2016
- Revised Tree Survey Report, Broadway Tree Consultancy, September 2016
- Reptile Survey, Thomson Ecology, May 2016
- Bat Inspection Survey, Thomson Ecology, May 2016
- Ecological Survey, Just Mammals Consultancy, July 2016
- Dormice Survey, Thomson Ecology, September 2016
- Transport Statement, Asbri Transport, June 2016

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

3. No part of the demolition of the former caretaker's bungalow shall take place until a demolition management plan (DMP) has been submitted to and approved in writing by the Local Planning Authority. The DMP shall include, but not be limited to, details of dust control measures, noise management, proposed temporary means of site enclosure, and the future arrangements for the cleared site. The management plan shall take account of the 'worst case' scenario for demolition activities and the

Cardiff Council Pollution Control's "Construction site handbook". The demolition shall proceed in accordance with the approved plan.

Reason: To protect the amenities of neighbouring occupiers and the visual amenities of the surrounding area.

4. No development shall take place, including any works of demolition, until a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority. The approved CMP shall be adhered to throughout the construction period. The plan shall provide for:
- (i) access;
  - (ii) the parking of vehicles of site operatives and visitors;
  - (iii) loading and unloading of plant and materials;
  - (iv) storage of plant and materials used in constructing the development;
  - (v) the erection and maintenance of security hoarding;
  - (vi) wheel washing facilities;
  - (vii) measures to control the emission of dust and dirt during construction;
  - (viii) a scheme for recycling/disposing of waste resulting from demolition and construction works.

Reason: In the interests of highway safety, public amenity and to avoid any conflict situations with students and/or staff attending/working on this site.

5. No construction of the Forum building shall take place until details of facilities for the storage of refuse containers have been submitted to and approved in writing by the Local Planning Authority. The facilities approved shall be provided before the development is brought into beneficial use and shall be thereafter retained.

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

6. The refuse storage facilities for the accommodation blocks 1-4 hereby approved shall be provided before the development is brought into beneficial use and shall be thereafter retained.

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

7. No development shall take place until a scheme for the drainage of the foul and surface water from the site and any connection to the existing drainage system has been submitted to and approved in writing by the Local Planning Authority. The scheme shall accord with drawing no. C6472-RVW-XX-BG-DR-C-002 Revision P1 (Proposed Drainage and Landscaping Mitigation) and shall avoid disturbance to existing trees including root protection areas. No part of the development shall be occupied until the scheme is carried out and completed as approved.

Reason: To ensure an orderly form of development and to protect trees and woodland.

8. The proposed car parking and manoeuvring areas shall be laid out in accordance with the approved details before the development is brought into beneficial use and be thereafter maintained and retained at all times for those purposes in association with the development.  
Reason: to make provision for the parking of vehicles clear of the roads so as not to prejudice the safety, convenience and free flow of traffic.
9. The cycle parking spaces hereby approved on drawings numbered 70218-STL-00-ZZ-DR-L-ZZ- 94002 and 94003 shall be implemented prior to the development being put into beneficial use. Thereafter the cycle parking spaces shall be maintained and shall not be used for any other purpose.  
Reason: To ensure that adequate provision is made for the sheltered and secure parking of cycles.
10. No part of the development hereby approved shall be occupied until a Traffic Management Plan (TMP) has been submitted to and approved in writing by the Local Planning Authority. The plan shall set out proposals and targets to manage traffic from the development at the start and end of each semester, the control of vehicular access to the site including access from Circle Way West, and the exclusion and control of student resident car parking within the site and surrounding area. The TMP shall be implemented in accordance with the timetable set out in the plan. Reports demonstrating progress in promoting the measures detailed in the TMP shall be submitted annually to the Local Planning Authority, commencing from the first anniversary of beneficial occupation of the development and continuing for five consecutive years thereafter.  
Reason: in the interest of highway safety and to regulate the impact of the development on use of the adjacent highway.
11. No development shall take place until a comprehensive construction phasing plan has been submitted to and approved in writing by the Local Planning Authority. The phasing plan shall identify phases of construction of development and shall ensure safe and convenient pedestrian, cycle and vehicular access around and through those areas not under construction or where construction is complete. The development shall be carried out in accordance with the provision of the approved phasing plan.  
Reason: To ensure an orderly form of development and safe access through and within the site.
12. Prior to the beneficial use of the Forum building or the occupation of any accommodation that part of the road and footpath which provides access to it and all surface water drainage works for the said road shall be laid out, constructed and completed (except for the final surfacing) in accordance with the approved plans.  
Reason: To ensure an orderly form of development and to make provision for satisfactory access to the development.

13. No member of the public shall be admitted to or allowed to remain on the premises of the Forum Building as shown on the Proposed Site Masterplan (drawing no. 70218-STL-00-GF-DR-A-ZZ-01005) between the hours of 23:00 and 07:30 on any day.  
Reason: To ensure the amenity of occupiers of other premises in the vicinity are protected.
14. Deliveries shall not be taken at or dispatched from the Forum Building as shown on the Proposed Site Masterplan (drawing no. 70218-STL-00-GF-DR-A-ZZ-01005) outside the hours of 08:00 – 20:00 Monday to Saturday.  
Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected.
15. No development shall take place until a plant noise assessment has been carried out and submitted to the Local Planning Authority. The assessment shall ensure that 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.
16. The extraction of all fumes from the food preparation areas in the Forum Building shall be mechanically extracted to a point to be approved in writing by the Local Planning Authority, and the extraction system shall be provided with a de-odorising filter. All equipment shall be so mounted and installed so as not to give rise to any noise nuisance. Details of the above equipment including the chimney shall be submitted to and approved in writing by the Local Planning Authority and the equipment shall be 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 approved in writing by the Local Planning Authority.  
Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected.
17. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing within 2 days to the Local Planning Authority, all associated works must stop, and no further development shall take place unless otherwise agreed in writing until a scheme to deal with the contamination found has been approved. An investigation and risk assessment shall be undertaken and where remediation is necessary a remediation scheme and verification plan shall be 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

approved in writing by 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 in accordance with Policy EN13 of the Cardiff Local Development Plan.

18. 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 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 approved in writing by the Local Planning Authority.

Reason: To ensure that the safety of future occupiers is not prejudiced in accordance with policy EN13 of the Cardiff Local Development Plan.

19. 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 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 approved in writing by the Local Planning Authority.

Reason: To ensure that the safety of future occupiers is not prejudiced in accordance with policy EN13 of the Cardiff Local Development Plan.

20. 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 in writing by the Local Planning Authority shall be reused.

Reason: To ensure that the safety of future occupiers is not prejudiced in accordance with policy EN13 of the Cardiff Local Development Plan.

21. No equipment, plant or materials shall be brought onto the site for the purpose of development until full details of both hard and soft landscape

works have been submitted to and approved in writing by the Local Planning Authority. These details shall include proposed finished levels, earthworks, hard surfacing materials, proposed and existing services above and below ground level, planting plans (including schedules of plant species, sizes, numbers or densities, and in the case of trees, planting, staking, mulching, protection, soil protection and after care methods) and an implementation programme. The details shall be consistent with other plans submitted in support of the application and the landscaping shall be carried out in accordance with the approved design and implementation programme.

Reason: To enable the Local Planning Authority, to determine that the proposals will maintain and improve the amenity of the area, and to monitor compliance.

22. Any trees, plants, or hedgerows which within a period of five years from the completion of the development die, are removed, become seriously damaged or diseased, or become (in the opinion of the Local Planning Authority) otherwise defective, shall be replaced in the current planting season or the first two months of the next planting season, whichever is the sooner, unless the Local Planning Authority gives written consent to any variation.

Reason: To maintain and improve the amenity of the area.

23. Details submitted in pursuance of condition 21 shall ensure that, where trees which are part of the Llanedeyrn Woodland Complex SINC are removed in order to facilitate the development and its associated infrastructure, two replacement trees shall be planted for every mature or semi-mature tree that is lost.

Reason: To maintain the overall nature conservation value of the Llanedeyrn Woodland Complex SINC.

24. No equipment, plant or materials shall be brought onto the site for the purpose of development until full details of the following have been submitted to and approved in writing by the Local Planning Authority, in accordance with the current British Standard for trees in relation to construction.

An Arboricultural Method Statement (AMS), setting out the methodology that will be used to prevent loss of or damage to retained trees. It shall include details of on-site monitoring of tree protection and tree condition that shall be carried out throughout the development and for at least two years after its completion.

A Tree Protection Plan (TPP) in the form of a scale drawing showing the finalised layout and the tree and landscaping protection methods detailed in the AMS that can be shown graphically.

Unless written consent is obtained from the Local Planning Authority, the development shall be carried out in full conformity with the approved AMS and TPP.

Reason : To enable the Local Planning Authority to assess: the effects of the proposals on existing trees and landscape; the measures for their protection; to monitor compliance and to make good losses.

25. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a Soil Resource Survey (SRS) and Soil Resource Plan (SRP). The information submitted shall accord with the 'Construction Code of Practice for the Sustainable Use of Soils on Construction Sites' (DEFRA 2009). The development shall be carried out in full conformity with the approved SRP.

Reason: To ensure the successful delivery of landscaping proposals.

26. No development shall take place until a Woodland Management Strategy (WMS) has been submitted to and approved in writing by the Local Planning Authority. The WMS shall be based upon the recommendations in Section 7 of the Veteran Tree Assessment and Botanical Survey by Thomson Ecology dated May 2016. The approved WMS shall be implemented and carried out strictly in accordance with the approved programme for implementation of the works.

Reason: To ensure for the protection of the woodland.

27. No development shall take place until a Bat Mitigation Strategy (BMS) has been submitted to and approved in writing by the Local Planning Authority. The BMS shall be based upon the recommendations in Section 10 of the Ecological Survey Report by Just Mammals Consultancy dated July 2016. The approved EMS shall be implemented and carried out strictly in accordance with the approved programme for implementation of the works.

Reason: To ensure for the protection of European Protected Species.

28. No development shall take place until a Dormice Mitigation Strategy (DMS) has been submitted to and approved in writing by the Local Planning Authority. The DMS shall include, but not be limited to:

- (i) The provision of 10 no. wooden dormouse boxes in suitable locations in Queens Wood;
- (ii) Clearance of suitable above-ground dormouse habitat, such as scrub, understorey or woodland edge trees (but not isolated trees) to take place in winter whilst the dormice are hibernating at ground level, with the roots, stumps etc. removed in spring when dormice would have woken from hibernation and moved to remaining vegetation nearby.

The approved DMS shall be implemented and carried out strictly in accordance with the approved programme for implementation of the works.

Reason: To ensure for the protection of European Protected Species.

29. No site clearance/demolition of trees or bushes shall take place between 1st March and 15th August unless otherwise approved in writing by the Local Planning Authority. This approval will be granted if a consultant



ecologist can evidence that there are no birds nesting in these features immediately (48 hrs) before their removal. Reason: To avoid disturbance to nesting birds which are protected under the Wildlife and Countryside Act 1981: Part 1, 1(1)(b), it is an offence to intentionally take, damage or destroy the nest of any wild bird while that nest is in use or being built.

30. If the development hereby approved does not commence (or, having commenced, is suspended for more than 12 months) within 2 years from the dates of the surveys, the ecological measures secured through Conditions 27 and 28 shall be reviewed and, where necessary, amended and updated. The review shall be informed by further ecological surveys commissioned to i) establish if there have been any changes in the presence and/or abundance of bats and dormice and ii) identify any likely new ecological impacts that might arise from any changes. Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, the original approved ecological measures will be revised and new or amended measures, and a timetable for their implementation, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. Works shall then be carried out in accordance with the proposed new approved ecological mitigation measures and timetable. Reason: To ensure for the protection of European Protected Species.
31. No development shall take place until a range of measures to encourage biodiversity have been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented in accordance with the approved details prior to beneficial occupation. Reason: To encourage new wildlife habitats and biodiversity.
32. Prior to their installation on site samples of the external finishing materials to the buildings and the retaining wall to the rear of the student accommodation (Blocks 1-4) shall be submitted to and approved in writing 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.
33. No development shall take place until plans showing details of the proposed floor levels of any building in relation to the existing ground level and the finished levels of the site 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.
34. Prior to the commencement of development a Site Waste Management Plan (SWMP) shall be submitted to and approved in writing by the Local Planning Authority. The SWMP shall include measures to reduce

environmental impacts of construction waste. The development shall be carried out in accordance with the approved SWMP.

Reason: To reduce the environmental impacts of construction waste.

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

**RECOMMENDATION 3 :** The contamination assessments and the effects of unstable land are considered on the basis of the best information available to the Planning Authority and are not necessarily exhaustive. The Authority takes due diligence when assessing these impacts, however you are minded that the responsibility for

- (i) determining the extent and effects of such constraints and;
- (ii) ensuring that any imported materials (including, topsoils, subsoils, aggregates and recycled or manufactured aggregates / soils) are chemically suitable for the proposed end use. Under no circumstances should controlled waste be imported. It is an offence under section 33 of the Environmental Protection Act 1990 to deposit controlled waste on a site which does not benefit from an appropriate waste management licence. The following must not be imported to a development site:
  - Unprocessed / unsorted demolition wastes.
  - Any materials originating from a site confirmed as being contaminated or potentially contaminated by chemical or radioactive substances.
  - Japanese Knotweed stems, leaves and rhizome infested soils. In addition to section 33 above, it is also an offence under the Wildlife and Countryside Act 1981 to spread this invasive weed; and
- (iii) the safe development and secure occupancy of the site rests with the developer.

Proposals for areas of possible land instability should take due account of the physical and chemical constraints and may include action on land reclamation or other remedial action to enable beneficial use of unstable land.

The Local Planning Authority has determined the application on the basis of the information available to it, but this does not mean that the land can be considered free from contamination.

**RECOMMENDATION 4 :** Prior to the commencement of development, the developer shall notify the Local Planning Authority of the commencement of development, and shall display a site notice and plan on, or near the site, in accordance with the requirements of Article 12 of the Town & Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016.

**RECOMMENDATION 5:** That the developer be advised to have regard to the advice of the Chief Fire Officer, South Wales Fire and Rescue Service, in his letter dated 29 July 2016, which has been forwarded to the agent.

**RECOMMENDATION 6:** That the developer be advised to have regard to the advice of Dwr Cymru Welsh Water in their letter dated 24 August 2016, which has been forwarded to the agent.

**RECOMMENDATION 7:** That the developer be advised to have regard to the advice of Wales & West Utilities in their letter dated 7 September 2016, which has been forwarded to the agent.

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

- 1.1 Planning permission is sought for the demolition of the former caretaker's bungalow and the construction of a seven storey student accommodation block incorporating 56 no. cluster flats (21 no. 8 bed flats and 35 no. 10 bed flats totalling 518 no. bed spaces), detached two-storey 'Forum' building including ground floor ancillary uses including student support services, social space, and coffee shop plus first floor conference facilities (150 no. capacity) together with associated site engineering, landscaping, and circulation works at Cardiff Metropolitan University, Cyncoed Campus, Cyncoed Road, Cyncoed.
- 1.2 The proposed seven-storey accommodation blocks are sited to the north of the re-aligned access road and are arranged to create 2 no. south-facing communal courtyard garden areas. Service access (refuse and cycle stores) would be to the rear (north) of the block. No car parking is proposed to be provided, although a lay-by for pick-up/drop-off would be created south of blocks 2-4. 22 no. spaces would be lost to accommodate the Forum building.
- 1.3 Amended plans have been submitted following discussions with officers to introduce variation and interest in the roofline by stepping the building down and reducing the height (although it remains 7 storeys). The elevational treatment has also been amended following further discussion on use of materials and fenestration detail.
- 1.4 The proposed accommodation has been sited to limit tree loss. 10 no. trees near the woodland edge will be removed to accommodate the re-aligned access road.
- 1.5 A further 9 no. trees would be removed to accommodate the Forum building, a two-storey facility comprising conferencing and student accommodation facilities at around 1,700 square metres. Catering for up to 100 students, a laundrette and offices would be sited at ground floor with conferencing facilities

and meeting rooms at first floor.

- 1.6 32 no. replacement trees are proposed as mitigation to compensate for the trees to be removed.
- 1.7 The buildings are proposed to be finished in ROCKPANEL timber effect cladding and a rustic buff/cream brick as well as brick panels plus feature cladding.

## 2. **DESCRIPTION OF SITE**

- 2.1 The site comprises approximately 1.2 hectares in the southeast corner of Cardiff Metropolitan University's Cyncoed Campus. The land falls to the south and east by approximately 13.5 metres across the application site (60.3 AOD in the northwest corner to 46.8m AOD in the southeast corner).
- 2.2 Land to the north is occupied by an existing sports pitch and swimming pool and other existing campus buildings.
- 2.3 Circle Way West adjoins the east site boundary, with the Ael-y-Bryn estate and the residential area of Llanedeyrn further to the east. The existing maintenance access has a gated access/egress onto Circle Way West.
- 2.4 The south and southwest boundaries adjoin Queens Wood, an ancient woodland which is part of the Llanedeyrn Woodlands Complex, a Site of Importance for Nature Conservation (SINC). The residential area of Penylan is situated beyond Queens Wood.

## 3. **SITE HISTORY**

- 3.1 07/00399/E: Permission granted in September 2007 for the erection of 3 no. three-storey blocks containing student bedrooms plus conference centre, car parking, cycle parking, landscaping, and associated engineering works (comprising minor amendments to the previously approved full planning permission ref 03/00221/N).
- 3.2 03/00221/N: Permission granted in January 2005 for the erection of 3 no. 3 storey blocks containing 143 no. student bedrooms plus conference centre.

## 4. **POLICY FRAMEWORK**

- 4.1 Planning Policy Wales, Edition 9 (November 2016).

*4.2.2 The planning system provides for a presumption in favour of sustainable development to ensure that social, economic and environmental issues are balanced and integrated, at the same time, by the decision-taker when...taking decisions on individual planning applications.*

*4.2.4 Legislation secures a presumption in favour of development in accordance with the development plan for the area unless material*

*considerations indicate otherwise.*

*4.3.1 All those involved in the planning system are expected to adhere to (inter alia):*

- putting people, and their quality of life now and in the future, at the centre of decision-making;*
- taking a long term perspective to safeguard the interests of future generations, whilst at the same time meeting needs of people today;*
- respect for environmental limits, so that resources are not irrecoverably depleted or the environment irreversibly damaged. This means, for example, mitigating climate change, protecting and enhancing biodiversity, minimising harmful emissions, and promoting sustainable use of natural resources;*
- tackling climate change by reducing the greenhouse gas emissions that cause climate change and ensuring that places are resilient to the consequences of climate change; and*
- taking account of the full range of costs and benefits over the lifetime of a development, including those which cannot be easily valued in money terms when making plans and decisions and taking account of timing, risks and uncertainties. This also includes recognition of the climate a development is likely to experience over its intended lifetime.*

*4.4.1 The following sustainability objectives for the planning system reflect our vision for sustainable development and the outcomes we seek to deliver across Wales. These objectives should be taken into account...in taking decisions on individual planning applications in Wales. These reflect the sustainable development outcomes that we see the planning system facilitating across Wales.*

*4.4.3 Planning policies, decisions, and proposals should (inter alia):*

- Contribute to the protection and improvement of the environment so as to improve the quality of life and protect local and global ecosystems*
- Ensure that all communities have sufficient good quality housing – including affordable housing – in safe neighbourhoods*
- Promote access to employment, shopping, education, health, community facilities and green space*
- Foster improvements to transport facilities*
- Foster social inclusion.*
- Promote resource-efficient and climate change resilient settlement patterns that minimise land-take and urban sprawl, especially through preference for the re-use of suitable previously developed land and buildings, wherever possible avoiding development on greenfield sites;*
- Locate developments so as to minimise the demand for travel, especially by private car;*
- Support the need to tackle the causes of climate change by moving towards a low carbon economy.*

- *Play an appropriate role to facilitate sustainable building standards (including zero carbon) that seek to minimise the sustainability and environmental impacts of buildings.*
- *Contribute to the protection and improvement of the environment, so as to improve the quality of life, and protect local and global ecosystems.*
- *Ensure that all local communities – both urban and rural – have sufficient good quality housing for their needs, including affordable housing for local needs and for special needs where appropriate, in safe neighbourhoods.*
- *Promote access to employment, shopping, education, health, community, leisure and sports facilities and open and green space, maximising opportunities for community development and social welfare.*
- *Foster improvements to transport facilities and services which maintain or improve accessibility to services and facilities, secure employment, economic and environmental objectives, and improve safety and amenity.*
- *Foster social inclusion by ensuring that full advantage is taken of the opportunities to secure a more accessible environment for everyone that the development of land and buildings provides. This includes helping to ensure that development is accessible by means other than the private car.*

#### 4.2 Technical Advice Notes (TANs):

5	Nature Conservation and Planning
11	Noise
12	Design
18	Transport
21	Waste

#### 4.3 Local Development Plan (January 2016):

KP5	Good Quality and Sustainable Design
KP6	New Infrastructure
KP7	Planning Obligations
KP8	Sustainable Transport
KP12	Waste
KP13	Responding to Evidenced Social Needs
KP14	Healthy Living
KP15	Climate Change
KP16	Green Infrastructure
EN5	Designated Sites
EN6	Ecological Networks and Features of Importance for Biodiversity
EN7	Priority Habitats and Species
EN8	Trees, Woodlands and Hedgerows
EN10	Water Sensitive Design
EN11	Protection of Water Resources
EN12	Renewable Energy and Low Carbon Technologies
EN13	Air, Noise, Light Pollution and Land Contamination
T1	Walking and Cycling
T5	Managing Transport Impacts
T6	Impact on Transport Networks and Services
C5	Provision for Open Space, Outdoor Recreation, Children's Play

C6 and Sport  
W2 Health  
Provision for Waste Management Facilities in Development

- 4.4 The following guidance documents were supplementary to the City of Cardiff Local Plan (1996), now superseded by the Local Development Plan (LDP). They remain a material consideration insofar as they are consistent with LDP policy:

*Biodiversity* (2011)  
*Developer Contributions for Transport* (January 2010)  
*Access, Circulation and Parking Standards* (January 2010)  
*Trees and Development* (March 2007)  
*Residential Design Guide* (March 2008)  
*Open Space* (March 2008)

- 4.5 Supplementary Planning Guidance:

*Waste Collection and Storage Facilities* (October 2016)  
*Tall Buildings* (January 2016)  
*Planning Obligations* (January 2016)

## 5. **INTERNAL CONSULTEES RESPONSES**

- 5.1 The **Operational Manager, Transportation**, notes that a Transport Statement (TS) has been submitted in support of the application which identifies that the site can be safely and conveniently accessed via means of travel other than the private car. The proposals also include a conference facility which would hold events outside of term time.
- 5.2 The Cardiff Metropolitan University already benefits from a Travel Plan (TP) which is an overarching document for transport to and between the various campuses around the City. This document covers all modes of transport and sets out the strategy for encouraging more sustainable modes of travel for staff, students and visitors. The TP sets out a range of new and existing initiatives in order to achieve this and has recently been updated to include the following (which specifically relate to the Cyncoed Campus):
- (i) Residential accommodation for 554 first year students reducing travel movements;
  - (ii) Secure sheltered storage for bicycles;
  - (iii) Shower and storage facilities for cyclists and walkers in the Tennis Centre and Gym;
  - (iv) Five bus services an hour calling on campus through combined Cardiff Bus and Met Rider Services;
  - (v) Walkable proximity to the preferred residential locations for second and third year students, as well as local shops, bars and amenities;
  - (vi) Carshare2CardiffMet car parking spaces in favoured location at the front of the campus;

- (vii) Student Union minibus fleet and dedicated free buses for evening events;
- (viii) Campus night time managed Taxi rank.

- 5.3 The above in combination with the rationalisation of campus locations, should contribute effectively towards improving those transport impacts associated with the University. It would also be expected that the University would work closely with Council officers in order to improve the cycling infrastructure within/adjacent to the site, for example through the introduction of a cycle hire scheme/facilities, to make cycling more accessible to staff, students and visitors.
- 5.4 An existing access links the site to Circle Way West which is used for the purpose of servicing and is not used by students in order to access the site. It is considered that there could be an opportunity to utilise this access at the start and end of term such that vehicles can gain access to the site on a controlled basis and thereby reduce any impact on residents living in close proximity to the site.
- 5.5 The campus already benefits from 689 car parking spaces (including 26 disabled and 17 operational) together with 2 dedicated bus parking spaces. There are no proposals to increase the level of on-site car parking provision and this is accepted by officers.
- 5.6 The TS concludes that the new student accommodation and ancillary building will not result in an intensification of vehicle movements. It is stated that the application will result in a reduction in vehicle movements overall, due to a greater number of students being able to be accommodated on site. This will ultimately reduce the number of student cars travelling to/from the campus.
- 5.7 She notes that a large number of objections have been received relating to the application and they have cited overspill car parking by students on adjacent streets as the main reason. In response to those objections raised she would comment that those students residing within the site would largely be attending the Cyncoed Campus and therefore would unlikely require a car in order to make this trip. In line with both Local and National Policy the Council aims to restrict car parking provision associated with such developments and instead seeks to promote measures to encourage and promote alternative modes of travel to the private car. As stated above, Cardiff Met has an existing Travel Plan in place which is a comprehensive document and the principles and measures contained within are operated across all of its facilities in Cardiff.
- 5.8 Notwithstanding the above, the Council is mindful of the concerns that have been expressed regarding the overspill parking that may occur at this location and in other parts of the city. The Cardiff Parking Strategy (September 2016) seeks pragmatic solutions to such problems as and when they arise. This can involve strengthening the 'stick' element of current policy by introducing parking controls to restrict kerbside parking to resident permit holders only on nearby streets. Initially such a scheme would be introduced on a trial basis and if



successful would then be extended to other areas. Funding of such schemes would generally be sought in association with future developments proposals.

- 5.9 On the basis of the above, she therefore confirms that she has no objection to the application, subject to conditions regarding car parking, cycle parking, travel/management plan, phasing plan and construction management plan and a financial contribution of £80,560 towards the Council's Parking Strategy (£59,360) for the review and implementation of necessary Parking Schemes/Traffic Regulation Orders, should the relevant criteria be met, and towards the provision of Cycle Hire Facilities/Infrastructure (£21,200) within/adjacent to the site. This financial contribution would be secured via a Section 106 Agreement.
- 5.10 In response to concerns expressed by residents regarding the adequacy of the Transport Statement, she advises:
- (i) The Welsh Government is to be consulted when a development will result in a material increase in the volume or material change in the character of traffic..."She does not consider that this is the case for this application;
  - (ii) Trip rates in TRICS for out of town student accommodation reveal that the number of vehicle trips generated by these during peak times is very low (around 0.06 trips per resident, each during the morning and evening peak). Based on the proposed additional 518 residents, this would equate to 32 and 31 2-way additional vehicle movements during the AM and PM peak, respectively.
  - (iii) However, as these students that will now be resident in the new accommodation on-site previously would have had to travel to the university, these would be deducted from those of above. On this basis, applying the trip rate from TRICS for a university of 0.09 trips per student in the AM and 0.07 trips per student in the PM, then based on 518 students, this would equate to 46 and 35 trips required to be deducted during the AM and PM peak, respectively.
  - (iv) The additional trip generation of the new 150-delegate Conference Centre would also need to be considered. Calculating the trip rates for a Community Education facility as being the closest comparable within TRICS to the new centre, would yield 0.60 and 0.87 trips per 100sqm during the AM and PM peak, respectively. Applying this to the 1,685sqm GFA for the new centre, provides a predicted trip rate of 10 trips during the AM peak and 15 during the PM peak to be added on.
  - (v) Accounting for all of the above, this would make the net additional trips from the proposed development to be nil during the AM peak ( $32 - 46 + 10 = -4$ ) and 11 during the PM peak ( $31 - 35 + 15 = 11$ ). Based on these still utilising the main entrance on to Cyncoed Road as their main point of access as the TS states, then based on existing traffic levels on Cyncoed Road of between 850 and 1,200 vehicles per hour during peak periods, then these would equate to only a 1% increase in traffic, which for a road of the nature of Cyncoed Road probably isn't of significance and is well within natural daily variation.

- (vi) With regards the concern over the wider impact on the strategic and trunk road network, this very small number of vehicles would be totally inconsequential relative to the hourly flows on these roads, and many of these trips wouldn't even feature on the wider network anyway, but would rather disperse within northeast and northwest Cardiff. She considers that there would have been no merit in having consulted with WG on this.
- (vii) The road collision data for the last 5 years confirms that there have been no pedestrian casualties on either Cyncoed Road or Circle Way West within nearby proximity to the University and its accesses, and the overall collision rate for nearby junctions is within that expected for a location of this type.

5.11 The **Operational Manager, Environment (Contaminated Land)**, has considered the Geotechnical and Geo-Environmental Report accompanying the application and notes that no potential contamination issues have been identified. He notes that the development will include earthworks and landscaping. 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. He therefore requests the inclusion of the conditions and informative statement regarding contamination in accordance with CIEH best practice and to ensure that the safety of future occupiers is not prejudiced in accordance with policy EN13 of the Local Development Plan.

5.12 The Council's **Tree Officer** makes the following comments:

- (i) x8 'B' (moderate quality and value) category trees will be lost to development. All comprise amenity plantings, including x4 non-native lodge pole pines, x1 non-native Norway maple and x1 non-native Lawson's cypress, rather than integral or remnant components of the ancient woodland, 'Queens Wood'.
- (ii) x2 'A' (high quality and value) category trees will be lost to development. These comprise a weeping beech (1044), which is a distinctive amenity planting, and an oak (1048). The latter is a particularly significant loss and a likely remnant of the ancient woodland. Such oaks are not uncommon generally in Cyncoed/Penylan, and undoubtedly represent remnants of the climax woodland that once covered the landscape before development. He would support amendments to design that allow for its retention, but if overriding design considerations make this impossible, provision should be made to mitigate its loss, and the loss of the other significant 'A' and 'B' category trees.
- (iii) Considerable earth movements are likely to be required to implement development, with the potential to damage a valuable soil resource and affect its capacity to be re-used for landscaping purposes. As such, a Soil Resource Survey and Plan should be prepared in accordance with

the 2009 DEFRA Code and used to inform construction and landscaping specifications. Casual observation suggests there has been considerable disturbance of soils, particularly on the south side of the existing road, where subsoils may have been thrown up as part of road construction – some soil appears to have been built up around the trunks of mature trees, and requires removing at the earliest opportunity to restore original site levels. He is content for the requirement for a Soil Resource Survey and Soil Resource Plan to be conditioned

- (iv) x32 new trees are proposed, which more than doubles the number of significant ('A' and 'B' category) trees to be lost, and therefore at least nominally, represents acceptable mitigation. A large proportion of this planting will be on the verge to the south of the existing and proposed road, and will comprise small to medium size native trees that have significant value to wildlife and are appropriate in a woodland edge context. They will help enhance the ancient woodland and help to protect it from encroachment. If the Soil Resource Survey shows up particular problems with any of the species proposed, due to local soil characteristics, then amendments to the palette should be proposed. Casual observation suggests the presence of some heavy ground and disturbed soil profiles, possibly with local areas of impeded drainage and oxygen depleted soils below the surface layers.
- (v) He is content with the revised landscaping plan which has taken on board his recommendations for revisions to the planting schedule;
- (vi) He is content with the revised drainage plan which shows services avoiding root protection areas. However, he seeks confirmation that the associated works e.g. re-grading of soil will not cause unacceptable harm to trees.

5.13 The **Operational Manager, Waste Management**, advises that the waste collection and storage arrangements are acceptable. However, further details of the waste arrangements for The Forum building are required.

5.14 The **Council's Ecologist** has considered the application and advises that the development site and its likely construction area is likely to encroach upon the Queens Wood section of the Llanedeyrn Woodlands Complex **Site of Importance for Nature Conservation (SINC)**, which is designated for its woodland features. In accordance with Section 5.5.3 of Technical Advice Note 5, development should avoid harm to these sites as far as possible. Where harm is unavoidable it should be minimised by mitigation measures and offset as far as possible by compensation measures designed to ensure there is no reduction in the overall nature conservation value of the area or feature.

5.15 Amendments to the layout of the proposed development in the early design stages have led to a substantial reduction in the likely impact upon this woodland. Where impact remains, it is largely the northern fringe of the woodland which would be affected. Although much, but not all, of this area is categorised as Ancient Semi Natural Woodland (ASNW), it has evidently been substantially modified in the past. For example, mature trees which were probably one part of the ASNW are now isolated specimen trees sitting in mown amenity grassland. Other non-native ornamental trees and shrubs have been

planted in the area which would be affected. Earthworks have taken place which are likely to have substantially altered the ground flora and fauna, and soil has been piled up around the bases of some trees.

- 5.16 One could not say that a significant area of untouched Ancient Semi Natural Woodland would be affected by these proposals. Even if this area amounted to the 0.2 Ha that is set out in the Preliminary Ecological Appraisal (PEA), this is not a significant proportion of Queens Wood (4.57 Ha) or the SINC as a whole (28.9 Ha). More importantly, the area of woodland lost does not form part of any strategically important habitat connectivity; a small strip along the edge of the woodland would be lost, but the woodland itself would not be bisected or fragmented in any way.
- 5.17 Nonetheless, there are likely to be diffuse impacts such as light spillage, noise, vandalism and traffic pollution which may affect the woodland and the flora and fauna that it supports. This being the case he would support the mitigation measures set out in section 7.1.2, and others, of the PEA. If it should be the case that more trees than the ten suggested are to be lost, then the compensatory planting should be increased accordingly.
- 5.18 He notes that no **dormice** were found during the survey. Whilst the survey methodology conforms to the guidelines in the Dormouse Conservation Handbook, it should be noted that the absolute minimum survey effort was employed. This being the case, he does have some concerns about the results of this survey. Firstly, he notes that only dormouse nest tubes were used in the survey, but there are situations in Cardiff where nest tubes have failed to detect dormice but nest boxes and/or hazelnut searching have confirmed presence. Normally, he would expect at least two of these three survey methods (nest tubes, nest boxes, and hazelnut search) to be employed. Secondly, from previous surveys we know that October is the peak month for detection of dormice using nest tubes and boxes, but the present survey ended in September, so may have missed a vital survey period. Finally, it can be that case that in Ancient Semi Natural Woodland there are sufficient naturally occurring hiding places and nesting opportunities such that dormice are not attracted to man-made plastic nest tubes, and so are not easy to detect even where they are present, giving a false negative result.
- 5.19 Whilst he does not have grounds to dispute the survey methodology itself, he would advocate some precautionary mitigation measures to take account of the small possibility that some dormice were undetected. Firstly, he would support the proposal in the Dormouse Survey Report to repeat the survey after two years if site clearance hasn't taken place during that time. Secondly, ten wooden dormouse boxes should be erected in suitable locations in Queens Wood. Thirdly, any clearance of suitable above-ground dormouse habitat, such as scrub, understorey or woodland edge trees (but not isolated trees) should take place in winter whilst the dormice are hibernating at ground level, with the roots, stumps etc. removed in spring when dormice would have woken from hibernation and moved to remaining vegetation nearby.

5.20 He supports the recommendations set out in the **bat** survey reports and in particular those in section 10 of the Ecological Survey Report provided by Just Mammals ecological consultants dated July 2016. These recommendations, which should be secured by planning condition include:

- (i) Soft-stripping of the building, in particular the roof tiles, soffits, fascias and barge-boards so as to avoid harm to any bats that may be present.
- (ii) Soft-felling of trees identified as having any bat roost potential
- (iii) Supervision of demolition and tree fellings by an Ecological Clerk of Works in case protected species are discovered during these operations
- (iv) Contacting NRW for advice if bats or dormice are found during works
- (v) Installation of bat boxes to compensate for loss of potential roosting habitat
- (vi) A lighting scheme for the site to ensure that light spillage onto woodland and other semi-natural habitats is minimised.

5.21 He notes that no **reptiles** were detected during surveys. He is content with the scope of the report and accepts the result.

5.22 Although no survey for **badgers** has taken place, from his own observations of the woodland during a site visit, he did not see any evidence of badger setts in the area which would be affected by these proposals. He is content that the applicant has provided sufficient justification for not surveying for badgers as follows:

- (i) They did not recommend surveys of badgers following the initial PEA as there were no records of badgers returned in the data search and no evidence of badgers was recorded during the extended Phase 1 habitat survey.
- (ii) The habitat quality for badgers within the woodland was low to moderate, with limited potential locations for sett building.
- (iii) Taking in to consideration the high level of human disturbance in the woodland, badger presence was considered unlikely.
- (iv) Following the PEA the site was extensively surveyed for bats (tree inspections), dormice (which included several visits over a period of five months) and botanical surveys. During all of these surveys, no evidence of badger was seen by the surveyors.

5.23 As **nesting birds** are present, he recommends the following condition in the event that permission is granted:

No site clearance/demolition of trees or bushes shall take place between 1st March and 15th August unless otherwise approved in writing by the Local Planning Authority. This approval will be granted if a consultant ecologist can evidence that there are no birds nesting in these features immediately (48 hrs) before their removal. Reason: To avoid disturbance to nesting birds which are protected under the Wildlife and Countryside Act 1981: Part 1, 1(1)(b), it is an offence to intentionally take, damage or destroy the nest of any wild bird while that nest is in use or being built.

- 5.24 **Bird species** which nest in or on buildings, such as Swifts, Swallows and House Martins are priority species in Cardiff, so he supports the proposal in section 7.1.4 of the PEA to introduce features such as Sparrow terraces and Swift Boxes to the new buildings.
- 5.25 In accordance with the **Pollinator** Action Plan for Wales, every effort should be made to allow wildflowers to develop on roadside verges, parks, attenuation basins, and any other greenspaces. The design of these areas should allow wherever possible for access for 'cut and lift' machinery, as cutting wildflower areas at an appropriate time of year, and removing the arisings, can be important in maintaining these areas. Consideration should also be given to the use of green walls and roofs, as suggested by section 7.2.1 of the PEA.
- 5.26 As a general principle, **survey work** which is more than 2 years old will be regarded with caution, as certain species may colonise or leave an area in the interim period. This is particularly the case with mobile species such as bats. Section D.5.2 of BS42020, the British Standard for Biodiversity and Planning (2012) recommends the following condition:
- If the development hereby approved does not commence (or, having commenced, is suspended for more than 12 months) within 2 years from the date of the planning consent, the approved ecological measures secured through Condition X shall be reviewed and, where necessary, amended and updated. The review shall be informed by further ecological surveys commissioned to i) establish if there have been any changes in the presence and/or abundance of bats, dormice and reptiles and ii) identify any likely new ecological impacts that might arise from any changes. Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, the original approved ecological measures will be revised and new or amended measures, and a timetable for their implementation, will be submitted to and approved in writing by the local planning authority prior to the commencement of development. Works will then be carried out in accordance with the proposed new approved ecological mitigation measures and timetable. (Where 'Condition X' refers to any condition used to secure mitigation of impacts upon bats, dormice or reptiles).
- 5.27 These comments contribute to this Authority's discharge of its duties under Section 6 of the Environment (Wales) Act 2016. This duty is that the Authority must seek to maintain and enhance biodiversity in the exercise of its functions, and in so doing promote the resilience of ecosystems, so far as is consistent with the proper exercise of those functions. In complying with this duty the Authority will have to take account of the resilience of ecosystems, in particular the diversity between and within ecosystems; the connections between and within ecosystems; the scale of ecosystems; the condition of ecosystems and the adaptability of ecosystems.
- 5.28 The **Operational Manager, Environment (Noise & Air)**, has no objection to the application, subject to relevant conditions.

- 5.29 The Council's **Access Officer** has been consulted and any comments received will be reported to Committee.
- 5.30 The **Operational Manager, Drainage Division**, advised that there should be consideration of surface water attenuation, in order to enhance the ecology of the area. As the SI reports have highlighted, the clay soil is not suitable for soakaways but would be suitable for a ponding attenuation system. It could well be for only extreme rainfall events, but this would avoid the needlessly large sub-surface attenuation structure. The micro-drainage model shall be forwarded to the Lead Local Flood Authority (LLFA), so that the simulation can be checked. Also, any proposals to construct a new outfall to the watercourse shall require consent from the LLFA. Finally, details of how the highway pollutants shall be removed from the highway and car parking areas is required by the LLFA.
- 5.31 The agent has submitted additional drainage information in response to his comments. Any further comments from the Drainage Engineer will be reported to Committee.
- 5.32 The **Operational Manager, Parks and Sport** has considered the application and notes that the plans show areas of central social spaces and a central lawn. Although unlikely to be accessible to the general public, he accepts that these spaces will provide the residents with some recreational and amenity space, thereby reducing impact on nearby public open spaces. He also notes that the application is located on an existing campus which contains significant sporting facilities and other areas of informal recreation and amenity space. Despite this existing and proposed on-site provision, he considers that students from Cardiff Met are likely to use some off-site sporting facilities (although much less than would normally be expected) and are highly likely to use local areas of open space, particularly Roath Park. He therefore has calculated the off-site contribution in a simplified way to omit all sporting provision and included just the informal recreational element, which results in a request for £35,909 towards improvements to the upgrading of footpath surfacing and site furniture in Roath Park. This designation for the contribution would require ward member approval.

## 6. **EXTERNAL CONSULTEES RESPONSES**

- 6.1 **Dwr Cymru Welsh Water** has no objection and recommends that a condition be attached to ensure that no occupation of any building occurs until the drainage system shown on drawing on. C6472 SK010 has been constructed. They also offer further advisory notes regarding public sewer connections, sewer records, and new infrastructure to ensure an adequate mains water supply, the costs and maintenance of the latter will be the developer's responsibility.
- 6.2 **Glamorgan Gwent Archaeological Trust** confirms that the Historic Environment Record (HER) indicates no known archaeological features or finds within the proposed application area, neither is it located in any archaeologically sensitive area or historic landscape. A review of historic

Ordnance Survey mapping of the area indicates the presence of Queens Wood, as well as several field boundaries and footpaths, of limited archaeological significance. Furthermore, the Site Investigation report by Terra Firma (Report no. 13540, dated March 2016) indicates the site contains re-deposited material and has undergone significant levelling to create a level platform. Such activities are very likely to have an adverse effect on any potential remains that may have been present. The former caretakers bungalow does not appear on any historic mapping and is again of limited archaeological significance. As a result, there is unlikely to be an archaeological restraint to this proposed development and, consequently, they have no objections to the positive determination of this application. The record is not definitive, however, and in the event that features are disturbed during the course of the work the developer should contact them.

6.3 The **South Wales Police Design Out Crime Officer** has no objections but does make the following comments:

- (i) Welcomes the general layout and design which provides good surveillance, lighting and general security of bin and bike stores;
- (ii) Pleased that any new buildings will be built to Secured by Design standards;
- (iii) The siting of the development within the existing grounds will assist with general security;
- (iv) The accommodation is set between 8 and 10 units per cluster or pod. Best practice is that these should not exceed 6 per pod as this is the optimum number to achieve self- policing and minimise any negative aspects of shared use age of communal facilities. Only students living on particular floors and in particular pods or clusters should be able to access those areas so there is a need for access control to restrict entry to these areas along with individual student bedrooms. This will significantly reduce the opportunities for crime and increase safety for student residents. CCTV provision should also be included to prevent crime assist in management of the site.
- (v) He notes that there would be 518 no. new accommodation places, but with no additional parking provided and would seek clarification on whether these are for existing or additional students? They are aware of local concerns regarding parking and the clarification as to the intended occupants could either help alleviate some of the local concerns by reducing travelling to and from the site, or potentially aggravate them by leading to more students with more vehicles.
- (vi) They are happy to work with developers to ensure that Secured by Design is achieved which has been shown to reduce crime risk by up to 75% and would welcome a formal application if development is approved.

6.4 The **Chief Fire Officer of the South Wales Fire and Rescue Service** advises the developer to consider the provision of adequate water supplies on the site for firefighting purposes and access for emergency firefighting appliances. The applicant is advised to contact the fire safety officer for further information.



- 6.5 **CADW** advise that the proposed development is located within the vicinity of the scheduled monument known as Pen y Lan Roman Site (GM296) and within the vicinity of the registered historic park and garden known as Roath Park PGW (Gm) 24(CDF). The application area is some 660m north of scheduled monument Pen y Lan Roman Site (GM296); however, the views between the scheduled monument and the proposed development are blocked by the existing trees along the A48 Eastern Avenue and Queens Wood along with the extant buildings. Consequently the proposed development will not have an impact on the setting of GM296. The application area is some 840m to the east of the Registered Roath Park historic park and garden. The topography, extant buildings and exiting trees block views between the proposed development and the registered historic park and garden. Consequently the proposed development will not have an impact on the setting of the Registered historic park and garden.
- 6.6 **Wales and West Utilities** note the intention to demolish the existing caretaker's bungalow. They have carried out preliminary checks and cannot determine if there is live gas feeding it. They recommend a thorough visual check of the building is carried out to determine if there are any gas supplies to the property. They also advise that there are live gas mains in the vicinity and caution should be exercised when working in the vicinity of the mains.
- 6.7 **Natural Resources Wales** understands that the Site of Importance for Nature Conservation (SINC) woodland to the south of the area to be developed (Queen's Wood) will not be directly impacted by the proposals. They note from the drawing titled 'Tree Retention & Removal Plan' Revision C, September 2016 that a tree (T52) assessed to have high potential for use by roosting bats is to be felled to facilitate the development. They welcome the recommendations set out in Section 10.7 of the bat report (Ref. Just Mammals report, dated July 2016) and advise that felling works are undertaken following these recommendations. They note the proposed external lighting indicated on drawing number 70218-STL-00-ZZ-DR-L-ZZ-91062 'Hard Landscape and Furniture Plan – Courtyard' Revision P22.0, dated 11 July 2016 comprising low bollard lights. They advise that the implementation of these lighting measures is secured through a suitable condition. If other external lighting is proposed i.e. in addition to that shown on the above mentioned drawing, they recommend that the Council's Ecologist advises on its acceptability. The woodland to the south of the development should not be illuminated by artificial lighting and should be maintained as a dark corridor to avoid disturbance to protected species.

## 7. **REPRESENTATIONS**

- 7.1 **Councillor J Carter, on behalf of the Councillors for Cyncoed and Pentwyn**, objects to this huge project for the following reasons:
- (i) Visual Impact – Both the halls of residence and sports hall are large buildings that will tower over other nearby houses. Existing student flats are 2 or 3 storeys, whilst much of the site is not much taller than 4 storeys. Although it is further down the hill the 7 storey block of flats will be significantly taller than the vast majority of buildings in Cyncoed,

Llanedeyrn and Penylan, towering over the flats and visible from a long way. The existing sports hall approved last year towers over trees on Circle Way West. The new hall will be as equally large and impact on surrounding houses.

- (ii) Woodland – The halls of residence plans will see ancient trees removed and change the ecology of the area. This area is relatively quiet and undisturbed. The layout of the site appears to encourage the 500+ students to use the woods for their leisure space. This will destroy habitat and scare wildlife. The university and their architects are keen to point to the small number of trees that will be immediately affected, but we are concerned about the long term damage to the trees and wildlife during construction and beyond.
- (iii) Noise – The noise caused by the construction and of all 3 buildings, combined with the noise of 518 students in a close proximity will have a negative impact on the residents living directly around the site. On the Llanedeyrn side students do not currently live near houses so the only noise comes from late night sporting events, when the noise from cheering and shouting can be heard 200 metres away. 518 students in a close proximity are going to make a lot of noise and this will have a negative impact on the residents as well as the wildlife.
- (iv) Parking – He and his ward colleagues were shocked that the planning application has not included additional parking spaces around it. Whilst they don't expect every student to have a car, a significant percentage will have a vehicle and want to park it somewhere. Without parking on site, they will instead park around the surrounding streets in Llanedeyrn. Students halls of residences can be built in the city centre without parking as there is nowhere for anyone (student or non-student) to park for free. This is not the case in Llanedeyrn, Penylan and Cyncoed, and this will lead to residents suffering.
- (v) Consultation – In June the applicant held their own consultation event and asked people to give their views. Seeing how negative the feedback from the community was, they had expected the university to listen to the concerns of residents and councillors. Instead they ignored everyone around them and proceeded with virtually identical plans to the ones they presented in June.
- (vi) Safety – his final concern is that of public safety. This development is very close to All Saints Primary School and he is concerned for the safety of children going to and from the school. The large construction vehicles entering the site via Circle Way West and the increased volume of cars using spaces outside the school once the halls of residence is open, will increase the prospect of a child being hit. He feels this development presents too many risks to children.
- (vii) In conclusion, this is a huge development that will negatively impact on residents and wildlife around it. The university has failed to listen to any concerns of local residents and councillors, and this development is simply too large for the site. He asks that these comments be drawn to the attention of the members of the planning committee when they consider this application.

**7.2 Councillor J Woodman** objects to the application for the following reasons:

- (i) The University is operating as a bad neighbour to the surrounding community, both Llanedeyrn side and Cyncoed side. They refuse to address the ongoing parking problems which arise from their students, visitors and staff. Because they charge for parking on site, many will not pay the charge but instead park on roads outside the campus causing real and dangerous situations to occur. Whilst the university has a good travel plan in place, it is disregarded by the majority. Removal of the parking charge would be a significant help in ensuring no issues, but alas, despite representation from local members, it falls on deaf ears.
- (ii) To now propose to build a 7 storey building to house at least 500 extra students, and have no dedicated parking for them will greatly exacerbate the problems. It will not help the fact that visiting families for the students, students themselves and non-student users and events audiences will also not have sufficient parking and will disperse into neighbouring estates causing significant and real health and safety issues. Students do bring cars with them, as proven in every university and college throughout the UK. The council has already incurred significant expenditure in installing double yellow lines and/or bollards to deter grass verge parking within estates. This cost will significantly increase as ward members will have no option to request these following pressure from local residents. She believes it will only be a matter of time before a serious accident occurs which may result in a death. Police can provide road traffic incidents data for Llanedeyrn side. She has had such in the past.
- (iii) She understands a few trees from the ancient woodland will be removed under these application and it is proposed to do some replacement replanting of new trees. She has requested details of exactly which trees, their type/genus, and how many. She awaits these details. However, from the application she sees no works at all to ensure the remaining ancient woodland will be protected. With a building so close to the woodland, it is concerning that students/visitors etc will actually venture into the woodland for recreational purposes. This will potentially result in trees being damaged, litter dispersal and ground flora and fauna being damaged. Whilst our woodland is for our enjoyment, I see no restrictions, fencing or punitive actions being proposed to ensure the University take proactive measures to offer substantial protection to the woodland. Or, like parking measures, are they expecting the council to pay?
- (iv) The new opening onto Circle Way for emergency vehicles and construction traffic will be hazardous. There is a nearby primary school (All Saints) with a large volume of traffic to and fro and located on a hill. Students from the proposed 7 storey build will use the off-road parking area in place for school parent parking, due to its nearest location and laziness, rather than considering health and safety. The volume of traffic using the existing entrance will also increase due to extra staffing. Students, visitors. The access and egress of building contractors vehicles also has to be accommodated. The road Circle Way West is also a bus route. The fumes generated will increase and be detrimental to the local community and particularly children within the nearby school.

- (v) When works to signalise Llanedeyrn interchange were done, this was classed as phase one. When Labour took control of the council in 2012, phase two was made a shelf scheme by the then Cabinet member Ralph Cook. Subsequent questions raised by resulted in being told as there have been no major accidents since, phase two will remain on the shelf. These development proposals will increase traffic numbers at this interchange. She sees nothing from officers to say surveys will be carried out in relation to usage of the interchange. This is of concern as vehicles going to the campus use the interchange whether they come through Cyncoed or Llanedeyrn. Why is there nothing on this from officers who would have been in discussion with the University in regard to traffic impact please;
- (vi) Residents within my ward are very unhappy about the proposals. The University has not taken into account the views of residents or local councillors and their genuine concerns. This application is a step too far, being too large for a residential area. She formally requests that planning committee make the decision on these applications due to the amount of objections not by delegation.

7.3 **Councillor P Chaundy** considers that recent years have seen significant increase of vehicular activity by students and visitors to Cyncoed Campus. This has resulted in considerable numbers of dangerously and illegally parked vehicles within their community. Both Police and Council resources are increasingly stretched to manage enforcement and the continuous danger this creates. The application 16/01760/MJR will attract additional parked motor vehicles that will further exacerbate an already dangerous situation.

7.4 He refers to paragraph 3.7.4 of the Transport Statement accompanying the application which states "*The proposed development will not result in a requirement for additional parking provision on campus as it is a car free establishment.*" This 'car free' establishment is created by increasing numbers of cars parking in surrounding residential community! Referring to good 'Travel Planning' just as it did some years ago before the existing (forecast) crisis of dangerous parking became reality, the repeated anthem of this same 'Travel Planning' is a work of fiction if the plan can neither be enforced or regulated.

7.5 The simple truth is that this application will significantly increase the number of motor vehicles and associated dangers. This proposal impacts directly on the community and the environment endangering residents' health. Most significantly impacting the vulnerable, the elderly, families and children, having the additional risks to their travel to and from nearby services, school, home etc. Additional health dangers of increasing air pollution and noise; physical dangers or hazards to visibility, access of homes along with increased volume of highway traffic and increased dangerous, illegal parking. In summary as it stands this current proposal is a dangerous proposal and should not be permitted.

7.6 **Councillors J Boyle and B Kelloway** object to the application on access, parking and circulation, and the impact of the tall building. In respect of access, parking and circulation, he states:

- (i) The council's recently adopted LDP is unequivocal in its section on managing the transport impact of new developments (T5, p. 174). All new developments for which planning permission is required, it states, will have to have 'satisfactory provision for access, parking and circulation.'
- (ii) For residents in the upper part of Penylan, this development is the first test of whether the LDP has been developed to serve them or to serve the commercial interests of private organisations. If this major application is granted without any credible attempt to deal with the impact it will have on parking, an early precedent will be set that undermines the aim of this section of the LDP.
- (iii) T5 of the LDP goes on to state that developments will need to 'avoid unacceptable harm to safe and efficient use and operation of the road, public transport and other movement networks and routes.' By way of a recent example, local councillors have had a long-running problem, well-known to the council, regarding parking orders for Ffordd Bodlyn. These orders were needed to deal with the impact of Cardiff Met students parking on Ffordd Bodlyn to avoid the charges they would otherwise have to pay if they parked on site. Now that Ffordd Bodlyn has its orders, they are already receiving first notice of increased parking pressures on nearby Ffordd Cwellyn. It is illogical to argue that this new development will not increase these pressures further. What is being seen, before a single new room has been built, is the adverse impact Cardiff Met is having on nearby movement networks and routes. A development of this size can only add to those worsening pressures.
- (iv) The costs of dealing with these traffic orders falls on the council and council tax payers. If Cardiff Met is allowed to develop as proposed, the burden for dealing with the costs of the associated traffic problems will further fall on the city's stretched resources. The applicant's refusal in its plans to acknowledge residents' concerns shows a casual disregard for the effect they have on residents.
- (v) Finally within section T5, the LDP notes that 'parking... will be provided, where appropriate in accordance with the Council's adopted standards.'
- (vi) These standards are long established and are referenced in the council's 'Access, Circulation and Parking Standards' supplementary planning guidance, section 2.2 (pp 8-9). These variously place the following requirements on developers:
  - 'New development shall include adequate provision for car parking according to the adopted parking guidelines.'
  - 'Development proposals will be required to provide parking and servicing facilities.'
  - '... all new development, redevelopment or changes of use should include appropriate operational and non-operational parking provisions according to the land use, density and location proposed.'
- (vii) While the rightful drift of planning policy is to discourage car use, the SPG makes clear that the standards are also intended to 'limit over-subscription of on-street parking and, in turn, congestion, hazards, visual intrusion.'
- (viii) There is therefore a clear legislative framework to which the council must

adhere in relation to the impact a development will have on parking beyond that development. The pressures that have been identified in numerous letters of objection make it clear that the impact on parking of this proposal are a matter of enormous concern to residents. The standards against which the council is obliged to assess planning applications place a requirement on the developer to put in place plans for parking. That they have chosen not to do so and that they are inflexible in terms of the charges they currently impose on students attending the site shows the applicants have little heed for the impact their plans will have on their neighbours.

#### 7.7 Regarding the impact of the tall building:

- (i) They have significant concerns in relation to the Council's 'Tall Buildings' SPG. As the development would be more than double the height of nearby residential buildings, it is clear the requirements of this SPG would apply. As a result, the application fails in relation to the following guidance: 'Tall buildings will not be permitted in locations where they would overshadow or overlook adjacent properties to the significant detriment of the amenity of neighbouring occupiers.'
- (ii) The council has received a large amount of correspondence from residents demonstrating precisely how their amenity will be negatively affected. Furthermore, the claim in the application that tree screening will protect the amenity of residents may be the case during summer when trees are in full leaf but will not be the case for the other half of the year. The use of architectural drawings that do not make this distinction are therefore misleading and should be discounted.
- (iii) 'Proposals for tall buildings should generally be located within an existing cluster or form part of a proposal to create a new cluster.' This application does not meet either of these criteria, especially as none of the existing buildings on the site could be described as a tall building.
- (iv) Bulky tall buildings with a strong horizontal massing should be avoided, with the emphasis being on creating vertically slender buildings with a clear base, middle and top. It will require an elastic interpretation of the words 'horizontal' and 'vertical' to present this development as being within these guidelines. If the council's own advice is that a development should avoid horizontal massing (which is what this proposal amounts to), it is impossible to see how the proposal can be granted in its current state.
- (v) All the above objections are not a selective use of the finer details of the SPG. They are based on fundamental elements of tall building design in the city: over-shadowing, clustering and massing. On these three fundamental principles, the design fails. The council, if it is to act in good faith, therefore has no option other than to reject these proposals.

#### 7.8 **Councillors D Rees and M Jones** object to the loss of amenity for local residents that would result from the development. The applicant is considered to be a bad neighbour due to years of inconsiderate and dangerous parking by students. Building a seven storey block for accommodation for up to 500 more students without parking is inconceivable as it would exacerbate the problem

considerably. The Travel Plan in place at present is clearly not adhered to and is unlikely to work in the future.

**7.9 Jo Stevens MP** objects to the application on the following key grounds:

- (i) No additional parking will be provided. Local residents are already faced with problems due to Cardiff Met site users parking in residential areas. Parking charges on campus results in parking on local streets causing frustration and access problems. Without further parking provision on site, these problems will be exacerbated;
- (ii) Proposed building is significantly higher than any other campus building. It is more likely that noise will travel at this height, particularly at night, resulting in loss of amenity for residents to the south;
- (iii) Knock on effect on protected woodland which is home to a vast amount of wildlife;
- (iv) Concerned about the consultation process conducted by the applicant where resident's views have been ignored.

**7.10** The application was publicised by **press and site notice** on 11 August 2016 as a major development in accordance with Article 12 of The Town and Country Planning (Development Management Procedure) (Wales) Order 2012.

**7.11** 176 no. **objections** to the application were received from residents of Carisbrooke Way, Lothian Crescent, Woodland Crescent, Wellwood, Pen-y-Bryn Road, Awel Mor, Cyncoed Road, Cyncoed Place, Cyncoed Avenue, Coed Edeyrn, Springwood, Queen Wood Close, Ael-y-Bryn, Grafton Close, Caer Cady Close, Brynderwen Close, Glenwood, Hill Rise, Wern Goch West, Ormonde Close, Ty Gwyn Crescent, Lonsdale Road, Dynevor Road and the Chairman of Bryn Mor Management. The objections raised are summarised as follows:

- (i) No car parking provision. Approximately 500 additional cars will cause additional traffic congestion, safety and parking problems on local roads. It is not realistic to expect students to rely on cycling and public transport;
- (ii) Parking charges on site leads to parking on local road network;
- (iii) Campus entrance on Cyncoed Road is already dangerous and causes congestion;
- (iv) Access problems for emergency vehicles;
- (v) Property values will suffer;
- (vi) Invasion of privacy through overlooking and trees will only be in leaf for half the year – houses on Carisbrooke Way are lower than the site, maximising the impact;
- (vii) Destruction of trees and ancient woodland. Removed trees must be replaced;
- (viii) Harmful effect on birdlife and wildlife, including European Protected Species (bats and dormice) and their habitats due to construction and light pollution;
- (ix) 7 storey building is overdevelopment and out of character for the area. It is unattractive, poorly designed, out of scale, too high, and

- (x) too bulky;
- (xi) Noise pollution during construction and from future users and associated plant;
- (xii) Increased litter pollution;
- (xiii) Anti-social behaviour from students and users of the Forum building will increase at unsociable hours;
- (xiv) Questions the need for the development and whether alternative locations exist on the campus;
- (xv) Security concerns for residents on Carisbrooke Way and Lothian Crescent;
- (xvi) The applicant has ignored the views given by residents at consultation events;
- (xvii) Construction traffic, noise and dust will have a harmful effect on children at All Saints Primary School;
- (xviii) Students should be located in the city centre where new developments are;
- (xix) Drainage and flooding problems resulting from tree removal;
- (xx) Queries whether there is provision to increase bus service provision;
- (xxi) Development will create a precedent;
- (xxii) Consultation with neighbours has been minimal and their feedback has been ignored;
- (xxiii) Harmful effect on health and wellbeing of neighbouring residents;
- (xxiv) Air pollution from increased traffic;
- (xxv) Development is contrary to Cardiff's 'liveable city' vision and the aims that Cardiff is clean and sustainable and its people are safe and feel safe;
- (xxvi) Will deprive residents of the enjoyment of their homes and gardens;
- (xxvii) Questions whether the development needs an Environmental Impact Assessment;
- (xxviii) Request a Committee site visit;
- (xxix) The applicant should move to an out of town site;
- (xxx) Application documents had to be updated to correct mistakes;
- (xxxi) Disturbance during construction;
- (xxxii) Doubts existing utilities have sufficient capacity to accommodate the development;
- (xxxiii) Lack of integrated disabled access between buildings;
- (xxxiv) No noise assessment for 'The Forum' building;
- (xxxv) Challenges accuracy of submitted photo montages indicating building height;
- (xxxvi) Contrary to guidance in the Tall Buildings SPG;
- (xxxvii) Questions whether drainage strategy calculations include the entire development i.e. service road, bin/bike store and landscaped areas and whether outfalls in woods require upgrading.

7.12 The **Governing body of All Saints Church in Wales Primary School**, Ael-y-Bryn, opposes the application on the following grounds:

- (i) 7 storey building is overdevelopment, out of scale, and overbearing;



- (ii) Use of access onto Circle Way West would be dangerous school users;
- (iii) Existing on-site parking arrangements have insufficient capacity and the development will exacerbate local parking problems.

7.13 The **Woodland Trust (Coed Cadw)** considers that Ancient Woodland (land that has been continually wooded since at least AD1600) is one of the UK's richest habitats, supporting at least 256 species. Ancient woods form a unique link to the primeval wildwood habitat that covered lowland Britain following the last ice age. Ancient woodland sites are irreplaceable – the interactions between plants, animals, soils, climate and people are unique and have developed over hundreds of years. These ecosystems cannot be re-created and with only 2% of the land area in the UK covered by ancient woodland we cannot afford to lose any more. The Trust objects to this planning application on the basis of damage and loss to Queens Wood, an area of ancient semi-natural woodland (ASNW) designated as such on Natural Resources Wales' Ancient Woodland Inventory (AWI).

7.14 The Welsh Assembly has recognised that areas of ancient woodland are declining and becoming increasingly fragmented and emphasises the importance of conserving ancient woodland and its value as a biodiversity resource through the publication of Planning Policy Wales (2014). The following paragraphs highlight ancient woodland's importance:

- (i) Paragraph 5.2.9: *"Trees, woodlands and hedgerows are of great importance, both as wildlife habitats and in terms of their contribution to landscape character and beauty. They also play a role in tackling climate change by trapping carbon and can provide a sustainable energy source. Local planning authorities should seek to protect trees, groups of trees and areas of woodland where they have natural heritage value or contribute to the character or amenity of a particular locality. Ancient and semi-natural woodlands are irreplaceable habitats of high biodiversity value which should be protected from development that would result in significant damage."*
- (ii) Paragraph 5.2.10: *"Local planning authorities should, as appropriate, make full use of their powers to protect and plant trees to maintain and improve the appearance of the countryside and built up areas."*
- (iii) Paragraph 5.5.15: *"In the case of a site recorded on the inventory of ancient woodland (1) produced by the former Countryside Council for Wales, authorities should consult with the Natural Resources Wales before authorising potentially damaging operations."*

7.15 Paragraph 5.2.4 of the UK Biodiversity Action Plan (UKBAP) includes objectives to conserve, and, where practicable, enhance:

- (i) the quality and range of wildlife habitats and ecosystems;
- (ii) the overall populations and natural ranges of native species;
- (iii) internationally important and threatened species, habitats and ecosystems;
- (iv) species, habitats and natural and managed ecosystems characteristic of

- local areas; and
- (v) biodiversity of natural and semi-natural habitats where this has been diminished over recent decades.

7.16 Section 40 of the Natural Environment and Rural Communities Act 2006 requires all public authorities (including LPAs), in exercising their functions to have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity.

7.17 Paragraph 5.137 of the Cardiff Local Development Plan states the following: *“Ancient woodlands are irreplaceable habitats of high biodiversity value which will be protected from development that would result in significant damage. Veteran trees and ancient hedgerows cannot be recreated and developments will be expected to retain them. Where appropriate, Tree Preservation Orders will be served to protect important amenity trees from removal or harm. The amenity value of trees will be assessed in accordance with government guidance and nationally recognised systems of amenity evaluation.”*

7.18 The proposed development consists of a new student accommodation facility and accommodating infrastructure, such as a new road, for Cardiff Metropolitan University's Cyncoed Campus. It is apparent that the proposed development will encroach on Queens Wood, resulting in the loss of 0.2 hectares of ancient woodland. The Woodland Trust is concerned about the following:

- (i) Direct loss and damage to an area of ancient woodland.
- (ii) Intensification of the recreational activity of humans causes: disturbance to the habitats of breeding birds, vegetation damage, litter, and fire damage.
- (iii) Fragmentation as a result of the separation of adjacent semi-natural habitats, such as small wooded areas, hedgerows, individual trees and wetland habitats.
- (iv) Development provides a source of non-native plants and aids their colonisation.
- (v) Noise and light pollution occurring from adjacent development, during both construction and operational phases.
- (vi) Where the wood edge overhangs public areas, branches and even whole trees can be indiscriminately lopped/felled, causing reduction of the woodland canopy.
- (vii) There will inevitably be safety issues in respect of trees adjoining public areas and buildings, which will be threatening to the longer-term retention of such trees.
- (viii) There can be changes to the hydrology altering ground water and surface water quantities. Also the introduction of water run offs from urban development will result in changes to the characteristics and quality of the surface water as a result of pollution/contamination etc.
- (ix) Any effect of development can impact cumulatively on ancient woodland - this is much more damaging than individual effects.

7.19 Development in ancient woodland can lead to long-term changes in species composition, particularly ground flora and sensitive fauna, i.e. nesting birds,

mammals and reptiles. Majorly adverse impacts would occur as a result of the removal of areas of ancient woodland habitat, to make way for the construction of this proposal. Although the applicant claims that the area of ancient woodland to be lost is of low value and shouldn't constitute ancient woodland it appears that they have not considered the impacts of the development on the ancient woodland soil, one of the most important features of ancient woodland. Ancient woodland soil has often taken centuries to develop, with microorganisms and bacteria forming important relationships and an important seed bank forming. If the applicants believe that the area to be lost does not constitute ancient woodland then clearly they need to contact Natural Resources Wales about the matter and ask that they remove this section from the Ancient Woodland Inventory.

- 7.20 The proposed development will not only encroach on ancient woodland, it will also be located in close proximity to the remaining area of ancient woodland. Considering the size, scale and the large number of persons likely inhabiting the development it is apparent that the development will also have a considerable impact on the ancient woodland through intensification of recreational activity and impacts associated with adjacent development.
- 7.21 When land use is changed to a more intensive use such as in this situation plant and animal populations are exposed to environmental impacts from outside of the woodland. In particular, the habitats will become more vulnerable to the outside influences, or edge effects, that result from the adjacent land's change of use. These detrimental edge effects can result in changes to the environmental conditions within the woodland, consequently affecting the wood's stable conditions. Detrimental edge effects have been shown to penetrate woodland causing changes in ancient woodland characteristics that extend up to three times the canopy height in from the forest edges.
- 7.22 One such impact is light pollution. Light pollution in residential areas such as this is generated from buildings, streetlights, vehicle lights and security lights and includes chronic or periodically increased illumination, unexpected changes in illumination, and direct glare. Artificial illumination reduces the visibility of the moon and the stars, affects species orientation differentially and may serve to attract or repulse particular species. This affects foraging, reproduction, communication, and other behaviour. It consequently disrupts natural interactions between species. Light pollution near to ancient woodland is, therefore, likely to substantially affect the behaviour of species active during dawn and dusk twilight or nocturnal species, such as moths, bats, and certain species of birds, resulting in the decline of some species.
- 7.23 Noise pollution is also associated with residential areas, arising from a range of sources, including pedestrian and low-level traffic activity. Noise levels in residential areas are elevated but vary spatially and over time. They are likely to limit the distributions of animal species that are intolerant of noise and negatively affect their reproductive success near to woodland edges. This may be beneficial at some sites if, as a result, deer pressure is reduced but bird diversity has been found to be lower in noisier sites.

- 7.24 Ancient woodland is irreplaceable; once lost it cannot be re-created. The Trust believes that any damage and/or loss to ancient woodland is unacceptable and every step should be taken to ensure that the ancient woodland is avoided by the proposed development. In summary, the Trust objects to this planning application on the basis of damage and loss to ancient woodland. It is apparent that the proposed development will result in the loss and fragmentation of ancient woodland habitat that will open up the wooded environment and lead to significant damage to ancient woodland. In its current form the proposed development is highly inappropriate and in direct contravention of both local and national planning policies.
- 7.25 A **petition** objecting to the application was received on 25<sup>th</sup> July 2016 on the grounds that it will devalue properties, lead to noise pollution, loss of trees, devastate wildlife, 18 months of building work, invade privacy, and increase parking problems.
- 7.26 A **second petition** objecting to the application was received 31<sup>st</sup> July 2016 on the grounds the application is overdevelopment, lack of parking provision, and traffic congestion.
- 7.27 A **third petition** with no signatures, only printed names, was received on 31<sup>st</sup> August 2016.
- 7.28 Following a re-consultation on amended plans and additional information in December 2016, 89 no. further objections were received from occupiers of Cefn Coed Crescent, Ael-y-Bryn, Lothian Crescent, Awel Mor, Carisbrooke Way, Hampton Crescent West, Farm Drive, Woodland Crescent, Hillrise, Cefn Coed Avenue, Cyncoed Road, Springwood, Queenwood, Ffordd Bodlyn, Alltmawr Road, Cefn-Coed Road, Cefn-Coed Gardens Grafton Close, Brynderwen Close, Glenwood, Ty Gwyn Road and Justin Close:
- (i) Increased volumes of traffic to dangerous levels;
  - (ii) Increased anti-social behaviour;
  - (iii) Increased litter;
  - (iv) Increased parking and congestion problems on the local highway network;
  - (v) 7 storey building will be an eye sore; it is overdevelopment which is out of scale and out-of-keeping with the area;
  - (vi) Destruction of ancient woodland and wildlife habitat resulting in harm to European Protected Species (Bates and Newts);
  - (vii) Unacceptable levels of noise pollution (particularly from The Forum building) and anti-social behaviour;
  - (viii) Drainage system will not cope;
  - (ix) Poor consultation process with local community;
  - (x) Changes to roof height does not address the issue;
  - (xi) Noise and disruption during construction;
  - (xii) Depreciation in property values;
  - (xiii) Residents' concerns have been ignored by applicant;
  - (xiv) Loss of privacy through overlooking;
  - (xv) Inaccessible to emergency vehicles;

- (xvi) Contrary to Tall Buildings SPG (points 2-5);
- (xvii) Artist's impressions are misleading;
- (xviii) Timescale for responding to consultation is unreasonable;
- (xix) Overbearing unneighbourly development;
- (xx) Light pollution;
- (xxi) Development is unnecessary and unwanted;
- (xxii) Security concerns from increased people numbers;
- (xxiii) Transport Assessment is poor, fails to refer to local resident dissatisfaction with traffic levels;
- (xxiv) A 15m buffer zone to the woodland is insufficient protection;
- (xxv) Council's attempts to address on-street parking problems have displaced not solved the problem;
- (xxvi) Campus parking should be free to students as this will solve the parking problem;
- (xxvii) Drainage problems from development on clay soil;
- (xxviii) Parking should be provided underground;
- (xxix) Applicant has not complied with restrictions on other developments;
- (xxx) Applicant's visual impact views are inaccurate;
- (xxxi) No existing or proposed levels are shown on the drawings;
- (xxxii) Transport Statement significantly underestimates the potential traffic impact. The campus is not a car-free establishment; it generates trips. No detailed traffic impact assessment has been undertaken. The Welsh Government has not been consulted despite the development materially increasing the volume or character of traffic entering or leaving the A48. There is considerable congestion at this junction currently;
- (xxxiii) Access to the campus is hazardous for pedestrians with no footway adjacent to the site on Circle Way West nor at the site entrance.

7.29 Following a further re-consultation on additional information (reptile survey) in January 2017, 15 no. further objections were received from residents of Carisbrooke Way, Cyncoed Place, Springwood, Farm Drive, Woodland Crescent, Owain Close and Ael-y-Bryn plus one Penylan resident who withheld their address. They object for the following reasons:

- (i) Nothing has been done to improve the on-site provision of parking, which will result in congestion on the local highway network. The parking chaos in Cyncoed/Penylan is already very bad and will be made unbearable by the development. Local roads get congested and sometimes dangerous with student parking. Multi-storey on-site parking with reasonable charges would help, as would more double yellow lines on key local roads.
- (ii) Existing Travel Plan phase 2 states a high level aim/objective is to minimise the impact of organisation related activities (congestion, noise pollution) upon the local community. The University's Car Parking Policy states "There are no parking spaces set aside for residential students. Resident student vehicles will be classed as illegally parked and subject to enforcement controls..."
- (iii) Loss of peace and quiet due to increases noise and anti-social behaviour;
- (iv) Damage to woodland;

- (v) Loss of wildlife and harm from light pollution;
- (vi) It is unclear what is being proposed for the existing road that was being re-aligned;
- (vii) There seems to be a new path nearer the woodland, parallel to the road;
- (viii) Original objections not included;
- (ix) An underground car park should be made a condition of permission
- (x) During vacation periods parking should be made available for visitors to Cardiff attending special events;
- (xi) Repeated amended submissions are a cynical attempt to wear down the opposition;
- (xii) Restricting access to Cyncoed Road demonstrates the applicant's lack of knowledge of parking problems as problems will increase at peak times;
- (xiii) Residents views have been ignored during the consultation process;
- (xiv) Height of 7 storey block unacceptable;
- (xv) Drainage problems will result in tree loss and road removal;
- (xvi) Loss of privacy;
- (xvii) Increased litter
- (xviii) Existing student accommodation in the city should be re-used;
- (xix) Loss of property values;
- (xx) The application does not include options for the provision of residential parking, pedestrian facilities on Circle Way West and safety of active modes
- (xxi) Transport Statement contains contradictions – the campus is not a car-free zone. Transport Assessment Conclusions are not based upon empirical evidence. Previous permission included a legal agreement preventing students from parking within 3km of the site. No evidence that this clause has been upheld.
- (xxii) Ecology Report – existing lighting has presented problems during survey work
- (xxiii) Noise Assessment – readings for report were undertaken whilst the university was in recess. Assessment did not include sports matches at weekends
- (xxiv) The applicants are a bad neighbour as amendments do not address or alleviate residents' concerns

7.30 Following the Committee Site Visit on 1<sup>st</sup> February a further letter was submitted by the petitioner raising the following issues:

- (i) Understands from local councillors that the offer to view the planning proposals from an additional perspective has been denied because it was not deemed necessary.
- (ii) Residents are deeply concerned about the size of the accommodation block and the Forum and its close proximity to residential housing and the detrimental impact it will have. Currently, there are huge concerns with noise, anti-social behaviour, parking and traffic that need to be addressed. They wish to make it clear that CMet is having a detrimental impact on residents currently and it is a fact that it is depriving residents of the enjoyment of their own home and garden presently.
- (iii) Although they are grateful a site visit is taking place, so the committee

members can see the small space available for such a huge development and its proximity to residential housing. The site visit will permit the committee to see how close these proposals are to the ancient woodland and the 19 trees to be felled, plus the additional (approx.) 40 trees we believe that will be felled or damaged to accommodate it, in addition to the drainage system through the woods. The social hub 'The Forum' is very close to the houses on Carisbrooke Way and they believe that viewing the site from a private property will clearly show how visible it will be, particularly in the winter months, so the planning committee could form a view from an additional perspective and understand what residents will be able to see and potentially hear. They believe it would also show a true reflection of how residents will be overlooked by the development and understand how residents can be disturbed by the students' noise, music, drunkenness and general anti-social behaviour that is not addressed by the management at Cardiff MET at present. This is even closer to residents' homes and seeing it from a private residential house, they believe, would permit the committee to see the reality of the proposals.

- (iv) They believe artist's impressions to be misleading; particularly the numbers of trees and height shown and that seeing the site from residents' private properties would clarify this so an informed decision can be made.
- (v) They believe this is a reasonable request and that it has been unreasonably denied with no explanation as to why, therefore, as residents, they find unacceptable.

7.31 The occupier of 50 Springwood makes the following comments:

- (i) The Highways officer, in an email to the planning officer, acknowledges that "there isn't much supporting information of use in the Transport Statement". This is a telling admission of the inadequacy of the application, in respect of the development and its impact on the surrounding road network.
- (ii) He also acknowledges that "the issues of greater relevance and of concern ... are those with regards parking spilling over from the site (in particular due to the propensity for students to avoid pay & display charges) onto the adjoining roads and into residential areas". His response advises that, if the authority has not already done so, it should "look at options for residential parking and enforcement". The road safety issues in the areas surrounding the campus (especially on Circle Way in Llanedeyrn) continue to worsen. No effective measures to ameliorate the situation have been undertaken or proposed by the university or the local authority.
- (iii) He highlights the problems encountered by pedestrians in accessing the campus. He notes the lack of provision of pedestrian facilities for campus users, particularly along Circle Way West. This re-enforces objections previously submitted in respect of this application. Therefore, he welcomes the recommendation for the council to look at options to mitigate the parking problems and to address the poor pedestrian infrastructure on Circle Way. From a safety perspective, both are closely

- linked.
- (iv) The reference to “road collision data for the last 5 years” complies with planning guidance but reflects a degree of complacency regarding the road traffic dangers in the area. There may have been no reported pedestrian casualties, over this period, but the transport statistics do not capture the number of near misses on Circle Way caused by legally parked vehicles that obstruct the view of drivers, pedestrians and cyclists. Statistics should not be used to gloss over what is a *prima facie* high-risk situation.
  - (v) The officer is ill-informed about the quality of provision for cyclists on Circle Way. The designated cycle lane is not mandatory. Therefore, for most of the day, cars legally parked in the lane make it inaccessible to cyclists. They are forced to risk cycling near the centre of the carriageway, which is particularly hazardous at the blind spot on the brow of the hill and near the junction into Springwood.
  - (vi) In the absence of a fit-for-purpose transport statement, the volume of traffic associated with the existing facility has still not been established. TRICS (Trip Rate Information Computer System) data is used to support the view that the development would have a minimal impact on traffic in the area. However, the data that he adduces relates to “out of town Student accommodation”. This is unlikely to provide a realistic trip-generation forecast for a uniquely multi-faceted facility like the Cyncoed Campus of Cardiff Metropolitan University.
  - (vii) It is incumbent on the planning authority to withhold consent to this application, until a thorough analysis of the cumulative effect of successive developments has been presented and action is in place to ensure the safety of pedestrians, cyclists and motor vehicles in the vicinity of the campus.

7.32 The occupier of 30 Lothian Crescent makes additional comments to his previous objections regarding damage to Queens Wood and its associated fauna and wildlife.

- (i) His previous letter dated 7<sup>th</sup> November 2016 estimated additional damage to the trees of Queen Wood caused by the excavation and construction of the new access road which is shown located into the Wood because of the huge size of the proposed development. He also estimated the damage caused to the trees by the new storm and foul drainage and in particular the large attenuation tank located under the road together with the new outfall which is proposed to be routed through the main body of the Wood. The preliminary drawing titled “Drainage and Landscaping Mitigation” added in January includes existing ground levels and has a detailed building drawing and drain run details, although no details of drainage invert levels or road profile and construction details. Neither, most importantly, do they appear to have designed the new outfall routed through the main Wood to the Nant Pant bach. He has redone his assessment of the damage to the trees possible and shows these on submitted sketches. The sketches show that the site will be considerably congested during the construction phase due to the size of the proposed building, this has resulted in the



Consulting Engineers having to push the new access road and main drainage into the main Wood in their design, inevitably the Contractor will damage adjacent trees maintaining access around the site during his construction operations, the Engineers have tried to pass the responsibility onto the Contractor by requiring approval of a farcical method statement on their drawing.

- (ii) He has documented the pinch points around Blocks 2 and 4 and the attenuation tank where foundation construction and later access scaffolding will clash with drainage, attenuation tank installation and access road construction and has concluded that 19 no. trees will need to be removed to facilitate the proposed development, and 42 No are at risk of substantial damage (he used his 7th November numbers for the outfall). The trees removed sum is one more than shown on the Broadway Tree survey drawings.
- (iii) He considers that the environmental impact of the proposed development is considerably greater than documented in the ecological assessment reports published to date, the Woodland Trust objections dated 31st August give an excellent reasoning why the damage will occur if read in conjunction with his engineering appraisal.
- (iv) The application must be rejected.

7.33 He has also submitted the following further objections:

- (i) Queens Wood & Wildlife
  - Development will have a massively detrimental effect on the ancient woodland of Queen Wood as a result of the huge size and shape of the development which will require the existing access road diverted into the main body of the existing wood
  - Road construction and drainage installation, including a large storm water storage tank shown sited beneath the road, will require excavation and spoil removal extending into the Woods causing inevitable damage to the adjacent trees and their root systems occurring. Also a new drainage outfall needs to be constructed through the Woods linking to the existing stream (Nant Pant-Bach). This will require a construction plant access cut through the Woods which together with installation of the outfall will cut a swathe through the woods requiring further tree removal, soil removal, damage to adjacent trees and fauna and disturbance to wildlife.
  - These factors have been totally ignored within the Ecological Assessments. The application shows 18No mature trees need to be removed to facilitate the development, our study estimates that a further 40No trees are "At risk" due to damage incurred during construction operations with a further tree needing to be removed to facilitate a drainage run bringing the total removed to 19No.
  - 2No trees which are classed as having moderate and high bat potential are very close to or in line with the drainage outfall to be reconstructed, and will be damaged or destroyed in the construction phase of the proposed development. They have not been surveyed within the reports in the application to ascertain if they support roosting bats.
  - It is noted within the survey report within the application that brown long

eared bats were observed and that they will not tolerate increased artificial light. If the Development were to proceed they will be lost to the local area.

(ii) Size and height of the proposed development

- A large number of the properties affected are below the ground level of the proposed 7 storey accommodation development and therefore they will be up to 11 storeys below the full height of the development. Loss of privacy to the local community as a whole with the development towering and overlooking long established properties which were not previously overlooked. The visual impact views that purport to indicate how the proposed development will appear from various locations around the neighbourhood as well one sectional drawing which includes local residences. The applicant's impact views and sectional drawings are considerably flawed and their own information prepared shows that the resident amenity in relation to privacy and overlooking will be considerably reduced for a large number of properties

(iii) Tall Buildings Supplementary Planning Guidance

- All of the properties most affected by the loss of resident amenity are 2 storey residences. The applicant's Design and access statement attempts to justify the 7 storey accommodation block proposal on the basis of the height of the existing Maelfa flats in Llanedeyrn and Cardiff University's tower block in Ty Gwyn Road. The Maelfa is nearly ½ a mile away and due to the topography of the area not visible to the residents in the streets mentioned above. Ty Gwyn Road slopes significantly down from Cyncoed Road and therefore the University's building does not intrude on resident's skyline. They therefore consider that the size and height of the proposed accommodation block contravenes the SPG on several counts and should not be approved on this basis alone.

(iv) Noise and Anti-Social Behaviour:

- Currently, the behaviour of Cardiff MET students disrupt the lives of residents in Llanedeyrn, Penylan and Cyncoed through loud beat music, loud noises, screaming, shouting, singing, chanting and blowing whistles, which can be heard inside homes, with closed double glazed windows. Rugby matches are excessively loud, demonstrating antisocial behaviour where students bang drums, use air raid sirens and shout into loud hailers and megaphones. These matches have started after 7pm at night when children are in bed. Song lyrics, often offensive, can be heard inside residents' homes. Young children are disturbed and kept awake as the noise and flood lights fill their bedrooms. Complaint calls to Cardiff MET security, often in the early hours (up to 4.30am) and written complaints to management are not acted upon sufficiently and this nuisance behaviour is repeated.
- Students have been observed from residents bedrooms urinating in the woodland.
- The current anti-social noise from Cardiff MET is excessive. The University has failed to address this despite numerous complaints from a large number of residents. This is an infringement of our article 8 right of the European Convention of Human Rights 1950. We urge the planning committee to consider its positive obligations and to uphold our right to a private and family life. This development will add a considerable strain to

our quite enjoyment of our homes.

- Residents are entitled to peaceful, quiet enjoyment of their own home, but Cardiff MET prevent this in the day, evenings and weekends. Unreasonable and unacceptable anti-social behaviour exists with the current with 500 + students on site , that they do not control. 1000 students even closer to residents home will inevitably create further noise and light pollution through the Forum being open 7am-11pm with alcohol, music and a social hub for 1000 students excessively close to the woodland and residents home and only yards from some residential housing in Carisbrooke Way.
  - Students are noisy, but also rude, threatening and abusive to residents in the local community, particularly when asked to move their illegally parked cars. Some residents are fearful of the students, and Cardiff MET management fail to deal with the detrimental impact they are having on residents. Planning application 03/0022/N contains a section 106 agreement. It was agreed 6<sup>th</sup> January 2005 that the University as a condition for a grant of planning permission to control parking. It was agreed that students resident on that development were not to park any motor vehicles on the site or within 3km the campus. The duty to enforce this was placed upon the University. We have seen no evidence of this over the last 10 years. The applicants own transport statement makes no reference to this and seeks to place all parking issues to law enforcement agencies. This demonstrates the University does not adhere to legally binding agreements. It also shows that the University has the lack of insight as parking enforcement is primarily a local authority issue rather than law enforcement. The University fails to understand and fails to adhere to a land charge associated with a planning permission
  - Residents are trying to engage with the management of Cardiff MET but they so far have refused to discuss the developments proposed. The Vice Chancellor has declined to respond to letters or emails requesting a meeting in regard to the scheme. While we as an action group have met on certain occasions with senior management officials but they actively declined at the meeting to discuss the planning application despite requests to do so.
  - Cardiff met have sole their site on Howard Gardens which is now being turned into 616 student accommodation units by we believe a private developer. In their application Cardiff met have not demonstrated any need for this accommodation. Given the certain disruption to residents both during construction and usage surely this requirement of demonstrable need must be addressed.
  - Cardiff Met have claimed that they have evidence supporting a need for additional accommodation on site. Despite over a dozen request for site of same they have failed to provide this. We suspect it doesn't exist.
- (v) Light Pollution
- Currently, lights and floodlights from Cardiff MET, illuminate gardens and homes with invasive, disruptive light, amounting to a nuisance. Despite this issue being raised in a meeting with Senior management the problem remains at this time.
  - The Incongruous seven storey accommodation block will inevitable

result in excessive lights, interior and exterior, which will be visible to residents in Llanedeyrn and Penylan. This will be, particularly invasive in winter months when the trees are bare, but will remain year round as the accommodation towers over the trees and local residents homes. The proposed developments close proximity to the tree line will almost certainly disrupt the woodland ecosystems and have a detrimental impact on the wildlife, particularly disruptive to the bats and the brown long eared bat that is intolerant of artificial light (see bat report).

- The Forum is only metres away from a high potential bat roosting tree - some bat species will not cross lines of light, as it acts as a barrier, disrupting flight paths which restricts habitat. In addition, lighting close to roost access points disturb bats within a roost and may result in the abandonment of said roost. A further high potential bat roosting tree is due to be felled for the proposed accommodation block. The re-alignment of the access road into the woodland will also require lighting in the woodland, which will have significant detrimental impact on the environment and residents.

(vi) Transport and Parking

- There are clear inconsistencies within Asbri's Transport Statement. It claims that the campus is "a car free establishment", whilst providing clear evidence of substantial car use on and around the site.
- The situation clearly demands a detailed traffic impact assessment. This is especially critical in view of the number of schools situated close to the campus and its proximity to the problematic roundabout at the junction of Southern Way (A4232) and Eastern Avenue (A48), which already requires intermittent traffic lights to regulate the flow.
- There appears to have been no consultation with the Welsh Government or the South Wales Trunk Road Agents, despite Welsh Government Technical Advice Note 18 stipulating that this is required where a development is likely to increase traffic entering or leaving a trunk road.
- Far from being car-free, access to the campus from the Llanedeyrn side is extremely hazardous for pedestrians, there being no pedestrian entrance or pavement skirting the site.

They urge their directly elected members to consider the weight of their arguments presented in this document along with the vast number of objection letters. The development will cause significant issues to residents and to the city as a whole. The benefit to the University is limited due to the available student accommodation available and in construction across the city. They hope the committee make an informed decision based upon the city as a whole rather than one organisation's revenue making scheme.

## 8. **ANALYSIS**

- 8.1 The key issues for consideration of this application are the principle of the development, its design and appearance, the likely impact on the woodland and wildlife, access and the reliance upon existing parking, and the impact upon the amenities of nearby residential properties.

## **Principle of Development**

- 8.2 The principle of constructing student accommodation and a conference centre on the site has been established through previous permissions for similar development (Section 3). There is therefore no objection in principle to the application.

## **Design and Appearance**

- 8.3 The amended proposal has been submitted following extensive discussions with officers and aims to provide high quality new accommodation whilst respecting its setting adjacent to the ancient woodland.
- 8.4 The arrangement of a series of accommodation blocks varying in height in response to existing ground levels, and arranged around south-facing courtyards and amenity space is considered to be an appropriate solution. The scale of seven storeys is considered to be appropriate, mindful of the characteristics of the site and its surroundings, being well-screened from public views and nearby residential development by extensive woodland and vegetation. The application is accompanied by supporting information which demonstrates that the building can be accommodated within the site and will be largely screened by existing woodland and vegetation.
- 8.5 The amendments included a lowering of the roof height to reduce the massing of the building as far as practically possible. These amendments are considered to add interest and variety to the massing.
- 8.6 The proposed external finishes have been selected by the applicant to sensitively blend the building into the woodland context. Proposed finishes include timber effect cladding and a rustic cream/buff brick. It is considered that the proposed use of materials is appropriate and will result in a high quality development. A relevant condition is recommended.
- 8.7 The proposed Forum building is considered to be of an appropriate height and scale, with a similar use of external finishes to tie in with the student accommodation. The building is orientated to maximise views of the woodland to the south which is considered to be acceptable. Again, it is intended materials/finishes are considered to be acceptable.

## **Trees, Woodland & Nature Conservation**

- 8.8 The application has been subject to a number of amendments to ensure that the ancient woodland is preserved and tree loss only occurs in exceptional circumstances – the Tree Officer advises, with the exception of 1 no. A category oak situated north of the access road, the trees to be removed did not originally form part of the ancient woodland. The amendments show the removal of 10 no. isolated trees (including 5 no. 'B' category trees) to accommodate the re-aligned access road and student accommodation. A further 9 no. trees would be removed to accommodate the 'Forum' building, including 2 no. 'A' category and 3 no. 'B' category trees. The amended landscaping plan shows the

provision of a total of 32 no. new trees, 19 no. of which would be planted south of the re-aligned access road along the woodland edge. The species have been amended to reflect the wishes of the Tree Officer and are considered to be appropriate mitigation.

- 8.9 Although the loss of 2 no. 'A' category trees and 8 no. 'B' category trees is regretted, this should be balanced against the provision of a substantial number of replacement trees and the avoidance of any tree loss within the ancient woodland to the south.
- 8.10 It is recognised that significant earth movements will be necessary as part of the development. In addition, the provision of services will also be necessary. Both have the potential to cause harm to retained trees and therefore relevant conditions are attached, as advised by the tree officer, to ensure that retained trees receive appropriate protection during the course of construction (It should be noted that the drainage strategy has been amended to avoid root protection areas on the advice of the Tree Officer).
- 8.11 Regarding nature conservation interests, the replacement tree planting to the woodland edge will provide replacement planting at a 2:1 ratio to the edge of this Site of Importance for Nature Conservation (SINC). The Ecologist is satisfied that this provision would comprise appropriate mitigation consistent with national guidance. The ecologist is satisfied that the impact upon the ancient woodland SINC would not be unacceptable, noting that the development avoids the SINC as far as possible and the development will not sever or result in the fragmentation of the woodland; moreover although the woodland is part of the Llanedeyrn woodland complex, it does not form part of any strategically connected habitat.
- 8.12 The ecology surveys did not confirm the presence of dormice or reptiles, and the reports have been accepted by the Ecologist, subject to relevant conditions to ensure that appropriate mitigation occurs.

### **Access and Parking**

- 8.13 The wider campus, of which the application forms part, benefits from 689 car parking spaces (including 26 disabled and 17 operational) together with 2 dedicated bus parking spaces. The application does not include any new car parking provision as it would be a car-free development.
- 8.14 The application is accompanied by a Transport Statement (TS) which has been assessed by the Operational Manager, Transportation (paragraph 5.1). The TS concludes that that the new student accommodation and Forum building will not result in an intensification of vehicle movements. Rather, the application will result in a reduction in vehicle movements overall, due to a greater number of students being accommodated on site. This will ultimately reduce the number of student cars travelling to/from the campus.
- 8.15 In commenting on the application, the Operational Manager, Transportation drew attention to the existing Travel Plan produced by the applicant setting out

their strategy for encouraging more sustainable modes of travel between campus locations. This plan includes the aims to reduce travel movements, improve cycle facilities (including storage provision and changing), improved bus service provision, car share parking spaces, minibus provision and management of taxis.

- 8.16 The application is considered to be consistent with national and local policy in that car parking provision is restricted and the alternative sustainable modes of transport are being promoted. The applicant and Council are working closely to improve the cycling infrastructure within/adjacent to the site, for example through the introduction of a cycle hire scheme/facilities, to make cycling more accessible to staff, students and visitors.
- 8.17 Officers are mindful of the concerns that have been expressed regarding the overspill parking that may occur at this location and in other parts of the city. Cardiff's Cardiff Parking Strategy (September 2016) seeks pragmatic solutions to such problems as and when they arise. E.g. introducing parking controls to restrict kerbside parking to resident permit holders only on nearby streets.
- 8.18 A financial contribution of £80,560 has been negotiated towards the Council's Parking Strategy (£59,360) for the review and implementation of necessary Parking Schemes/Traffic Regulation Orders, should the relevant criteria be met, and towards the provision of Cycle Hire Facilities/Infrastructure (£21,200) within/adjacent to the site. This financial contribution would be secured via a Section 106 Agreement and is considered to be comply with the tests for contributions.
- 8.19 An existing access links the site to Circle Way West. The applicant has confirmed that this access is a maintenance/service access only and is not currently used by students for day-to-day access nor is it proposed to be so used. However, it is recognised that the access could be utilised at the start and end of semesters for pick-up and drop-off.
- 8.20 Having considered the submitted information, the Operational Manager, Transportation has no objection subject to relevant conditions and the completion of a legal agreement to secure the financial contribution.

### **Residential Amenity**

- 8.21 The proposed accommodation would be sited a minimum distance of 65 metres from the rear garden boundaries on Carisbrooke Way to the south, and would be largely screened from the neighbouring dwellings by Queens Wood. The accommodation would also be sited a minimum of 35 metres from the front garden boundaries of properties on Ael-y-Bryn and would be separated from this residential estate by existing tree planting and Circle Way West. Noting the levels on the section drawings, it is considered that these distances are sufficient to ensure that the privacy and amenities of neighbouring occupiers will not be adversely affected nor will there be any overbearing impact.

- 8.22 The first floor conference centre in the Forum Building will be available for hire by external groups until 11pm, although the applicant anticipates that the majority of business will occur during normal working hours (08:30 – 17:00 Monday to Friday). The management plan accompanying the application confirms that the venue will not be marketed for parties or other events requiring amplified music and a cash bar. It is recommended that the hours of use be conditioned to prevent any use of the building after 11pm.

### **Third Party Objections**

- 8.23 In respect of the objections received from third parties, summarised in Section 7, which have not already been addressed in this report:

- (i) It is not considered that the application will generate levels of noise to an extent that the amenities of residential occupiers will be adversely affected. No objection has been received from the Operational Manager, Environment (Pollution Control);
- (ii) Any consultation undertaken by the applicant in advance of submitting the application is not a matter for the Local Planning Authority. There is a statutory consultation process which has taken place as part of the application process;
- (iii) It is not considered that the safety of children at All Saints Primary School will be threatened by the application. A condition is recommended to require a Construction Management Plan to be submitted for approval before development commences;
- (iv) The application is not considered to be contrary to the guidance contained within the Tall Buildings Supplementary Planning Guidance (SPG) as, in the view of officers, it will not cause significant detriment to amenity through overshadowing or overlooking. The amended scheme has reduced the massing and the building is sensitively located far from neighbouring occupiers and well screened from public views. The building would also be sited in a sustainable location i.e. on an existing university campus;
- (v) Property values are not a material planning consideration;
- (vi) The site is accessible to emergency vehicles;
- (vii) Relevant conditions are attached to control plant noise;
- (viii) Litter will be a management issue for the university;
- (ix) The application is for student accommodation within an existing student campus therefore it is not considered that the application will result in an unacceptable increase in anti-social behaviour;
- (x) Alternative locations within the campus have not been explored by the Council. This application must be determined on its own planning merits;
- (xi) It is not considered that the development will increase security concerns for residents on Carisbrooke Way and Lothian Crescent;
- (xii) This application must be determined on its own merits;
- (xiii) It is not envisaged that bus service provision will need to increase;
- (xiv) It is not considered that the health and wellbeing of neighbouring residents will be prejudiced;
- (xv) As no vehicles will be permitted on the application site, it is not considered that air pollution will be unacceptable;



- (xvi) The application is considered to be consistent with Cardiff's 'liveable city' vision as the development is within the existing campus and therefore sustainable as it reduces the need to travel. The campus is managed by staff and therefore will provide a safe and secure environment;
- (xvii) It is not considered that the development will deprive residents of the enjoyment of their homes and gardens;
- (xviii) The development does not require Environmental Impact Assessment as the application does not exceed the thresholds for screening in Schedule 2 of the 2016 Regulations. It is therefore considered that the application is unlikely to have any significant environmental effects;
- (xix) A Committee site visit took place on 1<sup>st</sup> February 2017;
- (xx) It is considered appropriate and reasonable to seek to improve facilities on the campus rather than develop an alternative site;
- (xxi) An advisory note reminds the applicant of the permitted hours of construction, which are controlled under separate legislation;
- (xxii) A relevant condition is attached to secure full drainage details;
- (xxiii) The development will be designed to ensure suitable access for disabled people, in accordance with Building Regulations;
- (xxiv) Underground parking would not be a viable option due to levels and existing tree and ecology constraints;
- (xxv) The applicant's compliance with other permissions is not relevant for this application;
- (xxvi) A condition is proposed to agree finished floor levels across the development;
- (xxvii) The Operational Manager, Transportation, has provided comments on the impact of the development upon the A48 (see paragraph 5.10);
- (xxviii) The adequacy of the pedestrian access to the site via Circle Way West is noted, however the main pedestrian entrance is via Cyncoed Road which is served by a satisfactory access.
- (xxix) Condition 10 requires a Travel Plan in the event that permission is granted.
- (xxx) The site is owned by the applicant and therefore the Council cannot control any use of the site during holiday periods;
- (xxxi) The repeated consultation periods have occurred to ensure third parties are fully aware of the amendments and additional information;
- (xxxii) Key consultees in respect of transport, noise and ecology have no objection regarding the scope or findings of the submitted assessments.

8.24 In response to the representation regarding the Committee Site Visit on 1<sup>st</sup> February (paragraph 7.30), Committee Members walked the length of the application site, accompanied by officers and third parties including a large number of local residents who were able to put questions to the Committee through their Local Members. Members also viewed the application site from the nearby residential areas at Ael-y-Bryn, northeast of the site, and Carisbrooke Way, south of the site. It was not deemed necessary to visit private property in this instance as Committee Members could appreciate the relationship between residential areas and the site from public vantage points.

8.25 A total of 19 no. trees would be felled and the drainage system has been amended to avoid further tree loss. Relevant conditions to agree drainage

details and ensure tree protection are recommended and would only be discharged once the agreement of the tree officer and drainage engineers has been received. There is no evidence in the application that an additional 40 no. trees would need to be felled/damaged to accommodate the development.

8.26 In response to the representation by the occupier of 50 Springwood in paragraph 7.31:

- (i) The Highway Officer has confirmed that the context of his statement was to dismiss the claim that a Transport Assessment rather than a Transport Statement should have been undertaken.
- (ii) The Operational Manager, Transportation, is satisfied that the Transport Statement is fit for purpose (see paragraph 5.1).
- (iii) The applicant has agreed to make a financial contribution to improve cycling facilities and to address parking problems on local roads in the vicinity of the application site – see Section 9.
- (iv) Near misses cannot be quantified and therefore do not contribute to road collision data.

8.27 In response to the issues raised by the occupier of 30 Lothian Crescent in paragraphs 7.32 and 7.33 which have not already been addressed in this report:

- (i) The impact upon trees and wildlife has been subject to a detailed assessment by the Council's Tree Officer and Ecologist. They are satisfied that the Queens Wood will be safeguarded as the development will not encroach into the existing woodland. The drainage proposals have been amended at the request of the Tree Officer to safeguard retained trees and avoid root protection areas. Conditions are recommended to ensure tree and ecology interests are safeguarded;
- (ii) 19 no. trees are proposed to be removed. There is no evidence that 40 no. additional trees will be lost;
- (iii) Condition 27 requires bat mitigation details to be submitted for approval;
- (iv) The bat mitigation strategy will include details of light mitigation;
- (v) The transport issues are already covered in paragraph 5.1-5.10 and Section 8;
- (vi) With respect to impact on human rights, Protocol 1 does indeed say that a person is entitled to the peaceful enjoyment of his possessions – but it goes on to qualify that right as being “except in the public interest and subject to the conditions provided by law”. In *Huang v Secretary of State*, the Supreme Court held that there is a “need to balance the interest of society with those of individuals and groups”. The right is not absolute and it may be restricted provided the restrictions are lawful, have a legitimate aim and are balanced. The established planning decision-making process assesses the impact, which a proposal will have on individuals and weighs that against the wider public interest when determining whether development should be permitted. That is consistent with the requirements of the European Convention on Human Rights.

## **Other Considerations**

- 8.28 *Crime and Disorder Act 1998* – Section 17(1) of the Crime and Disorder Act 1998 imposes a duty on the Local Authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. This duty has been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable increase in crime and disorder as a result of the proposed decision.
- 8.29 *Equality Act 2010* – The Equality Act 2010 identifies a number of ‘protected characteristics’, namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; marriage and civil partnership. The Council’s duty under the above Act has been given due consideration in the determination of this application. It is considered that the proposed development does not have any significant implications for, or effect on, persons who share a protected characteristic
- 8.30 *Well-Being of Future Generations Act 2016* – Section 3 of this Act imposes a duty on public bodies to carry out sustainable development in accordance with the sustainable development principle to act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs (Section 5). This duty has been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the recommended decision.

## **9. SECTION 106 AGREEMENT**

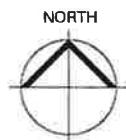
- 9.1 The following planning obligations have been agreed with the applicant to mitigate any significant adverse impacts of the proposed development as defined within LDP Policy KP7.
- 9.2 Highways and Transportation – £80,560 towards the Council’s Parking Strategy (£59,360) for the review and implementation of necessary Parking Schemes/Traffic Regulation Orders, should the relevant criteria be met, and towards the provision of Cycle Hire Facilities/Infrastructure (£21,200) within/adjacent to the site.
- 9.3 Public Open Space - £35,909 towards improvements to the upgrading of footpath surfacing and site furniture in Roath Park.
- 9.4 It is considered that the Section 106 Heads of Terms satisfy the requirements of Circular 13/97 Planning Obligations and the statutory tests set out in Regulation 122 of the Community Infrastructure Levy Regulations.

## **10. CONCLUSIONS**

- 10.1 It is considered that the amended proposals will result in high quality accommodation and student facilities on the university campus, which have

been subject to design improvements that will ensure the continued protection of the Queens Wood, an ancient woodland and Site of Importance for Nature Conservation.

- 10.2 Although 10 no. A & B Category trees will be removed to facilitate the development, it is considered that these are adequately compensated for through the replacement planting of 32 no. new trees and other landscaping improvements.
- 10.3 The concerns of local residents regarding building height and scale and impact upon their amenities are noted however it is considered that the development will be largely screened by existing woodland and vegetation and will be sited significant distances from residential properties (a minimum of 65 metres) such that neighbouring occupiers will not be adversely affected.
- 10.4 The absence of any car parking within the development is accepted by officers mindful of existing parking provision within the campus and the commitment by the applicant to provide financial contributions towards addressing parking problems in the vicinity of the application site and improvements to cycle facilities to encourage this mode of travel.
- 10.5 The application is therefore recommended for approval, subject to relevant conditions and the completion of a Section 106 Agreement to secure the financial contributions summarised in Section 9.
- 10.6 However, should Committee be minded to refuse the application, the following could potentially form reasons for refusal:
  1. The seven storey student accommodation, by reason of its size and scale, would result in an intrusive overdevelopment that would cause unacceptable harm to the amenities of neighbouring residents, contrary to the provisions of Policy KP5 (x) (Good Quality and Sustainable Design) of the Local Development Plan (January 2016).
  2. The development would cause unacceptable harm to existing trees, contrary to the provisions of Policies KP16 (Green Infrastructure) and EN8 (Trees, Woodlands and Hedgerows) of the Local Development Plan (January 2016).



 APPLICATION SITE BOUNDARY  
 ADJACENT LAND OWNED BY APPLICANT

1524 | *Environ Biol Fish* (2015) 98:1517–1529

REVISED BY  
ALW

RW

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**CONCLUSIONS**

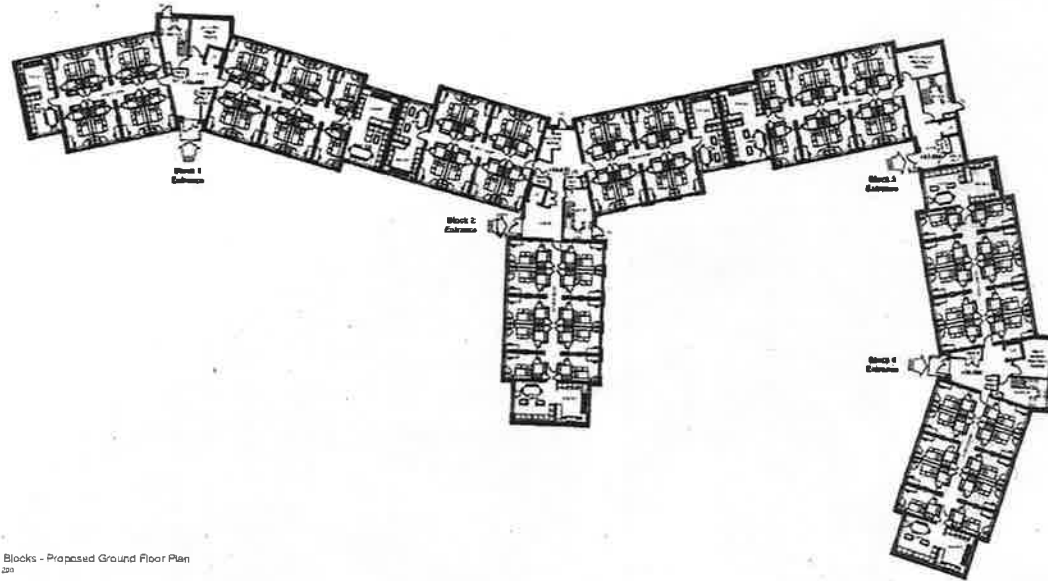
## STRIDE TREGLOWN

## Location Plan

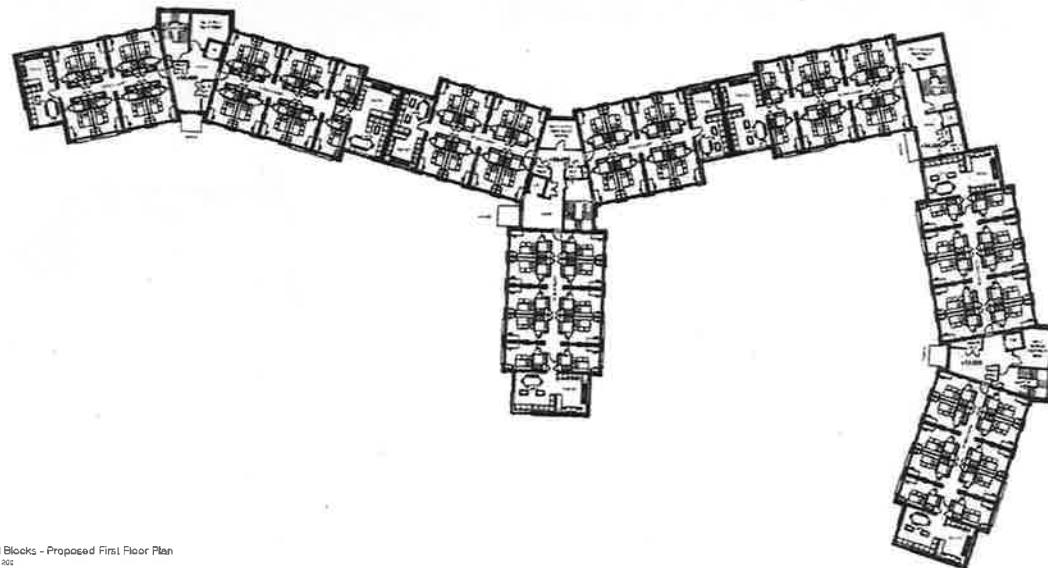
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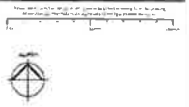




① All Blocks - Proposed Ground Floor Plan  
1:200



② All Blocks - Proposed First Floor Plan  
1:200



Client: Stride Treglown  
Project: Stride Treglown  
Drawing: 1/200  
Date: 10/10/14

# STRIDE TREGLOWN

Our Standard Accommodation  
Unfurnished  
Unfurnished  
Unfurnished  
Unfurnished

All blocks - Proposed First Floor Plan Groups 1 to 4  
(1:200 G1)

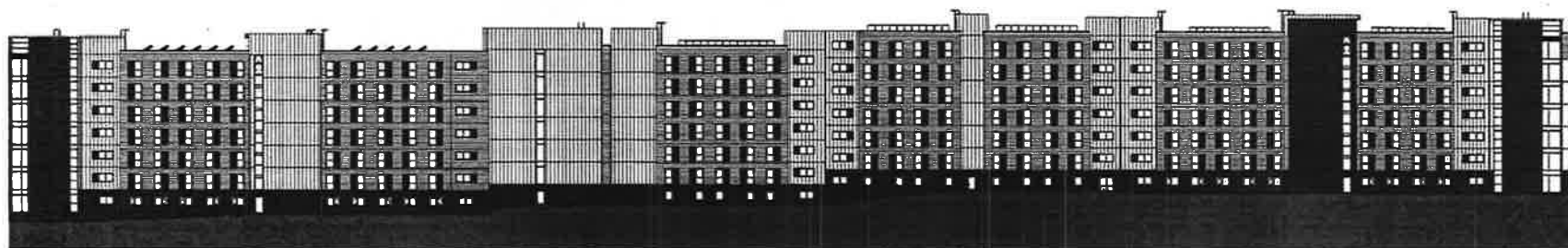
Project Name	1:200 G1
Project Number	1:200 G1
Project Date	10/10/14
Project Location	10/10/14

70218-STI-05-ZZ-DR-A-ZZ-02101 P22	1: 200 @
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BUILDING ELEVATION 1  
1. 200



BUILDING ELEVATION 2  
1. 200



Materials



1/2" Brown 2" Mortar Joint  
Exterior 1st Floor



2" Brown 2" Mortar Joint  
Exterior 2nd Floor



2" Brown 2" Mortar Joint  
Exterior 3rd Floor



2" Brown 2" Mortar Joint  
Exterior 4th Floor



2" Brown 2" Mortar Joint  
Exterior 5th Floor

1. 200  
1. 200  
1. 200

Carroll Metropolitan University

**STRIDE TREGLOWN**

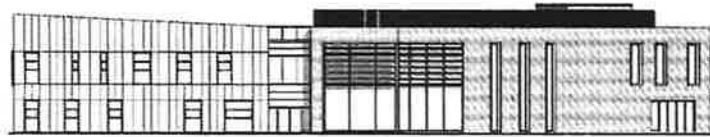
Civil Service Administration  
Civic Center  
Civic Center

at 1000 - Proposed New Division

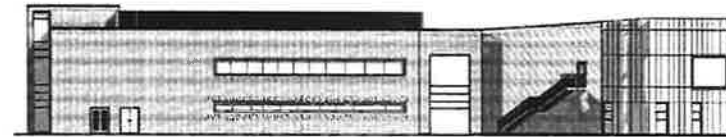
1. 200

1. 200

1. 200



① The Forum - Elevation 1  
+ 000



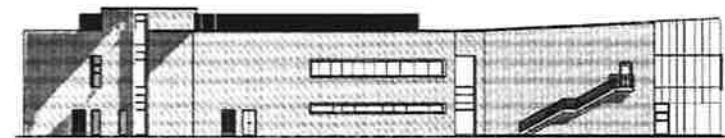
④ The Forum - Elevation 4  
+ 1200



② The Forum - Elevation 2  
+ 000



⑤ The Forum - Elevation 5  
+ 200



③ The Forum - Elevation 3  
+ 300

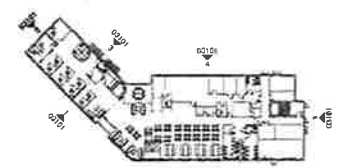


⑥ The Forum - Elevation 6  
+ 400



#### Materials Key

- 01 Timber Clad Cladding  
Material: WPC  
Colour: Oak Effect
- 02 Brickwork  
Colour: Buff multi clay facing  
Surface Finish: GWS
- 03 Extruded Aluminium Panel  
Material: Aluminium  
Finish: Powdercoat (Russet) Colour: White/Black
- 04 Aluminium PVC Surround  
Colour: Candy  
Finish: Powdercoat (Russet) Colour: White/Black
- 05 Glass & Curtain Walling  
Material: Aluminium  
Finish: Powdercoat (Russet) Colour: White/Black
- 06 Glass & Curtain Walling  
Material: Aluminium  
Finish: Powdercoat (Russet) Colour: White/Black
- 07 Glass & Curtain Walling  
Material: Aluminium  
Finish: Powdercoat (Russet) Colour: White/Black



Elevation Key Plan  
+ 000

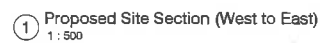
Symbol	Description	Material
01	Timber Clad Cladding	WPC
02	Brickwork	Buff multi clay facing
03	Extruded Aluminium Panel	Aluminium
04	Aluminium PVC Surround	Aluminium
05	Glass & Curtain Walling	Aluminium
06	Glass & Curtain Walling	Aluminium
07	Glass & Curtain Walling	Aluminium

Cardiff Metropolitan University  
70218

**STRIDE TREGLOWN**  
CMU Student Accommodation  
Cyncoed Campus  
Cyncoed  
Cardiff

The Forum - Proposed Elevations

Project Name	As indicated @ A1
Project Number	70218-STL-05-ZZ-DR-A-ZZ-09101
Page Number	P22.0



CONSULTANT

# STRIDE TREGLOWN

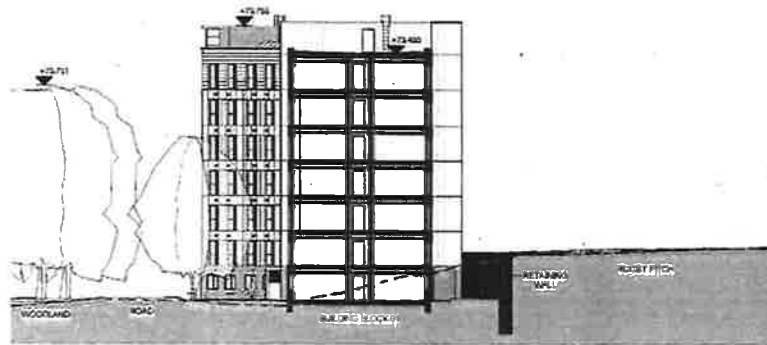
www.streglow.co.uk

PROJECT

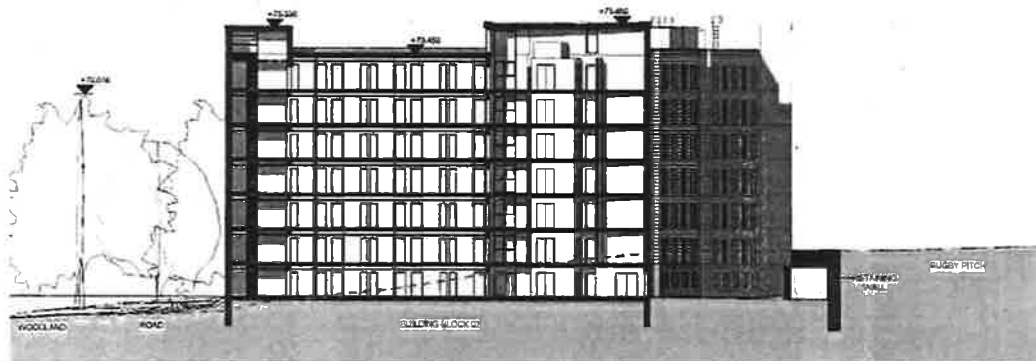
CMU Student Accommodation  
Cyncoed Campus  
Cyncoed  
Cardiff

Proposed Site Sections Sheet 3

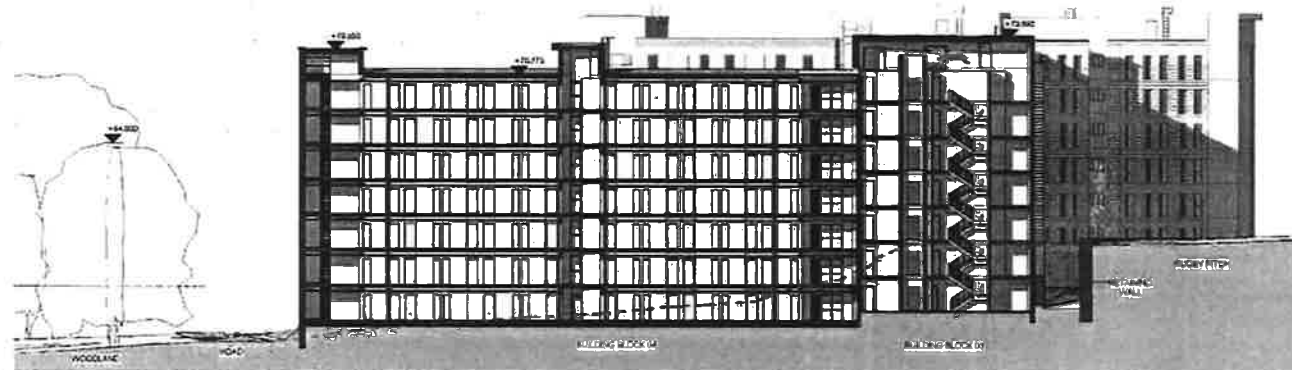
PL: PLANNING	As indicated @ A1
70218-STL-00-ZZ-DR-A-ZZ-04003	P22.0



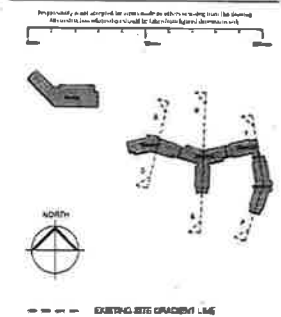
⑤ Section 5  
1:200



⑥ Section 6  
1:200



⑦ Section 7  
1:200

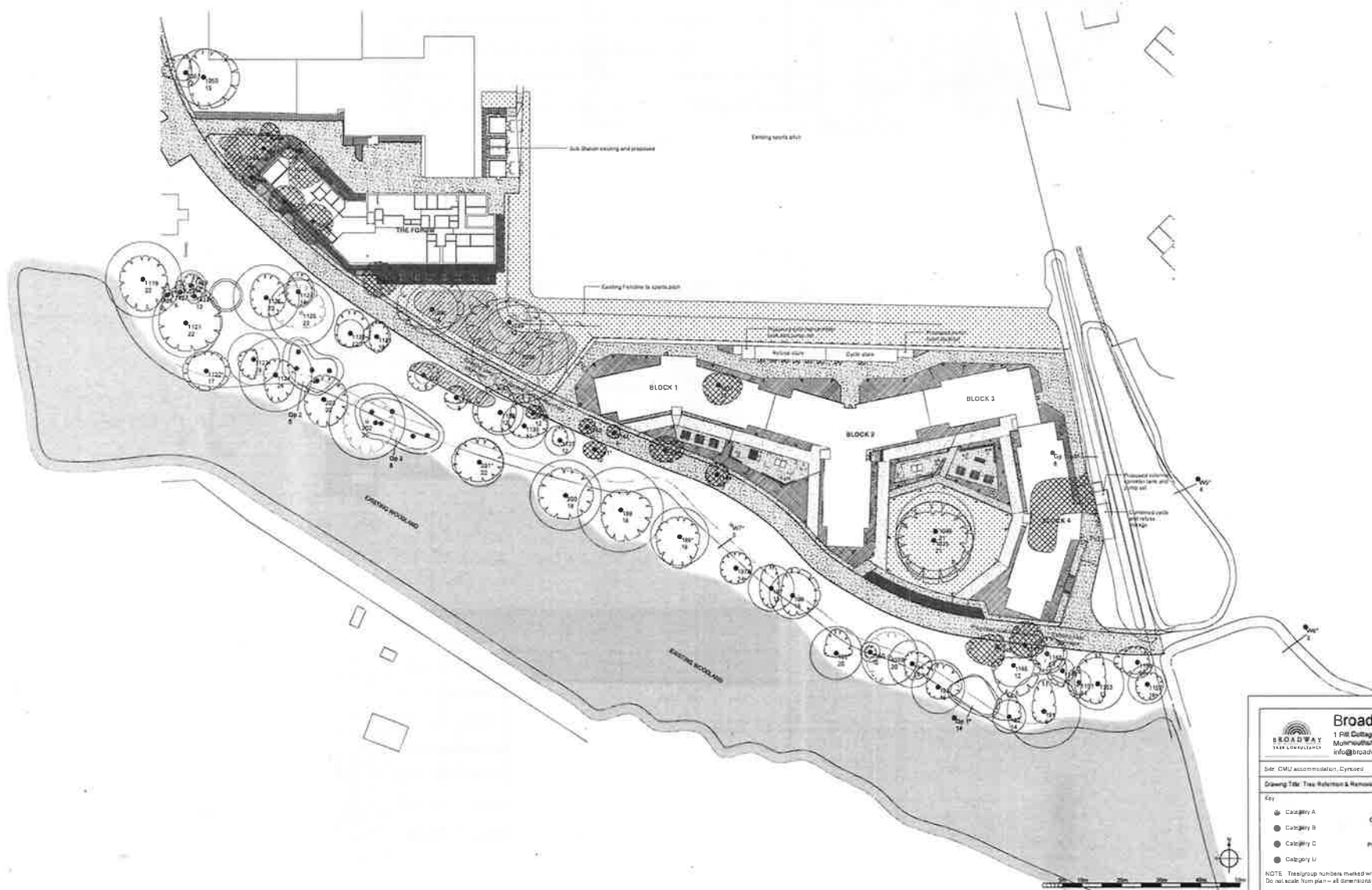


NO.	DATE	BY	FOR	PROJECT NAME	PROJECT NO.
1	10/10/17	PL	CMU	Cardiff Metropolitan University	70218
2	10/10/17	PL	CMU	Cardiff Metropolitan University	70218
3	10/10/17	PL	CMU	Cardiff Metropolitan University	70218
4	10/10/17	PL	CMU	Cardiff Metropolitan University	70218
5	10/10/17	PL	CMU	Cardiff Metropolitan University	70218
6	10/10/17	PL	CMU	Cardiff Metropolitan University	70218
7	10/10/17	PL	CMU	Cardiff Metropolitan University	70218
8	10/10/17	PL	CMU	Cardiff Metropolitan University	70218
9	10/10/17	PL	CMU	Cardiff Metropolitan University	70218
10	10/10/17	PL	CMU	Cardiff Metropolitan University	70218

**STRIDE TREGLOWN**  
CMU Student Accommodation  
Cyncoed Campus  
Cyncoed  
Cardiff

Proposed Site Sections Sheet 4

PL: PLANNING	As indicated @ A1
70218-STL-00-ZZ-DR-A-ZZ-04004	729.0



**Broadway Tree Consultancy**  
 1 Pitt Cottage, The Pitt, Llanarth, Nr. Raglan,  
 Monmouthshire, NP23 2DE. Mobile: 01967 503415  
 info@broadwaytrees.co.uk, www.broadwaytrees.co.uk

Site: CMU accommodation, Cymrod  
 Drawing Title: Tree Retention & Removal Plan  
 Rev: C  
 Date: Sept 2015

**Key**

- Category A
- Category B
- Category C
- Category U

**Category**

- Tree Number
- Tree Height
- Tree Spread
- Tree to be removed to facilitate development

**NOTE:** Tree group numbers marked with an 's' have approximate locations. Do not scale from plan - all dimensions to be checked on site prior to construction.