

## LOCAL MEMBER & MP OBJECTIONS

COMMITTEE DATE: 17/7/2019

APPLICATION No. **18/02874/MJR** APPLICATION DATE: 02/11/2015

ED: **CATHAYS**

APP: TYPE: Prior Approval (of the Method of Demolition and Making Good of Land).

APPLICANT: Denstream Ltd

LOCATION: 1-6 GUILDFORD CRESCENT

PROPOSAL: DEMOLITION OF TERRACE PROPERTIES

---

**RECOMMENDATION 1** : That prior approval for the method of demolition and making good of the site be **GRANTED** subject to the following condition:

1. The development permitted shall be carried out in accordance with the approved details before the expiration of five years from the date of this consent.  
Reason: In accordance with the provisions of Part 31 Class A of the Town & Country Planning (General Permitted Development) Order 1995.
2. The demolition shall be undertaken in accordance with the following approved documents:  
  
Preliminary Ecological Appraisal- ADAS- BRT69105-220(03);  
Facade Retention scaffold – 19/TAD/114-001 (07/06/2019)  
Guildford Crescent Demolition/Retention Plan (IL60115/01/004)  
Letters from Lichfields dated 31 May 2019  
(60115/01/JCO/LC/17491353v4) and 23 May 2019 (  
(60115/01/JCO/LC/17378578v5)  
Reason: For the avoidance of doubt.
3. No demolition of any building fabric attached to the Grade II Listed Masonic Hall shall be undertaken without first obtaining Listed Building Consent.  
Reason : To ensure the Listed Building is not adversely affected by the proposed demolition.

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

public holidays..

**RECOMMENDATION 3:** That the developer be advised that where any species listed under Schedules 2 or 4 of The Conservation (Natural Habitats etc.) Regulations 1994 is present on the site in respect of which this prior approval is hereby granted, no demolition works shall take place in pursuance of this approval unless a licence to disturb any such species has been granted in accordance with the aforementioned Regulations and a copy thereof has been produced to the local planning authority. In the event that demolition 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 the Council ecologist and NRW should be contacted immediately.

**RECOMMENDATION 4:** The applicant is advised that any demolition that would affect the Listed Masonic Hall that has not been approved through a Listed Building consent is an offence liable to prosecution.

**RECOMMENDATION 5:** The applicant is advised to contact Network Rail Asset Protection team before undertaking any works email [assestprotectionwales@networkrail.co.uk](mailto:assestprotectionwales@networkrail.co.uk)

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

- 1.1 An application seeking prior approval for the method of demolition of the 2 storey terrace known as 1-6 Guildford Crescent. The plans have been amended to allow the front facade to remain. To enable the retention of the facade the plans indicate that the front will be held in place with scaffolding and weighted, this structure would project approximately 3.5 metres onto the public highway.
- 1.2 The reason for demolition is to allow redevelopment of the site. At the point of completing this report, no formal applications are before the Local Planning Authority to consider.
- 1.3 The site is bounded to the north by the grade II listed Masonic Hall, to the east by public lane/railway embankment, to the south by Guildford crescent beyond which is the Ibis hotel and to the west by Churchill Way.
- 1.4 The site is not in a conservation area. The buildings are not listed or locally listed but the terrace is attached to the grade II listed Masonic hall
- 1.5 On completion of the demolition works the site will be left cleared of all material including the removal of the tarmac hard standing areas and will be left with finished material rolled level.
- 1.6 A copy of the public notice has been displayed on site by the applicant in accordance with regulatory requirements.

1.7 By way of background a letter was received from CADW dated 20.3.19 stating that the buildings were not considered worthy of listing.

## 2. **SITE HISTORY**

2.1 None relevant to the application

## 3. **POLICY FRAMEWORK**

### National Policy

- Town & Country Planning (General Permitted Development) Order: Schedule 2 Part 31 Demolition of Buildings
- Welsh Office Circular 31/95 Planning Controls over Demolition
- Chief Planning Officer letter dated 18<sup>th</sup> April 2011
- Section 3 Annex Development Management Manual

## 4. **CONSULTATIONS / REPRESENTATIONS**

4.1 In accordance with part 31 of the T&CP General Permitted Development Order 1995 a site notice was posted by the applicant on 23.10.15 to advertise the application.

4.2 722 letters of objection have been received a summary of the objection are :

- Loss of established family business;
- Loss of employment (loss of 70+ jobs)s
- Loss of cultural assets for future generations;
- Loss of a thriving music scene
- Cardiff does not require any more flats/student accommodation
- The council should stand up to greedy developers
- This terrace should be saved as in the case of Womanby Street
- Demolition of this terrace would go against the council's declaration of being the UK first Music City

4.3 Cathays Local Ward Councillors Merry, Mackie and Weaver object to the loss of the building on heritage grounds and further request that the demolition must be subject to environmental considerations.

4.4 Councillor Carter objects to the loss of the only part of the 'old Cardiff' left in the city centre;

4.5 Jo Stevens, Member of Parliament for Cardiff Central, objects to the loss of a significant heritage asset in her constituency and supports the petition of some 19,000 signatures to retain the terrace and businesses and further supports the council's draft Conservation Appraisal for Guildford Crescent;

4.6 Anna McMorris, Member of Parliament for Cardiff North, objects because the loss of a culturally and historically important space would undermine the designation of the area for conservation status, and because of the loss of

profitable local businesses.

- 4.8 Operational Manager (Transportation) No objection but request that the applicant is advised that a separate licence is required for the erection of the scaffolding;
- 4.9 County Ecologist No objection subject to implementing the recommendation of the submitted ecology report;
- 4.10 Pollution control: No objection subject to final confirmation
- 4.11 The Victorian Society object to the loss of a heritage asset, which in their view should gain conservation area status and raise concerns how the impact on the adjoining Grade II building will be mitigated.
- 4.11 Natural Resources for Wales: No comments to make but advise that the County Ecologist should be consulted;
- 4.12 Network Rail: no objection

## 5. **ANALYSIS**

- 5.1 The above application has been submitted under the provisions of Schedule 2, Part 31 of the Town and Country Planning General Development Order 1995, which gives the Local Planning Authority the means of regulating the method of demolition and proposed restoration of the site through the 'prior approval' process.
- 5.2 The purpose of this control is to give the LPA the power to regulate the method of demolition and proposed restoration of the site in relation to amenity considerations only, in order to minimise the impact of that activity on local amenity. The merits or otherwise of demolition cannot be considered under this process because permission to demolish the building(s) has already been granted by Regulatory Order.

The proposed demolition of the buildings is permitted development under part 31 of the second schedule to the 1995 Order. That is planning permission has, in effect, already been granted for the demolition by national government.

- 5.3 The applicant was informed by letter dated 12.12.18 that prior approval is required for the proposed method of demolition. Given the level of objection to the original submission (as amended) it is necessary to determine the application at a formal meeting of Planning Committee.
- 5.4 Method of demolition
- 5.5 The demolition method statement includes for mitigatory measures in respect of hours of demolition, dust suppression, construction site working/safety. The proposed demolition method and proposed restoration of the site is considered acceptable insofar as it affects local amenity.

## **5.6 Heritage Considerations**

The terrace is linked to the Grade II Listed Masonic Hall, however the applicant has advised that there is no intention to interfere with any fabric attached to the listed building at this juncture, and acknowledges that any physical alterations that affect the hall will require separate consent through a Listed Building process. A condition has been imposed on this prior approval that reaffirms this. The applicant has further advised that a separate application will be submitted to allow assessment of the impact of any future works which might impact upon the Listed building (adjacent/party wall).

Significant objections have been raised in relation to the loss of cultural heritage of the site. A consultation exercise was undertaken in October 2018 to consider the potential of designating Guildford Crescent as a Conservation Area.

In the absence of any formal designation, the Committee are advised that the draft appraisal document cannot be considered as a material planning consideration.

Members should also be advised that conservation area status does not in itself preclude the demolition of buildings within such areas, but would instead introduce a further control mechanism. However, it is acknowledged that the need for 'Conservation Area Consent' would allow the heritage merits or otherwise of any such proposals to be considered before demolition or redevelopment could be undertaken.

## **5.7 Expediency**

National advice (W/O 31/95 circular) states 'the Secretaries of State (now the Welsh Ministers) attach great importance to the prompt and efficient handling /determination of applications

It is considered that all necessary information has been submitted for officers and Committee to make an informed decision over those matters that can be considered (i.e. method of demolition and remediation of the sites), in terms of amenity.

## **5.8 Highways Consideration**

The proposed scaffolding and weights to support the facade would be sited on the adopted highway. The Council's Highways Section have been consulted and advise that they have no objection subject to the applicant submitting the necessary licence, which will control the relocation of the existing lamp post and directing pedestrians through a safe route around the structure. The agent in their email of the 10 June suggest an indicative start date of spring 2020, subject to the necessary consents, including planning permission.

The proposed hours of operation and access to the site are considered acceptable.

The proposed means of enclosure 1.8 metre high fence would not undermine highway safety.

## 5.9 Ecology

Section 3 Annex of the Development Management Manual (this replaces circular advice) states:

“Before some agricultural, forestry, telecommunication and demolition operations can commence, conditions in the GPDO mean the developer must apply to the local planning authority (LPA) to confirm whether prior approval is required for certain details of the development. When considering such an application, the duty in regulation 9(3) of The Conservation of Habitats and Species Regulations 2010 (‘the 2010 Regulations’), as amended, means the LPA must have regard to the requirements of the Habitats Directive (Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora).” The annex also states the test required by the Habitats Directive, these being:

- sufficient information has been submitted for them to determine that the proposal satisfies an appropriate Habitats Directive derogation purpose;
- there is no satisfactory alternative to the proposal; and
- the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.

To be able to discharge the duty outlined in article 12 of the Habitats Directive, a Bat assessment has been submitted.

In relation to the potential presence of bats the initial bat survey carried out on the building in January, 2019 (revision 3) showed no evidence of bats, but recommended that an emergent survey be carried out in the summer months, since parts of the roof were inaccessible.

To address these concerns, the applicant has agreed to a method of demolition that will minimise the risk of potential damage to bats, that an ecological consultant will be appointed to keep a watching brief during the removal of the roof, and that in the event that any bats be seen or disturbed during the demolition process all works shall stop and the Council’s Ecologist and NRW be notified immediately.

- 5.10 Both the survey and the method of demolition have been considered by the County Ecologist and NRW; both of whom raise no objection. It is also considered that the duty imposed under the Habitats Directive has been considered fully.

## 5.11 Environmental Impact Assessment

Having regard to Chief Planning Officer letter that was issued on 18<sup>th</sup> April 2011 there is a requirement for demolition development to be screened for the need of an environmental assessment. The Regulations covering this assessment are The Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017. The Regulations provide guidance on the quantum and nature of developments which are likely to require the submission of an Environmental Statement.

Having regard to the schedule 2 paragraph 10 (b) (Urban development projects) of these regulations it is considered that the proposal would not have a significant impact upon the environment and therefore does not require an Environmental assessment

5.12 Additional Comments raised by objectors not addressed above include:

- *Loss of established family business;*
- *Loss of employment (loss of 70+ jobs)s*
- *Loss of a thriving music scene*
- *Cardiff does not require any more flats/student accommodation*
- *The Council should stand up to greedy developers*
- *This terrace should be saved as in the case of Womanby Street*
- *Demolition of this terrace would go against the council's declaration of being the UK first Music City*

Significant objections have been raised in relation to the loss of family businesses, the loss of jobs and a live music venue. However, these are not matters which can be considered under the prior approval process.

## 5.13 Conclusion

It is considered that all necessary information has been submitted for officers and Committee to make an informed decision in respect of the proposed method of demolition, and making good of the site. It is recommended that prior approval be granted subject to conditions, and additional construction noise and bats recommendations.



**Key**

Site Boundary



# LICHFIELDS

Project Guildford Crescent

Title Demolitions Plan

Client Denstream Ltd

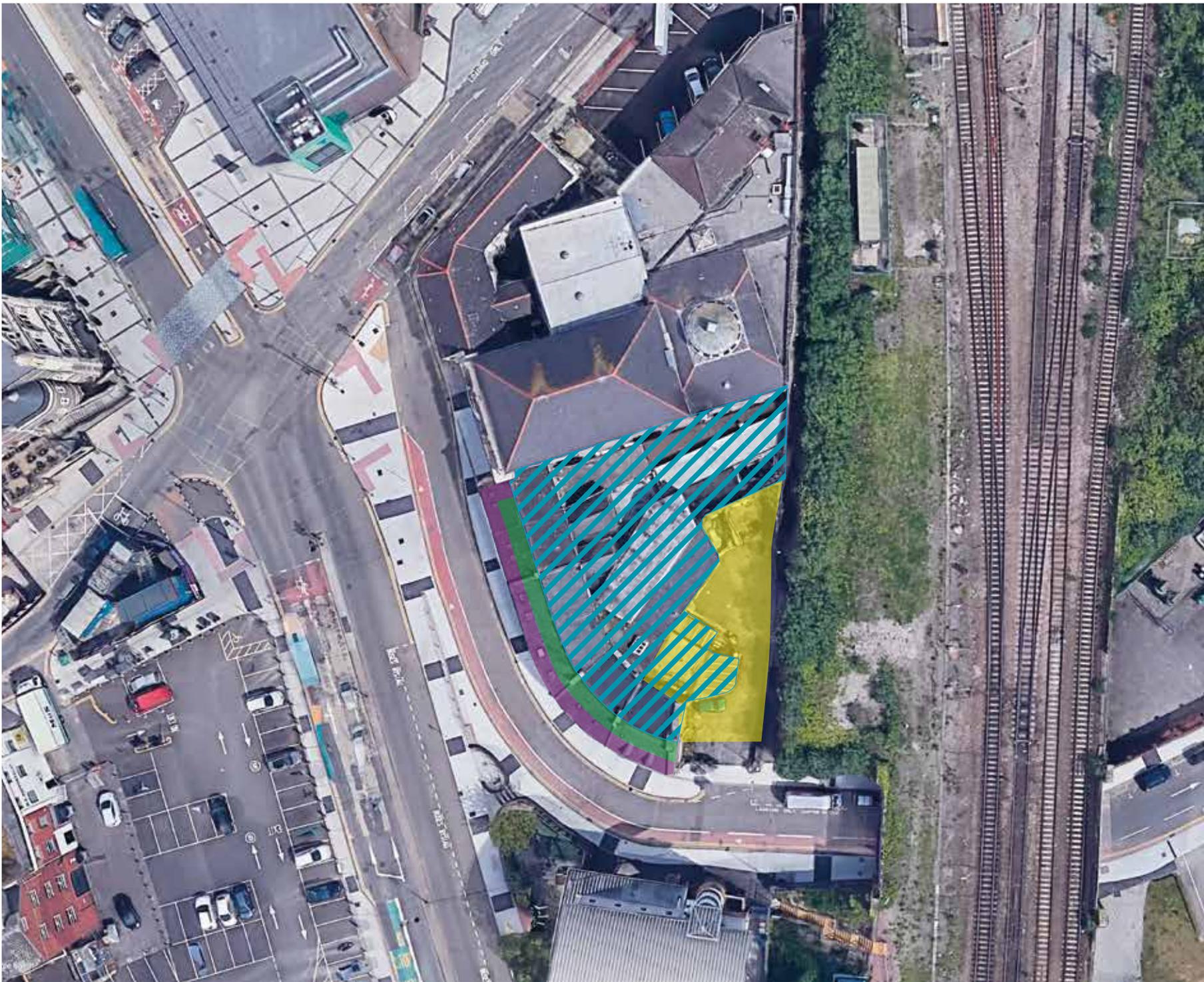
Date 22.11.18

Scale NTS

Drawn by BBa

Drg. No. IL60115/01





**Key**

- Loading / unloading area
- Retained frontage / facade
- Retained / re-instated roof plane
- Area of demolition



Project Guildford Crescent

Title Guildford Crescent Demolition / Retention Plan

Client Denstream Ltd

Date 30.05.19

Scale NTS

Drawn by RT

Drg. No. IL60115/01/004



**BRIDGED 450mm Deep ALLOY BEAM**

Plan braced TOP chord - fixed at 1.00m centres  
Laced TOP chord at 1.00m centres  
Laced BOTTOM chord at 2.00m centres  
Section braced at 2.00m centres  
All connection made using load bearing couplers

**CANTILEVERED 750mm Deep ALLOY BEAM**

Plan braced BOTTOM chord - fixed at 1.00m centres  
Laced TOP chord at 2.00m centres  
Laced BOTTOM chord at 1.00m centres  
Section braced at 2.00m centres  
All connection made using load bearing couplers

Bridged 450mm Alloy beams laced and braced as per the noted specification.

Cantilevered 750mm ASP Alloy beams laced and braced as per the noted specification.

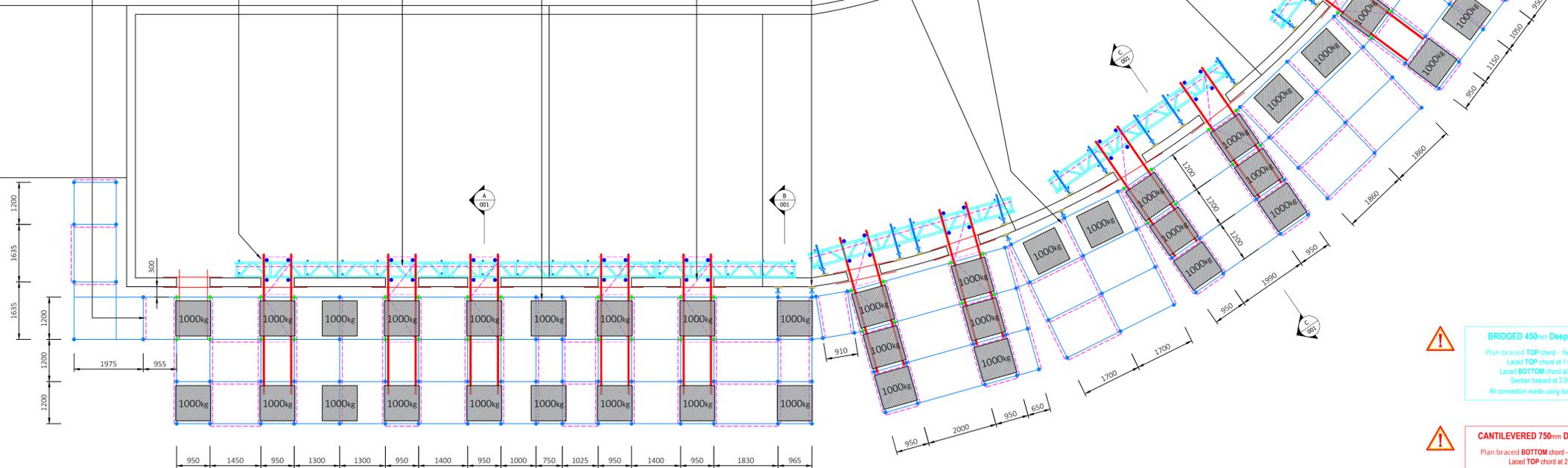
Buttress structure to be section braced EVERY frame as shown. All bracing fixed using load bearing couplers. All bracing connected within 300mm of the ledger to standard node point.

Denotes 'through window' ties using 750mm ASP Alloy Beams through existing facade openings as per the arrangement shown. All intersecting beams connected using puncheons. Puncheons connected to the top and bottom chord of both beams using 90° couplers.

Scaffold restrained via kentledge loads positioned as shown. Required Kentledge load = 1000kg located as shown. Kentledge make-up to be confirmed by contractor prior to erection.

Scaffold screwfixed tight to either side of the existing wall using adjustable base plates.

Scaffold erected with section bracing at EVERY FRAME as shown. All bracing fixed using load bearing couplers. Bracing connected no greater than 300mm from the standard to ledger node point.



PLAN LAYOUT

**BRIDGED 450mm Deep ALLOY BEAM**

Plan braced TOP chord - fixed at 1.00m centres  
Laced TOP chord at 1.00m centres  
Laced BOTTOM chord at 2.00m centres  
Section braced at 2.00m centres  
All connection made using load bearing couplers

**CANTILEVERED 750mm Deep ALLOY BEAM**

Plan braced BOTTOM chord - fixed at 1.00m centres  
Laced TOP chord at 2.00m centres  
Laced BOTTOM chord at 1.00m centres  
Section braced at 2.00m centres  
All connection made using load bearing couplers

750mm ASP Alloy beams fixed to support standards using 90° couplers at top and bottom chords with a check transom fixed tight to the underside of the bottom chord connection.

Scaffold erected with double guardrail and single toe board edge protection at all working platform levels. All guardrails fixed using 90° couplers. All toe boards suitably fixed every frame using approved clips as per the current TG12.

Denotes 'through window' ties using 750mm ASP Alloy Beams through existing facade openings as per the arrangement shown. All intersecting beams connected using puncheons. Puncheons connected to the top and bottom chord of both beams using 90° couplers.

Scaffold erected with single guardrail edge protection at all leading edge positions of non boarded lift levels. All guardrails fixed using 90° couplers.

Scaffold restrained via kentledge loads positioned as shown. Required Kentledge load = 1000kg located as shown. Kentledge make-up to be confirmed by contractor prior to erection.

All standards founded on 150x150 steel base plates and timber sole boards on firm and level ground. Main contractor to ensure the existing ground can support the noted leg loads and that all underground services have been suitably checked.

Scaffold erected with structural transoms in accordance with the TG20 13 guidance. All structural transoms fixed using 90° couplers connected no greater than 150mm from the standard to ledger node point.

Bridged 450mm Alloy beams laced and braced as per the noted specification.

Scaffold screw fixed to the existing building facade using suitable adjustable base plates. Butting transoms fixed to at least 2no. ledgers or standards no greater than 300mm from the node point connection using 90° couplers.

Scaffold erected with section bracing at EVERY FRAME. All bracing fixed using load bearing couplers. Bracing connected no greater than 300mm from the standard to ledger node point.

All ledgers and non-board bearing transoms fixed using 90° couplers throughout.

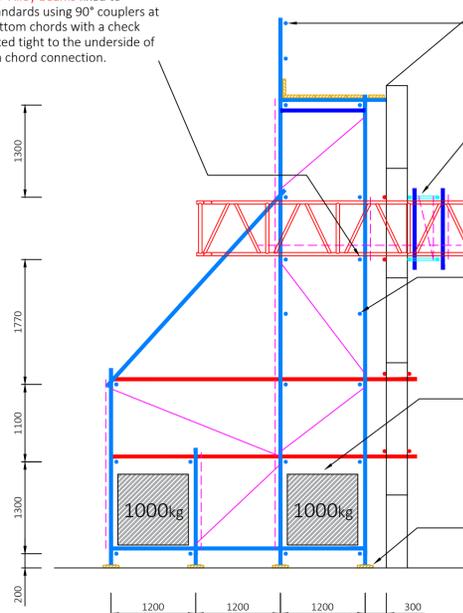


Cantilevered 750mm ASP Alloy beams laced and braced as per the noted specification.

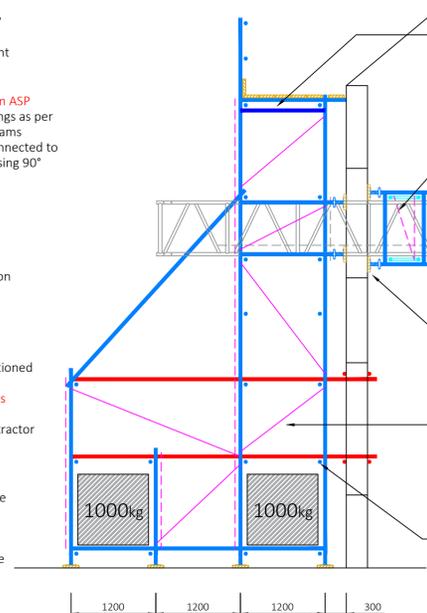
Scaffold erected with single guardrail edge protection at all leading edge positions of non boarded lift levels. All guardrails fixed using 90° couplers.

Denotes 'through window' ties using tube and fitting. All tie tube connections made using 90° couplers.

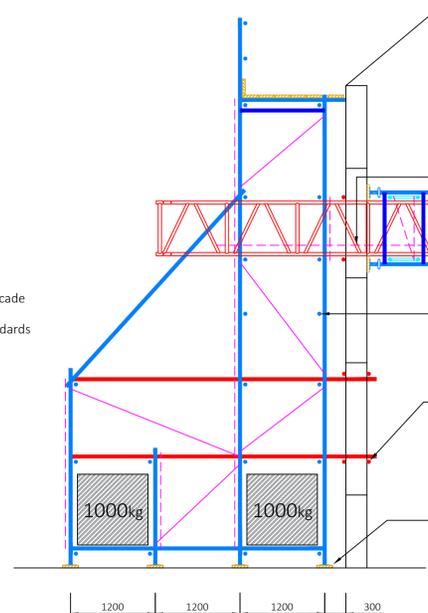
All standards founded on 150x150 steel base plates and timber sole boards on firm and level ground. Main contractor to ensure the existing ground can support the noted leg loads and that all underground services have been suitably checked.



SECTION A-A



SECTION B-B



SECTION C-C

GENERAL NOTES  
This drawing is the Intellectual property of TAD Ltd. No unauthorised use, copy or disclosure is to be made without written consent.

CDM Regulations 2015  
TAD LTD have undertaken and conformed with the responsibilities imposed by the Construction (Design & Management) Regulations 2015. The Contractor should be aware of their duties imposed by the CDM Regulations 2015, Regulation 9.

Design Guidance  
This drawing has been prepared in accordance with the following Standards and Technical Guidance:

- NASC TG20 13  
- BS EN 12811-1  
- BS 5975:2008 + A1:2011 Temporary works procedures and the permissible stress design of falsework.  
- BS EN 1991-1-4: 2005 Wind Actions  
- BS EN 1991-1-3: 2003 Snow Loads  
- SG4:15 Working at Height Regulations.

Loading  
All Self-weights of materials comply with the loads stated within the TG20:13 and BS EN12811-1.  
All Self-weights of proprietary equipment are in accordance with manufacturer's information.

Platform Loading  
Scaffold platform loads are in accordance with the TG20:13 and BS EN12811-1.

Load Class: 3  
Ino. LPI at: 2.00kN/m<sup>2</sup>  
Ino. LPI at: N/A  
Inside Boards: 0.75kN/m<sup>2</sup>  
No. of Boarded Lifts: 1

Main contractor to ensure the live load allowance is adequate prior to erection.  
No alteration to the live load allowance should be made without the written consent of TAD Ltd.

Wind Loading  
Wind loads have been generated in accordance with BS EN 1991-1-4: 2005.

Peak Velocity Pressure (Qp): 0.52kN/m<sup>2</sup>  
Main Contractor to ensure wind loads are adequate.

Log Loads  
Maximum Axial Load: 29.10kN

Standards founded on steel base plates (150 x 150mm) and 38mm thick soleboards unless stated otherwise.  
Main Contractor to ensure the foundations are capable of supporting the leg loads stated.  
Where the scaffold is supported or suspended from an additional structure the main contractor must ensure that the structure is capable of supporting the imposed loads.

Tie Loads  
Maximum Tie Load: N/A  
Required Test Load (2.00 F<sub>ts</sub>): N/A  
Maximum Butt Load: N/A

The Main Contractor is responsible for ensuring the existing structure is capable of supporting the imposed loads.  
The Contractor should consult with anchor specialist prior to selection.  
Tie selection should be made by the contractor using guidance from TG4:17.  
Ties should be tested in accordance with TG4:17.  
Main Contractor to ensure that no ties are removed without the written approval of TAD LTD.

Scaffold Boards  
All Scaffold Boards to comply with BS4482:2009.

All scaffold boards are to be restrained. See TG12:17 for restraint guidance.

Tube/Fittings  
All scaffolding materials and fittings are to comply with TG20:13 and BS EN 12811-1.

Scaffold tube has been taken as BS EN 39 type 4 'new' condition.  
All scaffold fittings taken as load-bearing CLASS 4 fittings unless otherwise stated on the drawing.  
All proprietary equipment has been designed in accordance with the manufacturers specifications.

Kentledge  
Kentledge Loads should be positioned on the scaffold as per the drawing.

Kentledge Load Per Bay: 1000kg (Positioned as shown)  
Kentledge should be applied to scaffold on completion of first lift.

Support Scaffolds  
TAD LTD will not pass comment on the condition of the existing building fabric. It is the contractor's responsibility to ensure that the existing structure will safely span between scaffold supports, and can be safely supported in the way indicated.

Temporary Roofs/Shelters  
TAD LTD cannot ensure temporary roofs are erected watertight.

All ties indicated on the drawing must be installed prior to the construction of the roof structure.  
For mono-pitch temporary roofs, the minimum slope angle of the roof sheeting is 5° when using C sheets.  
For all roof systems the manufacturers guidance should be followed.

Cladding  
No sheeting, signboards or hoarding, unless already shown, should be added to the scaffold without the written permission from TAD LTD.  
All sheeting should be fixed externally to the scaffold unless otherwise stated on the drawing.

Erection/Modification  
This design has been prepared from information supplied to us by the Contractor. The Contractor should check that their requirements have been correctly interpreted and depicted in a practicable design solution prior to erection.  
The contractor should verify all site dimensions and notify TAD Ltd of any discrepancies prior to erection.  
No alterations are to be made to the scaffold structure detailed on this drawing without written consent from TAD Ltd.  
All written dimensions shall take precedence over scaled dimensions.

Drawing Status:

**FOR DISCUSSION**  
Not For Construction



Rev	Date	Revision Description	Prepared by	Checked by



Job Title: Guildford Crescent - Cardiff.

Client: Network Scaffolding Ltd.

Drawing Title: Facade Retention Scaffold

Drawing Number	Rev	Prepared By	Checked By
19/TAD/114-001	-	M.E	R.P

Scale @ A1: 1:50/1:75 Date: 07/06/2019 CHECK CATEGORY (BS5975) 2





NO PARKING  
IN THIS ZONE  
AT ANY TIME  
EXCEPT FOR  
DISABLED VEHICLES

PRIVATE  
PROPERTY BY  
NO  
PARKING





RABBITA

RESTAURANTS

THE HOUSE

Piccadilly Centre  
Carrick Street



