

COMMITTEE DATE: 18/09/2019

APPLICATION No. **18/02602/MJR**

APPLICATION DATE: 06/11/2018

ED: **RIVERSIDE**

APP: TYPE: Conservation Area Consent

APPLICANT: SUFFOLK LIFE ANNUITIES LIMITED
LOCATION: 32 CATHEDRAL ROAD, PONTCANNA
PROPOSAL: DEMOLITION OF REAR EXTENSION

RECOMMENDATION 1: That Conservation Area Consent **GRANTED** subject to the following conditions for the following reasons:

1. C05 Statutory Time Limit – Conservation Area Consent (5 years)

Reason: To ensure the timely redevelopment of the site following demolition.

2. No development shall commence until such time as a contract for the carrying out of redevelopment of the site has been made and full planning permission has been granted for the re-development for which the contract provides.
Reason: In the interests of the visual amenity of the area in accordance with Section 17 (3) of the Planning (Listed Buildings & Conservation Areas) Act 1990 and advice contained at para. 6.14 of TAN 24

3. The precautionary mitigation measures set out in section 5.2 of the Bat Survey report provided by WYG and dated September 2018, shall be implemented in full.
Reason: to ensure protection of bats in accordance with Policy EN7 of the adopted Cardiff Local Development Plan (2006 - 2026).

4. If site clearance in respect of the development hereby approved does not commence within 2 years from the date of the most recent survey for bats, the approved ecological measures shall be reviewed and, where necessary, amended and updated. The review shall be informed by further ecological surveys commissioned to i) establish if there have been any changes in the presence and/or abundance of bats and ii) identify any likely new ecological impacts that might arise from any changes.

Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, the original approved ecological measures will be revised, and new or amended measures, and a timetable for their implementation,

will be submitted to and approved in writing by the local planning authority prior to the commencement of development. Works will then be carried out in accordance with the proposed new approved ecological measures and timetable.

Reason: To ensure that the assessment of the impacts of the development upon the species concerned, and any measures to mitigate those impacts, are informed by up-to-date information, in accordance with Policy EN7 of the adopted Cardiff Local Development Plan (2006 - 2026). .

5. No clearance of trees, bushes or shrubs to take place between 1st March and 15th August unless otherwise approved in writing by the Local Planning Authority. This approval will be given if it can be demonstrated that there are no birds nesting in this vegetation immediately (48 hrs) before works commence.

Reason: To avoid disturbance to nesting birds which are protected under the Wildlife and Countryside Act 1981: Part 1, 1(1)(b), it is an offence to intentionally take, damage or destroy the nest of any wild bird while that nest is in use or being built.

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

RECOMMENDATION 3: *This Conservation Area Consent does not provide consent to undertake works that require an EPS licence. It is an offence to deliberately capture, kill or disturb EPS or to damage or destroy their breeding sites or resting places. If found guilty of any offences, you could be sent to prison for up to 6 months and/or receive an unlimited fine. To undertake the works within the law, you can obtain further information on the need for a licence from Natural Resources Wales on 0300 065 3000 or at <https://naturalresources.wales/permits-and-permissions/protected-species-licensing/european-protected-species-licensing/information-on-european-protected-species-licensing/?lang=en>.*

Development should not be commenced until the Applicant has been granted a licence by Natural Resources Wales pursuant to Regulation 55 of the Conservation of Habitats and Species Regulations (2017) authorizing the specified activity/development to go ahead.

Please note, any changes to plans between planning consent and the licence application may affect the outcome of a licence application. We advise the

Applicant timing constraints to the works are likely to be in place due to the potential of a maternity roost being present.

1. DESCRIPTION OF PROPOSED DEVELOPMENT

- 1.1 Conservation Area Consent is sought for the demolition of the existing annexe to the side of the Suffolk House Villa in order to facilitate the redevelopment of the site.
- 1.2 Conservation Area Consent is required for the substantial demolition of any unlisted building within a Conservation Area by virtue of Sec. 74 of The Planning (Listed Building and Conservation Areas) Act 1990.
- 1.3 The merits of the proposed replacement development are considered in full in a separate application for planning permission (Ref: 18/02601/MJR)

2. DESCRPTION OF SITE

- 2.1 The application site is located on the corner of Cathedral Road and Sophia Close, and encompasses a detached 2/3-storey period building (villa) fronting onto Cathedral Road, with a modern rear extension varying from 1 to 3 storeys in height with part under-croft parking positioned to the rear of the house fronting onto Sophia Close.
- 2.2 The site is located within the Cathedral Road Conservation Area and forms a Locally Listed Building (both the villa and rear extension are included within this local listing). The building fronts onto Cathedral Road, and also has a prominent frontage onto Sophia Close as a gateway into Sophia Gardens. Several street trees are located directly adjacent to the site running along Sophia Close.
- 2.3 There are a broad mix of uses located within the surrounding area including residential (C3 and C1), office (B1), and a range of A3 uses. The site is within walking distance of public open space, including Bute Park and Pontcanna Fields.
- 2.4 In terms of the TAN 15 Development Advice Map, the site is located within Zone C1 (areas of floodplain served by significant infrastructure, including flood defences).
- 2.5 The application site is rectangular and measures approximately 0.124 Ha in size. The building currently comprises vacant B1 office accommodation.
- 2.6 Vehicular access is provided into the site directly off Sophia Close into the forecourt/parking area.
- 2.7 A large mature beech tree is located within the site boundary, within a central location adjacent to the car parking area.
- 2.8 To the southeast of the site is Sophia Close. A 1.8m (approx.) wall runs

parallel to Sophia Close on the boundary of the site along most of the length of the modern extension. A low-level stone wall encloses the site to the side of the original villa. Numerous street trees are present in the pavement along Sophia Close, adjacent to the site. On the opposite side of Sophia Close is a three-storey villa (fronting Cathedral Road) with part four, part three-storey modern rear extension. This large extension is set in from the side elevation of the villa and therefore back from the street.

- 2.9 To the southwest of the site is Cathedral Road, which broadly comprises of large three storey detached and semi-detached villas set a long a tree lined avenue.
- 2.10 To the northeast of the site is the Brewhouse and Kitchen Public House, a 1.5 storey, locally listed, building with large orangery style side extension. Immediately adjacent to the application site is an outside seating area serving the pub. A number of mature trees are located in the outside seating area in close proximity to the site.
- 2.11 To the northwest of the site is No. 34 Cathedral Road a large detached three-storey villa, which has been converted into flats. To the rear of this building are 4 mews style, one and two-storey properties arranged at different angles. No. 7 Sophia Mews is a single storey pitch roof property fronting onto the application site. No's. 8 and 9 Sophia Mews are located within a two-storey pitched roof building and have windows fronting onto the application site. No. 10 Sophia Mews is located directly adjacent to the application site but fronts the mews courtyard.

3. SITE HISTORY

Application Ref: 07/02969/W: External alterations to main entrance – approved

Application Ref: 87/00824/W: Consent to lower existing chimney – approved

Application Ref: 85/00836/ - approved

Application Ref: 85/00837/ - approved

4. POLICY FRAMEWORK

4.1 Legislation

- The Planning (Listed Buildings and Conservation Areas) Act 1990

4.2 National Policy and Guidance

- Planning Policy Wales, Edition 10 (November 2018). Chapter 6: Distinctive and Natural Places
- TAN 24: Historic Environment

4.3 Relevant Supplementary Planning Guidance:

- Cathedral Road Conservation Area Appraisal (2007)

5. INTERNAL CONSULTEE RESPONSES

- 5.1 The Council's Conservation Officer states that; The extensions fronting Sophia Close that were permitted through the 1985 application are not considered to make a positive contribution to the character or appearance of the area.

6. EXTERNAL CONSULTEE RESPONSES

- 6.1 None Undertaken

7. CONSULTATIONS/REPRESENTATIONS

- 7.1 The application was advertised on site and in the press. Neighbours and Local Members were also notified.
- 7.2 Two letters of representation objecting to the proposal have been received, however these objections are not explicitly relevant to the demolition of the existing modern extension and are evaluated within the application for planning permission.
- 7.3 Details of these objections and how they have been addressed are to be found in the 18/02601/MJR report.

8. ANALYSIS

- 8.1 The Local Planning Authority are required by virtue of Sec. 72 of The Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of a Conservation Area and that proposals to demolish such buildings should be assessed the same broad criteria as proposals to demolish Listed Buildings.
- 8.2 The general criteria relevant to the consideration of all listed building consent applications relate to the importance of the building, its intrinsic architectural and historic interest and rarity; the particular physical features of the building; the buildings setting and its contribution to the local scene; and the extent to which the proposed works would bring substantial benefits for the community, in particular by contributing to the economic regeneration of the area or the enhancement of the environment.
- 8.3 The submitted Heritage Statement (HS) has assessed the contribution the building, including those parts proposed for removal, make to the Cathedral Road Conservation Area. Within this document it is stated that;

The significance of this building primarily arises from its aesthetic and historic values, in particular with the front and side elevation presenting a high level of architectural detail of a nature typical of the ambitious development of the Cathedral Road area by the Bute Estate. The

historic value arises from its representation of a grand Victorian villa, illustrating the distinctive quality of the construction within this area circa 1870-1900. However, it is considered that the aesthetic value of the building is impacted by the modern extension building to rear of the villa which itself is not of a design or construction (in respect of materials) typical to the character of the area. (Para 3.2.20)

The demolition of the existing rear extension at 32 Cathedral Road, and reconstruction of a more sensitively designed building will enhance the physical appearance of 32 Cathedral Road, together with its immediate setting. (Para 5.2.11)

- 8.4 In line with the conclusions contained in the submitted HS, it is considered that the demolition of the modern, buff brick rear extension to the rear of the building and its replacement with a high-quality extension, which better respects the architectural characteristics and materials of the villa building, will bring about an enhancement to this part of the Conservation Area. Furthermore, It is acknowledged that Conservation Area Consent is only required due to the extent of demolition required and that the original villa would be retained as part of the scheme for the redevelopment of the site.
- 8.5 Details of the proposed redevelopment of the site have been provided under planning application ref: 18/02601/MJR. The full merits of the redevelopment proposed under 18/02601/MJR will be discussed in the relevant report to Planning Committee, however the scheme is considered to enhance the character of the conservation area and has been recommended for approval. However, a condition has been imposed to ensure that the buildings are not demolished until a planning permission and contracts are in place.
- 8.6 In situations where harm would be caused to the character or appearance of the Conservation Area, if the redevelopment did not occur, it is considered necessary to impose conditions restricting demolition, as detailed at para. 6.14 of TAN 24, that the building should not be demolished until such time as a contract for redevelopment of the site and/or planning permission has been granted.
- 8.7 Given the potential presence of protected species on in the area, conditions have been included to ensure their protection.
- 8.8 Taking the above into consideration, the demolition of the modern extension to the rear of the building would not have a neutral impact upon the character or appearance of the Cathedral Road Conservation Area, whilst the replacement proposal would represent an enhancement.
- 8.9 The Local Planning Authority may also control demolition so far as it relates to the method of demolition and site restoration. In respect of the latter, a detailed scheme of redevelopment is proposed. In respect of the former, given the scale of demolition relative to the scale of the site, it is considered that demolition could be adequately managed without stringent controls imposed by the Local Planning Authority. The provisions of the Control of Pollution Act 1990 are pertinent in controlling noise and nuisance from demolition activities in the interests of the

amenity of neighbouring residents.

- 8.10 It is recommended that Conservation Area Consent be granted, subject to conditions, for the demolition of those parts of the building detailed.



Studio | MJA
 8 Dyfrig St
 Cardiff
 CF11 9LR
 Phone: 07799 862959
 Email: hello@mattjonesarchitects.com

Project
 32 Cathedral Road

Client
 Fletcher Morgan

Job Number
 MJA 032

Title
 Location Plan

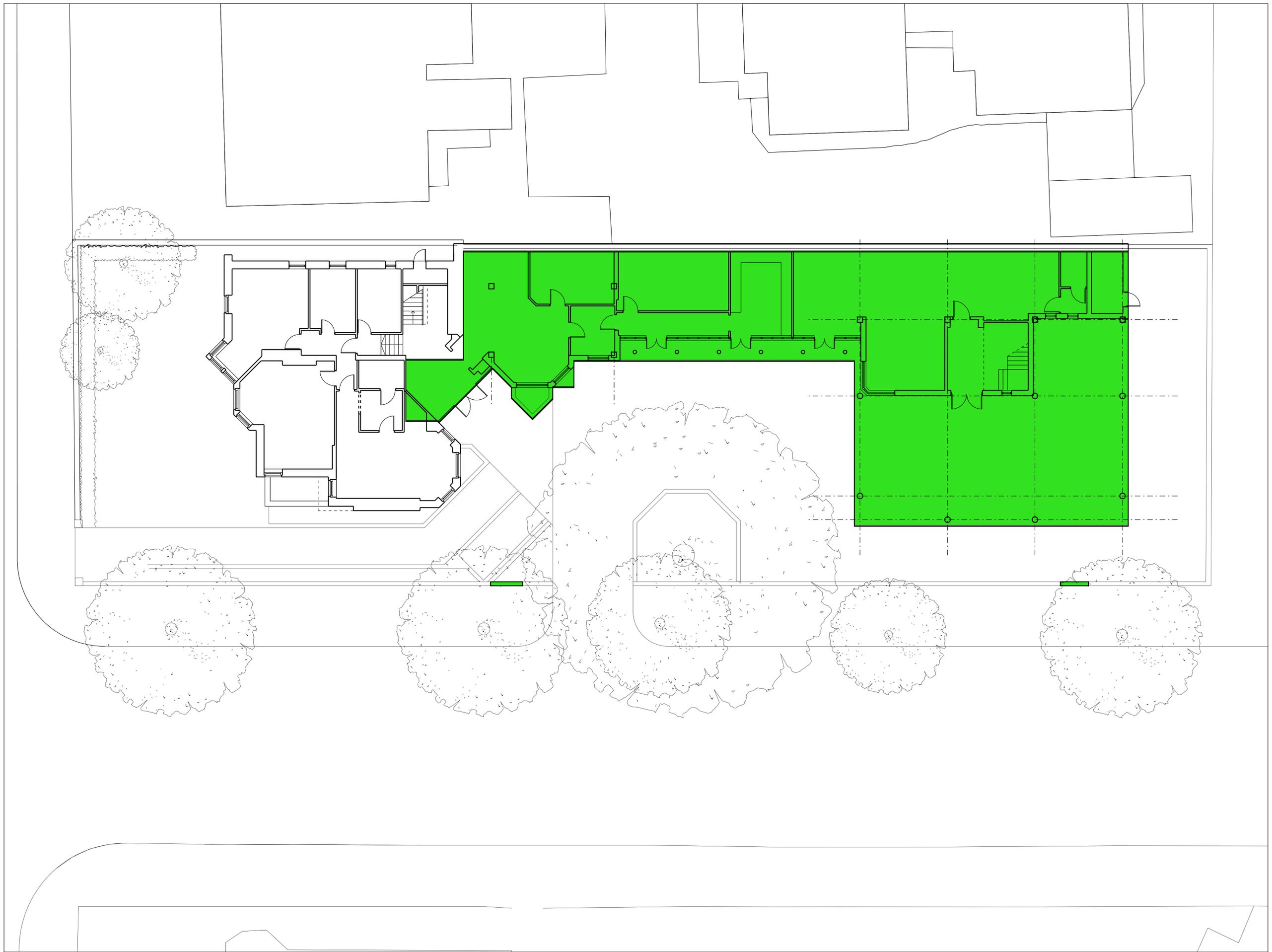
Drawing Number
 A S L 001

Scale
 1:1250 @ A4

Date
 15-02-18

SKETCH INFORMATION

Tel. 44 (0) 2921 286678
 Email. matt@mattjonesarchitects.com



INDICATES PROPOSED DEMOLITION OF EXISTING FABRIC



rev.	drawn	checked	approved	date	description

Client
FLETCHER MORGAN

Project
32 CATHEDRAL ROAD | RESIDENTIAL DEVELOPMENT

Title
PROPOSED DEMOLITION


 Studio | MJA
 8 Dyfrig St
 Cardiff
 CF11 1EB
 Phone: 07799 862959
 Email: hello@mattjonesarchitects.com

date	drawn	checked	approved
21.08.18	MJ		

scale @ A1
1:100

status	drwg. no.	rev.
P	A / P / P / 20	