

## LOCAL MEMBER & AM OBJECTION & PETITION

COMMITTEE DATE: 13/02/2019

APPLICATION No. **18/00948/MJR** APPLICATION DATE: 03/05/2018

ED: **PLASNEWYDD**

APP: TYPE: Full Planning Permission

APPLICANT: Mr CURRIE

LOCATION: 23-24 WORDSWORTH AVENUE, ROATH, CARDIFF, CF24 3FF

PROPOSAL: PROPOSED CONSTRUCTION OF 1 X 4 BED HOUSE AND THE EXTENSION & CONVERSION OF EXISTING BUILDINGS TO FORM A B1 OFFICE AND 3 SELF-CONTAINED APARTMENTS (1 X 3 BED AND 2 X 2 BED DUPLEX APARTMENTS) WITH ON-SITE PARKING, CYCLE, REFUSE AND AMENITY FACILITIES

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**RECOMMENDATION 1:** That planning permission be **GRANTED** subject to the following conditions :

1. The Development shall be carried out in accordance with the following approved plans and documents :

### Plans

- AL(90)10 Rev K – Site and Location Plan
- AL(00)100 – Existing Floor Plans
- AL(00)101 - Existing North West Elevation
- AL(00)102 – Existing East Elevation
- AL(00)103 – Existing West Elevation
- AL(00)104 – Existing South East Elevation
- SK001 – Proposed Basement & Ground Floor Plan
- AL(01)12 Rev F – Proposed 1<sup>st</sup> Floor Plan
- AL(01)13 Rev G – Proposed 2<sup>nd</sup> Floor Plan
- AL(01)14 Rev F – Proposed Street Elevation
- AL(01)15 Rev D – Proposed North West Elevation
- AL(01)16 Rev D – Proposed West Elevation
- AL(01)17 Rev H – Proposed South East Elevation
- AL(01)18 Rev F – Proposed East Elevation
- AL(02)01 Rev D – Proposed House Floor Plans
- AL(02)2 Rev D – Proposed House Elevations
- AL(03)01 Rev C – Proposed Cycle & Bin Store
- AL(01)19 - Stone Wall Treatment
- AL(04)01 - Window Detail
- AL(90)12 Tree Protection Plan

## Documents

Email from Arran Dallimore dated 21<sup>st</sup> August 2018

Reason: To ensure satisfactory completion of the development and for the avoidance of doubt in line with the aims of Planning Policy Wales to promote an efficient planning system.

2. 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 must be undertaken and where remediation is necessary a remediation scheme and verification plan must be prepared and submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be submitted to and approved in writing by the Local Planning Authority. The timescale for the above actions shall be agreed with the LPA 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 (2006 -2026).

3. Any topsoil [natural or manufactured], or subsoil, to be imported shall be assessed for chemical or other potential contaminants in accordance with a scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority in advance of its importation. Only material approved by the Local Planning Authority shall be imported. All measures specified in the approved scheme shall be undertaken in accordance with the relevant Code of Practice and Guidance Notes. Subject to approval of the above, sampling of the material received at the development site to verify that the imported soil is free from contamination shall be undertaken in accordance with a scheme and timescale to be agreed in writing by the LPA.

Reason: To ensure that the safety of future occupiers is not prejudiced in accordance with policy EN13 of the Cardiff Local Development Plan (2006 -2026).

4. Any aggregate (other than virgin quarry stone) or recycled aggregate material to be imported shall be assessed for chemical or other potential contaminants in accordance with a scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority in advance of its importation. Only material approved by the Local

Planning Authority shall be imported. All measures specified in the approved scheme shall be undertaken in accordance with the relevant Code of Practice and Guidance Notes. Subject to approval of the above, sampling of the material received at the development site to verify that the imported material is free from contamination shall be undertaken in accordance with a scheme and timescale to be agreed in writing by the LPA.

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

5. The commercial space shown on plan SK001 (proposed basement and ground floor plan) shall be used for the purposes specified in the application and for no other purpose (including any other purpose in Class B of the schedule to the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument amending, revoking or re-enacting that Order).

Reason: Permission is granted only because of the characteristics peculiar to this proposal. Other uses within Class B could prejudice the amenities of the area.

6. A construction management plan shall be submitted to and approved in writing by the Local Planning Authority within 1 months of the date of approval. The construction management plan shall include details of, but not be limited to the following: the access/parking of construction and deliveries vehicles, hours of operation, details of the management of loading and unloading and proposed dust/noise mitigation measures. The approved details shall be maintained during the construction of the development hereby approved.

Reason: to ensure the development does not cause unacceptable harm to adjoining neighbours or the highway, in accordance with policies T5, T6 and EN13 of the adopted Local Development Plan (2006-2016).

7. A scheme of sound insulation works to the floor and ceiling structure between the proposed commercial office use and any domestic use, shall, be submitted to and agreed by the Local Planning Authority in writing within 3 months of the date of approval. The approved scheme shall be implemented within 3 months of the date of approval, unless otherwise agreed in writing by the LPA.

Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected in accordance with Policy EN13 of the adopted Cardiff Local Development Plan (2006-2026).

8. Notwithstanding the submitted details, full details of hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority within 3 months of the date of approval. These details shall include:

- A landscaping implementation programme.
- Scaled planting plans prepared by a qualified landscape architect.

- Proposed finished levels.
- Earthworks.
- Hard surfacing materials.
- Existing and proposed services and drainage above and below ground level.

Planting plans shall be supplemented by:

- Schedules of plant species, sizes, numbers or densities prepared by a qualified landscape architect.
- Scaled tree pit sectional and plan drawings prepared by a qualified landscape architect.
- Topsoil and subsoil specification for all planting types, including full details of soil assessment, protection, stripping, storage, handling, amelioration and placement to ensure it is fit for purpose. Where imported planting soils are proposed, full specification details shall be supplied, including certification in accordance with British Standards and interpretive reports by a soil scientist demonstrating fitness for purpose and a methodology for handling, amelioration and placement.
- Planting methodology and post-planting aftercare methodology (minimum 5 years) prepared by a qualified landscape architect.

Reason: To enable the Local Planning Authority to determine that the proposals will maintain and improve the amenity and environmental value of the area, and to monitor compliance in accordance with policies KP5 and EN8 of the adopted Cardiff Local Development Plan (2006-2026)

9. Any newly planted trees, plants or hedgerows, which within a period of 5 years from the completion of the development die, are removed, become seriously damaged or diseased, or in the opinion of the Local Planning Authority (LPA) otherwise defective, shall be replaced. Replacement planting shall take place during the first available planting season, to the same specification approved in discharge of condition 5, unless the Local Planning Authority gives written consent to any variation.

Reason: To maintain and improve the amenity and environmental value of the area in accordance with policy EN8 of the adopted Cardiff Local Development Plan (2006-2026).

10. Notwithstanding the submitted elevation drawings ref: AL(01)14 Rev F – Proposed Street Elevation and AL(01)15 Rev D – Proposed North West Elevation, the windows proposed on the Wordsworth Avenue elevations of the No. 23 and 24 Wordsworth Avenue shall be sliding wooden sash windows in accordance with Drawing No. AL(04)01 - Window detail.  
Reason: To ensure that the character and appearance of the conservation area is preserved in accordance with policies KP5, KP17 and EN9 of the adopted Cardiff Development Plan (2006 – 2026).

11. Notwithstanding the submitted elevation drawings ref: AL(01)14 Rev F – Proposed Street Elevation and AL(01)15 Rev D – Proposed North West Elevation, details of any replacement doors to the Wordsworth Avenue elevations of No's 23 and 24 shall be submitted to and approved in writing by the Local Planning Authority.  
Reason: to ensure that the character and appearance of the Wordsworth Avenue Conservation Area is preserved in accordance with policies KP5, KP17 and EN9 of the adopted Cardiff Development Plan (2006 – 2026).
12. Notwithstanding drawing ref: AL(01)19 – Stone Wall Treatment, details of the finish of the boundary wall between the application site and Woodland Place, in the precise location of the existing garage, shall be submitted to and approved by the LPA within 3 months of approval. The submitted details shall clearly demonstrate cock and hen coping and mortar detailing consistent with that evident in the rest of the wall. The approved detail shall be implemented within 1 month of approval.  
Reason: To ensure that the character and appearance of the conservation area is preserved in accordance with policies KP5, KP17 and EN9 of the adopted Cardiff Development Plan (2006 – 2026).
13. Notwithstanding the approved plans and elevations, prior to the beneficial occupation of the two duplex apartments proposed within No. 23 Wordsworth Avenue, obscure glass to a height of 1.8m, shall be added to the balconies in the location shown on the submitted plans, unless otherwise agreed in writing by the LPA. The screens shall thereafter be retained and maintained.  
Reason: To ensure that the privacy of adjoining occupiers is protected in accordance with Policy KP5 of the adopted Cardiff Local Development Plan (2006 - 2026).
14. Notwithstanding the submitted plans and elevations, within 1 months of the date of approval, obscure glass to a height of 1.8m shall be added to the balconies serving the duplex apartment proposed within No. 24 Wordsworth Avenue, unless otherwise agreed in writing by the LPA. The screens shall thereafter be retained and maintained.  
Reason: To ensure that the privacy of adjoining occupiers is protected in accordance with Policy KP5 of the adopted Cardiff Local Development Plan (2006 - 2026).
15. The proposed car/cycle parking and manoeuvring areas shall be laid out in accordance with the approved details within 3 months of the date of approval, unless otherwise agreed in writing by the LPA, and shall thereafter maintained and retained at all times for those purposes associated 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. In accordance with Policy T5 of the adopted Cardiff Local Development Plan (2006-2026).

16. Samples of the external finishing materials for the detached dwelling shall be submitted to and approved in writing by the Local Planning Authority prior to its construction on site.  
Reason: To ensure that the finished appearance of the development is in keeping with the area in accordance with policy KP5 of the adopted Cardiff Local Development Plan (2006 - 2026).
17. Within 3 months of the date of approval, details of the boundary enclosures proposed for the site shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be constructed prior to the beneficial occupation of the final residential unit within the development and shall thereafter be retained and maintained.  
Reason: To ensure that the amenities of the area are protected in accordance with policy KP5 of the adopted Cardiff Local Development Plan (2006 - 2026).
18. The window which has been introduced into the ground floor east elevation of No. 24 Wordsworth Avenue, which is not shown on the approved plans, shall be removed within 1 month of the date of approval and the wall reinstated to match the equivalent element of the building.  
Reason: to ensure that the character and appearance of the conservation area is preserved in accordance with policy KP17 and EN9 of the adopted Cardiff Local Development Plan (2006 – 2026)
19. Within 3 months of the date of approval, a drainage scheme for the site and timeframe for its implementation shall be submitted to and approved in writing by the local planning authority. The scheme shall provide for the disposal of foul, surface and land water, and include an assessment of the potential to dispose of surface and land water by sustainable means. Thereafter the scheme shall be implemented in accordance with the approved details and timeframe. No further foul water, surface water and land drainage shall be allowed to connect directly or indirectly with the public sewerage system.  
Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment in accordance with Policy EN10 of the adopted Local Development Plan (2006 - 2026)..
20. Within 3 months of the date of approval, a drainage scheme for the site and timeframe for its implementation shall be submitted to and approved in writing by the local planning authority. The scheme shall include an assessment of the potential to dispose of surface and land water by sustainable means. Where a sustainable drainage scheme is to be provided the submitted detail shall:
  - i. Provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measure taken to prevent pollution of the receiving groundwater and/or surface waters;
  - ii. Include a period for its implementation; and

- iii. Provide a management and maintenance plan of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

Thereafter the scheme shall be implemented in accordance with the approved details and timeframe No further foul water, surface water and land drainage shall be allowed to connect directly or indirectly with the public sewerage system.

Reason: To ensure disposal of surface water via possible sustainable means in accordance with policy EN10 of the adopted Local Development Plan (2006 - 2026).

21. Notwithstanding the submitted plans and elevations, within 3 months of the date of approval, a schedule of works detailing improvements to No's 23 and 24 and timeframe for its implementation shall be submitted to and approved in writing by the Local Planning Authority. The schedule shall include, but not be limited to, details of any re-rendering required, details of any replacement materials proposed and details of the making good of any features of the existing building. The approved details will be implemented in accordance with the approved details and timeframe and shall thereafter be retained and maintained.

Reason: In order to preserve the historic asset, in accordance with policies KP5, KP17 & EN9 of the adopted Cardiff Local Development Plan (2006 - 2026).

**RECOMMENDATION 2:** The contamination assessments and the affects of unstable land are considered on the basis of the best information available to the Planning Authority and are not necessarily exhaustive. The Authority takes due diligence when assessing these impacts, however you are minded that the responsibility for

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

- weed; and
- (iii) the safe development and secure occupancy of the site rests with the developer.

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

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

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

**RECOMMENDATION 4:** The applicant is advised to contact Dwr Cymru / Welsh Water on 0800 917 2652 or via email at [developer.services@dwrcymru.com](mailto:developer.services@dwrcymru.com) regarding any connection to the public sewer under S106 of the Water industry Act 1991.

**RECOMMENDATION 6:** Any changes proposed to the existing access from Wordsworth Avenue should be submitted to and agreed with the Council's Highways Section and may be subject of a highway licence. For further information contact. [assetmanagement@cardiff.gov.uk](mailto:assetmanagement@cardiff.gov.uk).

**RECOMMENDATION 7:** The applicant is advised that a commercial contract is required for the collection and disposal of all commercial waste under section 34 of the Environmental Protection Act 1990. Owners or developers of commercial development/properties who require Cardiff County Council to collect and dispose of their waste are advised to contact the Commercial Services dept. (Tel: 029 2071 7500).

**RECOMMENDATION 8:** The applicant is advised that appropriate measures should be put in place to ensure that no harm is brought to the two street trees located to the front of the application site, along Wordsworth Avenue, during any construction works.

**RECOMMENDATION 9:** The applicant is reminded that the property to the rear of the site is Grade II Listed and therefore due care and attention must be given to ensuring that the historic fabric of this building it is not harmed as a result of any works, including clearance and construction works.



**RECOMMENDATION 10:** The developer is advised that bats often roost in houses and other buildings, and work on these buildings may disturb a bat roost. All bats and their roosts are protected against disturbance under UK AND European legislation. If works are planned on buildings in which bats are known to be roosting, Natural Resources Wales must be contacted for advice.

If work has already commenced and bats are found, or if any evidence that bats are using the site as a roost is found, work should cease and either NRW or a suitably qualified, experienced and licenced ecologist is consulted for advice on how to proceed.

Where there is a likelihood that bats are present, or where bats are found to be present, a suitably qualified and experienced ecological consultant should be contracted to provide an assessment of the impact of the proposed works, and undertake bat surveys if necessary.

Where bats or their roosts are present, no work of site clearance, demolition or construction should take place unless a licence to disturb these species and/or their roosts has been granted in accordance with the relevant legislation.

NRW can be contacted at:-

Natural Resources Wales, Ty Cambria, 29 Newport Road, Cardiff, CF24 0TP.  
Tel: 0300 065 3000

Bat Conservation Trust can be contacted at:-

5<sup>th</sup> Floor, Quadrant House, 250 Kennington Lane, London, SE11 5DR  
Tel: 0345 1300 228

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

- 1.1 Full planning permission is sought for the construction of 1 x 4 bed house and conversion of existing buildings to form 1 live work unit, and 3 self-contained apartments (1 x 2 bed duplex and 2 x 1 bed) with on-site parking, cycle, refuse and amenity facilities.
- 1.2 The detached dwelling proposed to the rear of the site would be located adjacent to No.10 Woodland Place, one of 10 listed properties arranged around a small cul-de-sac. The proposed dwelling would be set back approximately 7m from the front elevation of No. 10 Woodland Place and approximately 1m off its side elevation. The dwelling would have a private rear garden measuring approximately 98m<sup>2</sup>. The form, layout and position of this dwelling would be consistent with that considered by planning committee under planning application ref: 17/01435/MNR.
- 1.3 No. 23 Wordsworth Avenue would be extended by way of the provision of an additional floor, with flat roof, to the existing rear annexe of the building along with the addition of pitched roof to the flat roofed side annexe. Balconies would also be added to the rear of the building along with a small dormer like addition to the rear roof slope.

- 1.4 The existing single storey side and rear extensions to No. 24 Wordsworth Avenue would be demolished. A single storey pitched roof extension, with parapet wall to create a flat roof aesthetic, is proposed to the rear of the building within the buildings side return. A metal structure containing balconies serving the first and second floor duplex apartment is proposed above this extension. This sits forward of the ground floor extension but in from its end elevation.
- 1.5 The existing link section between No's 23 and 24 would be updated as part of the proposal through being extended towards its rear and through alterations to the existing openings.
- 1.6 Each of the proposed flats would have a private balcony or terrace area measuring of a minimum of 4m<sup>2</sup>. A small area of shared landscaped amenity space would also be provided to the rear of the flats.
- 1.7 Vehicular access to the site would be achieved via a new access road leading along the southern boundary of the site in the location of the existing garage. The initial part of the access road would measure 4.5m in width with the road widening out within the car park proposed towards the rear of the site. Pedestrian (resident/employee) access to the rear of the building would also achievable through the linking section between No's 23 and 24.
- 1.8 A dedicated refuse storage area for the residential properties would be located to the rear of site set within the car park. This would be positioned adjacent to a secure cycle store which would serve both the residential and office elements of the development.
- 1.9 A total of 8 car parking space are proposed serving the proposed apartments and office element of the development. These would be located to the rear of No's. 23 and 24 but in front of the proposed detached dwelling and its garden. Two dedicated parking spaces would be provided for the detached dwelling. These would be located directly in front of this property, between it and the stone wall site enclosure with Woodland Place.
- 1.10 Amended plans have been received along with a change in the application description. The revised proposal seeks full planning permission for the extension and conversion of 23 Wordsworth Avenue to form 2 x 1 bed apartments and 1 x 2 bed duplex apartment, the extension and conversion of 24 Wordsworth Avenue to form a ground floor B1 Office with 1 x 3 bed duplex apartment above, the erection of 1 x 4 bed detached dwelling and the provision of on-site parking, cycle, refuse and amenity facilities.
- 1.11 Aside from a change to the application description, a summary of the proposed changes within the amended plans are detailed below.
  - Alterations to the window openings located within the linking section between no's 23 and 24.
  - Changes to the design of the entrance doorway located in the linking section between no's 23 and 24.

- The omission of the window introduced to the ground floor, southern elevation of No. 24, formerly an internal door to the garage.
- The provision of a covered and lockable cycle store.
- The provision of separate refuse stores for the residential and office uses proposed.
- A reduction in the height of the wall and railings boundary enclosure proposed along the Wordsworth Avenue boundary of the site.
- The submission of details to provide clarity over the design of the parapet wall proposed for the ground floor extension to the rear of No. 24.

1.12 Further amended plans have been received together with a further change to the application description. Full planning permission is now sought for the extension and conversion of 23 and 24 Wordsworth Avenue into 2 x 2 bed duplex apartments, 1 x 3 bed duplex apartment and a ground floor B1 Office, along with the provision of 1 x 4 bed detached dwelling, on-site parking, cycle, refuse and amenity facilities within the grounds. This amendment sees the two 1 bed apartments previously proposed altered to form a single two bed duplex apartment, thereby reducing the total number of residential units proposed to 4. One car parking space has also been omitted with this space now being included as landscaping.

1.13 It should be noted that the following works have already been undertaken to the application site. These are not consistent with those considered under application ref: 17/01435/MNR and therefore, at this time, do not have a valid planning consent. This application therefore seeks to formally regularise them.

- The demolition of the existing single storey extensions to the side and rear of No. 24.
- The removal of the existing metal fire escape stairwell to the rear of No. 24.
- The demolition of the existing pitched roof garage to the side of No. 24 and the creation of a vehicular access to the rear of the site.
- The erection of a single storey, shallow pitched, extension within the side return to the rear of No. 24.
- The introduction of two window openings in place of existing doorways between the former Assembly Hall of the property and the garage and side extension and insertion of grey upvc windows into these openings.
- The removal of the means of enclosure (brick wall and fencing) to the Wordsworth Avenue elevation of the site.
- The removal and replacement of windows to the front of No's. 23 and 24 with wooden sliding sash windows painted white.
- The change of use of the ground floor of No. 24 to B1 Office use.
- The change of use of the upper floors of No. 24 to C3 residential use.
- Internal alterations to No's 23 and 24
- The replacement of windows to the rear of the site with grey upvc.
- The introduction of a balcony structure, including balcony screens, to the rear of No. 24.

## **2. DESCRIPTION OF SITE**

- 2.1 The application site measures 0.123 ha in size and is located on the corner of Wordsworth Avenue and Woodland Place within the Wordsworth Avenue Conservation Area. The site consists of a pair of Victorian properties, one forming part of a pair of semi-detached residential dwellings and the other the former Taibah School Building. The buildings have been in a poor state of repair for a number of years.
- 2.2 The former Taibah school building is a 3 storey pitched roof building with 3 storey pitched roof rear annexe and attached coach house/garage to its southern elevation. The building benefits from detailing, some of which is in a poor state of repair, such as quoins, window surround detailing, wooden sliding sash windows, ground floor ashlar effect rendering and a large ground floor bay window on its prominent front elevation. No. 23 Wordsworth Avenue is a 4 storey (including basement) semi-detached property with 3 storey side and 2.5 storey rear annexes. The building has a bay on its front elevation at basement, ground and first floor levels. The building benefits from wooden sliding sash windows on its front elevation. The two buildings are linked via a recessed 3 storey flat roofed link element which rises just above eaves level of both properties.
- 2.3 Wordsworth Avenue is lit and has footways on both sides leading to Newport Road, a main arterial route into the city centre.
- 2.4 The site is located adjacent to Woodland Place a cul-de-sac containing numerous Grade II listed 2 storey residential properties.
- 2.5 Access to the development is proposed via an access road leading along the southern boundary of the site. This would require the removal of the existing garage/coach house.
- 2.6 No trees with Tree Protection Orders are located on the site though a number of protected trees are located on the opposite side of the boundary wall between the site and Woodland Place.
- 2.7 The site is not located within a flood zone as defined by TAN 15.

## **3. SITE HISTORY**

- 3.1 17/01435/MNR – Partial demolition of existing buildings and construction of 1 x 4 bed house and extension & conversion to form 7 self-contained apartments (3 x 2bed and 4 x 1bed) with onsite parking, cycle, refuse and amenity facilities. – Recommended for approval, subject to the signing of a S106, at Planning Committee in December 2017. The S106 remains unsigned.

## **4. POLICY FRAMEWORK**

- 4.1 Planning Policy Wales (Edition 10) December 2018.

#### 4.2 Technical Advice Notes

Tan 12: Design (March 2016)

Tan 18: Transport (March 2007)

#### 4.3 The Cardiff Local Development Plan (Adopted January 2016) provides the local planning policy framework. Relevant policies include:

KP5: Good Quality and Sustainable Design

KP6: New Infrastructure

KP7: Planning Obligations

KP8: Sustainable Transport

KP13: Responding to Evidenced Social Needs.

KP14: Healthy Living

KP15: Climate Change

KP17: Built Heritage

H3: Affordable Housing

H6: Change of Use or Redevelopment to Residential Use

EC7: Employment Proposals on Land Not Identified for Employment Use

T1: Walking and Cycling

T5: Managing Transport Impacts

T6: Impact on Transport Networks and Services

EN3: Landscape Protection

EN9: Conservation of the Historic Environment

EN10: Water Sensitive Design

EN13: Air, Noise, Light Pollution and Land Contamination

C3: Community Safety/Creating Safe Environments

W2: Provision for Waste Management Facilities in Development

#### 4.4 Further advice is provided in the following adopted Supplementary Planning Guidance documents: (SPG's)

Planning Obligations (January 2017)

Residential Design Guide (January 2017)

Waste Collection and Storage Facilities (October 2016)

Infill Sites (November 2017)

Green Infrastructure (November 2017)

Managing Transportation Impacts (April 2018)

#### 4.5 Wordsworth Avenue Conservation Area Appraisal (2008)

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

#### **(Original Plans)**

#### 5.1 **Conservation**

The proposed scheme requires elements of the existing buildings to be demolished. These, with the exception of the garage/coach house, are located

to the rear of the buildings and therefore make little contribution to the conservation area and would not be resisted. The removal of the sections of the buildings proposed for demolition also fall outside of the control of planning.

The demolition of the side garage to No. 24 is considered acceptable provided that part of the gable end of the garage (facing south), which has a characterful random rubble stone finish with cock and hen coping, is retained as part of the wall along this boundary. This should be secured by way of condition.

The existing windows evident on the prominent front elevations of No's. 23 and 24, a number of which were either in a poor state of repair or have missing elements, would be replaced with wooden sliding sash windows consistent with those which are characteristic along the street. The replacement of these existing windows, as proposed, would therefore represent an enhancement within the conservation area.

Despite being less visually prominent, the windows proposed in the link section between No. 23 and 24 would fail to replicate the proportions and style of the other windows on the front elevations of these buildings, thereby failing to preserve the character and appearance of the conservation area. These windows would therefore expect to be amended accordingly. Similarly the modern entrance doorway proposed within this section would fail to preserve the character and appearance of the area and would expect to be reconsidered.

The reintroduction of the stepped entrance to number 23 and the retention of front door to number 24 is welcomed.

The boundary wall and railing detail shown on plan ref: AL(01)14 rev: D is not characteristic of the conservation area, or therefore consistent with the other means of enclosures evident along Wordsworth Avenue, given the height of the railings proposed. A reduction in the height of the railings and more proportionate wall to rail ratio would be expected.

The window proposed in the ground floor East elevation of No. 24, closest to Wordsworth Avenue, would represent highly prominent, incongruous, addition within the conservation area and would not be supported. The other two windows proposed in the ground floor of this elevation would not be prominent within the conservation area and would raise no objection.

The scale, detailing and materials for the proposed house to the rear is considered to be sensitive to its setting. The dwelling would be set well back (approx. 7m) from the Woodland Place frontage and concealed from prominent viewpoints by the existing high stone boundary wall and protected trees. Glimpsed views may be possible towards the first floor and roof of the house, however this would not be materially different to the existing view of the large annexe to 20 Wordsworth Avenue beyond. The house would not affect the way in which the 8-10 Woodland Place would be experienced. Beyond the group value of the cul-de-sac and the strong sense of enclosure, specific views out from these listed buildings are not considered to be a fundamental part of their historic character. Therefore it is considered that the setting of the listed

properties at 1-10 would be preserved.

## **5.2 Transportation**

Highways comments were received for the amended plans only. (See below)

## **5.3 Affordable Housing**

The Housing Strategy Manager states that, in line with the adopted LDP, an affordable housing contribution of 20% of the 5 units (1 unit) is sought on this brown-field site.

The preference is to deliver on-site affordable housing, in the form of affordable rented accommodation, built to Welsh Government Development Quality Requirements (DQR) for purchase by a nominated Registered Social Landlord (RSL) partner. However, if the affordable housing cannot be delivered on-site then we would consider accepting financial contribution. On this scheme, we would seek a financial contribution of **£86,072** (in lieu of 1 x 2 bed apartment unit) which is calculated in accordance with the formula in the Planning Obligations – Supplementary Planning Guidance (SPG) (2017).

## **5.4 Trees**

There are no trees within this site meriting retention. A detailed landscaping scheme should be provided for the site. This should be secured by way of condition. The landscaping scheme should include a scaled planting plan, plant schedule, topsoil and subsoil specification, tree pit section and plan view, planting methodology and aftercare methodology.

## **5.5 Parks**

The Parks Officer has requested a condition be applied to any grant of planning permission requiring the submission of a method statement, detailing tree protection measures; including tree box protection, for the street trees located on the highway in front of the application during construction works.

The Parks Officer confirms that the number of proposed units (5) is below the threshold for an off-site POS contribution.

## **5.6 Ecology**

The County Ecologist has considered the application proposal in relation to Table 2 of section 1.5.1 (Page 45) of the Ecology and Biodiversity section of the approved Green Infrastructure SPG, which sets out the criteria we use for deciding when a bat survey is needed. The nature and location of the application buildings and the works proposed to them suggest that there is a reasonable likelihood of an impact upon roosting bats, therefore any application should be supported by a bat survey to determine if this is the case. In particular, areas to be demolished such as the garage, and any works to roof structures should be subject to examination.

In the first instance a preliminary survey of bat roost potential should be undertaken. This can take place at any time of year. The outcome of a preliminary roost assessment will include one of the following:-

- an adverse impact upon bats is so unlikely that no further action in relation to bats is necessary, or
- the likelihood of an impact is low, such that precautionary mitigation measures can reduce this likelihood still further, or
- the likelihood of an impact upon bats is high, so further survey are needed in order to establish exactly what the impact would be, or
- the outcome is uncertain due to, for example, lack of access to certain areas of the building, so further survey are needed in order to establish exactly what the impact would be, or
- the impact is certain and can be defined precisely on the basis of the preliminary assessment, such that no further surveys are needed, but a licence issued by NRW would be required to allow works to proceed legally.

## **5.7 Waste Management**

The Waste Strategy and Minimisation Manager considers the bin storage area indicated to be acceptable for the domestic element of the scheme, however the office accommodation would need a separate storage collection area as domestic and commercial waste must not be mixed. As such, amended plans, indicating the storage area for the office, are required.

Furthermore, vehicle tracking will need to be submitted in order to show that the Council's RCVs (Olympus 6x2RS 19N) will be able to access the site. The RCV must be able to enter and exit the road in a forward gear (it is not permitted to reverse down any roads). The vehicle tracking diagram must be able to show this. It is not clear from the plan whether the access is suitable for a refuse collection vehicle to enter the site. If the access is not suitable for the vehicle to enter the site then a collection point would need to be identified at the entrance to the site.

## **5.8 Drainage**

The Operational Manager (Drainage) – Raises no objection to the application proposal subject to a condition regarding surface water drainage.

## **5.9 Pollution Control – Contaminated Land**

Pollution Control (Contaminated Land) raise no objection subject to conditions.

## **5.10 Pollution Control – Noise and Air**

Pollution Control (Noise and Air) raise no objection subject to conditions regarding sound proofing, office operation hours, office delivery times and Plant Noise.



### 5.11 **Amended Plans 1**

### 5.12 **Conservation**

The style, proportions, detailing and finishes of the windows and entrance doorway proposed in the link section between 23 and 24 within the amended plans would better reflect that of the rest of the front elevations and would therefore be considered appropriate within the context of the building and conservation area.

The omission of the window originally proposed in the ground floor East elevation of No. 24, closest to Wordsworth Avenue, is welcomed. As this window has already been inserted into the building, it is important that upon removal, the wall is rendered and finished consistent with that of the rest of the side elevation of the building.

The boundary wall and railing detail shown on plan ref: AL(01)14 rev: F better relates to the style and proportions of other means of enclosure evident along the street. As such, subject to a condition requiring the detail of the exact finishes of the means of enclosure being submitted to and approved by the LPA, the means of enclosure proposed is considered acceptable.

The parapet wall detail proposed for the single storey extension at the rear of No. 24 would aid in tying the rear extension in better with the balcony structure proposed above. Whilst the external steelwork for the balcony would be more subtle if it were to sit on the rear extension, given that this small detail would not be prominent within public views within the conservation area, the juxtaposition between the rear extension, including parapet detail, and the balcony structure is considered to preserve the appearance of the conservation area.

### 5.13 **Transportation**

The revised proposals are for a 3-bed apartment above the office (instead of the live/work unit), and 3 apartments to the north of this block, and a detached house at the rear.

The site will be accessed from the existing access immediately north of Woodland Place, and this will extend further into the site into an area of car parking. The access will be 4.5m initially, which will be enough for 2 standard cars to pass, and beyond this the access widens into the car park/turning area. This proposal is similar to the consented scheme. Refuse vehicles will not enter the site.

Two parking spaces are proposed for the detached house at the rear, located to its south. A total of 8 spaces are provided for the office and apartments. It is understood that the office element amounts to approximately 120m<sup>2</sup> and thus a maximum of 3 spaces are allowed according to current standards. The apartments can have a maximum of 7 spaces (including an allowance for visitor parking). The proposed number of vehicle parking spaces is therefore within

the maximum standards, albeit it is towards the higher end of what is allowable.

Cycle parking for the office/apartments is proposed in a covered store at the northern end of the car park. The detailed plan shows 6 Sheffield stands (therefore able to accommodate 12 spaces), although the spacing between the stands only appears to be 900mm, which is less than the minimum. However, the number of spaces is greater than the minimum allowed, and there is some additional room at either end of the cycle store, and thus there is scope to increase the spacing.

The Construction Management condition and highway license informative requested as part of application ref: 17/01435/MNR should be carried forward.

#### **5.14 Affordable Housing**

No further comments

#### **5.15 Parks**

No further comments

#### **5.16 Trees**

My previous comments stand, with the additional comment that the soft landscape bed separating the car-parking spaces has reduced in size by half and is barely viable in supporting anything other than shrubs. The previous much substantial bed with a tree offered a much better landscape feature and helps to break up the otherwise continuous swathe of hard-standing. I would ask that the bed revert to its original size. If this is impossible, then load-bearing soil cells with appropriate aeration/irrigation inlets should be provided beneath car-parking to double the root available soil volume.

#### **5.17 Ecology**

No further comments received

#### **5.18 Waste Management**

The proposed storage areas for the commercial and domestic waste and recycling have been noted and are acceptable.

The collection point has also been noted and is acceptable as documented in (AL(90)10 REV I).

Refuse storage, once implemented, must be retained for future use.

#### **5.19 Drainage**

No further comments

**5.20 PC – Contaminated Land**

No further comments

**5.21 PC – Noise and Air**

The comments made previously are reiterated.

**5.22 Amended Plans 2**

**5.23 Conservation**

No further Comments

**5.24 Transportation**

The omission of a car parking space is considered acceptable given the reduction in the number of residential units from 5 to 4.

**5.25 Affordable Housing**

Despite the number of residential units proposed on site been reduced from 5 to 4, the application site area is 0.1231 hectares in size. As such, the scheme would trigger Policy H3.

On that basis, the affordable housing contribution sought remains the same as originally sought, even with the reduction in numbers (20% x 4 = 1 unit).

*On this scheme, we would seek a financial contribution of **£86,072** (in lieu of 1 x 2 bed apartment unit) which is calculated in accordance with the formula in the Planning Obligations – Supplementary Planning Guidance (SPG) (2017).*

**5.26 Parks**

No further comments

**5.27 Trees**

No further comments

**5.28 Ecology**

No further comments

**5.29 Waste Management**

No further comments

**5.30 Drainage**

No further comments

**5.31 PC – Contaminated Land**

No further comments

**5.32 PC – Noise and Air**

No further comments

**6. EXTERNAL CONSULTEE RESPONSES**

**6.1 Welsh Water**

No objections subject to a condition and advisory note.

**6.2 Amended Plans (both)**

No further comments

**7. REPRESENTATIONS**

7.1 Neighbouring properties have been notified with additional publicity undertaken by way of site notice and advert in the local press. A total of 7 letters have been received in opposition to the proposed development.

7.2 The four local ward members for the Plasnewydd ward were consulted and the following collective letter of objection has been received. (Provided verbatim)

*We are writing as local councillors to object to this resubmitted planning application. We should note that the applicant has so far shown little regard to planning rules or his neighbours and has been forced to resubmit a planning application, in part due to:*

- 1) *Starting significant development work without consent, despite repeated warnings from Cardiff Council*
- 2) *The development works not being in accordance with the submitted plans (17/01435/MNR) previously accepted by the Planning Committee*

*As you will be aware, this along with the fact that Environmental Noise Pollution has had to intervene to stop the applicant's works progressing during unacceptably anti-social hours, has caused a significant level of distress to the local community.*

*In consideration of the current submitted plans, the grounds for our objections are:*

**1) *The proposal is an overdevelopment and over-intensification of the site***

*The proposed use will result in 4 new households and a 2bed live/work unit. This will impact on the availability of parking on site and the amount of amenity space for the separate residents. There is an issue of conflict of uses and access/egress from a number of different users on the site and the resulting impact on the amenity of residents in the Wordsworth Avenue conservation area.*

**2) The use of the live/work unit as an office employing an unspecified number of employees.**

*This 'work' element is in operation as an office with at least 8 employees. There is an objection to this use and the number of employees employed there. Further information should be required by the local planning authority in order for this element of the scheme to be considered fully.*

*If this element of the scheme is permitted, it should be tightly conditioned to control and restrict the occupancy of the residential unit and to restrict the use allowed in the workspace:*

- a) restrict the development to 'residential with ancillary employment use' with B1 planning permission [business] and C3(a) planning permission [single family dwellinghouse]*
- b) residential floorspace of the 'live' element shall not be occupied other than by a person solely or mainly employed, in the business occupying the business floorspace of the unit.*
- c) the number of workers being employed in the 'live' space is outlined.*
- d) parking standards required for the employees and visitors to the 'live/work' unit*
- e) Hours of operation.*
- f) Details of on-site storage and waste collection.*

**3) The requirement for a comprehensive scheme for the whole of the application site.**

*A key consideration is that the character of the Conservation Area is maintained. Due to the piecemeal approach taken to date on this site (with all works being undertaken without the applicant entering into a S106 agreement nor discharging any planning conditions attached to planning permission 17/01435/MNR), a condition should be attached to any planning permission which states that:*

*No works shall be undertaken unless a 'Schedule of Works' including a phasing plan for the new build has been submitted to and agreed in writing by the Local Planning Authority.*

*Residents are concerned that the live/work unit is now in operation and that the rest of the property has been left in a state of flux. The front elevation of the property, which is a major feature in the conservation area, has not been improved and no. 23 Wordsworth Avenue remains in a derelict condition.*

*If the applicant decides to sell off no. 23 and the plot of the proposed new dwellinghouse, how will amenity space provision, parking and access/egress arrangements be provided in a timely and comprehensive manner?*

**4) The single storey rear extension and insertion of stylistically unsuitable features (windows, downpipes and a satellite dish on the Eastern elevation) detract from the proportions of the building and its relation to adjoining properties and are unacceptable given the prominence of this elevation in the streetscene.**

*I. This eastern elevation is now more prominent with the unauthorised demolition of the garage. The two windows inserted into this elevation are incongruous in terms of their size and any openings that were on this elevation were previously hidden by the garage annexe.*

*II. The single storey extension at the rear of the 'work' unit is incongruous with its single pitch roof situated under the metal balcony construction.*

*III. The use of inappropriate materials. The rear and eastern elevation have been covered in a render with a rough finish which does not match the architectural style of the other buildings in the conservation area.*

### **The siting of the new dwelling house**

*Whilst the principle of a new house has been granted consent in this location there is a concern regarding the siting of the unit in close proximity to 10 Woodland Place. (The submitted DAS should be amended as it is incorrect - reads as 10 Cowper Place). The re-siting of the house away from the side elevation of no. 10 should be reconsidered to allow for proper access and maintenance of this property.*

### **5) Other considerations**

- a) Details of a hard and soft landscaping scheme are required, prior to the grant of planning permission, in order to assess the mitigating impact on Woodland Place and to determine how the proposals improve the amenity of the conservation area.*
- b) The impact on trees in Woodland Place should be considered during the construction of the new dwellinghouse. Tree protective measures should be conditioned.*
- c) The reinstatement of architectural features on the front elevation should be tightly controlled and the requirement for additional detailing conditioned.*
- d) Boundary walls and railings are important to the character of the conservation area. The new boundary walls and railings should be in suitable and authentic materials in a height and form that matches the conservation area. This should be should be tightly controlled and the requirement for additional detailing conditioned.*

- e) *The display of an advertisement, sign or noticeboard for the 'work' unit should only be permitted where its location or size does not harm the appearance of the building or the character of the conservation area.*
- f) *Details of the drainage scheme for the site should be submitted. In the last 10 years Woodland Place has been subject to issues with the public sewerage system in Wordsworth Avenue and engineering work has been undertaken.*
- g) *No bin storage should be provided at the front of nos. 23-24 Wordsworth Avenue. There is a concern that a refuse lorry could not access the site and there should be a condition attached that commercial waste bins should be located away from the boundary with Woodland Place.*

7.3 A summary of the other representations received are below;

- The proposal is an overdevelopment and over-intensification of the site.
- The proposal will result in 4 new households and a 2bed live/work unit which will impact on the availability of parking on site and the amount of amenity space for the separate residents.
- There is an issue of conflict of uses and access/egress from a number of different users on the site.
- The development would have a negative impact on the amenity of residents in the Wordsworth Avenue Conservation Area.
- The live/work unit proposed is in operation whilst the rest of the property has been left in a state of flux.
- The front elevation of the property [no.24], which is a major feature in the conservation area, has not been improved and no. 23 Wordsworth Avenue remains in a derelict condition.
- This eastern elevation of No. 24 is now more prominent due to the unauthorised demolition of the garage. The two windows inserted into this elevation are incongruous in terms of their size. Any openings that were on this elevation were previously hidden by the garage annexe.
- The single storey extension at the rear of the 'work' unit is incongruous with its single pitch roof situated under the metal balcony construction.
- The rear and eastern elevation of No. 24 have been covered in a render with a rough finish which does not match the architectural style of the other buildings in the conservation area.
- The detached dwelling would be positioned too close to the side of No. 10 Woodland Place and should be moved further away to allow for better access for maintenance.
- Details of a hard and soft landscaping scheme should be provided prior to the grant of planning permission, in order to assess the mitigating impact on Woodland Place and to determine how the proposals improve the amenity of the conservation area.
- The impact on trees in Woodland Place should be considered during the construction of the new dwelling house. Tree protective measures should be conditioned.
- The reinstatement of architectural features on the front elevation should be tightly controlled and the requirement for additional detailing conditioned.

- Boundary walls and railings are important to the character of the conservation area. The new boundary walls and railings should be in suitable and authentic materials, and in a height and form that matches the conservation area.
- The display of an advertisement, sign or noticeboard for the 'work' unit should only be permitted where its location or size does not harm the appearance of the building or the character of the conservation area.
- No bin storage should be provided at the front of No's. 23-24 Wordsworth Avenue. A refuse lorry could not access the site so there should be a condition attached that commercial waste bins should be located away from the boundary with Woodland Place.
- If the office element of the scheme is permitted, it should be tightly conditioned to control and restrict the occupancy of the residential unit, to restrict the use allowed in the workspace, the hours of operation and car parking provision.
- No protection is being offered to the Grade II listed properties in Woodland Place from this inappropriate development directly overlooking them.
- The development has the benefit of Woodland Place as its vista, but its residents have the misfortune to look onto a site which is aesthetically unsympathetic and possibly environmentally damaging.
- The 'work' element of the live/work unit is in operation as an office with at least 8 employees.
- A comprehensive scheme for the development of whole of the application site should be provided.
- A key consideration is that the character of the Conservation Area is maintained. Due to the piecemeal approach taken to date on this site (with all works being undertaken without the applicant entering into a S106 agreement nor discharging any planning conditions attached to planning permission 17/01435/MNR), a condition should be attached to any planning permission requiring a schedule of works and phasing plan.
- Amenity space provision, parking and access/egress arrangements should be provided in a timely and comprehensive manner should the applicant decide to sell off no. 23 and the plot of the proposed new dwelling house.
- The single storey rear extension and insertion of stylistically unsuitable features (windows, downpipes and a satellite dish on the Eastern elevation) detract from the proportions of the building and its relation to adjoining properties and are unacceptable given the prominence of this elevation in the street scene.
- The eastern elevation is now more prominent with the unauthorised demolition of the garage. The two windows inserted into this elevation are incongruous in terms of their size and any openings that were on this elevation were previously hidden by the garage annexe.
- The single storey extension at the rear of the 'work' unit is incongruous with its single pitch roof situated under the metal balcony construction.
- Details of the drainage scheme for the site should be submitted given concerns over the sewerage capacity in the area.



- The whole block of Wordsworth Avenue from No. 20 to 25 will be in multiple occupation.
- The development will result in traffic problems and is dangerous
- Insufficient car parking provision would be provided for the office and residential element of the proposal.
- The detached dwelling would have limited accessibility for emergency service vehicles.
- The windows in the upper floors of the detached dwelling would enable the conservatory at the rear of No. 10 Woodland Place to be directly overlooked.
- The parking provision proposed would be insufficient for the residential and office uses proposed.
- The positioning of the detached dwelling, at just 1 metre from the side of No. 10 Woodland Place, would make it impossible to enable safe access for future maintenance. A minimum of three metres could allow access for maintenance and the regular clearing of the gutters from the abundant leaf fall that clogs the drains.
- The applicant has not abided by the requirement for a comprehensive maintenance of the character of the buildings in this conservation area.
- The “balconies” proposed have expanded from Juliette balconies to large outdoor terraces with opaque glass only on one side, thereby allowing clear views into and out of the duplex apartment.

7.4 A petition containing 56 signatures was received in opposition to the proposed development, on the following basis.

- The proposal is an overdevelopment and over-intensification of the site with a lack of amenity space, impact on parking and impact on residential amenity. The proposed would result in 4 new households and a 2 bed live/work unit. This will impact on the availability of parking on site and the amount of amenity space for the separate residents. There is an issue of conflict of uses and access/egress from a number of different users on the site and the resulting impact on the amenity of residents in the Wordsworth Avenue Conservation Area.
- The use of the live/work unit as an office employing an unspecified number of employees. This ‘work’ element is in operation as an office with at least 8 employees. There is an objection to this use and the number of employees employed there.

#### 7.5 **Amended Plans 1**

7.6 Following receipt of amended plans, a further 21 day public consultation was undertaken. The application was advertised by way of site notice, neighbour and objector notification. 3 letters of representation has been received to the development, as amended.

7.7 The objections received in response to the amended plans are summarised below.

- Offices should be located in the City Centre and not in a quiet residential street which has conservation area status.
- The introduction of the proposed office will set a dangerous precedent for other offices in the street which could harm its special character.
- Sufficient parking space provision should be provided to serve the development as a whole.
- The alarm which has been added to the front of the application building is both distracting, due to its flashing light, and an eyesore, so should be relocated to the side elevation.
- Insufficient space is proposed between the detached dwelling and No. 10 to allow for maintenance to be undertaken to the property. The provision of a 1 meter gap is insufficient to allow for a ladder to be safely erected to allow for maintenance or for the provision of scaffolding. The separation should be a minimum of 2m.
- The window in the loft conversion of the detached dwelling, being a floor level higher, would allow the conservatory of No. 10 Woodland Place to be overlooked.
- Works have already been undertaken on site and therefore enforcement action should be taken against them.
- The proposal fails to accord with the Council's policies and guidance on Conservation.
- A satellite dish has been erected and is visible from Wordsworth Avenue.
- Surface finishes have been applied and are inappropriate
- The metal and glass balconies introduced are inappropriate within the conservation area.
- The development would add further traffic to Wordsworth Avenue which already struggles with the volume of traffic that uses it.
- There is inappropriate infrastructure in the area to support the proposed development.
- The detached dwelling proposed is out of keeping with the Grade II listed properties in Woodland Place.
- The erection of the detached dwelling would harm the fabric of No's. 8, 9 and 10 Woodland Place.
- The detached dwelling would harm the trees located in Woodland Place which are subject of a Tree Preservation Order.

7.8 A letter of objection has been received from David Melding AM, on the behalf of a local resident, on the following basis;

- Some of the plans, such as the south east elevation, appear out of keeping with the local vernacular. As this a conservation area with a number of nearby properties listed, I hope that the committee will pay particular attention to whether this application preserves or enhances the conservation area in any way.
- The proximity of the unit to the rear of the site with No.10 Woodland Place. I understand that there is only a gap of approximately a metre

between the existing and proposed buildings. From the site plan it appears that there could be difficulties for access to 10 Woodland Close for maintenance etc.

- 7.9 The AM has subsequently requested that the application be put before planning committee for consideration / determination.

7.10 **Amended Plans 2**

- 7.11 Following receipt of further amended plans, a further 14 day public consultation was undertaken. The application was advertised by way of neighbour and objector notification.

- 7.12 1 letter has been received in opposition to the amended scheme on the following grounds;

- Insufficient parking provision.
- Wordsworth Avenue should remain residential.
- The balconies at the rear of the building and the finish applied to the building are inappropriate in the conservation area.
- The light on the alarm which has been added to the front of the building shines into surrounding properties.

8. **ANALYSIS**

**Unauthorised Works**

- 8.1 It should be noted that works have already commenced on the application site without the benefit of planning permission. The works cannot be considered as the implementation of planning application ref: 17/01435/MNR because the S106 agreement for that application has not been signed, albeit a resolution to grant was made by the Planning Committee.
- 8.2 Furthermore, a number of pre-commencement conditions included as part of application ref: 17/01435/MNR could not be discharged given that the planning application was never formally determined.
- 8.3 With regard to the works which have already been undertaken on site and in light of the public comments received with regard to the desire for enforcement action to be taken against these works, it should be noted that paragraph 6 of TAN 9 (Enforcement of Planning Control) states that;

*'In considering enforcement action, the decisive issue for the local planning authority should be whether the breach of planning control would unacceptably affect public amenity or the existing use of land and buildings meriting protection in the public interest. Enforcement action should be commensurate with the breach of planning control to which it relates; it is usually inappropriate to take formal enforcement action against a trivial or technical breach of control which causes no harm to public amenity. The intention should be to remedy the effects of the breach of planning control, not*

*to punish the person(s) carrying out the breach. Nor should enforcement action be taken simply to regularise development for which permission had not been sought, but which is otherwise acceptable.'*

This planning application was invited in order to regularise the works undertaken on site. The development proposed as part of this application must be considered on its individual merits.

#### **8.4 Land Use**

The site is located within the settlement boundary as defined by the LDP Proposals Map. The site falls within a residential area. Policy H6: Change of Use or Redevelopment to Residential Use is of relevance. Policy H6 permits the change of use of redundant premises to residential where there is no overriding need to retain the existing use of the land or premises and no overriding alternative local land use requirement; the resulting residential accommodation and amenity will be satisfactory; there will be no unacceptable impact on the operating conditions of existing businesses; necessary community and transportation facilities are accessible or can be readily provided or improved; and it can be demonstrated that the change of use to a more sensitive end use has been assessed in terms of land contamination risk and that there are no unacceptable risk to the end users.

It is noted that the principle of residential use of the application site has already been established by planning permission 17/01435/MNR.

The proposal also includes a standalone B1 office. Policy EC7: Employment Proposals on Land Not Identified for Employment Use, is therefore of relevance. Policy EC7 permits employment use on unallocated sites provided that:

- i. The proposal cannot reasonably be accommodated on existing employment land and in the case of offices in the Central Enterprise Zone and the Central and Bay Business Areas.
- ii. The site falls within the settlement boundary and has no specific policy designation;
- iii. The use is compatible with uses in the surrounding area and;
- iv. The proposal is well related to the primary highway network and accessible to sustainable modes of transport.

The application site falls within the settlement boundary and in close proximity to Newport Road which is well served by public transport with direct access to the city centre. Although the B1 office is not in the CEZ or the Central and Bay Business Areas, PPW Chapter 7 Economic Development para. 7.6.3, recognises employment and residential uses can be compatible.

Given the former use of the premises as a school and the small scale of the proposed office floorspace (112sqm) employing 9 staff, it is not considered the office floorspace would impact residential amenity to any greater extent than the previous use of the site as a school.

Assessed against this policy framework the application raises no land use policy concerns subject to a condition that the office is conditioned to B1 use only.

## **8.5 Heritage Considerations**

S72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area. The character of the conservation has been assessed through the Council's adopted Wordsworth Avenue Conservation Area Appraisal (2008).

Whilst the application proposal requires elements of the existing buildings to be demolished, these, with the exception of the garage/coach house, are located to the rear of the buildings and offer little contribution to the conservation area. As such their removal are considered acceptable. Whilst, the removal of the garage/coach house is unfortunate, the proposal would bring two redundant buildings back into beneficial use. Taking this into consideration and given that part of the gable wall of the garage/coach house would be retained as boundary wall, its part demolition would, on balance be considered acceptable.

The windows to the front elevation of No's. 23 and 24, a number of which were either in a poor state of repair or were missing, would be replaced with wooden sliding sash windows consistent with those being replaced. It is therefore considered that the character and appearance of the conservation area would be enhanced as a result of their replacement as proposed.

The form and finish, including window and entrance doorway elements, of the linking section between No's. 23 and 24 is considered an improvement on the that of the existing building, as is the retention of the stepped entrance to number 23 and the retention of front door to number 24.

The introduction of the boundary wall and railing detail shown on plan ref: AL(01)14 rev: F would, subject to a condition controlling detailing, be considered to enhance the character and appearance of the conservation area.

Part of the gable wall of the garage/coach house would be retained as part of the wider boundary wall along the boundary with Woodland Place, which subject to its finish, would be acceptable.

The scale, detailing and materials for the proposed house to the rear of the site are considered to be sensitive to its setting. The dwelling would be set well back (approx. 7m) from the Woodland Place frontage and concealed from prominent viewpoints by the existing high stone boundary wall and protected trees. Glimpsed views may be possible towards the first floor and roof of the house, however this would not be materially different to the existing view of the large annexe to 20 Wordsworth Avenue beyond. The house would not therefore affect the way in which the 8-10 Woodland Place would be experienced.

Beyond the group value of the cul-de-sac and the strong sense of enclosure, specific views out from these listed buildings are not considered to be a fundamental part of their historic character. Therefore it is considered that the setting of the listed properties at 1-10 would therefore be preserved.

- 8.6 The roughcast render finish applied to the side and rear elevations of No. 24 is, on balance, considered acceptable given the diversity of finishes evident within the area and limited prominence these elevations have. It is however considered reasonable to request detail regarding the finish of the existing buildings on the site (See Condition 21).
- 8.7 The proposal would subsequently be considered to preserve the character of the conservation area and therefore accord with the provision of the S72 of the Planning Listed Building and Conservation Areas Act 1990.

8.8 **Design**

23 and 24 Wordsworth Avenue

The proposed development would bring two prominent buildings within the Wordsworth Avenue Conservation Area, which are in a poor state of repair, back into beneficial use.

The single storey extension proposed to the rear of the former school building measures 3m in depth by 4.8m in width and has a shallow pitched roof which would be screened from view behind a parapet wall. This would give the appearance that the extension has a flat roof which is considered appropriate given the balcony structure proposed above. The scale and positioning of the proposed extension is considered acceptable within the context of the site and its surroundings.

The proposed balcony structure would be positioned marginally proud of the ground floor extension and set in from its side elevation. Whilst it is therefore acknowledged that the extension and balcony structure would appear less visually coherent than if the balcony was built directly above the ground floor extension, taking into consideration that a large and unsightly fire escape and ground floor wrap around extension was previously located in this space, it would be difficult to sustain an argument that the proposal would not represent an enhancement here.

The alteration and extension to the linking section between No's 23 and 24 Wordsworth Avenue is considered to represent an enhancement on that of the existing building and is therefore considered acceptable.

The introduction of a pitched roof to the currently flat roofed side annexe of No. 23 is considered acceptable. The pitch would match that of the principal roof of the building and be finished consistently with it.

The addition of a further storey to the rear annexe of No. 23 is considered acceptable. While the revised annexe would have a flat roof, set at a higher

level that of the eaves of its parent building, given that this is at the rear of the site it would not form a prominent addition within the site or wider area its addition would, on balance, be considered acceptable.

#### Detached Dwelling

The detached dwelling would be set approximately 7m back from the front elevation of the adjacent property, No. 10 Woodland Place and would project back between its two storey rear annex and single storey conservatory. The proposed dwelling would be located approximately 1m from the side elevation of No. 10, which has no windows in this side elevation, with a pathway leading to the garden proposed in this gap.

The proposed dwelling would measure approximately 8.4 in length and 5.8m in width; have an eaves height of approximately 5.6m and ridge height of 8.8m. The dwelling would have a double bay feature to its front elevation, vertically emphasised windows. The finishing materials for this dwelling will be controlled by way of condition. Given the setback the dwelling would have from No's. 8-10 Woodland Place, it is not considered that it would read as part of this terrace. As such, a marginal increase in the ridge and eaves height of the dwelling relative to 8-10 Woodland Place would not be unreasonable or unacceptable.

Whilst the proposed dwelling would represent a form of backland development, it is not considered that its, siting, scale, form or finish would be inconsistent with the guidance set out in the Council's Infill Sites SPG. The dwelling would be of a subservient scale to that of the No's 23 and 24 Wordsworth Avenue and would be of a consistent scale and form to that of the properties in Woodland Place without harming the setting of the listed buildings within this cul-de-sac.

With regard to the separation distance proposed between the detached dwelling and No. 10 Woodland Place, whilst 1m represents a relatively small separation, such distances are not uncommon between properties within locally, including Wordsworth Avenue. As such, it would be difficult to sustain an objection to the proposal on this basis.

Whilst a larger separation distance would allow for easier access for maintenance, there is no evidence to suggest that the separation distance proposed would be insufficient to allow maintenance works to be undertaken to the side elevation of the proposed dwelling, or that of No. 10 should access for such be granted.

It should also be noted that the location, scale, form and finish of the proposed dwelling is consistent with that of the dwelling recommended for approval by the committee under planning application ref: 17/01435/MNR.

#### Boundary Wall with Woodland Place

Details have been submitted of the proposed finish to the boundary wall

between the application site and Woodland Place in the precise location of the existing garage which has been demolished. Notwithstanding the submitted details, it is considered necessary to condition that further details of the wall be submitted to the LPA to ensure that its finish would include cock and hen coping stones and mortar detailing consistent with that of the remainder of the wall.

### Amenity space

It is considered that the amenity space provision proposed for the apartment, by way of the balconies, terraces and the shared amenity space, would accord with the guidance set within the Council's Design SPG's.

The one bedroom apartments and two bedroom duplex proposed in No. 23 would each benefit from either an external terrace area or a balcony, measuring a minimum of 4m<sup>2</sup>, whilst also having access to the area of shared amenity space.

The three bedroom duplex apartment proposed in no. 24 would benefit from two balconies each measuring 14.4m<sup>2</sup> (28.8m<sup>2</sup> in total) whilst also having access to the area shared amenity space.

The area of shared amenity space proposed would measure 63m<sup>2</sup>. A condition is proposed requiring details be provided to the LPA for the landscaping of the site, including this area of shared amenity space, in order to ensure appropriate provision is made.

## **8.9 Amenity of Neighbouring Occupiers**

The proposed scheme includes the introduction of 3 windows to the side (south-eastern) elevation of former Taibah School building at ground floor level. One of the three windows would be located in the side elevation of the proposed extension whilst the two others would be added in the location of existing doorway openings to the side of the existing building. Given that there is a difference in floor levels between No. 24 and its rear extension, the windows would be positioned at marginally different heights, with the window proposed in the extension being lower than the other two. As such, the top of the windows located in the original building would be partially evident from Woodland Place beyond the stone wall enclosure.

The windows proposed in the side (south-eastern) elevation of No. 24 would be located 15.7m away from the side elevation of No. 25 Wordsworth Avenue, which contains a number of windows that directly face the application site, including windows serving habitable rooms. However, as the windows proposed in the ground floor of the application building are located behind the existing 2m high stone wall which runs along the boundary of the site with Woodland Place it is not considered that the introduction of the windows would prejudice the amenity of the neighbouring occupier within No. 25 Wordsworth Avenue.



The introduction of the window located closest to Wordsworth Avenue on the south eastern elevation of the original building would represent a prominent and uncharacteristic addition and would not be supported.

With regard to the separation between the proposed flats and detached dwelling, a distance of greater than 10.5m would be provided between the rear windows and balconies of the flats and the amenity space associated with the dwelling proposed to the rear of the site and Woodland Place properties beyond.

In terms of the provision of the proposed balconies and terraces, the provision of privacy screens is proposed on the sides of the balconies and terraces serving the flats in order to protect the amenity of neighbouring residents. The design and finish of the proposed screens, although some have already been introduced, will be controlled by way of condition. Though the provision of appropriate screens would not eliminate potential overlooking of neighbouring gardens, they are considered necessary to restrict any overlooking potential to an acceptable level. It should however be noted that within this urban environment, a level of overlooking over garden areas would be expected, especially within terraced properties.

In terms of the positioning and relative orientation of the proposed detached dwelling to No. 10 Woodland Place, the addition of this property would not unreasonably overshadow or block light from No. 10 or its associated amenity space. Whilst the first floor and dormer windows proposed at the rear of the dwelling would enable a degree of overlooking upon the amenity space associated with No. 10 Woodland Place, it is not considered that this would be any greater than that which is common within terraced properties. The proposed detached dwelling would be positioned approximately 1m from the side elevation of No. 10 Woodland Place. As such, a sufficient gap would be provided to ensure that the side elevations of both No. 10 and the proposed the dwelling could be maintained in the future.

In terms of potential overlooking between the proposed dwelling and properties in Woodland Place. It is considered that there would be no greater overlooking created by the introduction of the proposed dwelling than already exists between properties in Woodland Place. It would therefore be difficult to sustain an objection to the proposal on this basis.

### **Highways/ Transportation**

A total of 8 parking spaces are proposed serving the 4 apartments and office with a further 2 parking spaces provided for the detached dwelling. The level of parking provision proposed therefore accords with the guidance set out in the Councils Managing Transportation Impacts SPG and is policy compliant.

The initial stretch of the access road would be 4.5m wide before widening out towards the rear of the site. The road would therefore be of sufficient width for two standard cars to pass. Vehicles using this small stretch of the access road may be required to wait at either end, or reverse a small distance, should a

larger vehicle be entering or leaving the site along this narrow stretch. Visibility along the length of the 4.5m wide stretch, and beyond, is good. Drivers would therefore be able to see any large vehicle using the driveway before they are committed at either end. Even if they have to reverse out, the traffic flow in that part of Wordsworth Avenue will be very low and slow. Taking this into account and given the limited amount of traffic which would be generated by the development, the access arrangement proposed is considered acceptable.

It is considered that submitted plan ref: AL(03)01 Rev C – Proposed Cycle & Bin Store provides sufficient detail to demonstrate that the cycle parking proposed is acceptable. Whilst no information has been provided regarding cycle storage provision associated with the detached dwelling, this property has sufficient space within its plot for cycle storage. As such, it would be considered unreasonable to request further information on cycle storage by way of condition.

Despite much of the proposed works having been already been undertaken on the site, given that Wordsworth Avenue is a cul-de-sac with limited turning places, is busy during certain periods of the day and is narrow in part, it is considered necessary to impose a condition requiring the submission of a construction management plan in order to minimise disruption within the street.

There is no evidence to suggest that the proposed development would place any greater pressure on parking within Wordsworth Avenue than already exists and therefore it would be unreasonable to suggest that it would restrict any emergency service vehicles from travelling down the street.

The Council's transportation department raise no objection to the proposal on parking provision or highway safety grounds.

#### **8.10 Protected Species**

The comments of the County Ecologist with regard to the desirability for a preliminary survey of bat roost potential to be undertaken are noted. However, as the garage to the side and extension to the side and rear of the existing building have already been demolished, any bats present in these structures would have already been disturbed. As such, given that only a small area of the existing flat roofed link section between no's. 23 and 24 remains which is identified to be removed as part of the proposed development, it would be considered unreasonable to require that a preliminary survey be undertaken by way of condition, for the extent of works proposed. A recommendation has however been added detailing the necessity for the applicant to gain a licence from Natural Resources Wales (NRW) should any bats be identified within the building during demolition and construction.

#### **8.11 Drainage**

Welsh Water note that drainage located within the application site appears to be private and therefore any development over this would be a matter for building control and not them. Welsh Water subsequently raise no objection to

the application proposal subject to a condition requiring the submission of a drainage scheme for the site. Given that works have commenced on the site, it is necessary for the required drainage scheme to be provided within a set time frame rather than pre commencement, as this is no longer possible.

## **8.12 Noise**

The conditions requested by Pollution Control (Noise) are noted, however, with the exception of a sound insulation condition, it is considered that the others would fail to meet the tests of a valid planning condition set out in Welsh Government Circular 016/2004: The Use of Planning Conditions for Development Management.

Given the nature of the business use specified and the limited frequency such a business would generate deliveries, the size of the office proposed and the small number of staff who would be employed in the office, even if the office was used, or received deliveries outside of the hours PC - Noise have specified, it is not considered that this would result in harm to the development or wider area or create any adverse amenity concerns for neighbouring residents. As such, a condition controlling opening hours and delivery times is not considered to be necessary or reasonable in this instance.

Regarding the request to include a condition controlling plant noise, as no plant is proposed as part of the application proposal, it would be unnecessary to impose a condition controlling its addition. Furthermore, should any plant be added at a later date, this would require a separate planning application. It should also be noted that noise can also be controlled under separate legislation.

## **8.13 Other matters not assessed above**

### Justification for the restricted use condition

Permitted development rights allow for changes of use from B1 Office to B8 Storage and Distribution without the need for planning permission. It is therefore considered necessary to restrict the office element of the application proposal to within the B1 use class as this application has been considered on the basis of this use only. This approach would allow for any potential implications resulting from any later application for a change of use, including to B8 use, to be fully assessed.

The impact of the development on private views from neighbouring properties is not a material consideration in the determination of this planning application. Whilst it is accepted the properties in Woodland Place are listed, beyond their group value and the strong sense of enclosure, specific views out from these listed buildings are not considered to be a fundamental part of their historic character. As such, the proposed scheme would not be considered to have a harmful impact upon their setting.

## **Specific responses to representations**

Whilst numerous works, proposed as part of this planning application, have been undertaken on site prior to the submission of this application and ongoing during the application process, this planning application has been considered on its individual merits having regard to all material considerations.

Whilst it is acknowledged that smooth render is a more characteristic finishing material in the local area, the provision of roughcast render on the side and rear elevations of No. 24 would not represent sufficient justification to warrant the refusal of this application given the limited prominence of these elevations and the variety of materials evident locally.

Issues relating to trees and landscaping will be controlled by way of conditions.

There is no specific requirement for the proposed detached dwelling to exactly match the form and finish of the adjacent properties within Woodland Place.

While certain works have already been undertaken on site, conservation area consent is not required for the extent of demolition works proposed. Additionally, any works undertaken internally with the existing buildings falls outside of the control of planning.

The application proposal seeks the redevelopment of the existing buildings, 23 and 24 Wordsworth Avenue, to accommodate an office and 3 apartments along with the provision of a detached dwelling at the rear of the site. As such, aside from a small ground floor rear extension to No. 24 and alterations to the roof of No. 23, only the detached dwelling would be added to the site. The footprint of the development would therefore be no greater than that considered by planning committee under planning application ref: 17/01435/MNR. Whilst it is accepted that the proposed office would generate a different demands on the site, in terms of parking and movements to and from it etc., the physical development proposed within this current application would be no more intensive than that previously considered under application ref: 17/01435/MNR and the previous use as a school. The proposal would not therefore be considered to represent an overdevelopment or over-intensification of the site.

The level of car parking provision for the residential and office uses proposed is policy compliant.

Highways/Transportation have raised no objection to the access/egress arrangement proposed on highway safety grounds. The access road is of a sufficient width for two cars to pass along its length, or reverse safely back into or out of the site to allow larger vehicles or enter or leave safely.

There is no evidence to suggest that the proposed development would impact upon the amenity of residents within the conservation area. The development would bring two redundant buildings back into beneficial use, is policy

compliant in terms of separation distances and respects its conservation area setting.

The Local Planning Authority can only specify the timeframe for which a planning application must be implemented and cannot therefore dictate the timeframe for the completion of a development. As such, should planning permission be granted and only part of the approved scheme be implemented, the LPA would not be in a position to require the developer to complete the development.

The application proposal includes enhancement to the front elevation of both No. 23 and 24. These details are shown on the submitted elevation drawings whilst other key features such as windows and doors would be controlled by way of condition.

The two windows proposed in eastern elevation of No. 24 would be located towards the rear of the building. Whilst these would be of upvc construction - finished in grey, of different sizes and positioned at different heights, they would not represent prominent additions within the conservation area given their siting on the ground floor side elevation of the building behind a stone wall. As such, it would be difficult to sustain an objection to the planning application on the basis of these windows.

A condition is proposed controlling the means of enclosure for the site, including along Wordsworth Avenue, in order to ensure that these will be of sufficient quality.

The application proposal does not include any signage/advertisement. Should this be sought then a separate application for advertisement consent would be required.

The Council's Waste Minimisation Officer raises no objection to the application proposal. Refuse will be presented to the front of the building for collection only.

The application proposal does not include any multiple occupation properties.

The trees located along Wordsworth Avenue and within Woodland Place fall outside of the application site. A tree protection plan has been submitted to ensure that the trees located within Woodland Place would not be harmed as a result of any construction activity on the application site.

No's. 23 and 24 Wordsworth Avenue would be no less accessible for emergency service personnel than they currently are as a result of the proposed scheme. Whilst a fire engine may not be able to access the detached dwelling proposed at the rear of the site along the proposed access road, this property could be reached from Wordsworth Avenue or Woodland Place if needed.

There is no evidence to suggest that proposed development would harm the fabric of No's. 8, 9 and 10 Woodland Place which are Grade II listed.

Recommendation 9 has however been included to remind the developer that the building is listed and the additional duty of care that comes with this.

Whilst office space may be available within the city centre, the Local Planning Authority must determine planning applications on their individual merits having regard to all material planning consideration. The introduction of the office proposed as part of this application has been considered against policy and is considered acceptable.

#### **8.14 Amended Plans**

8.15 The size, design and finish of the windows proposed within the link section of the front elevation of the building represents an enhancement on those previously proposed and those evident within the existing building. As such, the windows proposed in this section would now represent an enhancement within the conservation area. A condition is proposed to ensure that the windows proposed in the Wordsworth Avenue elevation of the building would be consistent with the submitted detail. Plan ref: AL(04)01 – Window detail.

8.16 The revised design of the doorway proposed within the recessed link section between No's. 23 and 24 better reflects that of the existing doorways to the building and is therefore considered acceptable

8.17 The omission of the window originally proposed in the ground floor east elevation of the No. 24 is supported. The introduction of this window, given its prominent location, size, shape and finish, was not considered to preserve the character or appearance of the conservation area.

8.18 The introduction of separate refuse storage areas for the office and residential uses is welcomed whilst the revised refuse cycle store is now more secure.

8.19 The reduced height of the boundary wall and railings proposed within Wordsworth Avenue would represent a more characteristic addition within the conservation area and would therefore represent an enhancement. A condition is proposed to control the final detailing of the means of enclosure here to ensure its appropriate finish.

8.20 The alarm which has been added to the front elevation of the building is de-minimus and therefore the LPA have no control of its addition.

#### **8.21 Amended Plans (Revised)**

8.22 The second round of amended plans sees the number of residential units proposed within the scheme reduced from 5 to 4. This has been achieved through the two 1 bed apartments previously proposed being combined into a single 2 bed duplex apartment.

8.23 This amendment would have little impact on the overall aesthetic of the building with the only resulting change being the omission of the front door to basement apartment within the northwest (Wordsworth Avenue) elevation

from the previous scheme. Given that the door previously proposed here was positioned partially below street level and below the steps serving the ground floor flat, it would have represented a non-prominent addition. As such, the retention of a wall in the location of this door would be acceptable.

- 8.24 As a result of the reduced number of residential units, the number of car parking spaces proposed has been reduced by 1 space and therefore remain in line with the Council's guidance.
- 8.25 The omitted parking space would now be used for soft landscaping. The increased size of the soft landscaped area, through the loss of the parking space, would enable a more appropriate species of tree to be incorporated into the space and is supported by the Council's Tree Officer through better softening the space.
- 8.26 The reduced number of units proposed, whilst representing a less efficient use of land, would lessen the demand on the local highway network and is therefore acceptable.
- 8.27 All material planning considerations have been considered within this report and by way of the proposed conditions.

## 9. **PLANNING OBLIGATIONS**

- 9.1 National Policy and CIL regulations outline the legal requirements for a valid Planning obligation. The Council's approved Planning Obligations SPG provides further guidance.
- 9.2 Despite the number of residential units proposed on the application site being reduced from 5 to 4 within the second round of amended plans, the application site area is such that the affordable housing contribution would still be sought.
- 9.1 With reference to the Community Infrastructure Levy tests and approved SPG, a contribution of £86,072 was sought towards affordable housing provision.
- 9.2 The applicants have provided a viability assessment for the proposed development. The submitted assessment has been independently verified by the District Valuer (DVS) who finds the proposed development to be unviable with the level of S106 contributions sought.
- 9.3 The Housing Manger accepts that it would be unreasonable to request a financial contribution towards affordable housing given the findings of the independently verified viability report.
- 9.4 In their report the DVS conclude that if the LPA are minded to grant planning permission on the basis of no contributions, then a time scale for delivery be agreed, which if not met, would trigger a viability review. As development has commenced, this is not considered necessary in this instance.

## 10. **CONCLUSION**

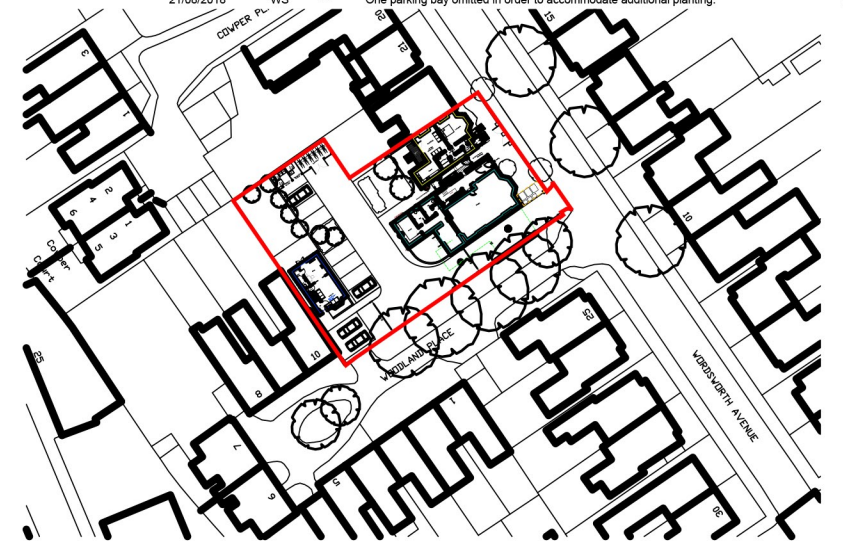
- 10.1 Whilst works have already been undertaken on the application site, the proposed development would bring two redundant buildings located within the Wordsworth Avenue Conservation Area back into beneficial use. The proposal would therefore represent an enhancement within the conservation area.
- 10.2 Taking this into consideration and having regard to the material matters raised and considerations outlined above, the proposal is recommended for approval, subject to conditions.

## 11. **LEGAL CONSIDERATIONS**

- 11.1 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.
- 11.2 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, over and above any other person.
- 11.3 Well-being of Future Generations (Wales) 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.



Date	Drawn	Check	Description	Rev.
16/06/2017	MC	***	Parking amended to accommodate refuse vehicle.	A
25/07/2017	MC	***	General redesign	B
08/08/2017	MC	***	Amendments to house, front gate added	C
15/08/2017	MC	***	Traffic control system added.	D
07/09/2017	WS	***	Cycle and bin stores relocated, three parking spaces omitted.	E
02/05/2018	WS	***	10 Woodland Place building shown, red line thickness increased around 1:1250 extract.	F
13/06/2018	WS	***	Door to stairwell amended, bike store amended.	G
05/07/2018	WS	***	Vehicle tracking and traffic control system omitted, note on temporary bin storage zone added.	H
10/07/2018	WS	***	Residential and commercial waste storage separated.	I
10/07/2018	WS	***	Doors omitted from waste storage, car parking amended to accommodate more planting.	J
21/08/2018	WS	***	One parking bay omitted in order to accommodate additional planting.	K



Location Plan  
1:1250 @ A3

Area for waste/recycling bins to be temporarily stored by management agency on council and commercial refuse collection days.

Block paviors to delineate public walkways set at same level as road.

Tarmac surface to road.



Site Plan  
1:250 @ A3

## New Submission

Wordsworth Avenue, Cardiff Proposed Residential Development		Job No. 17_042	Rev. K
Title Site & Location Plan			
Date 10/05/2017	Drawn WS	Scale 1:250/1250 @ A3	
 <b>C2</b> Architects		Town planners Environmental & Urban design	
Unit 1A, Compass Business Park, Pacific Road, Cardiff. CF24 6HL		www.c2architects.co.uk tel: 029 20452100	



Date	Drawn	Check	Description	Rev.
25/07/2017	MC	***	General redesign	B
08/08/2017	WS	***	Front gates added, fence raised.	C
31/01/18	kp	***	Central stairwell enclosure added. Windows in stairwell amended.	D
13/06/18	WS	***	Height of wall and railings reduced, door to stairwell amended, stairwell windows amended.	E
05/07/18	WS	***	Height of wall and railings further reduced.	F



Street Elevation  
1:100 @ A3 (1:50 @ A1)

New Submission

Wordsworth Avenue, Cardiff Proposed Residential Development		Job No. 17_042 Dwg No. AL(01)14	Rev. F
Title Proposed Street Elevation			
Date 18/05/2017	Drawn WS	Scale 1:100 @A3 / 1:50 @A1	
 <b>CJ Architects</b> Environmental & Urban design		Town planners www.cjarchitects.co.uk tel: 029 20452100	
<small>Unit 1A, Compass Business Park, Pacific Road, Cardiff. CF24 5HL</small>			

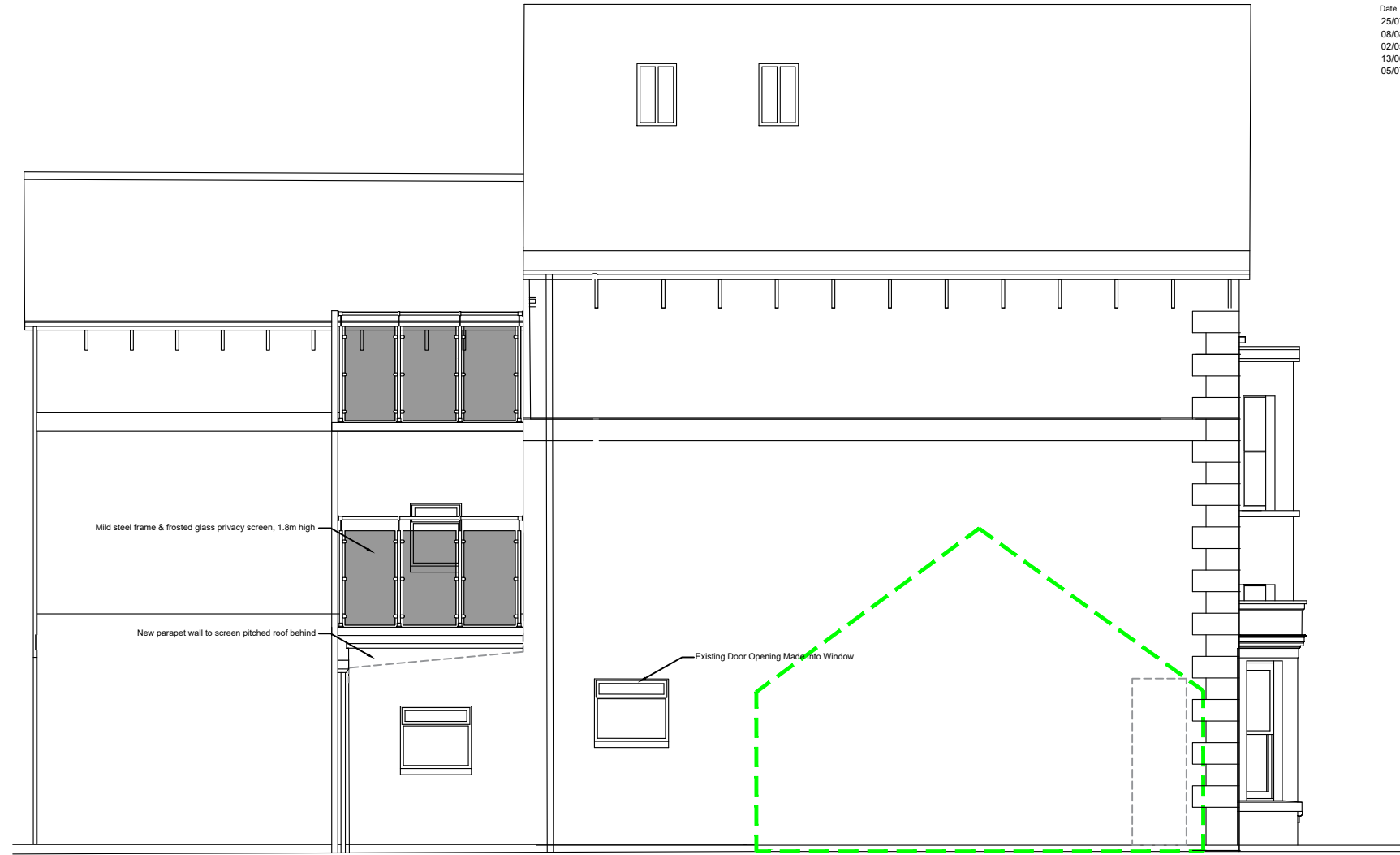
Date	Drawn	Check	Description	Rev.
15/06/2017	WS	***	Door omitted from rear of basement flat.	A
25/07/2017	WS	***	General redesign	B
08/08/2017	WS	***	Kitchen window design amended.	C
31/01/18	kp	***	Central stairwell enclosure added. Windows in stairwell amended.	D
02/05/18	WS	***	Stairwell window size amended.	E
06/05/18	WS	***	Stairwell doors handed to match floor plan.	F
13/06/18	WS	***	Balconies and lean-to roof amended.	G
05/07/18	WS	***	Parapet wall amended.	H



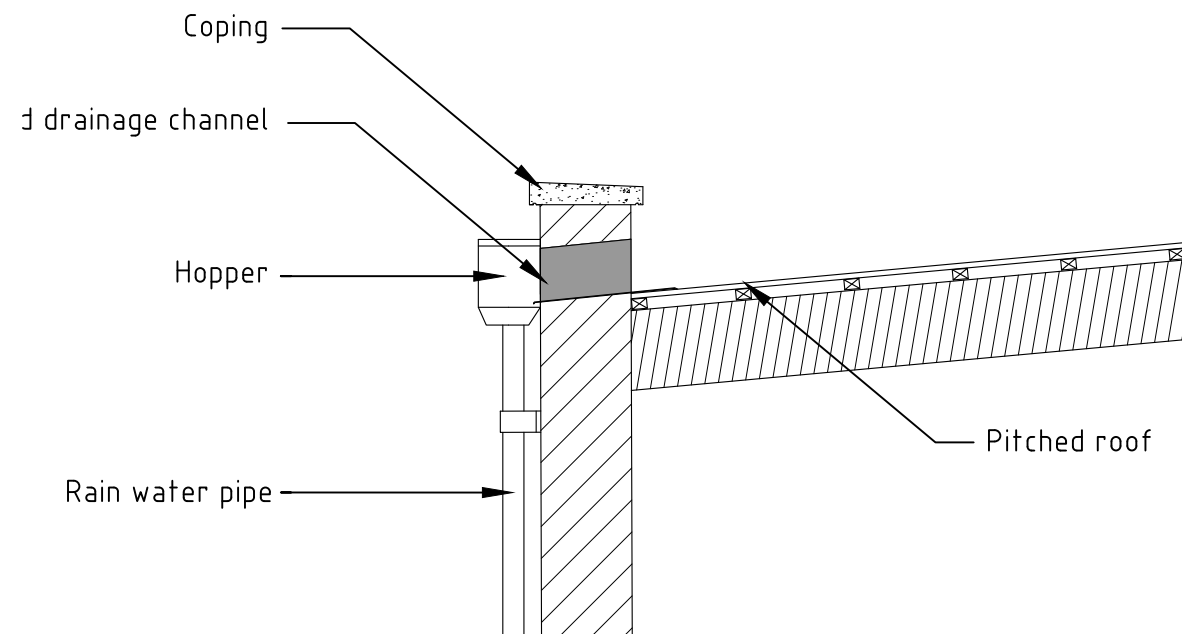
South East Elevation  
1:100 @ A3 (1:50 @ A1)

New Submission

Wordsworth Avenue, Cardiff Proposed Residential Development		Job No. 17_042
Title Proposed South East Elevation		Dwg No. AL(01)17
		Rev. H
Date 18/05/2017	Drawn WS	Scale 1:100 @A3 / 1:50 @A1
		
Architects · Town planners Environmental & Urban design		
Unit 1A, Compass Business Park, Pacific Road, Cardiff. CF24 5HL		www.c2jarchitects.co.uk tel: 029 20452100



East Elevation  
1:100 @ A3 (1:50 @ A1)

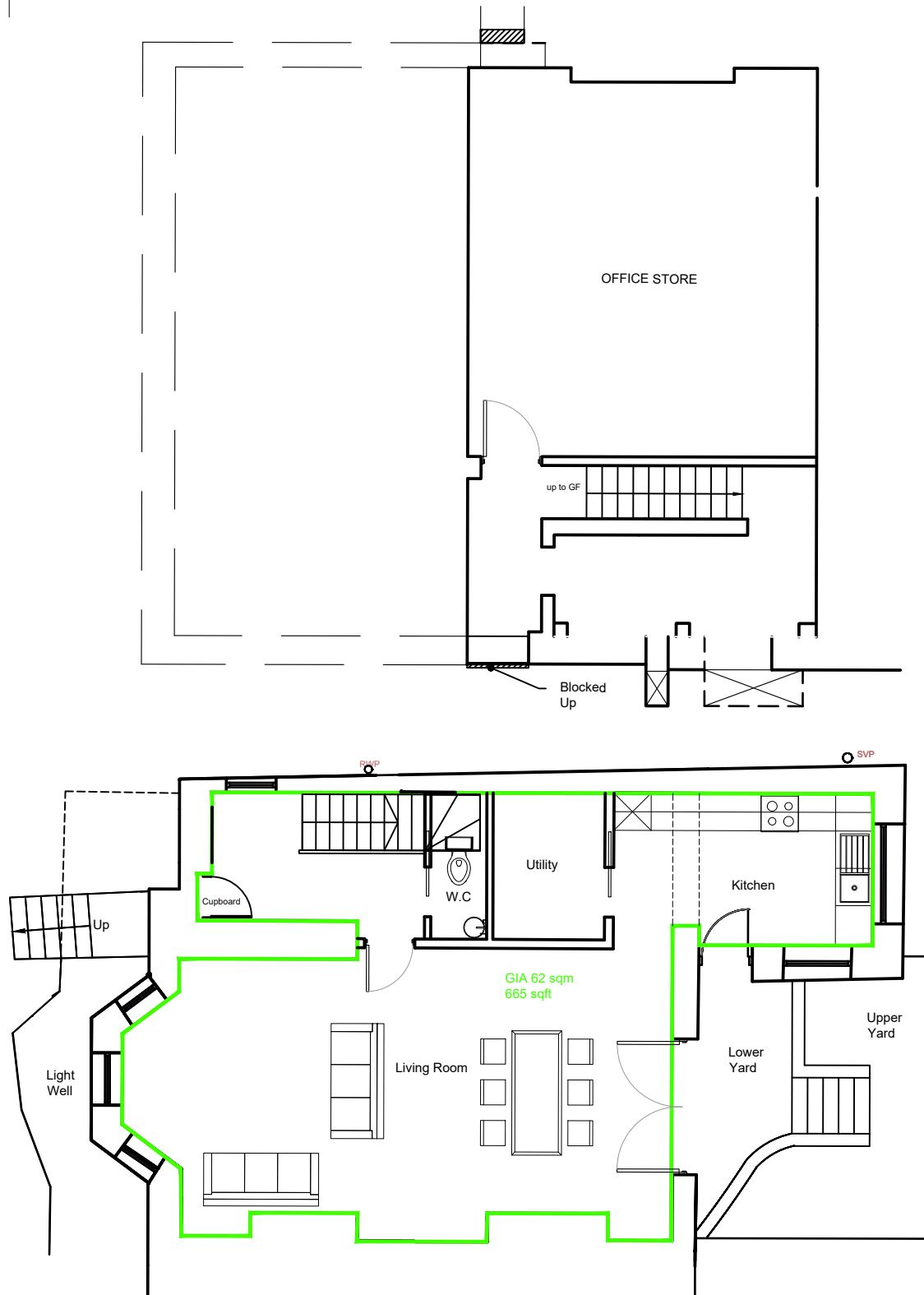


Parapet Wall Detail  
1:25 @ A3 (1:50 @ A1)

Date	Drawn	Check	Description	Rev.
25/07/2017	***	MC	General redesign	B
08/08/2017	***	WS	Additional windows for the kitchen, bathrooms and living rooms	C
02/05/18	***	WS	1st floor window shown, 2nd floor window omitted.	D
13/06/18	***	WS	Lean-to roof amended, conservation roof lights shown, existing door opening shown.	E
05/07/18	***	WS	Parapet wall amended, section shown. Privacy screen detailed further. Additional quoining.	F

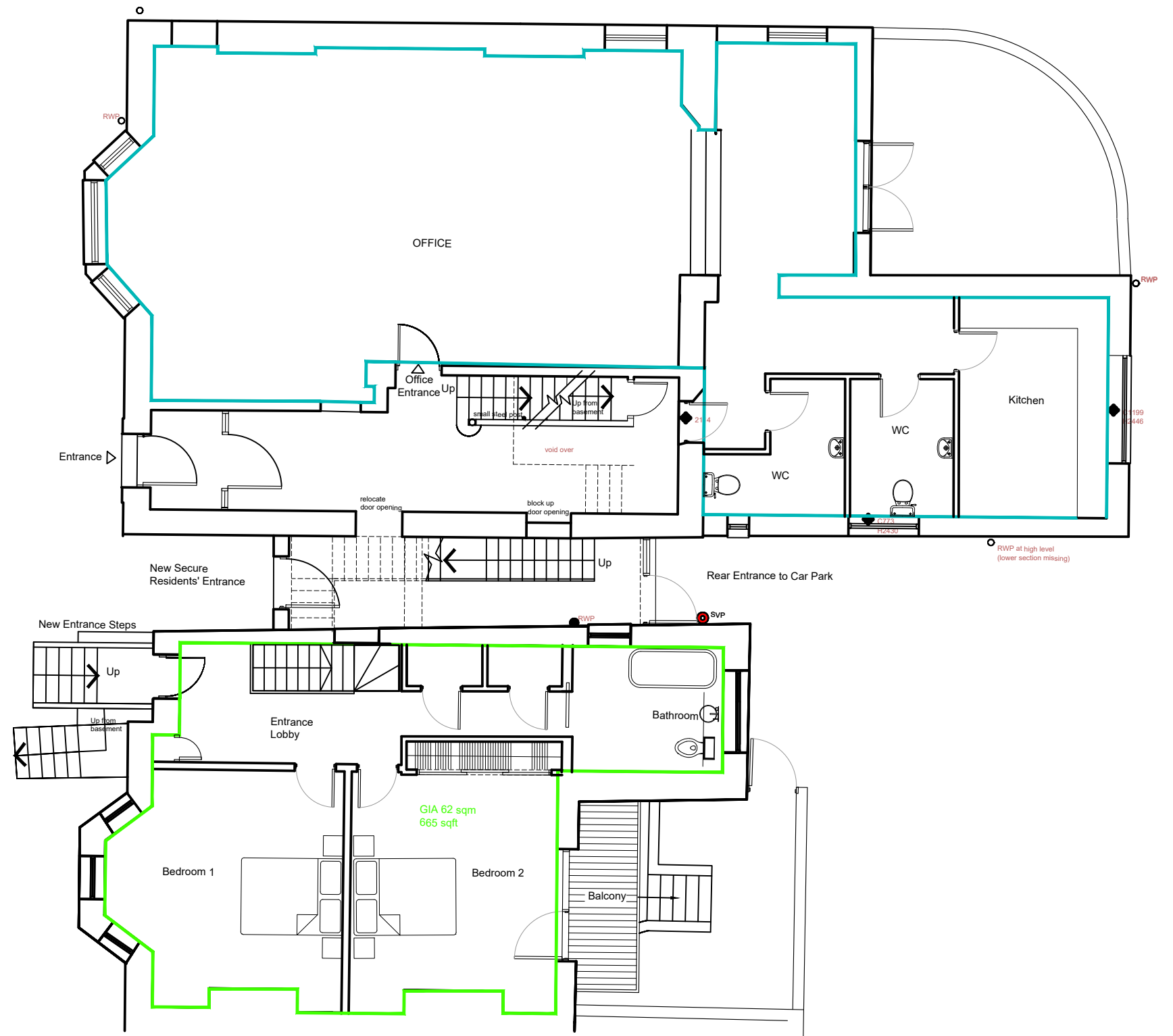
New Submission

Wordsworth Avenue, Cardiff Proposed Residential Development	Job No. 17_042 Dwg No. AL(01)18 Rev. F
Title Proposed East Elevation	
Date 18/05/2017	Scale 1:100 @A3 / 1:50 @A1
Architects Environmental & Urban design	
Town planners	
Unit 1A, Compass Business Park, Pacific Road, Cardiff. CF24 5HL	
www.c-jarchitects.co.uk tel: 029 20452100	




Basement

1:100 @ A3 (1:50 @ A1)



Ground Floor

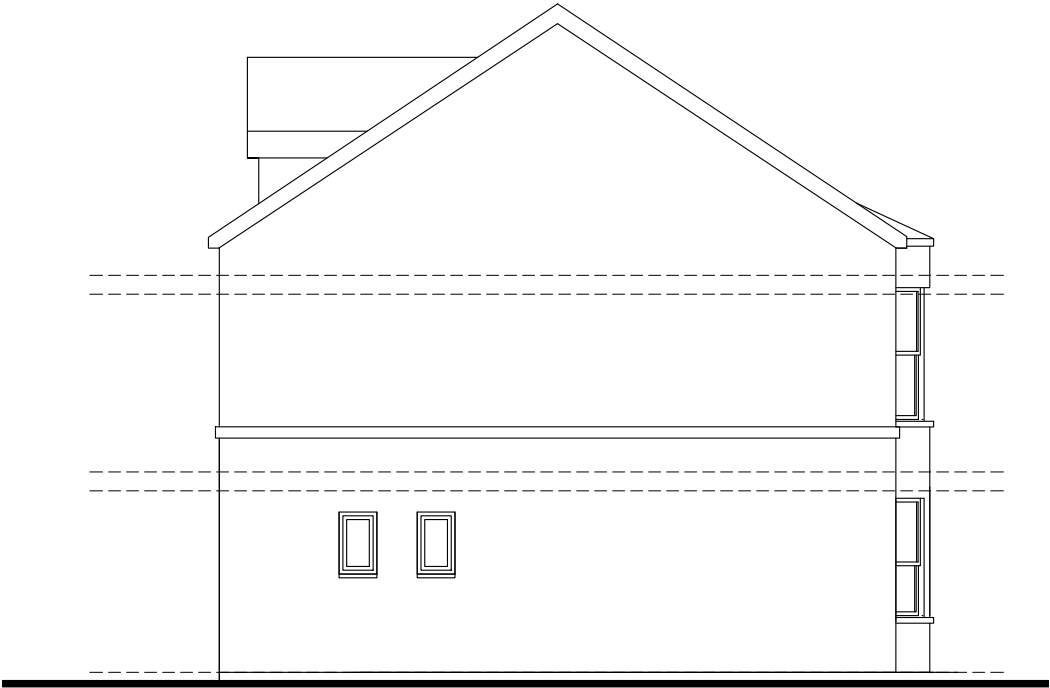
1:100 @ A3 (1:50 @ A1)

Wordsworth Avenue, Cardiff		Job No.	17_042
Proposed Residential		Dwg No.	SK001
Development		Rev.	
Title			
Proposed Basement & Ground Floor Plan			
Date	Drawn	Scale	
10/05/2017	WS	1:100 @A3 / 1:50 @A1	
 Architects · Town planners Environmental & Urban design			
Unit 1A, Compass Business Park, Pacific Road, Cardiff. CF24 5HL		www.cjarchitects.co.uk tel: 029 20452100	

Date	Drawn	Check	Description	Rev.
25/07/17	MC	***	General redesign	B
25/07/2017	MC	***	Additional dormer, bay window redesign and amendments following planner comments	C
11/08/2017	MC	***	Bay window reaches two storeys	D



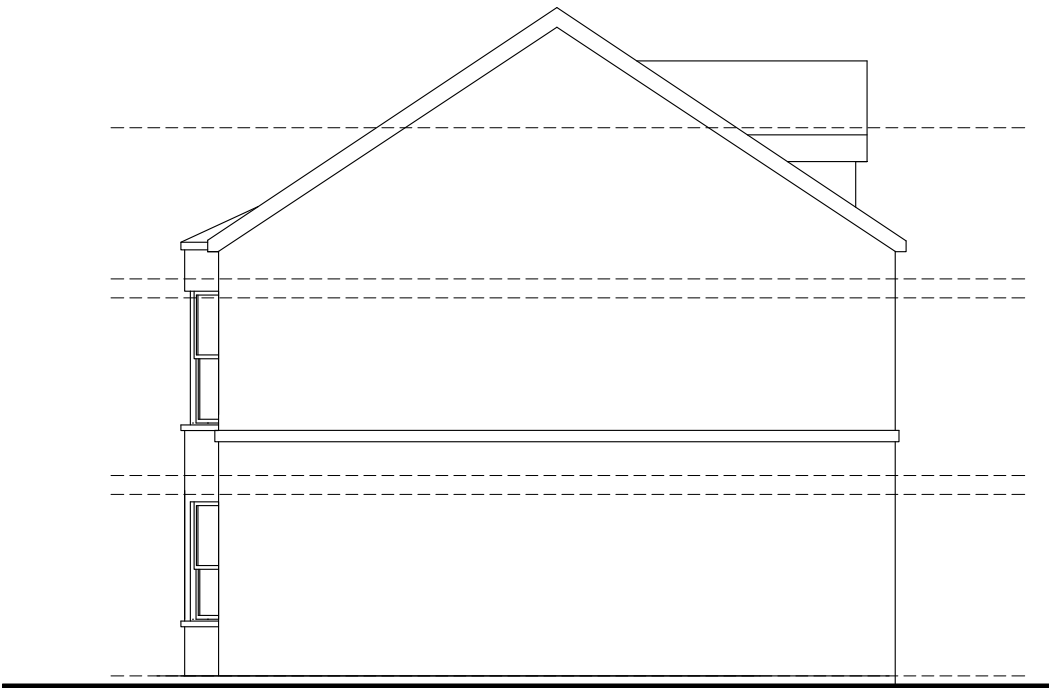
Front Elevation  
1:100 @ A3 (1:50 @ A1)



Side Elevation  
1:100 @ A3 (1:50 @ A1)



Rear Elevation  
1:100 @ A3 (1:50 @ A1)



Side Elevation  
1:100 @ A3 (1:50 @ A1)

New Submission

Wordsworth Avenue, Cardiff  
Proposed Residential  
Development

Job No.  
17\_042  
Dwg No.  
AL(02)2  
Rev.  
D

Title  
Proposed House Elevations

Date  
18/05/2017

Drawn  
WS

Scale  
1:100 @A3 / 1:50 @A1

C<sup>2</sup>

Architects  
Environmental & Urban design

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