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AGENDA

Committee	PLANNING COMMITTEE
Date and Time of Meeting	WEDNESDAY, 28 SEPTEMBER 2016, 2.30 PM
Venue	COMMITTEE ROOM 4 - COUNTY HALL
Membership	Councillor Michael (Chair) Councillors Manzoor Ahmed (Deputy Chair), Ali Ahmed, Burfoot, Gordon, Hudson, Hunt, Robson and Lynda Thorne

1 APOLOGIES

2 DECLARATION OF INTEREST

To be made at the commencement of the agenda item in question, in accordance with the Members Code of Conduct

3 PETITIONS

Petitions have been received in relation to the following applications in accordance with Committee Meeting Procedural Rule 14.2. The petitioners have been advised of their right to speak and the applicants/agents of their right to reply:

Application no: 16/01584/MJR, Land at John Street, Butetown

4 DEVELOPMENT CONTROL APPLICATIONS

The schedule of development control applications has been circulated separately

4a Land at John Street - Butetown (*Pages 1 - 24*)

4b St Mellons Community Enterprise Centre (*Pages 25 - 38*)

4c Land at Braunton Crescent and Clevedon Road (*Pages 39 - 70*)

4d West of Willowbrook Drive and The South of Crickhowell Road (*Pages 71 - 114*)

4e St Mellons Community Hall, Crickhowell Road (*Pages 115 - 126*)

5 DATE OF NEXT MEETING - 12 October 2016

Davina Fiore
Monitoring Officer

Date: Thursday, 22 September 2016

Contact: Kate Rees, 029 2087 2427, k.rees@cardiff.gov.uk

LOCAL MEMBER OBJECTION / AM & MP CONCERNS & PETITION

COMMITTEE DATE: 28/09/2016

APPLICATION No. **16/01584/MJR** APPLICATION DATE: 11/07/2016

ED: **BUTETOWN**

APP: TYPE: Full Planning Permission

APPLICANT: J R Smart (Builders) Ltd
 LOCATION: LAND AT JOHN STREET, BUTETOWN, CARDIFF, CF10 5PE
 PROPOSAL: ERECTION OF A NEW OFFICE BUILDING ON THE JOHN STREET SITE, CENTRAL CARDIFF. THREE BLOCKS OF 20 FLOORS, 10 FLOORS AND 8 FLOORS RESPECTIVELY. THE LOWER 2 FLOORS COMPRISE OF RETAIL, RECEPTIONS, CAFES, PLANT AND ANCILLARY SPACE, CAR PARKING AND SERVICE BAY TO THE REAR OF THE SITE

RECOMMENDATION 1 : That, subject to relevant parties entering into a binding legal agreement with the Council under the provisions of a **SECTION 106** of the Town and Country Planning Act 1990, within 6 months of the date of this Resolution unless otherwise agreed by the Council in writing, in respect of matters detailed in Section 9 of this report, planning permission be **GRANTED** subject to the following conditions :

1. C01 Statutory Time Limit
2. The consent relates to the following approved plans:

<i>Dwg. No.</i>	<i>Title</i>
1519-P-001	Site plan
1519-P-100B	Ground floor plan
1519-P-101B	Level 1 plan
1519-P-102A	Levels 2 & 3 plan
1519-P-104A	Levels 4 - 7 plans
1519-P-108A	Level 8 plan
1519-P-109A	Level 9 plan
1519-P-110A	Level 10 plan
1519-P-111A	Level 11 plan
1519-P-112A	Levels 12 - 19 plans
1519-P-120A	Level 20 plan
1519-P-121A	Level 21 plan
1519-P-122A	Level 22 Roof plan
1519-P-210A	South building section A-A
1519-P-211A	Tower & north building section B-B
1519-P-240A	North building section C-C
1519-P-241B	Tower & south building section D-D
1519-P-301A	South elevation

1519-P-302B	West elevation
1519-P-303A	North elevation
1519-P-304A	East elevation
1519-P-311	South context elevation
1519-P-322	West context elevation
1519-P-420A	Façade bay study
1519-P-1001D	Network Rail access
1519-P-1002D	Hard landscaping
1153/SK/03A	Landscape proposals: street level

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

3. No member of the public shall be admitted to or allowed to remain on the retail premises between the hours of 23.30 and 08.00 on any day.
Reason: To ensure the amenity of occupiers of other premises in the vicinity is protected.
4. Any A3 use shall be restricted to café/ restaurant type uses where the primary function is the sale and consumption of food within the premises, and for no other A3 Use Class unless otherwise agreed in writing by the LPA.
Reason: To ensure the amenity of future residents and occupiers of other premises in the vicinity are protected.
5. No above ground superstructure works shall be commenced until samples of the external finishing materials have been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
Reason: To ensure that the finished appearance of the development is in keeping with the area.
6. No above ground superstructure works shall be commenced until a scheme showing the architectural detailing of all building facades have been submitted to and approved in writing by the Local Planning Authority and the development shall not be brought into use until the approved scheme is implemented.
Reason: To ensure a satisfactory finished appearance to the development.
7. No development shall take place until comprehensive proposals showing how foul and surface water flows from the site will be dealt with have been submitted to and approved by the Local Planning Authority. The scheme shall take account of the drainage requirements of the existing businesses located in the railway arches, and shall achieve the reduced surface water discharge requirements of 20l/s within the attenuated drainage system as required in the DCWW consultation response dated 9.8.16. The works shall be implemented in accordance with the approved details.
Reason: To ensure an orderly form of development.

8. A scheme of sound insulation works to the floor/ ceiling/ party wall structure between the retail and the office units shall be submitted to and agreed by the LPA in writing and implemented prior to occupation.
Reason: To ensure the amenity of future occupiers of the offices is protected.
9. The rating level of the noise emitted from fixed plant and equipment on the site shall not exceed the existing background noise level at any time at the nearest residential property when measured and corrected in accordance with the current British Standard 4142:2014 (or any BS amending or superseding that standard).
Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected.
10. G7Q Future Kitchen Extraction
11. Details showing the provision of secure, covered long-stay cycle parking spaces and publicly accessible short-stay cycle parking spaces shall be submitted to and approved in writing by the LPA and the approved details shall be implemented prior to beneficial occupation. Thereafter the cycle parking spaces shall be maintained and shall not be used for any other purpose.
Reason: To ensure that adequate provision is made for the secure parking of cycles.
12. E3D Retain Parking Within Site
13. C3F Details of Access Road Junction
14. Unrestricted vehicular access to the railway arches and existing Network Rail assets via John Street and the access road immediately in front of units 1–8, in accordance with dwg. no. 1519-P-1001D, shall be maintained at all times.
Reason: To ensure that existing access arrangements to the Network Rail arches are retained.
15. Prior to commencement of development a scheme of construction management shall be submitted to and approved by the Local Planning Authority to include details of construction traffic routes, site hoardings, site access, wheel washing facilities and parking of contractors vehicles. The development construction shall be managed strictly in accordance with the scheme so approved.
Reason: In the interests of highway safety and public amenity.
16. Prior to the commencement of development a scheme of environmental highway and public realm improvements, and programme for its implementation, in accordance with dwg. no. 1519-P-1002D, shall be submitted to and approved by the Local Planning Authority. The scheme should include, but not be limited to, the repaving of the public realm area, including surfacing, kerbs, edging, drainage; and the provision/

renewal/ improvement of street lighting, street trees, and street furniture. Unless otherwise agreed in writing with the LPA the agreed scheme is to be implemented in accordance with the approved details prior to beneficial occupation of the development.

Reason: To ensure the comprehensive enhancement/ improvement of the adjacent public footway and public realm.

17. C4P Landscaping Design & Implementation Pro
18. C4R Landscaping Implementation
19. Details of facilities for the storage of refuse containers shall be submitted to and approved in writing by the Local planning Authority and the approved facilities shall be provided before the development is brought into beneficial use.
Reason: To secure an orderly form of development and to protect the amenities of the area.
20. *Land Contamination Risk Assessment:* Prior to the commencement of the development an assessment of the nature and extent of contamination shall be submitted to and approved in writing by the Local Planning Authority. The report of the findings shall include a desk top study to identify all previous uses at the site and potential contaminants associated with those uses and the impacts from those contaminants on land and controlled waters; an intrusive investigation to assess the extent, scale and nature of contamination which may be present; an assessment of the potential risks, and an appraisal of remedial options and justification for the preferred remedial option(s).
Reason: To ensure that information provided for the assessment of the risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems is sufficient to enable a proper assessment.
21. *Submission of Remediation Scheme and Verification Plan:* Prior to the commencement of the development a detailed remediation scheme and verification plan to bring the site to a condition suitable for the intended use by removing any unacceptable risks to human health, controlled waters, buildings, other property and the natural and historical environment, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works and site management procedures.
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.
22. *Undertaking of Remediation and Issue of Verification Report:* The remediation scheme as approved by the LPA must be fully undertaken in

accordance with its terms prior to the occupation of any part of the development unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Within 6 months of the completion of the measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.

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.

23. *Identification of Unsuspected Contamination:* 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.

24. *Ground Gas Assessment:* Prior to the commencement of any development works a scheme to investigate and monitor the site for the presence of gases being generated at the site or land adjoining thereto, including a plan of the area to be monitored, shall be submitted to the Local Planning Authority for its approval. Following completion of the approved monitoring scheme and prior to commencement of any development works, the proposed details of any appropriate gas protection measures which may be required to ensure the safe and inoffensive dispersal or management of gases and to prevent lateral migration of gases into or from land surrounding the application site shall be submitted to and approved in writing to the LPA. All required gas protection measures shall be installed in accordance with the approved details and appropriately verified before occupation of any part of the development which has been permitted, and the approved protection measures shall be retained and maintained until such time as the Local Planning Authority agrees in writing that the measures are no longer required.

Reason: To ensure that the safety of future occupiers is not prejudiced.

25. *Importation of Aggregates:* 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 Pollution Control's Imported Materials 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.

26. *Use of Site Won Material:* Any site won recycled aggregate materials 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 reuse. Only material approved by the Local Planning Authority shall be reused.

Reason: To ensure that the safety of future occupiers is not prejudiced.

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

RECOMMENDATION 3: The highway works conditions and any other works to existing or proposed adopted public highway are to be subject to an agreement under Section 38 and/or Section 278 Highways Act 1980 between the developer and Local Highway Authority.

RECOMMENDATION 4: The contamination assessments and the effects of unstable land are considered on the basis of the best information available to the Planning Authority and are not necessarily exhaustive. The Authority takes due diligence when assessing these impacts, however you are minded that the responsibility for:

- i) determining the extent and effects of such constraints:
- 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 5: To ensure the safe operation of the railway and the protection of Network Rail's adjoining land attention is drawn to comments and requirements contained within Network Rail's consultation response dated 18.8.16, a copy of which has been sent to the applicant.

1. **DESCRIPTION OF PROPOSED DEVELOPMENT**

- 1.1 A detailed application for a major office development on a vacant site at the north-east corner of Callaghan Square. The office accommodation (40,000 sqm) comprises three interlocking blocks with heights of 21 storeys, 11 storeys and 9 storeys. The ground and first floors include reception rooms, 400 sqm of retail fronting Bute Street, plant and ancillary accommodation.
- 1.2 The lower 9 storey block runs north-south and encloses the eastern end of Callaghan Square, the 10 storey block runs east-west parallel to the railway tracks, the 21 storey tower is located at the intersection of these two blocks to the NW corner of the site.
- 1.3 The façades are designed with a double-storey order which accentuates verticality. The main vertical aluminium fins are approximately 290mm deep and run the full height of the building and provide depth and interest to the facade. At the top of the building planted roof terraces and a set-back pavilion terminate the three blocks. At ground floor reception entrances and retail uses set behind a double height colonnade provide an active public frontage to Bute Street.

- 1.4 The external cladding is coloured anodised aluminium and glass. The blocks will be further differentiated by the use of colour. The taller block will be darker and the lowest block fronting Callaghan Square will be the lightest in colour.
- 1.5 A public square is created at the northern end of the site animated by the main office entrance, a retail unit and the office café/ reception area. There is also the potential for the three railway arch units closest to Bute Street, which are currently leased by Network Rail to local businesses, to engage more actively with the proposed square and provide additional interest and create a distinctive character. The building is set back about 10m from the Bute Street pavement boundary and street trees and landscaping is proposed for this frontage
- 1.6 A smaller square is created at the southern end of the building serving a secondary entrance and providing a south-facing sitting-out area for the office café/ reception area. There is the potential for this space to add life to Callaghan Square, especially if the filter road can be altered to create more pedestrian space.
- 1.7 The 86m high 21 storey tower is approximately 14m higher than the Altolusso apartment building and 11m higher than the Radisson Blu Hotel. The lower element fronting Callaghan Square is approximately 8m higher than the 7 storey Eversheds office building.
- 1.8 Parking and access arrangements: There are 112 car parking spaces provided to the rear of the building and 227 cycle spaces (189 long term and 38 short term). The majority of the car parking spaces (67) are located in a 4 storey decked car park with lift access sandwiched between the building and the railway line at the southern end of the site.
- 1.9 Access for vehicular, cycle and pedestrian traffic is via the existing junction of John Street with Bute Street. This is a left in/left out arrangement. Servicing is from the car park and service yard to the rear of the building.
- 1.10 The same access will also provide unrestricted access around the rear of the building to the Network Rail owned access road serving the 8no. railway arches immediately to the north of the site.
- 1.11 Waste Management: General waste will be collected from each floor and transferred to a refuse store located centrally on the ground floor of the building and accessed from John Street.
- 1.12 The following information is submitted:
- Design and Access Statement including key views analysis
 - Drainage Strategy & FCA Report
 - Transport Statement
 - Road and Rail Noise and Vibration Assessment
 - Energy Strategy
 - Geotechnical and Geoenvironmental Report
 - Sunpath Analysis

- Landscape Strategy
- Physical model of the proposals in context.

1.14 Environmental screening opinion: No part of the development is located in a sensitive area and the development does not meet the applicable thresholds for Schedule 2 development and consequently cannot be considered to be 'EIA development'.

1.15 A letter dated 5th May 2016 was sent to the agent confirming that the development is not EIA development and that a formal screening opinion is not therefore required.

2. **DESCRIPTION OF SITE**

2.1 The 0.84ha triangular site is located at the NE corner of Callaghan Square. It is wedged between two elevated railway lines and bounded to the west by Bute Street. The site was formerly used by No Fit State circus and for car parking, and the buildings have recently been demolished and the site cleared.

2.2 The immediate area is in transition. The Capital Quarter masterplan on the old Tyndall Street industrial site to the east of the railway line is being developed by the applicant, including a planning application under consideration for a 25 storey student housing development on the Herbert Street site located between the railway line and the Dock Feeder.

2.3 The area to the south of Callaghan Square is the subject of recent planning permission(s). To the north of the railway line there is a cluster of tall buildings comprising the Radisson Blu Hotel, the Meridian Plaza and Altolusso apartment blocks, and the Big Sleep Hotel. Planning permission has recently been granted for a 42 storey student housing development on Customhouse Street. To the west is the low rise Eversheds office building which is a stronger architectural statement. Its reconstituted stone rhythmic curved façade forms the backdrop to the vast Callaghan Square public space.

2.4 The general area has a diverse built environment which is very mixed in character, both in terms of uses and in terms of building ages, styles and heights from 2 to 23 storeys. Uses include offices, commercial, retail, hotels, leisure and residential.

2.5 The site is adjacent to a number of tall and significant buildings which stretch along the northern side of the railway line and define the southern boundary of the city centre. The cluster of tall buildings is a significant feature of the city and its skyline. The buildings include the Radisson Blu Hotel (75m high) and the Altolusso apartments (72m high) to the north of the site on the other side of the railway line. The Ty Pont Hearn student housing block on Pellet Street to the north-east of the site is c. 63m high.

2.6 To put the proposed height in a city-wide context the tallest building in Cardiff is Capital Tower at c. 80m, the BT tower is c. 78m high. The recently consented Customhouse street student tower is 132m high

- 2.7 With the exception of the Eversheds building and the consented Customhouse Street student tower the neighbouring buildings are of mixed quality and inconsistent architectural language, characterised by large areas of white render on the Altolusso apartment building, and strips of curtain wall cladding on the Radisson Blu Hotel. On both these buildings the finishes are showing signs of ageing.
- 2.8 The site is divided by John Street which is adopted and is accessed from Bute Street. Two adopted side roads connect John Street with an unadopted narrow access road running alongside the railway line and serving a small industrial unit and various small businesses which lease six of the eight railway arches from Network Rail. The arches are leased to Jukebox Collective, Only Drums Aloud and Cardiff Arches - businesses offering rehearsal studio space for music, dance and arts-related activities.

3. **PLANNING HISTORY**

- 15/3112/MJR Prior approval granted Jan 16 for demolition of No Fit State Circus, Princess of Wales building, John Street
- 12/1938/DCI Prior approval granted Dec 12 for demolition of 4 storey former warehouse building, John Street
- 98/529/DCI Outline PP granted Oct 1991 for mixed use development, Bute Square

Pre-application process

- 3.1 Pre-application discussions started in early 2016 and have focused on the design of the building, in particular its impact on the skyline, and ground floor treatment including the design of the public realm.

4. **POLICY FRAMEWORK**

National policy

- 4.1 Planning Policy Wales (PPW) Edition 8, 2016 favours the sustainable re-use of previously developed land.

- 4.2 The following Technical Advice Notes (TANs) are relevant:

- TAN 12: Design (2009)

Local policy

- 4.3 The following policies of the recently adopted 2016 City of Cardiff LDP are relevant to the consideration of this application:-

- KP2(A) Cardiff Central Enterprise Zone and Regional Transport Hub
- KP5 Good Quality and Sustainable Design
- KP7 Planning Obligations
- KP10 Central and Bay Business Areas
- EN12 Renewable Energy and Low Carbon Technologies
- R6 Retail Development (Out of Centre)
- R8 Food and Drink Uses

- T1 Walking and Cycling

- 4.4 The following Supplementary Planning Guidance relates to the previous 1996 Local Plan. It is under review following the adoption of the LDP however it remains a material consideration in considering the application insofar as it is consistent with LDP policy:
- Tall Buildings (2009)
 - City Centre Strategy (2007)
 - Premises for Eating, Drinking and Entertainment in the City Centre (2000)
 - Access, Circulation and Parking Requirements (2010)
 - Waste Collection and Storage Facilities (2007)

5. **INTERNAL CONSULTEE RESPONSES**

- 5.1 Land Use Policy and Regeneration: The application site is located within the Central Enterprise Zone (CEZ) and the Central Business Area (CBA) of the adopted Cardiff Local Development Plan.
- 5.2 Policy KP10 of the Local Development Plan identifies that new office uses are considered appropriate within the Central Business Area. As such, the proposal is considered acceptable from a land use policy perspective.
- 5.3 As the site is located outside the Central Shopping Area (CSA) of the City Centre and also falls outside of any designated District/ Local Centres as identified within the LDP, any proposal for a Class A1 (shop) use at this location would have to satisfy the three tests of out-of-centre retail policy.
- 5.4 In this regard and given the relatively small scale of the proposal (400sqm in two units), an element of convenience retail could be considered acceptable to serve the newly established population associated with the development. The sale of comparison goods would not be considered acceptable at this location and an associated condition could be attached that excludes the sale of comparison goods.
- 5.5 Policy R8 of the LDP identifies the Central Business Area as an appropriate location, in principle, for food and drink uses, subject to amenity considerations. A condition could be applied limiting any ground floor A3 uses to a snack bar / café / coffee shop (excluding hot food takeaway) in order to safeguard the amenity of occupiers within the proposed development.
- 5.6 This is a large scale development, where the introduction of circa 40,000sqm of office floor space will place increased pressure on the surrounding pedestrian environment.
- 5.7 Planning Policy Wales, Paragraph 3.4.3, states that 'When a new building is proposed, an existing building is being extended or altered, or a change of use is proposed, developers should consider the need to make it accessible for all those who might use the building. The appropriate design and layout of spaces

in, between and around buildings, including parking provision and movement routes, is particularly important in ensuring good accessibility’.

- 5.8 Cardiff Local Development Plan Policy KP6 (New Infrastructure) seeks that new developments will make appropriate provision for, or contribute towards, necessary infrastructure required as a consequence of proposed development, including public realm improvements.
- 5.9 The application site occupies a prominent location at the north east corner of Callaghan Square. To help integrate the proposed development with the surrounding area and to improve pedestrian movements to, from and around the site, the following public realm works are sought as part of the development (as identified on Plan 1: Proposed Extent of Public Realm Improvements):
- The resurfacing of the footways to the southern and western boundary of the site with 200x100mm silver-grey block paving, to tie-in with the surrounding surface treatment.
 - The use of a higher quality paving slab treatment to the public squares / spaces within boundary of the site.
 - The provision of a block paved ‘shared surface’ treatment to the section of highway between the railway arches to the north of the site and the northern office building.
 - The replacement and upgrading of the existing wall mounted strip lighting units, together with the installation of associated pigeon proofing to both sides of the Bute Street underpass.
- 5.10 To ensure that the offsite highway and public realm improvements are provided in a timely manner it is requested that the developer undertake the works as part of their development.
- 5.11 The Council estimate a sum of £17,500 for an enhanced replacement lighting scheme to the Bute Street underpass to be undertaken by the Council.
- 5.12 Transportation: To be reported to planning committee as a late representation.
- 5.13 Trees and Landscaping: The Council’s Tree Officer notes that 5no. trees (4x London Plane & 5x lime trees) are affected by this proposal. These trees are not protected, and whilst casual observation suggests they are in reasonable health, the planes have been too closely planted and have mutually suppressed as a consequence, whilst the limes are relatively young and therefore arguably easily replaced. This said, the existing trees are a material consideration and should be subject to assessment in accordance with BS 5837:2012. Only upon receipt of satisfactory, full details of replacement tree planting can we have comfort that it will offset the losses.
- 5.14 16no. new trees are proposed as part of the street level landscape strategy, but the soft landscape beds into which they will be planted are of limited size, constraining root available soil volume (RASV). Furthermore, above ground constraints from building lines and highway infrastructure mean that the

planting palette must necessarily be restricted to species with limited branch spreads and with relatively light, airy canopies. At the same time, tough trees capable of coping with reflected heat, traffic fumes and wind tunnel effects are required. Having considered the submitted plans, the tree planting palette proposed in the submitted landscape strategy, and my own comments at pre-application, the Officer considers the following tree planting strategy to be appropriate:

- 5.15 *Bute Street frontage:* Linear, raised planters are proposed here, but full details of the dimensions and specification are lacking. As stand-alone RASV, the planters are potentially very constrained vertically and laterally. To accommodate trees that will make a significant street-scape impact (equivalent to London plane or lime), provision should be made for a vertical profile of 300mm free draining, well aerated sandy loam topsoil over 600mm free draining, well aerated sandy loam subsoil. This profile should be as continuous and wide as practicable to maximise RASV and allow root architecture to optimise, rather than be constrained within narrow planters.
- 5.16 Street level (or as close to street level as practicable) planters that are as wide and continuous as possible, with RASV extending beneath pavers via sand based structural tree soil or soil crates, are considered the best option.
- 5.17 The beds need not be the same width, shape or on the same alignment – a rigid geometry should not be imposed upon soft planters merely to mimic building architecture, whilst constraining root architecture and RASV. Whilst x7 trees are depicted here, x4 would suffice if they can be provided with improved above and below ground growing space. A number of suitable species are recommended.
- 5.18 *Corner of Bute and Herbert Street:* The Officer suggests x1 large, relatively upright tree here, rather than the two trees proposed, which are likely to mutually suppress. A number of suitable species are recommended.
- 5.19 *Car park verge:* A suitable species is recommended.
- 5.20 The Officer would like to see a detailed, upfront landscaping scheme, comprising scaled planting plan, plant schedule, topsoil and subsoil specifications, tree pit section and plan views for different situations, planting methodology and 5 year aftercare methodology. It must be clear that all existing and proposed services including drainage and lighting have been taken into account when drawing up planting plans, to ensure there is no or minimal conflict.
- 5.21 The fitness of existing soils for re-use as part of landscaping should be established via a Soil Resource Survey and Plan prepared in accordance with the 2009 DEFRA Code. Where no or insufficient re-usable soil is available, planting soils that have been certified in accordance with BS 3882:2015 and BS 8601:2013, and found to be fit for their proposed end use by a soil scientists interpretive report should be imported and emplaced to an agreed specification.

- 5.22 Pollution Control (Noise & Air): Pollution Control has no objections subject to the recommendations of the Road and Rail Noise and Vibration Assessment (Hunter Acoustics dated 2.6.16) being implemented and standard conditions in relation to floodlighting, sound insulation, plant noise, opening hours, delivery times, kitchen extraction, a second recommendation on construction site noise, and advice on illuminated advertisements and smoking areas.
- 5.23 Pollution Control (Contaminated land): No objection subject to amended ground gas protection and contaminated land measures (assessment) conditions, standard contaminated land (remediation and verification) conditions, standard unforeseen contamination condition, and standard imported soil, aggregates and recycled aggregates conditions. A contamination and unstable land advisory notice is to be added.
- 5.24 Waste Management: The Waste Management Officer has no objection to the proposed bin stores.

6. **EXTERNAL CONSULTEE RESPONSES**

- 6.1 Welsh Water (DCWW): DCWW have reviewed the information submitted as part of this application with particular focus on the Drainage Strategy dated May 2016 and the revised drainage layout reference C6550_SK002 Rev A. DCWW have undertaken extensive on-site investigations and confirm that the site is crossed by a 915mm brick built sewer. These sewers are currently live and conveying flows to the downstream public sewer network.
- 6.2 In order to facilitate the proposed development layout the sewers serving the current site will need to be diverted and/or abandoned. The applicant is advised to contact Welsh Water to enter into agreements under Section 185 of the Water Industry Act 1991 to successfully divert and abandon the public assets. Until such time that these agreements have been technically vetted and legally complete we maintain the need for the easements on these assets to remain. We therefore recommend the following conditions and advisory notes are included within any subsequent decision notice:
- No work shall commence on site until the public sewers which cross the site have first been diverted and/or abandoned. Thereafter, no building shall be occupied until the drainage system serving that building has been completed in accordance with the approved details as shown on drawing reference C6550_SK002 Rev A. Thereafter, no further surface water and/or 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.
 - Notwithstanding the details shown on drawing reference C6550_SK002 Rev A, surface water flows from the development shall only communicate with the public combined sewer through an attenuation device that discharges at a rate not exceeding 20 l/s. 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.

- 6.3 Natural Resources Wales (NRW): No objection subject to receipt of a Flood Consequences Assessment (FCA) Report that demonstrates that the risks and consequences of flooding can be managed in accordance with TAN 15, and the imposition of a number of contaminated land conditions to protect controlled waters (the Dock Feeder Canal).
- 6.4 Network Rail (NR): Access to the arches via the adopted highway and the land immediately in front of units 1-8 must be maintained at all times. Consideration should be given to the arches in terms of minimising disruption during construction.
- 6.5 The application site includes Network Rail's arches in this location, whilst we do not wish to object, negotiations with the developer/applicant are still ongoing and Network Rail has not given the applicant permission to develop the arches.
- 6.6 The arches are currently tenanted and are under the ownership of Network Rail. Any development involving the arches themselves or any other land belonging to Network Rail adjacent to the arches will require prior consent from Network Rail, which is subject to agreement of commercial terms.
- 6.7 Network Rail has retaining walls and bridges in this area which denotes Network Rail's boundary, we will need a minimum of 2m clearance from the wall in order for inspections to take place and also any remedial works which may arise in the future. Should any piling work take place, these will need to be carefully monitored by Network Rail. This can be controlled by an appropriately worded planning condition.
- 6.8 No objection subject to a number of recommendations to ensure the safe operation of the railway and the protection of Network Rail's adjoining land. The Network Rail recommendations have been sent to the agent.
- 6.9 Police Architectural Liaison: South Wales Police have no objection subject to appropriate security measures for the service delivery entrance and parking, lighting, landscaping, glazing, doorways, and CCTV coverage.
- 6.10 Glamorgan Gwent Archaeological Trust: No objection subject to a condition requiring the submission of a programme of archaeological investigation prior to the commencement of the development.

7. **REPRESENTATIONS**

- 7.1 The proposals were advertised as a major application in the press and on site, and Local Members and neighbours were consulted.
- 7.2 A valid petition with over 100 signatures has been received objecting to the development and calling upon the developers, JR Smart, and Cardiff Council to:
- Amend the proposal to retain access and parking for all railway arches on the John Street site;

- Fully consult with the existing tenants and users of the arches to ensure that the arts organisations based there can continue to flourish.
- 7.3 A representation from Mark Drakeford, AM Cardiff West, and Kevin Brennan, MP Cardiff West, raises the following concerns on behalf of constituents who are involved with or have benefitted from the music and dance businesses operating from the railway arches:
- Restricting access and parking facilities through seeking to remove the existing adopted highways used to reach the facilities;
 - The Environmental Noise Survey has not adequately taken the noise from the existing businesses, and the potential impact on the proposed development, into consideration;
 - Non-compliance with Policy C2 of the Cardiff LDP which requires applications to safeguard community facilities if an alternative facility of at least equal quality and scale is not available within the vicinity.
- 7.4 A representation from Cllr. Darren Williams, Riverside, objects on the following grounds on behalf of his constituent Mr. Tom Pinder, whose business (The Cardiff Arches) would be adversely affected by the proposals:
- Failure to take account of or consult with the existing railway arches businesses;
 - Restricting access and parking facilities through seeking to remove the existing adopted highways used to reach the facilities;
 - Non-compliance with Policy C2 of the Cardiff LDP which requires applications to safeguard community facilities if an alternative facility of at least equal quality and scale is not available within the vicinity.
 - The developer needs to resubmit the application making allowance for continued access and parking provision for the existing arches businesses.
- 7.5 A representation from Cllr. Peter Bradbury, Caerau, objects on the following grounds on behalf of his constituent Ms. Liara Barussi, whose business (Jukebox Collective) would be adversely affected by the proposals:
- Non-compliance with Policy C2 of the Cardiff LDP which requires applications to safeguard community facilities if an alternative facility of at least equal quality and scale is not available within the vicinity;
 - The developer needs to redesign the scheme to acknowledge the existence of the railway arch businesses.
- 7.6 A total of 35 individual representations have been received from users and supporters of the railway arches businesses, objecting to the development on **all of the above grounds**, plus:
- Failure to notify owners with an interest in the land, namely Network rail and the Council, under Certificate B notification procedures;
 - Removal/ blocking up of sewers serving the arches;
 - Ensuring adequate access and parking during the construction phase;
 - Failure to properly publicise the application;
 - A retail planning statement addressing the proposed out-of-centre retail provision has not been provided;

- Impact of increased traffic movements on the operation of the existing businesses.

8. **ASSESSMENT**

- 8.1 The proposal is acceptable from a land use policy perspective. The main issues to be assessed are the scale and design of the building and the associated public realm.
- 8.2 Design: At its highest point the building is approximately 86m above street level (21 commercial storeys). The Tall Buildings SPG therefore applies.
- 8.3 The SPG states that tall buildings will be assessed having regard to locational criteria, specifically that they will only be acceptable where they: are located within easy walking distance of public transport hubs; create a positive feature in the city skyline; add to legibility of city and wider townscape; terminate or enclose important vistas; have a minimal visual impact on sensitive historic environments (including conservation areas and their setting)
- 8.4 The SPG also states that tall buildings will be assessed having particular regard to their design, specifically: Form and silhouette of the building; Quality and appearance; Impact and interface at street level; Sustainable design
- 8.5 The building is located in a highly sustainable location within walking distance of Cardiff Central railway station and bus services.
- 8.6 The before and after key views demonstrate that the building enhances the city skyline. The considerable mass of the building is broken up by the tripartite block arrangement. The building terminates long views from the south (Lloyd George Avenue) and enhances the city skyline.
- 8.7 The public realm treatment, imposing main entrance, and active ground floor frontage ensure the building makes a positive contribution to the streetscape. Views from Callaghan square are acceptable.
- 8.8 The form and silhouette of the building, tested through a series of key views, is acceptable. The building forms a landmark at the gateway to the city centre from the south and successfully encloses the eastern end of Callaghan Square.
- 8.9 The simple palette of materials is high quality and durable and appropriate for the building's scale and setting on Callaghan Square. Quality and appearance of architectural detailing and materials is acceptable.
- 8.10 Sustainable Design: The aspiration for the building is to achieve a BREEAM Excellent rating. In terms of energy this target is currently being met as evidenced in the supporting Energy Strategy report.
- 8.11 Access to railway arches businesses: Amended plan no. 1519-P-1001D received on 5.9.16 removes the gate and shows the existing 3m wide access lane will be widened to 5m, and demonstrates that unrestricted and improved

vehicular access (via the existing John Street access) to all of the arches will be retained. This has been confirmed in a letter dated 8.8.16 from the developer. A condition has been added to this effect.

- 8.12 Public Realm works: The extent of the public realm and indicative scope of works is defined in dwg. no. 1519-P-1002D
- 8.13 A financial contribution by means of a Section 106 agreement is secured for a replacement underpass lighting scheme.
- 8.14 The surfacing material will be predominantly block paving and slab paving in line with Cardiff City Centre Public Realm guidance. Details of the hard landscaping materials palette, tree planting, street furniture and lighting will be required by condition.
- 8.15 The public realm proposals are acceptable subject to standard landscaping and highway improvement works conditions for on-site works, and a section 106 agreement for offsite public realm works, including a financial contribution for an enhanced replacement lighting scheme to the Bute Street underpass.
- 8.16 Transportation: Access and Parking arrangements are acceptable subject to a condition to secure highway improvements and a sustainable Travel Plan.
- 8.17 Drainage: The applicant has reviewed DCWW's response and looked at the original design and has confirmed that the proposed scheme can accommodate the reduced flow requirements of 20l/s within the attenuated drainage system up to and including the 1:30yr storm event, it would require slight amendment to detailed design stage but nothing major.
- 8.18 Please note that the attenuation has only been designed to accommodate the 1 in 30yr storm as we would be connecting directly to the DCWW combined sewer. If there is any additional requirement for storm attenuation above the 30yr storm placed upon the development by the planning authority the attenuation system would need to be enlarged to accommodate the additional flows.
- 8.19 Waste Management: Waste Management arrangements are acceptable subject to a condition for more details.
- 8.20 PC (Noise & Air): The Officer has no objection subject to the recommendations of the Hunter Acoustics Report being implemented in full and standard sound insulation, opening hours, delivery times, kitchen extraction, and plant noise conditions.
- 8.21 Issues raised in representations: The concerns and objections raised by the petition, AM, MP, Cllrs. and individuals relate in their entirety to the arts-related businesses currently operating from 6 of the 8 railway arches which abut the northern edge of the site.

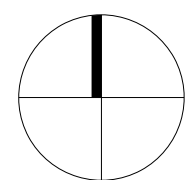
- 8.22 In relation to future uses and access please note that the current application does not include any detailed reference to the future of the arches and the images provided in the DAS showing alternative restaurant type uses for the three arches closest to Bute Street are for illustrative purposes only, and do not form part of the application. Furthermore the existing tenants have a lease with Network Rail and any change of use would have to be agreed with both the tenants and the planning authority.
- 8.23 The developer has confirmed in a letter dated 8.8.16 that unrestricted access will be retained to all the units, and amended plans have been submitted removing the gate and fence shown across the access road.
- 8.24 *Access and parking for railway arch businesses:* The question of unrestricted access to the railway arch units has been addressed above. The question of access to the arches during the construction phase will form part of the Construction Management Plan which is required by condition
- 8.25 In relation to parking the units are leased from Network Rail and it is our understanding that the leases provide for access and loading/unloading only, via the Network Rail land. The users of the arches park on the public highway.
- 8.26 The provision of dedicated parking spaces for the businesses cannot be made a requirement of the planning permission. Parking provision for the businesses in the future would be a matter between the railway arch businesses and the future owners/ occupiers of the office development.
- 8.27 Please note that the closure/ extinguishment of an adopted highway is the subject of a separate legislative procedure and does not form part of the planning process.
- 8.28 *Failure to notify neighbours, specifically the railway arches:* Units 1-6 School Lane, John Street, no. 13 John Street, and The Stables, Wisbey Yard, John Street were notified of the application by letter dated 20.7.16 in accordance with Council procedures for neighbour notification.
- 8.29 *Failure to notify owners with an interest in the land under Certificate B procedures:* The applicant has confirmed that Network Rail, owners of the strip of land providing access to the arches, and the Council, owners of the adopted roads on the site, have been given requisite notice of the application under Certificate of Ownership – Certificate B procedures on 5.9.16
- 8.30 *Non-compliance with Cardiff LDP Policy C2 Protection of Existing Community Facilities:* This issue does not arise as the railway arches do not form part of the application and the application retains unrestricted access for the businesses occupying the arches.
- 8.31 For the record it should also be noted that the businesses in question are not classed as community facilities. LDP Policy C1: Community Facilities paragraph 5.301 defines community facilities as non-commercial facilities used by local communities for leisure and social purposes. The Arts businesses

which occupy the Arches are classed as creative industries as opposed to community facilities, i.e. industries that are based on individual creativity, skill and talent with the potential to create wealth and jobs and include the performing arts.

- 8.32 *Adequacy of Environmental Noise Survey:* The Environmental Noise Survey deals with background road and rail noise levels, and the implications for the design of the building fabric. The impact of noise from the railway arches (music rehearsal spaces/ dance studios) on the offices has not been considered. However these businesses operate in the evenings and there is therefore unlikely to be a significant impact in terms of noise on future office users. In addition the building fabric will be designed to ensure adequate sound reduction in relation to significant rail and road noise, i.e. sealed glazing and mechanical ventilation.
- 8.33 *Drainage for businesses located in railway arches:* The drainage condition requires the drainage scheme to take into account the existing drains serving the businesses located in railway arches.
- 8.34 *Requirement for a retail impact assessment:* The land use policy consultation response advises that 400 sqm of retail is acceptable subject to conditions. A retail impact assessment is not required.
- 8.35 *Impact of increased traffic movements:* The impact of increased traffic movements generated from the office development on the existing businesses is not a material consideration.

9. **CONCLUSION**

- 9.1 The proposed high quality office development on a prominent under-used city centre site complies with planning policy and the number of additional jobs being created will bring significant economic benefits to Cardiff City Centre. The scale of the building is appropriate for the site and the impact on the streetscape and the city's skyline, as evidenced by the key views, is acceptable. The proposed public realm improvements enhance the route and the wider Callaghan Square environment.
- 9.2 The granting of planning permission is recommended subject to conditions being imposed and a Section 106 legal agreement to secure the following:
- off-site public realm works to Bute Street as indicated on dwg. no. 1519-P-1002D, to be completed prior to beneficial occupation of the building, and a financial contribution of £17,500 towards a replacement lighting scheme for the Bute Street underpass, to be paid on implementation of the works.
 - Travel Plan, which shall detail proposals and targets, together with a timetable, to limit or reduce the number of single occupancy trips to the site and promote sustainable travel.



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Project Project No. 1519

John Street, Cardiff
 JR Smart

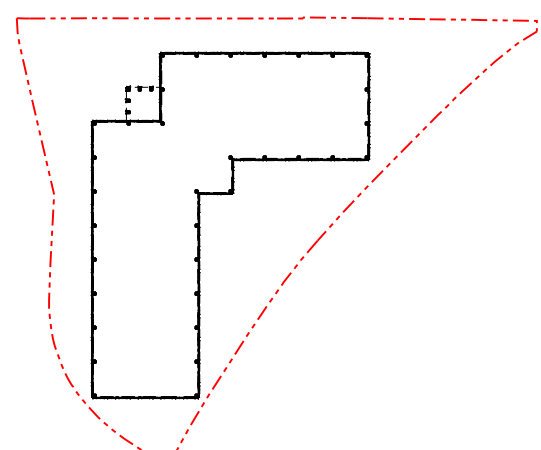
Drawing Title
 Site Plan
 Plan
 Ground level

Drawing Number Revision
 1519_P_001 \

Scale @ A3 Scale @A1 Revision Date
 1:2500 1:1250 160527
 YY MM DD



Notes



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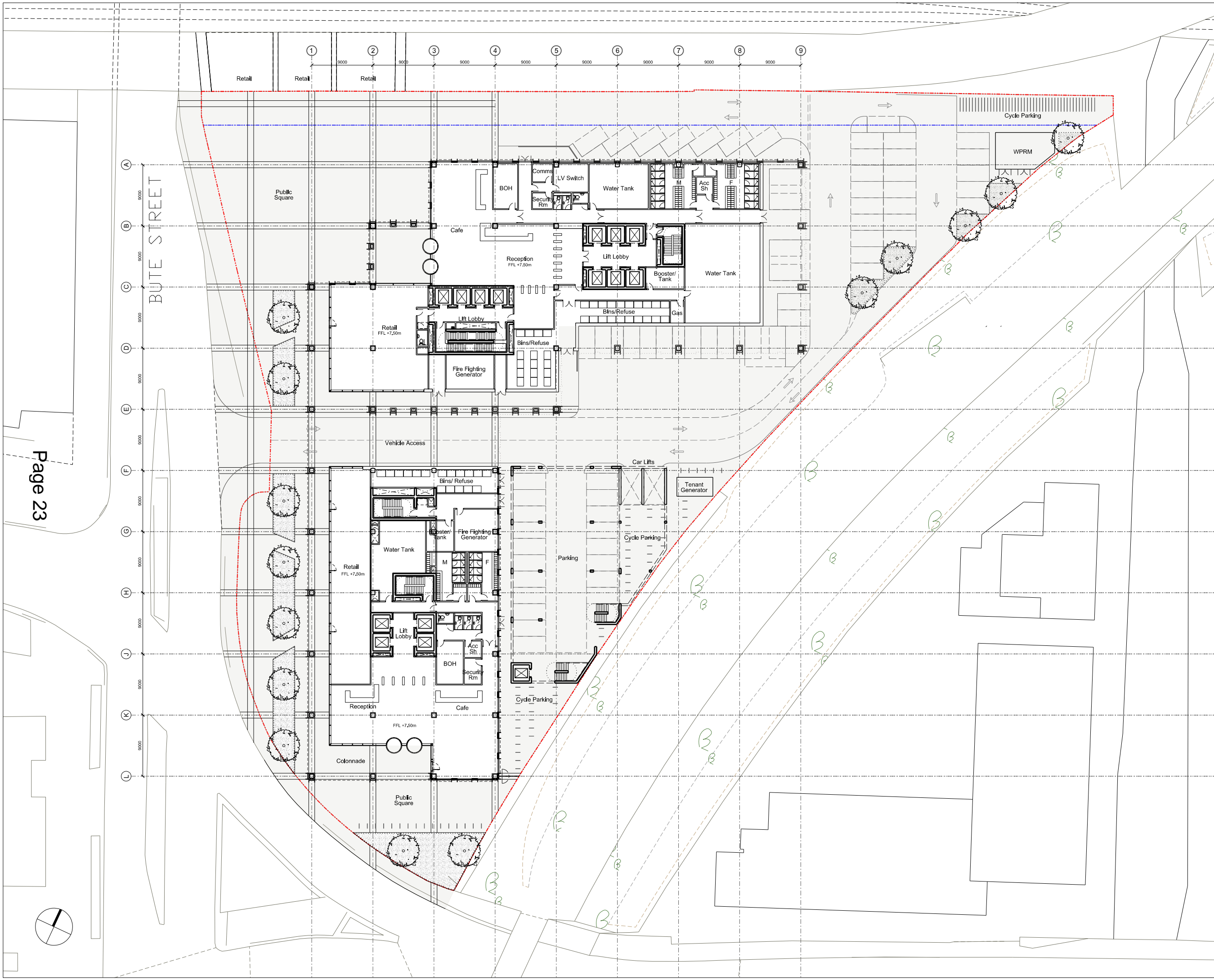
Drawing Title
 General Arrangement
 South Elevation

Drawing Number 1519_P_301 Revision A

Scale @ A3 1:500 Scale @A1 1:250 Revision Date 160608
 YY MM DD

Revisions	By	Chk
160527 First Issue. Issued For Planning	TP	DW
A 160608 General update With FFLs Annotated	CC	DW
B 160907 Chairs removed	TP	DW

Notes
 - - - Site Boundary
 - - - 5m From Railway



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Project Project No. 1519
John Street, Cardiff
 JR Smart

Drawing Title
 General Arrangement
 Plan
 Ground Floor

Drawing Number	Revision
1519_P_100	B

Scale @ A3	Scale @A1	Revision Date
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COMMITTEE DATE: 28/09/2016

APPLICATION No. **16/01719/MJR** APPLICATION DATE: 14/07/2016

ED: **TROWBRIDGE**

APP: TYPE: Outline Planning Permission

APPLICANT: City of Cardiff Council

LOCATION: ST MELLONS COMMUNITY ENTERPRISE CENTRE, 31
CRICKHOWELL ROAD, ST MELLONS, CARDIFF, CF3 0EX

PROPOSAL: RESIDENTIAL DEVELOPMENT COMPRISING OF 15
DWELLINGS, ACCESSED FROM WAKEHURST PLACE

RECOMMENDATION 1 : That outline consent be **GRANTED** subject to the applicant submitting a unilateral **S106 Agreement** that the proceeds of the sale of the land for housing will be allocated towards funding the St Mellons Hub and that a minimum of 20% of the units be affordable to Welsh Government DQR standards and the units be allocated from the Common Waiting List and the following conditions:-

1. C00 Standard outline
2. Prior to the commencement of the development an assessment of the nature and extent of contamination on site shall be submitted to and approved in writing by the Local Planning Authority. This assessment shall be carried out by or under the direction of a suitably qualified competent person in accordance with BS10175 (2011) Code of Practice for the Investigation of Potentially Contaminated Sites and shall assess any contamination on the site, whether or not it originates on the site.

The report of the findings shall include:

- (i) a desk top study to identify all previous uses at the site and potential contaminants associated with those uses and the impacts from those contaminants on land and controlled waters. The desk study shall establish a 'conceptual site model' (CSM) which identifies and assesses all identified potential source, pathway, and receptor linkages;
- (ii) an intrusive investigation to assess the extent, scale and nature of contamination which may be present, if identified as required by the desk top study;
- (iii) an assessment of the potential risks to:
 - human health,
 - groundwaters and surface waters
 - adjoining land,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - ecological systems,
 - archaeological sites and ancient monuments; and

- any other receptors identified at (i)
- (iv) an appraisal of remedial options, and justification for the preferred remedial option(s).

All work and submissions carried out for the purposes of this condition shall be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR 11' (September 2004) and the WLGA / WAG / EA guidance document ' Land Contamination: A guide for Developers' (2012).

Reason: To ensure that information provided for the assessment of the risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems is sufficient to enable a proper assessment.

3. Prior to the commencement of the development a detailed remediation scheme and verification plan to bring the site to a condition suitable for the intended use by removing any unacceptable risks to human health, controlled waters, buildings, other property and the natural and historical environment shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

All work and submissions carried out for the purposes of this condition shall be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR 11' (September 2004) and the WLGA / WAG / EA guidance document ' Land Contamination: A guide for Developers' (July 2006).

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 neighbours and other offsite receptors.

4. The remediation scheme approved by condition 3 above shall be fully undertaken in accordance with its terms prior to the occupation of any part of the development. The Local Planning Authority shall be given two weeks written notification of commencement of the remediation scheme works.

Within 6 months of the completion of the measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out shall be submitted to and approved in writing by the Local Planning Authority.

All work and submissions carried out for the purposes of this condition shall be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR 11' (September 2004) and the WLGA / WAG / EA guidance document ' Land Contamination: A guide for Developers' (July 2006).

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 neighbours and other offsite receptors.

5. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it shall be reported in writing within 2 days to the Local Planning Authority, all associated works shall stop, and no further development shall take place unless otherwise agreed in writing until a scheme to deal with the contamination found has been approved. An investigation and risk assessment shall be undertaken and where remediation is necessary a remediation scheme and verification plan shall be 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 shall be submitted to and approved in writing by the Local Planning Authority. The timescale for the above actions shall be agreed with the Local Planning Authority within 2 weeks of the discovery of any unsuspected contamination.

Reason: To ensure that any unacceptable risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems are minimised, and to ensure that the development can be carried out safely without unacceptable risks to neighbours and other offsite receptors.

6. 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 Local Planning Authority.

Reason: To ensure that the safety of future occupiers is not prejudiced.

7. 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 Local Planning Authority.

Reason: To ensure that the safety of future occupiers is not prejudiced.

8. Any site won material including soils, aggregates, recycled materials shall be assessed for chemical or other potential contaminants in accordance with a sampling scheme which shall be submitted to and approved in writing by the Local Planning Authority in advance of the reuse of site won materials. Only material which meets site specific target values approved by the Local Planning Authority shall be reused.
Reason: To ensure that the safety of future occupiers is not prejudiced.

9. Prior to commencement of development a scheme shall be submitted to and approved in writing by the Local Planning Authority to provide that all habitable rooms exposed to external road traffic noise in excess of 63 dBA Leq 16 hour [free field] during the day [07.00 to 23.00 hours] or 57 dBA Leq 8 hour [free field] at night [23.00 to 07.00 hours] shall be subject to sound insulation measures to ensure that all such rooms achieve an internal noise level of 40 dBA Leq 16 hour during the day and 35 dBA Leq 8 hour at night. The submitted scheme shall ensure that habitable rooms subject to sound insulation measures shall be provided with acoustically treated active ventilation units. Each ventilation unit (with air filter in position), by itself or with an integral air supply duct and cowl (or grille), shall be capable of giving variable ventilation rates ranging from –
- 1) an upper rate of not less than 37 litres per second against a back pressure of 10 newtons per square metre and not less than 31 litres per second against a back pressure of 30 newtons per square metre, to
 - 2) a lower rate of between 10 and 17 litres per second against zero back pressure.

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

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

10. No development shall commence until a drainage scheme for the site has been 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 prior to the occupation of the development and 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.

11. The position of the sewers crossing the site shall be accurately located, marked out on site before works commence and no operational development shall be carried out within 4.5 metres either side of the centreline of the public surface water sewer and 3 metres either side of the centreline of the public foul water sewer.

Reason: To protect the integrity of the public sewers and avoid damage thereto protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

12. No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network

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.

13. Prior to any development commencing on site details of a scheme to minimise the risk of pollution from construction and to protect the Gwent levels: Rumney and Peterstone SSSI shall be submitted to and approved in writing by the Local Planning Authority and then implemented in accordance with the approved scheme.

Reason: To minimise the risk of pollution.

14. The development shall be carried out broadly in accordance with the scaling statement, the Concept Diagram submitted with this application and the Council's Supplementary Planning Guidance on Residential Design, approved March 2008.

Reason: To avoid doubt and confusion as to the nature of future development on this site and to achieve an acceptable form of development.

15. The detailed plans to be submitted shall show the provision of a 1.8 m high, above finished ground levels, solid screen fence/wall running along the eastern boundary of the site to the rear of the dwelling houses at 1, 3 and 9 Wakehurst Place, which shall be constructed prior to the occupation of any dwelling adjoining the eastern boundary of the site.

Reason: To safeguard the amenities of adjoining occupants.

16. No development shall take place until a construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. The statement shall provide for:

- i. The parking of vehicles of site operatives and visitors

- ii. Loading and unloading of plant and materials
- iii. Storage of plant and materials used in constructing the development
- iv. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing
- v. wheel washing facilities
- vi. measures to control the emission of dust and dirt during construction
- vii. a scheme of recycling/disposing of waste resulting from demolition and construction works

Reason: In the interests of highway safety and public amenity

17. Prior to any development commencing details of car parking and covered cycle storage shall be submitted to and approved by the Local Planning Authority. The approved details shall be implemented prior to the dwellings they serve being occupied and the approved car parking and covered cycle storage shall be maintained and retained for the approved uses thereafter.

Reason: To provide adequate car and cycle parking for future occupants.

18. Prior to the occupation of any of the dwellings on this site the access road serving them shall be finished to final wearing course and include surface water highway drainage in accordance with details to be submitted to and approved by the Local Planning Authority.

Reason: In the interests of the future occupants of this site.

19. No development shall commence on site until accommodation within the St Mellons Hub, the subject of application 16/01400/MJR, is available to accommodate the existing Flying Start Nursery on this site or the existing Nursery can be accommodated in an alternative location agreed in writing by the Local Planning Authority.

Reason: To ensure adequate replacement community facilities are available for the community.

RECOMMENDATION 2 The developer needs to have due regard to the consultation responses received during the processing of this application in formulating the reserved matters submission.

RECOMMENDATION 3 Prior to the commencement of development, the developer shall notify the Local Planning Authority of the commencement of development, and shall display a site notice and plan on, or near the site, in accordance with the requirements of Article 12 of the Town & Country Planning (Development Management Procedure)(Wales)(Amendment) Order 2016.

RECOMMENDATION 4 The contamination assessments and the effects of unstable land are considered on the basis of the best information available to the Planning Authority and are not necessarily exhaustive. The Authority takes due diligence when assessing these impacts, however you are minded that the responsibility for

- (i) determining the extent and effects of such constraints;
- (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.

1. **DESCRIPTION OF PROPOSED DEVELOPMENT**

- 1.1 The application is in outline for 15 dwellings with all matters reserved. An indicative layout drawing has been submitted showing access off Wakehurst Place to a cul de sac with 7 pairs of semis and one detached unit. The dwellings would be a maximum of 7.5m in height, 9m in length and 6m in width.
- 1.2 The rear gardens of some of the proposed dwellings on the outline layout exceed 10.5m whilst some are less than that. The unit proposed next to 1 Wakehurst Close could result in some overshadowing, depending on precise siting and design. The rear of some of the proposed dwellings back onto the side/rear garden of 9 Wakehurst Place.
- 1.3 The indicative layout shows a new 5m wide landscaping belt along the western boundary and along part of the southern boundary.

2. **DESCRIPTION OF SITE**

- 2.1 The site is Council owned land and is occupied by a single storey workshop building. The site is 0.42 ha in area and is irregular in shape. Vehicular access is from Wakehurst Place to the south.
- 2.2 Half of the existing building is occupied by Flying Start nursery which is to be relocated into the St Mellons Hub. Two units are vacant, two are used as

office/storage and one occupied by a small catering company.

- 2.3 The site is generally level and is approximately 1.5m below the level of Crickhowell Road to the west. Adjoining the eastern boundary are residential properties and to the north a band of trees.

3. **SITE HISTORY**

- 3.1 13/2312 Creche Facilities allowed 20/12/13
- 3.2 16/1400 EXTENSION TO EXISTING LIBRARY BUILDING TO CREATE NEW INTEGRATED COMMUNITY HUB (D1/D2) WITH RELOCATED CAR PARK, MULTI USE GAMES AREA, EXTERNAL LIGHTING, ASSOCIATED LANDSCAPING WORKS. Approved 2/8/16

4. **POLICY FRAMEWORK**

- 4.1 It is considered that the following LDP policies are relevant to this application:-

KP5 Good Quality and Sustainable Design;
KP6 New Infrastructure
KP7 Planning Obligations
KP13 Responding to Evidenced Social Needs
KP14 Healthy Living
KP8 Sustainable Transport;
H3 Affordable Housing
EN8 Trees and Hedgerows
EC3 Alternative Use of Employment Land and Premises
EN12 Renewable Energy and Low Carbon Technologies
T1 Walking and Cycling
T5 Managing Transport Impacts
C2 Community Safety/Creating Safe Environments;
C4 Provision for Open Space, Outdoor Recreation and Sport
C7 Health
W3 Provision for Waste Management Facilities in Development.

5. **INTERNAL CONSULTATIONS**

- 5.1 The Tree Officer states
The outline layout accommodates the retention of the only significant arboricultural features at the site, comprising a trimmed beech hedge (H1) and a group of trees on the banks of the ree to the north, that overhang the site (G1). As such, and subject to the design of any reserved matters application being informed by the tree assessment, including the production of an Arboricultural Impact Assessment, Method Statement and Tree Protection Plan, unacceptable harm will not result to trees of amenity value.

I support the proposal to accommodate new planting bounding the site, but the specification for this will need to be confirmed at reserved matters, as informed by a Soil Resources Survey and Plan prepared in accordance with the 2009

DEFRA Code. It must also be clear how proposed planting will avoid conflict with all existing and proposed services, including drainage and lighting. The reserved matters application should preferably include a detailed, upfront landscaping scheme comprising scaled planting plan, plant schedule, topsoil and subsoil specification, tree pit section and plan view, planting methodology and 5 year aftercare methodology.

The Tree Officer's comments have been forwarded to the applicant.

- 5.2 Shared Regulatory Services say that in reviewing available records and the application for the proposed development, the site has been identified as formerly commercial with uses including community centre and workshops. Activities associated with this use may have caused the land to become contaminated and therefore may give rise to potential risks to human health and the environment for the proposed end use.

Should there be any importation of soils to develop the garden/landscaped areas of the development, or any site won recycled material, or materials imported as part of the construction of the development, then it must be demonstrated that they are suitable for the end use. This is to prevent the introduction or recycling of materials containing chemical or other potential contaminants which may give rise to potential risks to human health and the environment for the proposed end use.

Shared Regulatory Services requests the inclusion of conditions (which are included in Recommendation 1 above).

- 5.3 Noise & Air pollution propose a road traffic noise condition.
- 5.4 The Housing Development Officer states: We are seeking 20% affordable housing on this scheme (3 units), and all of the units to be delivered as affordable rented, this will be the full 20% as social rented units.

All of the units would need to be built to Welsh Government DQR standards, and units will be allocated from the Common Waiting List.

For clarification, if there are any roads or public open space/realm/green infrastructure within the site that will not be adopted (ie privately managed), then neither the RSL nor their tenants may be able to make additional contributions to the management of these aspects of the scheme. The prices to be paid relate solely to the purchase of the completed affordable units, including finishes to the external garden/communal space within property curtilages.

6. **EXTERNAL CONSULTATIONS**

- 6.1 NRW has raised no objection subject to 2 conditions, one of which is in line with that recommended by Shared Regulatory Services.
- 6.2 South Wales Police have no objection to the proposed development and have

been engaged in pre –application discussions. South Wales Police welcome the proposed layout and general design which they believe will create active surveillance and assist with creating a safer and more sustainable neighbourhood and community.

South Wales Police welcome reference made in the design and access to adopting the principles of secured by design but would argue these need to be detailed and included within the Design and Access statement submission.

For this reason South Wales Police make a number of specific recommendations listed below:

1. All rear gardens are made secure by 1.8m min walling, fencing and gating (2.1m min where property boundary adjoins public open space) this would apply to boundary along Fendra Raen reason to prevent burglary and theft.
2. All main external entrance doors are PAS24 2012 compliant reason to prevent burglary.
3. All ground floor windows are PAS24 2012 compliant reason to prevent burglary.
4. All service meters are located to front elevations of properties and are externally readable reason to prevent distraction type crime.
5. All parking areas are overlooked by properties reason to prevent vehicle related crime.
6. A scheme of work in relation to lighting is submitted to the local authority for approval prior to completion reason to enhance personal safety.
7. The estate is built to Secured by Design standards reason to reduce crime.

South Wales Police would be happy to work with developers to achieve Secured by Design Standards which has been shown to reduce crime risk by up to 75%.

South Wales Police would ask that items 1-6 be considered by way of condition in line with Authorities obligations to prevent crime under Crime and Disorder Act.

- 6.3 Wales and West advises that a pipeline is in the highway outside the site.
- 6.4 Welsh Water recommends 3 conditions and have provided advisory notes (which have been forwarded to the applicant).
- 6.5 Health and Safety says that the site does not lie within the consultation zone of a major hazard site or major accident hazard pipeline.
- 6.6 GGAT has no archaeological objections.

7. **REPRESENTATIONS**

- 7.1 Local Members have been consulted. No representations have been received to date but will be reported to the Planning Committee if received prior to the

meeting.

- 7.2 The proposal was advertised in the press and by site notice as a major application.
- 7.3 Neighbouring occupiers were consulted by letter. No representations have been received to date.

8. **ANALYSIS**

- 8.1 The applicant states that: "The current application involves residential development on an underused business site. There is no overriding need to retain the existing use of the site, and it is well proportioned and positioned to provide good quality residential accommodation in character with the surrounding area. The site is not surrounded by other businesses, and its redevelopment for residential use will not impact upon adjoining businesses."
- 8.2 Given the current vacancy levels at the site and at Willowbrook Technology Park, the community benefits resulting from the site's redevelopment, the need for in excess of 40,000 new dwellings in Cardiff between 2006-2026 (Policy KP1 of the LDP), and the site's suitability for redevelopment for residential use, the proposal is considered to be in accordance with Local Development Plan policies. The benefits to the community resulting from the redevelopment of the site are considered to outweigh any economic benefit of retaining employment use on this small site, in accordance with Policy EC3.
- 8.3 The application site falls within the settlement boundary as defined by the LDP proposals map and has no specific designation or allocation. The St Mellons Local Training and Enterprise Centre which currently occupies the site is therefore afforded no policy protection in relation to land use policy. The applicant says that start-up units are currently available at the Willowbrook Technology Park.
- 8.4 Given the application site's context, located in close proximity to St. Mellons District Centre and surrounded by housing, the application raises no land use policy concerns.
- 8.5 The number and size of dwellings proposed and their indicative layout raise no fundamental planning issues at outline stage but will be considered in more detail at the reserved matters stage and will have to have regard to the Residential Design Guide SPG and the provision of adequate screening for privacy purposes.
- 8.6 Consultees' comments have been incorporated as conditions within the Recommendation 1 above or have been brought to the applicant's attention to be addressed at detailed stage.
- 8.7 The vehicular access is in the same position as the existing vehicular access serving the enterprise centre. It is not considered that the development would raise any new highway issues.

8.8 In conclusion it is considered that the principle of residential development on this site can be granted subject to conditions and allocating the proceeds of the sale of the land for housing towards funding the St Mellons Hub and the provision of affordable housing as per paragraph 5.4 of this report.

6.0 Concept Diagram

15 dwellings
0.42 hectare site
35dph

Robust, attractively detailed boundaries to Crickhowell Road

Existing hedge retained within the site.

Trees / hedge planted along Crickhowell Road boundary for privacy

Shared driveway to dwellings facing Wakehurst Place

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5m buffer zone to trees.

Provision of secure rear boundary treatments adjacent to the trees.

Secure on plot parking for each dwelling.

Provision of suitable means of enclosure and landscaping within front gardens.

Active frontages through the site, with dual frontages on corner plots

Dwellings at the front (south) of the site oriented to Wakehurst Place

Key

New planting / Landscaping

Protected /Retained Trees

5m buffer zone

Shared Driveway

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COMMITTEE DATE: 28/09/2016

APPLICATION No. **16/01106/MJR** APPLICATION DATE: 10/05/2016

ED: **LLANRUMNEY**

APP: TYPE: Full Planning Permission

APPLICANT: Wates

LOCATION: LAND AT BRAUNTON CRESCENT AND CLEVEDON ROAD,
LLANRUMNEY, CARDIFF

PROPOSAL: DEVELOPMENT OF 106 DWELLINGS TO THE WEST OF
BRAUNTON CRESCENT AND TO THE NORTH OF
CLEVEDON ROAD (INCLUDING 40 AFFORDABLE UNITS
COMPRISED OF 18 APARTMENTS AND 22 HOUSES),
ASSOCIATED LANDSCAPING, LAND RE-PROFILING,
ACCESS AND HIGHWAYS WORKS, IMPROVEMENTS TO
ADJOINING PARKLAND, NEW FOOTPATHS AND POND

RECOMMENDATION 1 : That, subject to relevant parties entering into a binding legal agreement with the Council under the provisions of **SECTION 106** of the Town and Country Planning Act 1990, within 6 months of the date of this Resolution unless otherwise agreed by the Council in writing, in respect of matters detailed in Section 9 of this report, planning permission be **GRANTED** subject to the following conditions:

1. C01 Statutory Time Limit
2. The consent relates to the following approved plans and documents attached to and forming part of this planning application:

Plans:

3510_PA_001	Site Location Plan
3510_PA_003	Site Layout Plan (Revision B)
3510_PA_004	Site Levels Plan (Rev. B)
3510_PA_005	Site Layout Plan Colour
3510_PA_100	House Type A–General Arrangement and Elevations (Rev. B)
3510_PA_101	House Type B–General Arrangement and Elevations (Rev. B)
3510_PA_102	House Type C1–General Arrangement and Elevations (Rev. B)
3510_PA_103	House Type C2–General Arrangement and Elevations (Rev. B)
3510_PA_104	House Type D1–General Arrangement and Elevations (Rev. B)
3510_PA_105	House Type D2–General Arrangement and Elevations (Rev. B)

3510_PA_110	Apartment Block A – General Arrangement Plans
3510_PA_111	Apartment Block B – General Arrangement Plans
3510_PA_112	Apartment Block C – General Arrangement Plans
3510_PA_113	Apartment Block A – Elevations (Revision A)
3510_PA_114	Apartment Block B – Elevations (Revision A)
3510_PA_115	Apartment Block C – Elevations (Revision B)
3510_PA_200	Street Elevations (Revision A)
3510_PA_201	Site Section (Revision A)
3510_PA_301	Boundary Details
3510_PA_401	Clevedon Road (Revision A)
3510_PA_403	Braunton Apartments (Revision A)
16-20-PL-201 to 08	Planting Plan Sheet 1-8 (Revision A)
16-20-PL-209	Planting Plan Sheet 9 (Revision 0)
16-20-PL-210	Tree Planting Strategy (Revision A)
CAM-GAC-102	Braunton Cresc. drainage plan, Sheet 1 of 2 (Rev.P5)
CAM-GAC-103	Braunton Cresc. drainage plan, Sheet 2 of 2 (Rev.P5)
CAM-GAC-104	Clevedon Road drainage plan, sheet 1 of 3 (Rev P5)
CAM-GAC-105	Clevedon Road drainage plan, sheet 2 of 3 (Rev P4)
CAM-GAC-106	Clevedon Road drainage plan, sheet 3 of 3 (Rev P3)

Documents:

CC1581-REP01-B Flood Consequence Assessment and Drainage strategy
Braunton Crescent, Tree Constraints Plan, July 2014
Braunton Crescent, Pre-development Tree Survey and Assessment, July 2014
Clevedon Road, Tree Constraints Plan, July 2014
Arboricultural Method Statement, May 2016
Arboricultural impact assessment, TDA.2213.01 (A), Drawing amended, July 2016
Soil Resource Survey and Soil Resource Plan, (01) July 2016

Reason: The plans and documents form part of the planning application and for the avoidance of doubt.

3. Prior to commencement of development, a scheme of construction management for all parts of the development including the sustainable drainage features in the public open space, shall be submitted to and approved by the Local Planning Authority to include: details of satisfactory traffic management measures during construction; convenient pedestrian, cycle and vehicular access; construction traffic routes; site hoardings; site access; storage of plant and materials used in constructing the development; wheel washing facilities; measures to

control the emission of dust and dirt during construction; adequate mitigation measures to prevent silt running off-site and into any nearby watercourses; adequate measures to separate clean water from contaminated water on site to ensure only clean surface water drains into any nearby watercourses; details of parking of vehicles for contractors; site operatives and visitors; and a scheme for recycling/disposing of waste resulting from construction works.

The approved scheme shall be adhered to throughout the construction period. Further guidance on pollution prevention can be found on the NetRegs website.

Reason: In the interests of highway safety and public amenity and to prevent damage to drainage and soil structure within the public open space.

4. The developer shall not permit any part of the public open space to be used as a builder's compound for temporary buildings, storage area, parking area or access road during the construction of the development unless the Developer receives written consent of the Council and where the Developer provides in advance :a detailed plan showing location and size of compound, with accompanying vehicle routes, a plan demonstrating how the compound can operate safely taking into account public use of the open space, a detailed specification showing how the areas used for a compound and vehicle access will be restored to a free draining condition equivalent or better than existing, to support long term public use of the open space.

The approved scheme shall be adhered to throughout the construction period.

Reason: In the interests of highway safety and public amenity and to prevent damage to drainage and soil structure within the public open space.

5. Post demolition and prior to the commencement of the construction phase of the development, an assessment of the nature and extent of contamination shall be submitted to and approved in writing by the Local Planning Authority. This assessment must be carried out by or under the direction of a suitably qualified competent person * in accordance with BS10175 (2011) Code of Practice for the Investigation of Potentially Contaminated Sites and shall assess any contamination on the site, whether or not it originates on the site.

The report of the findings shall include:

- (i) a desk top study to identify all previous uses at the site and potential contaminants associated with those uses and the impacts from those contaminants on land and controlled waters. The desk study shall establish a 'conceptual site model' (CSM) which identifies and assesses all identified potential source,

- pathway, and receptor linkages;
- (ii) a desk top study to identify all previous uses at the site and potential contaminants associated with those uses and the impacts from those contaminants on land and controlled waters. The desk study shall establish a 'conceptual site model' (CSM) which identifies and assesses all identified potential source, pathway, and receptor linkages;
- (iii) an intrusive investigation to assess the extent, scale and nature of contamination which may be present, if identified as required by the desk top study;
- (iv) an assessment of the potential risks to:
 - human health,
 - groundwaters and surface waters
 - adjoining land,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - ecological systems,
 - archaeological sites and ancient monuments; and
 - any other receptors identified at (i);
- (v) an appraisal of remedial options, and justification for the preferred remedial option(s).

Reason: To ensure that information provided for the assessment of the risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems is sufficient to enable a proper assessment.

6. Prior to the commencement of the development a detailed remediation scheme and verification plan to bring the site to a condition suitable for the intended use by removing any unacceptable risks to human health, controlled waters, buildings, other property and the natural and historical environment shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

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.

7. The remediation scheme approved by condition (6) must be fully undertaken in accordance with its terms prior to the occupation of any part of the development unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Within 6 months of the completion of the measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.

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.

8. 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.

9. 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.

10. 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.

11. Any site won material including soils, aggregates, recycled materials shall be assessed for chemical or other potential contaminants in accordance with a sampling scheme which shall be submitted to and approved in writing by the Local Planning Authority in advance of the reuse of site won materials. Only material which meets site specific target values approved by the Local Planning Authority shall be reused.
Reason: To ensure that the safety of future occupiers is not prejudiced in accordance with policy EN13 of the Cardiff Local Development Plan.

12. No development shall take place until a comprehensive Drainage Scheme that follows the principles set out on the approved drawings, indicating how disposal of foul sewerage, surface water and land drainage run off from the site will be dealt with, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a plan showing which parts of the application site relate to each site and shall show that foul flows be communicated with the public foul sewer. The scheme shall include the results of an assessment of the potential of the site for disposing of surface water by means of a sustainable drainage system.

Surface water flows from both parcels shall connect to the public surface water sewer at manhole reference ST21809602 and a new manhole slightly upstream of ST21809602 and drain through an attenuation devise that discharges at a rate not exceeding 10 l/s from Braunton Crescent and 18 l/s from Clevedon Road.

Where a sustainable drainage scheme is to be provided, the submitted details shall:

- i. Provide information about the design storm period and intensity, the method employed to delay and control the surface water and land drainage run off from the site and the measures taken to prevent pollution of the receiving ground water and/or surface waters;
- ii. Include a period for its implementation; and
- iii. Provide a drainage management and maintenance plan which shall include the arrangements for adoption by any public body or statutory undertaker and any other arrangements to secure the

operation of the scheme throughout its lifetime.

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.

13. Prior to commencement of development, the positions of the public sewers shall be accurately located and marked out on site. Should the approved landscaping scheme be materially affected by the accurate marking out of public sewers, other utilities or SUDS solutions, an amended landscaping scheme shall be submitted to LPA for approval. Thereafter no part of any building or structure will be permitted within 3 metres either side of the centreline of each public sewer up to an including 300mm and 5 metres either side of the centreline of each public sewer greater than 300mm internal diameter. Any detailed scheme submitted as part of condition (12) shall account for the location of the proposed underground attenuation storage for Clevedon Road and its relation to the existing public sewers. No structures shall be carried out within 3 metres either side of the 225mm public foul sewer or 6 metres either side of the 675mm public surface water sewer.

Reason: To protect the integrity of the public sewer and to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

14. The drainage scheme shall be implemented in accordance with the approved details prior to the occupation of any building on the site and shall be maintained and retained in perpetuity, and no further surface water and land drainage run off shall be allowed to connect directly or indirectly with the public sewerage system.

Reason: To ensure the efficient operation of the sustainable drainage feature.

15. No development shall commence until full details of soft landscaping (including knee rail and any associated hard landscaping features) have been submitted to and approved in writing by the Local Planning Authority as follows:-

- Scaled tree pit sectional and plan drawings for housing areas and public open space.
- A strategy and details for delivering five trees outside the re-line boundary in the public open space, to the north-west of the site;
- Topsoil and subsoil specification.
- Planting methodology and 5 year post-planting aftercare methodology for any non-adopted public area planting.
- Detailed plans and sections of existing and proposed levels between the development site and adjacent open space
- Landscaping implementation programme.
- Details of sufficient quality trees through procurement.

The details shall be consistent with other plans submitted in support of the application and the landscaping shall be carried out in accordance

with the approved design and implementation programme.

Reason: To enable the Local Planning Authority, to determine that the proposals will maintain and improve the amenity of the area, to monitor compliance and to ensure that new trees planting in the open space comply with the quality required for long term healthy growth.

16. All planting, seeding, turf-laying and paving shown on the approved plans shall be carried out in the first planting and seeding season following the occupation of the building or the completion of the development, whichever is sooner.

Any retained or newly planted trees or plants in any non-adopted public areas 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) otherwise defective, shall be replaced in the planting season following their death with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To maintain and improve the appearance of the area in the interests of visual amenity.

17. Unless otherwise agreed in writing with the LPA, no development shall take place that does not accord with the approved Soil Resource Plan, including the monitoring of soil stripping and storage, subsoil preparation, topsoil preparation and placement, tree pit construction, and topsoil amelioration by a qualified soil scientist, and including the production of auditable site monitoring reports to be made available to the LPA on completion of each stage.

Reason: To ensure that soil resources are re-used sustainably and to maximise their functionality in supporting the approved soft landscaping.

18. No equipment plant or materials shall be brought onto the site for the purpose of development until the position of the development boundary and adjoining open space have been set out on site and agreed in writing following a site meeting.

Reason: To ensure that the boundary agreed within the design process is reflected on site.

19. No tree planting shall take place within the existing public open space until a meeting has taken place with a representative from Cardiff Council Parks Services to agree final locations and methods of working, including health and safety, with approval given in writing.

Reason: To ensure that tree planting in the open space is implemented in accordance with the agreed plan and minor adjustments to locations can be made in order to avoid any long term maintenance issues.

20. Prior to the commencement of development a scheme of highway improvements to include, but not be limited to: the reconstruction of the

frontage footways of both Braunton Crescent and Clevedon Road; the resurfacing of the footpath to the west of unit 106; drop kerbs to link to the footpath to the open space at Fishponds Road (outside the red-line boundary as indicated on Drainage Plans), shall be submitted to the LPA for approval and implemented prior to the beneficial occupation of any of the new dwellings hereby approved'.

Reason: To ensure an orderly form of development.

21. No development shall take place until detailed plans showing the position and form of construction of all roads and footpaths within the site and the method of disposal of all surface water drainage therefrom have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure an orderly form of development and to make provision for the satisfactory access to any dwelling by the future occupants.

22. Within six months of occupation of the final dwelling on the site, a scheme for the reinstatement and making good of any damage caused by the developer to the highways, street lighting or drainage shall be submitted to the Local Authority for approval and shall be implemented in accordance with that approval.

Reason: To ensure an orderly form of development.

23. The car parking spaces for each dwelling as shown on the approved plans shall be provided prior to the occupation of that dwelling and thereafter shall be maintained and shall not be used for any purpose other than the parking of vehicles.

Reason: To ensure that the use of the proposed development does not interfere with the safety and free flow of traffic passing along the highway.

24. No occupation of apartments shall take place until details showing the provision of cycle parking spaces have been submitted to and approved in writing by the local planning authority. The approved details shall be implemented prior to the development being put into beneficial use. Thereafter the cycle parking spaces shall be maintained and shall not be used for any other purpose.

Reason: To ensure that adequate provision is made for the secure parking of cycles.

25. No dwelling shall be occupied until that part of the road and footpath which provides access to it and all surface water drainage works for the said road have been laid out, constructed and completed (except for the final surfacing) in accordance with the approved plans.

Reason: To ensure an orderly form of development and to make provision for satisfactory access to the dwelling by the future occupants.

26. No development shall take place until details of the junction between the proposed access road and the highway have been submitted to and approved in writing by the Local Planning Authority. Those details shall be implemented prior to the development being put into beneficial use.

Reason: To ensure that the use of the proposed development does not

interfere with the safety and free flow of traffic passing along the highway abutting the site.

27. No clearance of trees, bushes or shrubs is to take place between 1st February 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.

28. The refuse storage facilities shown on the approved plans shall be provided prior to the beneficial occupation of the development and shall thereafter be retained and maintained unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure an orderly form of development.

29. Prior to commencement of superstructure, a comprehensive sample panel of external finishing materials shall be submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the finished appearance of the development is in keeping with the area.

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

RECOMMENDATION 4 : Given that the Council is the joint developer in this instance, formal legal agreements under Sections 38 and 278 of the Highways Act 1980 will not be entered into. The associated technical approval procedures will still be required and will have to be concluded to order to discharge relevant conditions. The approval of the Operational Manager, Infrastructure & Operations will need to be secured prior to undertaking any works within the adopted public highway.

Permission from Highways will be needed for the temporary closure of the footways fronting both sites during construction (via Highways@cardiff.gov.uk).

RECOMMENDATION 5 : Refer to the general conditions from Wales and West Utilities to be observed for the protection of apparatus and the prevention of disruption to gas supplies in the letter dated 6.6.16. WWU note that their apparatus maybe at risk during construction works and require the developer to contact them before any works commence on site.

RECOMMENDATION 6 : Waste Management: Refer to detailed comments from officer dated 7th June 2016 with regards to size of bins, access, types of surfaces, dropped kerbs, types of waste provision, lighting, ventilation, storage containers for houses and apartment blocks etc to meet the Waste Collection and Storage Facilities Supplementary Planning Guidance.

Bulk containers must be provided by the developer/other appropriate agent, to the Councils' specification (steel containers are required where capacity exceeds 240 litres) as determined by S46 of the Environment Protection Act 1990 and can be purchased directly from the Council. Please contact the Waste Management's commercial department for further information on 02920 717504.

RECOMMENDATION 7 : Contamination and unstable land advisory notice: The contamination assessments and the effects of unstable land are considered on the basis of the best information available to the Planning Authority and are not necessarily exhaustive. The Authority takes due diligence when assessing these impacts, however you are minded that the responsibility for

- (i) determining the extent and effects of such constraints;
- (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 8 : Fire Service: The developer should consider the need for the provision of adequate water supplies on the site for firefighting purposes (in discussion with Welsh Water; and access for emergency firefighting appliances. Refer to detail in letter.

1. **DESCRIPTION OF PROPOSED DEVELOPMENT**

- 1.1 The application is amongst the first of several forthcoming applications within Phase 1 of the Council's Housing Partnership Programme (HPP) with Wates Living Space Homes. The aim of the HPP is to build around 1500 sustainable, high quality homes across 40 Council owned sites within Cardiff. Overall, the programme will deliver 40% affordable homes across the portfolio of sites with the remaining dwellings being open market sale.
- 1.2 This application seeks full planning permission for 106 residential dwellings (including 40 affordable units), landscaping, access and highway works, parkland improvements, new footpaths and retention basin.
- 1.3 The 40 affordable units are comprised of 18 apartments (9no. one-bedroom apartments and 9no. two-bedroom apartments) and 22 houses (16no. two-bedroom houses and 6no. three-bedroom houses). There are a further 66 dwellings for open market sale, comprising of 9 apartments (9no. two-bedroom apartments) and 57 houses (8no. two-bedroom houses and 49no. three-bedroom houses). The majority of the houses are set in semi-detached configurations with one short terrace of three dwellings. All apartments are contained in three-storey blocks.
- 1.4 The affordable units are designed to DQR, Welsh Housing Quality Standards and Lifetime Homes including specific RNIB specifications.
- 1.5 The houses utilise a combination of three high quality red bricks with bespoke architectural striped patterns and coloured timber panels to the ground floor. All the buildings have pitched rooves; the houses are 2-storeys and the apartment blocks are 3-storeys. The windows are slim-line grey pvc. Recessed porches will be included on open market houses.
- 1.6 Two on-plot parking spaces are included to the side of every semi-detached house (both affordable and open market). One car parking space is provided for every apartment. Visitor car parking is integrated in parking bays within the streets fronting the parkland.
- 1.7 The new residential streets within the site are designed to be a 'homezone' concept in accordance with Manual for Streets. These streets seek to change the way streets operate by reducing the dominance of vehicles and encouraging drivers to behave more accommodatingly towards pedestrians. The design includes meandering routes, narrowing of shared surface widths,

dedicated vehicle passing places, planting beds, trees and changes in surface and colour material.

- 1.8 All existing trees on the site will be lost through development. This has been mitigated for, by means of an extensive planting plan for the site that includes a range of small, medium and large tree planting. Tree planting is located in front gardens, homezone concept streets, and within the parkland area which is currently devoid of any trees.

2. **DESCRIPTION OF SITE**

- 2.1 The application site comprises of two distinct parcels of land for housing and an area of parkland in between with a combined area of 2.33 hectares. The two housing parcels are largely brownfield land located within the Llanrumney ward in the eastern area of the city. The northern part of the site is off Braunton Crescent and the southern is off Clevedon Road. The site is 1km to the east of the River Rumney.
- 2.2 The Parkland is connected to Fishponds Wood. It forms part of a larger area of green infrastructure that extends to the Rhymney River and the south of the city. The parkland mainly consists of open grass and footpaths with few groups of trees around the edges.
- 2.3 This area of the park currently lacks a defining character and the site is not widely utilised in the community for recreation, given the topography and the design. The application site has infringed on the edges of the parkland in order to create a comprehensive development with the compensatory measures of improving the usability, overlooking and the tree planting.
- 2.4 Both of the housing parcels are steeply sloping in two directions. Braunton Crescent has cross-falls of between 2m and 4m across the site, as well as 9m along wide edge the site. Clevedon Road has crossfalls across the site of 1m-2m across the site and 13m along the wide edge of the site.
- 2.5 Braunton Crescent and Clevedon Road previously had a number of Council owned flats and maisonettes constructed of mass concrete which have been demolished as they were in a poor condition and not fit for purpose.

3. **SITE HISTORY**

- 3.1 The demolition of the previous blocks of flats and maisonettes were completed in association with the following applications:
- 3.2 Application 13/01775/DCO –Proposed demolition of 29-127 Braunton Crescent. Recommendation was that prior approval of the demolition of five blocks of flats was not required.
- 3.3 Application 13/01835/DCO – Prior approval granted for demolition works for 12-46 Clevedon Road.

3.4 Pre-application discussions were held with the applicants following appointment of Wates Living Space Homes as the preferred bidder for the Housing Partnership Project.

4. **POLICY FRAMEWORK**

4.1 **NATIONAL PLANNING POLICY**

Planning Policy Wales (PPW) sets out the land use policies of the Welsh Government and is supplemented with Technical Advice Notes (TANs) and Circulars.

4.2 **Planning Policy Wales** (Edition 8, January 2016)

Section 1.2 explains that the purpose of the planning system is to manage the development and use of land in the public interest, contributing to the achievement of sustainable development. It notes that the planning system should reconcile the needs of development and conservation, securing economy, efficiency and amenity in the use of land, and protecting natural resources and the historic environment. It recognises that a well-functioning planning system is fundamental for sustainable development.

PPW has been updated, amongst other things, to take into account the Well-being of Future Generations (Wales) Act 2015, and now includes information on the provisions of the Act, including the seven well-being goals (Fig. 4.1) designed to help ensure that public bodies are all working towards the same vision of a sustainable Wales and the sustainable development principle. This principle requires a defined public body 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.

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

Paragraph 4.4.3 sets out objectives to contribute to the Well-being of Future Generations Act goals which reflect the Welsh Government's vision for sustainable development and should be considered when determining planning applications.

4.3 **Technical Advice Notes (TANs) and Circulars**

Key TANs and Circulars include:

TAN 1: Joint Housing Land Availability Studies (2015):

TAN 2: Planning and Affordable Housing (2006)

TAN5: Nature Conservation and Planning (2009)

TAN 11: Noise (1997)

TAN 12: Design (2016)

TAN 15: Development and Flood Risk (2004)

TAN 16: Sport, Recreation and Open Space (2009)

TAN 18: Transport (2007)

TAN 21: Waste (2014)
Circular 60/96 'Planning and the Historic Environment: Archaeology'
Circular 61/96 'Planning and the Historic Environment: Historic Buildings'
Circular NAW 20/01 'Planning Controls for Hazardous Substances'
Circular WGC 016/2014 'The Use of Planning Conditions for Development Management'

4.4 **Other Guidance**

Manual for Streets (2007)
Practice Guidance: Planning for Sustainable Buildings (2014)

4.5 **LOCAL PLANNING POLICY**

Cardiff Local Development Plan, 2006-2026 (Examination version, adopted January 2016)

Key policies:

KP1: LEVEL OF GROWTH
KP5: GOOD QUALITY AND SUSTAINABLE DESIGN
KP6: NEW INFRASTRUCTURE
KP7: PLANNING OBLIGATIONS
KP8: SUSTAINABLE TRANSPORT
KP12: WASTE
KP13: RESPONDING TO EVIDENCED SOCIAL NEEDS KP14: HEALTHY LIVING
KP14: HEALTHY LIVING (if Sue comments)
KP15: CLIMATE CHANGE
KP16: GREEN INFRASTRUCTURE
KP18: NATURAL RESOURCES

Detailed policies:

H3: AFFORDABLE HOUSING
EN5: DESIGNATED SITES
EN6: ECOLOGICAL NETWORKS AND FEATURES OF IMPORTANCE FOR BIODIVERSITY
EN7: PRIORITY HABITATS AND SPECIES
EN8: TREES, WOODLANDS AND HEDGEROWS
EN9: CONSERVATION OF THE HISTORIC ENVIRONMENT
EN10: WATER SENSITIVE DESIGN
EN11: PROTECTION OF WATER RESOURCES
EN13: AIR, NOISE, LIGHT POLLUTION AND LAND CONTAMINATION
EN14: FLOOD RISK
T1: WALKING AND CYCLING
T5: MANAGING TRANSPORT IMPACTS
T6: IMPACT ON TRANSPORT NETWORKS AND SERVICES
C3: COMMUNITY SAFETY/ CREATING SAFE ENVIRONMENTS
C4: PROTECTION OF OPEN SPACE
C5: PROVISION FOR OPEN SPACE, OUTDOOR RECREATION, CHILDREN'S PLAY AND SPORT

C6 HEALTH

C7: PLANNING FOR SCHOOLS

W2: PROVISION FOR WASTE MANAGEMENT FACILITIES IN DEVELOPMENT

The application site falls within Cardiff's settlement boundary, as identified on the adopted Cardiff LDP Proposals Map.

4.6 **Supplementary Planning Guidance**

Access, Circulation and Parking Standards (2010)

Affordable Housing (2007)

Cardiff Residential Design Guide (2008)

Trees and Development (2007)

Waste Collection and Storage Facilities (2007)

Biodiversity: Part 1 and 2 (2006)

Community Facilities and Residential Development (2007)

Open Space (2008)

5. **INTERNAL CONSULTEE RESPONSES**

5.1 **Affordable Housing**

The Housing Strategy Officer made the following comments :

This scheme forms part of the Council's Housing Partnership Programme (HPP) which is a partnership between the Housing Development Team and Wates Living Homes. The aim of the HPP is to build around 1,500 mixed tenure, energy efficient, sustainable and high quality homes across c.40 Council owned sites within Cardiff. Sites vary in size from a few dwellings to almost 300. Overall, the programme will provide 40% affordable homes across the portfolio of sites with the remaining dwellings being placed on open market sale by Wates Living Homes.

This planning application is for the proposed new-build developments on sites at Braunton Crescent and Clevedon Road, which will provide a total of 106 dwellings, both houses and apartments and includes 40 new affordable homes for the Council.

In terms of the affordable housing, the proposal is for 40 affordable homes (38%), to be owned by Cardiff Council for social rented accommodation. The mix of the units is:

9 x 1 bed flats

9 x 2 bed flats

16 x 2 bed houses

6 x 3 bed houses

This proposal exceeds the planning policy requirements of 20% on brownfield sites, and we [housing] are fully supportive of this affordable housing scheme.

A proportion of the affordable housing units on the site may be sold by the Council to 1st time buyers as low cost shared equity housing. The low cost shared equity housing units may be offered for sale at a percentage of the Open Market Value, with the residual equity held by the Council. The exact quantum and percentage equity share purchase price is yet to be determined.

5.2 Highways

The highways officer made the following comments:

The proposed development entails the construction of 106 new dwellings – some of which will front onto Braunton Crescent and Clevedon Road with the remainder served by new access roads which are to be constructed to the 'home zone' concept i.e. with vehicles and pedestrians sharing road space and having equal priority, but designed to ensure that vehicle speeds are kept to a minimum (typically 10mph max) to ensure safety.

The supporting Transport Assessment from Pentan demonstrates that the proposed development will generate a total of 76 additional daily vehicle movements, with 29 and 11 of these being in the morning and evening peak hours respectively, and it will therefore have limited impact on the existing highway network in comparison with the pre-existing situation. The development will incorporate some land currently in Parks ownership and I [highways officer] note and welcome the provision of new footpath links within that land which will improve access between the sites and nearby shops/bus stops etc.

The proposed shared surface arrangements have been the subject of pre-application discussions and are supported by a Stage 1 Safety Audit from The Safety Forum.

Amended Landscape Plans: Some revised plans (in terms of minor landscaping, surfacing materials and driveways) have been received and I would comment that the arrangement shown on dwg. no. 3510-PA-005 from Pentan generally reflects previous comments/discussions – though with respect to Clevedon Road I'd comment that the footpath link to the Mount Pleasant Road roundabout isn't ideally located at right angled bend in the new access road. Clearly there are a number of matters of detail to be resolved – though these can be addressed during the course of the technical approval procedure prior to adoption, and in discharge of the previously requested condition regarding the details of the new shared surface access roads.

The construction works will inevitably result in significant damage to the existing frontage footways on Braunton Crescent and Clevedon Road – in terms of damage by large construction vehicles, the construction of the necessary new footway crossovers, and the provision of services etc – as well as damage to the road surfacing.

A condition is requested to ensure that a survey is undertaken before and after development along any roads connected with the development so that a

scheme may be submitted to repair any potential damage to highways, drainage or street lighting caused by construction.

I [highways officer] am generally satisfied that the proposal is acceptable in highway terms and would not object on highway grounds.

5.3 Parks

The Parks Officer gave the following comments:

Original Plans: The cross section 4-4 on the site sections plan shows that the gradient from the housing into the open space is considerably better than earlier design options. It appears to be maintainable with an approximately 1 in 6 to 1 in 7 gradient, which would allow mowing by gang mower or ride-on. The levels will also enable houses to overlook the open space, which is extremely beneficial.

The Parks Officer requested a plan showing planting and street lighting in the homezone concept area to ensure that there won't be any conflicts. This was provided.

Maintenance of the existing POS is currently carried out using a Tractor and Trailer and ideally this should continue. Earlier plans indicated proposed grass mowing regimes within the open space, with some areas of longer wildflower meadow and other regularly mown areas. Discussions within Parks suggest that an area should remain regularly cut within the centre of the open space to allow use as an informal kickabout area, with longer wildflower meadow around this. Grass would also be regularly mown adjacent to the footpaths and property boundaries. For ease of maintenance wildflower areas should be of a reasonably substantial size, rather than many small areas. Trees should also be planted minimum 3m apart to enable access for tractor mowers (this looks to have been achieved).

Overall the tree planting proposals are welcome, with a good range of species. Further discussions will need to take place on the design of the SUDS area. Design of the SUDS area will need to take into consideration maintenance. Any SUDS feature would require a detailed management plan and maintenance schedule.

Amended Plans:

1. Following detailed discussions at pre-application and application stage Parks have no adverse objection to the use of a section of the existing Fishpond Wood POS along the edge of the two developments for incorporation into the housing scheme. This is on the following conditions :
 - a) The area is restricted to that agreed on the land transfer agreement
 - b) The remaining open space suffers no adverse impact during construction of the development, including locating compound or

- c) other construction features on the POS
 - d) New housing is designed to face on to the open space, to provide good natural surveillance of the public open space
 - e) Improvements to the open space, including tree planting, are carried out as part of the development
 - f) The boundary between the open space and housing development is clearly demarcated and the changes in land levels are sufficiently shallow to enable regular maintenance
 - g) New tree planting within the open space is subject to payment of a commuted sum.
 - h) Any changes to the open space, including tree planting, enable an area to be retained for kickabout use
- 2 The design of the home zone adjacent to the public open space, and proposed tree planting within the POS (including species and positions) has been agreed at application stage. However these will be subject to further discussion and agreement through planning conditions and as part of the S38 Highway agreement.
- 3. The principle of incorporating a dry basin SUDS area and underground attenuation tanks has been agreed. However these will be subject to further discussion and agreement through planning conditions in order to agree a design that :
 - a) ensures the POS remains usable and free draining in most areas
 - b) water will not flow in an unmanaged way from the housing development onto the open space
 - c) the SUDS features will be designed in such a way that enables ease of maintenance
- 4. Maintenance of Housing Area
If Parks are required to maintain landscape within the development this will also be subject to a commuted sum or preferably for Housing to employ Parks using a service level agreement as currently takes place; the latter would need to take into account loss of existing trees on site which will no longer require maintenance)
- 5. Planting Beds
The design proposals contain a number of planting beds, including as part of the homezone.
 - a) In order to reduce maintenance implications, as many of these as possible need to be linked to individual houses, so that they have 'ownership'
 - b) A conveyancing plan needs to be provided clearly identifying individual ownership of all landscape elements
 - c) A proportion of shrub and herbaceous planting often fails or dies out after a couple of years (for example lavender is being used which can have a relatively short lifespan), so in order to maintain the quality of the homezone or publicly maintained area there needs to be a source of funding for replanting.

Open Space Provision: Based on the information provided on the number and type of units, I (Operational Manager, Parks & Sport) have calculated the additional population generated by the development to be 45.42 (taking into account the population of previous apartments on site). This generates an open

space requirement of 0.11 ha of on-site open space based on the criteria set for Housing accommodation.

As no public open space is being provided on-site, the developers will be required to make a financial contribution towards the provision of open space off-site, or the improvement (including design and maintenance) of existing open space in the locality. Based on the above assessment the contribution payable will be £46,521.

The use of S106 contribution from this development will need to satisfy the current distance requirements set out in the 2008 SPG.

Based on the 2009 Cardiff Council Open Space Survey there is a deficiency in open space provision of 2.52 hectares in the Llanrumney Ward, in which the development is situated (Measured by the Fields in Trust recommended standard of 2.43 hectares per 1000 population). The quality and facilities of existing open spaces also require improvement, with additional capacity to take into account the increased residential population resulting from the development.

5.4 **Ecology**

The ecologist was consulted and no adverse comments were received.

5.5 **Trees**

Original Plans: the Tree Officer provided the following comments:

Implementation of development will require the removal of a large number of existing trees, including x20 of moderate ('B') quality and at least x11 but possibly up to x16 of high ('A') quality.

The residential layout essentially imposed onto the existing tree-scape, with any trees that happen to be left over retained. This approach is understandable to an extent, since the nature of the existing and proposed development is such that a more flexible design may be more difficult to apply.

Accepting that there are overriding design considerations necessitating the removal of such a large number of trees, then there must be provision for acceptable mitigation in terms of new tree planting.

The proposed planting plans certainly achieve this in terms of numbers and species, but it is noted that the great majority of planting will be within POS and highway infrastructure.

I understand that a Soil Resource Survey (SRS) and Plan (SRP) are to be submitted. These should be used to inform the landscaping scheme as necessary, in particular changes to species dependent on prevailing soil conditions and a detailed planting and aftercare methodology, which should include tree pit section and plan views for different site situations. Whilst a

detailed, finalised landscaping scheme, including planting and aftercare methodology as informed by the SRS and SRP, should preferably be submitted upfront, so long as the comments above are satisfactorily addressed and service/POS constraints do not significantly degrade the tree planting proposals, then it would be acceptable to condition a finalised landscaping scheme as informed by the SRS and SRP.

As things stand I do not consider the retention of any existing trees to be viable in the context of proposed development. Whilst I would support amendments to design that fully accommodate the future growth requirements of retained 'A' and 'B' category trees, and an upfront, finalised Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP) to support such changes, it would be possible to condition the submission of a finalised AMS and TPP.

Amended Plans: The Tree Officer recommended detailed conditions with regards to specification, maintenance and soil resources.

5.6 Drainage

The Drainage Officer's amended plans comments are summarised as follows:

The wording of the drainage strategy plans should be amended to say "attenuation facility" so that the Council is not committed to the option proposed as a wet pond as a principle (which would be an unacceptable solution).

Given that there have been amendments to the design, most notably the discharge to watercourse has been amended to discharge to the public sewer, the FCA and drainage strategy document now has elements that are superseded. Comments are therefore based on the revised plans and the geotechnical report.

The applicant has indicated that the storm/surface water will be disposed of via sustainable drainage systems to be put forward for adoption, with ultimate discharge to a public sewer. It is recommended that the Planning Authority consulted with Dwr Cymru Welsh Water Development Services for formal comment. For this they will be required to provide written confirmation from DCWW or their Agents that all agreements required by DCWW have been formally executed.

A review of the information relating to sustainable drainage that has currently put forward by the applicant concludes that further information will be required. The applicant will be required to formerly address:

- The hydraulic design must comply with the relevant standards;
- The limited information prevents confirmation of the design complying with the most up to date CIRIA "The SuDS Manual";
- The relevant recreational aspects should be outlined;
- Maintenance of the structures;
- Technical specs to be agreed with CCC.

The Drainage Officer does not object to the proposed development, subject to conditions.

5.7 Waste Management

Waste Management Officers raised no objections to the scheme. The Officer's detailed comments with regards to size of bins, access, types of surfaces, dropped kerbs, types of waste provision, lighting, ventilation, storage containers for houses and apartment blocks, were forwarded to the applicant.

Vehicle tracking was submitted and reviewed by the officer and considered fine. This ensures that the largest vehicles (OLYMPUS-19N 6x2RS) can enter and exit in a forward gear and show the vehicle can manoeuvre on the 'homezone' concept roads and use the turning heads. They advise that Transportation consider parking restrictions if needed in the future, as part of technical approval stages and subsequent post-occupation review.

5.8 Pollution Control

The Pollution Control Officer provided the following comments :

The following information was submitted as part of the above application: *Terra Firma (Wales) Ltd, March 2016; Geotechnical and Geo-environmental Report Ref:13481*. The above document provides a geo-environmental assessment of the development. However, at the time of the investigation, access to the Clevedon Road site was restricted by the existing buildings. Further site investigation and assessment are required post demolition at the Clevedon Road site to provide a robust assessment of the risks in relation to ground contamination. The consultant's assessment of the Braunton Crescent site identified localised ground contamination from asbestos. This will require remediation. The above findings are reflected in the conditions requested.

Should there be any importation of soils to develop the garden/landscaped areas of the development, or any site won recycled material, or materials imported as part of the construction of the development, then it must be demonstrated that they are suitable for the end use. This is to prevent the introduction or recycling of materials containing chemical or other potential contaminants which may give rise to potential risks to human health and the environment for the proposed end use. Shared Regulatory Services requests the inclusion conditions and informative statements in accordance with CIEH best practice and to ensure that the safety of future occupiers is not prejudiced.

5.9 Noise Control

The noise control officer requested a road traffic noise condition and a construction site noise condition.

The road traffic noise condition was requested to ensure that the occupants of the housing scheme would not be subject to unacceptable road noise levels.

5.10 Community Facilities

The Neighbourhood Regeneration Officer provided the following comments :

Supplementary Planning Guidance (SPG) on Community Facilities and Residential Development states that 'the Council will seek a financial contribution for improvements to existing community facilities or the provision of additional community facilities on all significant developments because the increased population will result in increased demand for local community facilities'. In this instance, the proposed 106 dwellings will replace 121 that were previously on the site. There will be a net decrease in dwelling numbers, so no increased demand for local community facilities. Consequently, no financial contribution towards community facilities will be sought for this development.

6. EXTERNAL CONSULTEE RESPONSES

6.1 Natural Resources Wales (NRW)

NRW made the following comments:

We do not object to the proposed development. We offer the following advice in relation to the proposed development, protected species and the water environment:

Protected Species : The submitted bat survey prepared by Just Mammals Consultancy, dated July 2014, identifies bats were found to be roosting in block of flats number 10 on Braunton Crescent. During discussions with the Applicants ecologist it was confirmed these flats have been demolished under European Protected Species licence. Our records confirm this. In view of this, we have no further comments to make.

The Water Environment: To protect the water environment we recommend a Construction Management Plan and associated Method Statements be prepared prior to works commencing on site.

Methods for prevention pollution of water courses has been added into the conditions.

6.2 CADW

The representative from CADW made the following comments:

The proposed development is located within the vicinity of the scheduled monument known as GM216 Caer Castell Camp.

Having carefully considered the information provided with the planning application, we consider that the proposed development will have no impact on the aforementioned designated historic asset. We therefore have no comments to make on the proposed development.

6.3 **South Wales Police**

The Police Officer's comments are summarised as follows :

South Wales police have no objection to the proposed development and welcome the pre-application consultations and design and layout consideration which has ensure that there is considerable active surveillance opportunities provided.

With regards to security standards for doors and windows and externally accessible meters. I can confirm that I am happy with clarification and details provided and as such there is now no need for conditions, as confident with the clarification provided that community safety issues will now be addressed in the development.

6.4 **Glamorgan Gwent Archaeological Trust (GGAT)**

There are no archaeological restraints to this application.

6.5 **Wales and West (gas)**

Wales and West Utilities (WWU) provided an extract of their mains records showing the position of apparatus, including the presence of low pressure gas pipelines along residential streets and within the vicinity of the development site where the previously demolished flats were located.

The general conditions to be observed for the protection of apparatus and the prevention of disruption to gas supplies in a letter dated 6 June 2016 has been forwarded to the applicant.

WWU note that their apparatus maybe at risk during construction works and require the developer to contact them before any works commence on site.

6.6 **Welsh Water**

Officers have advised that conditions and advisory notes are attached to the planning consent to ensure no detriment to existing residents or the environment and to Dwr Cymru Welsh Water's assets.

They acknowledge that there are elements to clarify and further investigations to conduct for the drainage scheme on this site. Whilst it is our preference to assess drainage proposals at the earliest possible stage we are satisfied that these will follow and discussions continue. The principles for both foul and surface water flows communicating to the public sewer network are acceptable in principle. We therefore request that the conditions and advisory notes are included within any subsequent planning permission.

7. **REPRESENTATIONS**

7.1 The proposals were advertised as a major application in the press and on site,

and Local Members and neighbours were consulted. Some minor amendments to landscape plans were made and consulted on with internal colleagues in Parks, Transportation and Trees. Wider consultation was not considered necessary, given the level of technical detail.

- 7.2 One local resident (30 Braunton Crescent) has objected to the application, summarised as follows:
1. The road [Braunton Crescent] on the plan shows that it will remain as it is at the moment and this is a very narrow road. If the new residents don't use their driveways, it is going to get congested. The residents have always parked on the one side of the road but the flats never caused a problem due to very few people having vehicles.
 2. The access road that enters the development is towards the top of the street. Why can't it be put at the beginning of the street, to reduce through traffic?
 3. The development is described as affordable housing. How can we be assured that the developer is not going to sell these properties to a private company to rent out?
 4. The tree and wildlife have been on this land a long time. It must be put in place that no trees will be removed, just for the financial gain of the Council and the developer.
 5. This road has become a nice place to live since the flats were demolished. If this development is to take place now, how are we going to be assured that we are going to get very little disruption to our everyday life?

8. **ANALYSIS**

- 8.1 The main issues to address are as follows.
- 8.2 Land use: A small area of the site falls within land designated as open space in the open space survey and in view of this, Policy C4 and Policy C5 of the adopted Local Development Plan (LDP) are relevant. The approved Open Space SPG (March 2008) is considered a material planning consideration as it is consistent with the new policy framework set out in the adopted LDP.
- 8.3 Policy C4 seeks to protect open space that has significant functional (including land that can accommodate formal/or informal recreational uses), conservation, environmental or amenity value through only allowing proposals where:
- *They would not cause or exacerbate a deficiency of open space in accordance with the most recent open space study; and*
 - *The open space has no significant functional or amenity value; and*
 - *The open space is of no significant quality; or*
 - *The developers make satisfactory compensatory provision; and in all cases*
 - *The open space has no significant nature or historic conservation importance.*
- 8.4 This policy reflects national planning policy relating to open space set out in Planning Policy Wales (Edition 8, 2016), and Technical Advice Note 16 relating

to Sport, Recreation and Open Space (January 2009). The most recent survey of open space classifies part of the site as a mixture of informal recreational open space and amenity open space. This area forms part of a much larger area of open space and in the overall context would represent a small loss of informal recreational and amenity open space at this location. In addition in terms of existing provision of recreational open space the Open Space SPG (Page 25) sets out the amount of recreational open space relative to the standard for each ward within the city. This shows that the Llanrumney ward overall has a surplus of 33.44 hectares of recreational open space (based on the 2.43 ha per 1,000 population standard) and therefore it could be argued this proposal would not exacerbate a local deficiency of recreational open space. As this area forms part of a much larger area of open space it could also be argued that the loss of this area would have no significant impact on the functional or amenity value or the quality of the open space in this location. In addition it is noted that the area has no nature conservation or historic conservation designations. Given this, the proposal raises no land use policy concerns.

- 8.5 Design and Layout: The layout of the houses reflect the existing form and character in the surrounding streets. It is in keeping with the character of the area, utilising predominantly two rows of houses with private back gardens and a street to the front. The orientation of houses overlooking the park is considered beneficial in this location, given the linear nature of this stretch of park in its urban setting and may help to make the park feel safer to frequent.
- 8.6 The layout of the houses and flats provide a legible development. Three-storey pitched-roof flat blocks are situated at points where they maximise overlooking, will benefit the street scene and give beneficial corner treatments the street and park.
- 8.7 The houses are simple in their form, a pitched-roof semi-detached design with high quality brick detailing to ground floor. The detailing is high quality for both houses and apartments, including windows with narrow proportions with low sills (without stools) and vertical alignment in a contemporary grey colour. The roofs have clipped eaves and mortar bedded verges to create a crisp clean aesthetic. A number of houses also benefit from recessed porches. Overall, the layout, design and architecture is considered good.
- 8.8 Parkland edge: This park in its current format lacks definition in its character and the introduction of new tree planting, along with areas of wildflower planting, will create a more attractive open space, with benefits for the public and biodiversity, and retain space for informal use such as kickabout. Having houses looking onto it will create a more intimate feel, with an increased sense of 'ownership and connection' between the housing and open space' which was not achieved with the flats. To achieve a comprehensive development with a street frontage on both sides, the red-line boundary extends slightly into land owned by Parks Services. Land use policy and Parks Services have agreed that this is acceptable, given it is in line with the Open Space SPG and Welsh Government Policy. The improvements to the remaining park will result in an improved recreational area, mature tree planting, a knee-rail boundary to the

homezone streets, and the apartment blocks facing the park will have tall decorative railings to maximise overlooking.

- 8.9 Noise: It is considered that the site is near to a residential street with a relatively low degree of traffic movement, and traffic noise that is unlikely to cause harm to residential amenity. The site is set back from the busiest element of the residential area, which is a single lane road. The existing three storey block of flats will act as a buffer to the part of the site that is closest to the road and the roundabout. It is considered that the traffic using that section of road would not generate significant noise levels. Having reviewed PPW and TAN 11 Noise, it is considered that the development is very unlikely to be over the noise category exposure levels and therefore no mitigation is necessary.
- 8.10 The construction noise condition has been added.
- 8.11 Loss of trees and new planting: The tree officer has raised concerns that a number of high category trees with amenity value are necessary to remove for comprehensive development. An objector also raised an objection with regards to tree loss. Through negotiations, amended landscaping plans and utility plans, the tree officer is satisfied that subject to conditions, the scheme will compensate for the loss of the trees with new landscaping and park improvements. The proposed scheme includes small and medium tree planting in the home zone areas and flat blocks. It also proposes new mature planting lining the edges of the park and along footpaths within the park which will drastically improve the landscape and usability of the Park for the residents of Llanrumney. It is therefore considered on balance that the tree removal is acceptable.
- 8.12 Transportation: The number of parking spaces provided and the access arrangements meet policy guidelines and are considered acceptable. There are typically 2 spaces per house and the flats have a car parking space per unit. There are also a number of visitor parking laybys in the streets facing the park. Car parking is therefore unlikely to have an impact on Braunton Crescent, which was a comment raised by an objector.
- 8.13 The homezone concept is considered to be appropriate for this location and number of dwellings. The measures include meandering routes, narrowing of shared surface widths, dedicated vehicle passing places, planting beds and trees, changes in surface and colour material. The Design and Access Statement outlines how people with impairments such as mobility, visual, hearing, and cognitive have been considered in the design; the Council's Access Officer has been consulted and will feed into Highway Technical Approval stages post planning.
- 8.14 In response to the objection about the road access point of Braunton Crescent, the site topography is very restrictive in terms of where the shared surface can be located. The early design work showed that locating the shared surface at the southern end of the site presented grave challenges in terms of accessibility. This approach would also require a greater relative length of shared surface which would negatively affect the density of the dwellings, and

push the proposed three storey apartments nearer the proposed two storey dwellings. The proposed access point is therefore considered to be in the best place.

- 8.15 Affordable Housing: The proposed development comprises of affordable housing as defined in TAN 2. In response to an objector's comment on types of affordable housing, the developers will need to build out the proposal in line with approved plans and conditions to gain planning permission.
- 8.16 Ecology: With regards to the objector's comments on wildlife in the area, a number of surveys including: An extended phase 1 habitat and species assessment, Dormouse presence survey, Bats and birds survey, which the Council's ecologist has been consulted on and there were no further comments from the ecologist. The dormouse survey reported no evidence of dormouse presence. The bat and bird report noted that the nature conservation significance for the site is assessed as low. The landscape architect has implemented the recommendations to include wildflower planting and biodiversity rich planting proposals to replace any habitats that have to be removed. It is therefore considered that adequate measures have been taken for development to proceed.
- 8.17 Flooding and Sustainable Drainage : The site is within TAN 15 DAM Zone A. This denotes an area considered to be "a little or no risk from fluvial or tidal / coastal flooding" (Flood consequence assessment and drainage strategy, May 2016).
- 8.18 Both Braunton Avenue and Clevedon Road meet planning policy in terms of achieving sustainable drainage by providing storage volumes for up to 1 in 100 year critical storm flood event plus 30% climate change allowance. TAN 15: Development and Flood Risk states a number of different ways in which this can be achieved, including below and above ground facilities.
- 8.19 The Braunton Avenue site includes options for an attenuation basin above ground in the Park. The original proposal was for a pond, but the proposal has moved on through the planning process through discussions with drainage and parks services. This wording has been updated on the amended plans. The attenuation basin will be mainly dry, except in times of high surface water run-off.
- 8.20 The Clevedon Road site includes an underground storage tank sustainable drainage system. This run off from this site is not able to discharge into the Braunton Avenue attenuation pond because Welsh Water have expressed concerns with regards to drainage crossing their assets. The drainage consultants have explained that there is insufficient space to provide above ground storage and associated earthworks between the remaining narrow strip of land between the Clevedon Road site and the Park, which is accepted. The resulting solution proposed is underground storage. Whilst it is accepted that there could be the option of reducing housing numbers to facilitate above ground attenuation, it is considered on balance, that underground storage for this part of the site, in line with TAN 15, is acceptable so as not to compromise

the overall design and layout of the Clevedon Road site as well as the more usable areas of public open space.

- 8.21 The detail of the sustainable drainage for both sites shall be subject to conditions, as in line with the approach set out in TAN 15.
- 8.22 The amendments were made to the plans to state 'Attenuation Facility' instead of 'pond' following advice from Drainage.
- 8.23 All third party objections have been addressed.

9. **S106 REQUIREMENTS AND VIABILITY**

- 9.1 The following obligations have been agreed to mitigate any significant adverse impacts of the proposed development and to provide essential, enabling and necessary infrastructure as defined within LDP policies KP6 and KP7.
- 9.2 In identifying the nature and quantum of infrastructure provision, and having regard to the extent and tenure of affordable housing to be delivered, the applicant has provided a viability statement which has been independently verified. It is considered that the planning obligations listed below represent value for money to the council and deliver a quality and quantity of consistent LDP policies and Liveable Design Guide.
- 9.3 It is acknowledged that the scale and nature of affordable housing provision, alongside higher design costs and site abnormalities would render the development unviable within the levels of obligations sought. All units within the development are designed to achieve 17% higher energy performance than current Welsh Building Regulations.
- 9.4 Notwithstanding the above, the developer has agreed to the following obligations:
 - 38% affordable housing on-site, comprising of 18 apartments and 22 houses. These units are designed to Welsh DQR Housing Quality Standards and offered to the Council for social rent.
 - £79,000 towards commuted sums;
 - Footpaths and semi-mature planting to the existing public open spaces between the two sites that connects to Fishponds Wood;
 - Details of on-site management and maintenance of public open space and drainage.
- 9.5 It is considered that the S106 Heads of Terms satisfy the requirements of Circular 13/97 Planning Obligations and the statutory tests set out in Regulation 122 of the Community Infrastructure Levy Regulations.

10. **CONCLUSION**

- 10.1 It is recommended that planning permission be granted, subject to conditions and a Section 106 agreement to secure works as indicated in Section 9.





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Project: BRAUNTON CRESCENT & CLEVEDON ROAD
 Client: WATES LIVING HOMES
 Drawing Title: SITE LAYOUT PLAN COLOUR
 Date: MAY '16
 Scale: 1:500 @ A1
 Drawing No: 31510_PA_005
 Rev: -

SITE LAYOUT PLAN COLOUR
 NOTES: Do not scale. All dimensions are in millimetres unless stated otherwise.

- LANDSCAPING MATERIALS**
- A Concrete block paving - Colour A.
 - B Concrete block paving - Colour B.
 - C Fine grade kerbs or pre-cast edgings to be agreed with OCC Planners and Highways.
 - D Concrete flag paving.
 - E Existing oak facerails.
 - F Tarmac driveways.
 - G New park paths.
- BOUNDARY TYPES**
- Boundary Type 1 - 2.1m tall brick wall.
 - Boundary Type 2 - 2.1m tall decorative masonry.
 - Boundary Type 3 - Brick retaining wall.
 - Boundary Type 4 - Brick retaining wall with timber fill and stone fence above.
 - Boundary Type 5 - 1.8m tall timber close boarded fence. (2.1m tall where indicated).
 - Boundary Type 6 - 1.8m tall timber close boarded fence above post and board retaining wall.
 - Boundary Type 7 - 1.8m tall timber close boarded fence above proprietary retaining wall system.
 - Boundary Type 8 - 2.1m tall decorative masonry above proprietary retaining wall system.
 - Boundary Type 9 - 2.1m timber close boarded fence above proprietary retaining wall system.
- SYMBOLS**
- Plot numbers
 - Driveway Types
 - Car parking space allocation.
 - Garden shed.
 - Retainer Trench
 - Proposed small tree.
 - Proposed medium tree.
 - Proposed large tree.
 - Existing tree to be retained.
 - Planted areas.
 - Timber bin enclosure.
 - Site boundary.
 - Shared surface entrance feature.
 - Lighting column.

KEY	TENURE	HOUSE TYPE	AREA	NO. (APF)	NO. (OMS)	TOTAL
HOUSES	A	OPEN MARKET SALE	2 BED 4 PERSON	63sqm	-	8
	B	OPEN MARKET SALE	3 BED 5 PERSON	78sqm	-	49
	C	AFFORDABLE	2 BED 4 PERSON	85sqm	12	-
	D	AFFORDABLE	2 BED 4 PERSON	85sqm	4	-
	E	AFFORDABLE	3 BED 5 PERSON	95sqm	2	-
	F	AFFORDABLE	3 BED 5 PERSON	95sqm	4	-
APARTMENTS	H	AFFORDABLE	2 BED 3 PERSON / 1 BED 2 PERSON	62sqm	9	-
	I	OPEN MARKET SALE	2 BED 4 PERSON	60sqm	-	9
	J	AFFORDABLE	1 BED 2 PERSON	53sqm	9	-
					40	86



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Project
BRAUNTON CRESCENT &
CLEVEDON ROAD

Client
WATES LIVING
HOMES

Date
MAY '16

Scale
NTS

Drawing Title
CLEVEDON SHARED
SURFACE

Drawing No.
3510_PA_402

Rev.
A

Do not scale. All dimensions are in millimetres unless stated otherwise

COMMITTEE DATE: 28/09/2016

APPLICATION No. **16/01260/MJR** APPLICATION DATE: 24/05/2016

ED: **TROWBRIDGE**

APP: TYPE: Full Planning Permission

APPLICANT: Wates Living Space

LOCATION: WEST OF WILLOWBROOK DRIVE AND THE SOUTH OF CRICKHOWELL ROAD, CARDIFF

PROPOSAL: DEVELOPMENT OF 192 DWELLINGS TO THE WEST OF WILLOWBROOK DRIVE AND THE SOUTH OF CRICKHOWELL ROAD, ON THE SITE REFERRED TO AS WILLOWBROOK WEST. PROPOSAL INCLUDE 58 AFFORDABLE UNITS (COMPRISED OF 33 APARTMENTS) AND 25 HOUSES) , ASSOCIATED LANDSCAPING, PUBLIC AMENITY SPACES, A WETLAND AREA, SUSTAINABLE URBAN DRAINAGE, ACCESS AND HIGHWAY WORKS

RECOMMENDATION 1 : That, subject to relevant parties entering into a binding legal agreement with the Council under the provisions of **SECTION 106** of the Town and Country Planning Act 1990, within 6 months of the date of this Resolution unless otherwise agreed by the Council in writing, in respect of matters detailed in Section 9 of this report, planning permission be **GRANTED** subject to the following conditions:

1. C01 Statutory Time Limit
2. The consent relates to the following approved plans and documents attached to and forming part of this planning application:

Plans:

3512_PA_001	Site Location Plan
3512_PA_003	Proposed site plan (Rev.D)
CAM-GAC-320 to 24, Proposed Levels, Sheet 1-5 Rev. P2	
3512_PA_100	House type F1, General Arrangement and Elevations
3512_PA_101	House type F2, General Arrangement and Elevations
3512_PA_102	House type H1, General Arrangement and Elevations
3512_PA_103	House type H2, General Arrangement and Elevations
3512_PA_104	House type H3, General Arrangement and Elevations
3512_PA_105	House type 11, General Arrangement and

Elevations

3512_PA_106	House type 12, General Arrangement and Elevations
3512_PA_107	House type C, General Arrangement and Elevations
3512_PA_108	House type D1, General Arrangement and Elevations
3512_PA_109	House type D2, General Arrangement and Elevations
3512_PA_110	House type K1, General Arrangement and Elevations, Rev.A
3512_PA_111	House type K2, General Arrangement and Elevations, Rev A
3512_PA_120	Apartment Block A, OMS General Arrangements
3512_PA_121	Apartment Block B, OMS General Arrangements
3512_PA_122	Apartment Block C-AFF, General Arrangements, Rev.A
3512_PA_123	Apartment Block D-AFF, General Arrangements, Rev.A
3512_PA_124	Apartment Block E- OMS General Arrangements
3512_PA_125	Apartment Block F- OMS General Arrangements
3512_PA_126	Apartment Block G-AFF, General Arrangements, Rev.A
3512_PA_127	Apartment Block H-AFF, General Arrangements, Rev.A
3512_PA_128	Apartment Block A, OMS Elevations
3512_PA_129	Apartment Block B, OMS Elevations
3512_PA_130	Apartment Block C –AFF Elevations
3512_PA_131	Apartment Block D-AFF, Elevations, Rev.A
3512_PA_132	Apartment Block E OMS, Elevations
3512_PA_133	Apartment Block F OMS, Elevations
3512_PA_134	Apartment Block G-AFF, Elevations, Rev.A
3512_PA_135	Apartment Block H-AFF, Elevations, Rev.A
3512_PA_200	Street Elevation (Rev. A)
3512_PA_201	Street Elevation (Rev. A)
16-21-PL-201-09	Landscape Planting Plan, Rev. B
16_21-PL-210	Tree Planting Strategy Rev. C
16-21-PL-212	SUDS Wetland Area Planting Plan, Rev. A
CAM-GAC-302 to 06,	Sheets 1 to 5 (Rev. P4)
TDA.2113.04Tree	Protection Drawing, May 2016, (inc. protection measures)

Documents:

CC1583/100/REP01/B Flood Consequence Assessment and Drainage Strategy
Arboricultural Method Statement, May 2016, updated July 2016

Arboricultural Impact Assessment, May 2016
Soil Resource Survey and Soil Resource Plan (July 2016, Rev.01).
Reason: For the avoidance of doubt.

3. Prior to commencement of development, a detailed Construction Management Plan and associated method statements shall be submitted to and approved in writing by the Local Planning authority. This shall accord with the approved plans and shall include, but not be limited to:
- (a) Details of traffic management measures during construction; convenient pedestrian, cycle and vehicular access; traffic construction routes, details of parking of vehicles for contractors; site operatives and visitors;
 - (b) Details of how access to the public rights of way will either be retained or temporarily closed with alternative provision during construction;
 - (c) Details of: site hoardings; site access; storage of plant and materials used in constructing the development; wheel washing facilities; measures to control the emission of dust and dirt during construction; A scheme for recycling/disposing of waste resulting from construction works;
 - (d) Details of the drainage scheme construction, detailing adequate methods of working near watercourses, how surface water and land drainage run off will be dealt with to prevent: contamination, nuisance, subsidence or flooding to land, buildings, watercourses or highways during the construction period;
 - (e) A Green Infrastructure Construction Protection Plan detailing: measures for the protection of the: ecological (wildlife and habitats), arboriculture, landscape, soil, public open space, reens and SUDS during construction, including elements for retention and elements being created as part of the application. This shall accord with the approved Arboricultural Impact Assessment; Arboricultural Method Statement; Tree Protection Drawing; the Soil Resource Survey and Soil Resource Plan, and shall include but not be limited to:
 - I. A plan showing protection zones;
 - II. Details of development and construction methods within the protection zones and measures to be taken to minimise the impact of any works;
 - III. Habitat management provisions to avoid harm to amphibians during construction;
 - IV. A light mitigation strategy, including measures to reduce light spillage from construction onto foraging habitats and commuting corridors for bats.
 - (f) List of on-site contacts and their responsibilities.

The developer shall not permit any areas of the open space or green infrastructure that forms part of the approved plans to be used as a

builder's compound for temporary buildings, storage area, parking area or access road during the construction of the development. Any subsequent amendments to the approved Construction Management Plan and associated method statements shall be agreed in writing with the Local Planning Authority. The approved Construction Management Plan and associated method statements are to be implemented and complied with throughout the construction period as agreed.

Reason: In the interests of highway safety and public amenity, to prevent damage to drainage and soil structure, and to safeguard the special interest of the Gwent Levels - Rumney and Peterstone SSSI prevent pollution of watercourses.

4. 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.

5. 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.

6. 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.

7. Any site won material including soils, aggregates, recycled materials shall be assessed for chemical or other potential contaminants in accordance with a sampling scheme which shall be submitted to and approved in writing by the Local Planning Authority in advance of the reuse of site won materials. Only material which meets site specific target values approved by the Local Planning Authority shall be reused.
Reason: To ensure that the safety of future occupiers is not prejudiced in accordance with policy EN13 of the Cardiff Local Development Plan.

8. **LANDSCAPING AND GREEN INFRASTRUCTURE DESIGN AND IMPLEMENTATION PROGRAMME**

1. No development shall commence until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning authority. These details shall include:
 - a) Existing natural and man-made features, including vegetation, structures and foundations, to be identified as removed or retained and protected;
 - b) Existing and proposed services above and below ground, with associated easements and wayleaves;
 - c) Existing and proposed finished levels and contours of open space, green infrastructure and hard landscaping, in relation to ground levels and floor levels of adjacent buildings, highways and existing public open space, with section drawings;
 - d) Details of ground preparation in accordance with the Soil Resource Plan to achieve free draining open space and mechanisms for draining excess water from open space;
 - e) Details of planting and other soft landscape, scaled tree pit sections and plan drawings, scaled planting plans containing schedules, planting distances / densities and

- numbers; planting and aftercare methodology, layout and construction details of hard surfacing including footpaths and car parking;
- f) Details of site furniture and other any other landscape structures including seats, picnic benches, litter bins and signs;
 - g) A strategy for pruning the northerly PROW entrance, north of the red line boundary, to aid pedestrian access;
 - h) Topsoil and subsoil specification.
 - i) Planting methodology and 5 year post-planting aftercare methodology for any un-adopted public areas.
 - j) Landscaping and green infrastructure phasing plans and implementation programme.
 - k) Management and Maintenance Schedules for the ecological, arboricultural, landscape, soil, open space and SUDS resource other than privately owned, domestic gardens (including 50+ year management plans for substantial arboricultural features such as woodlands, hedgerows, ecotones, trees in hard landscape and all other significant soft landscape features) detailing how they will continue to provide benefits throughout the lifetime of the development.

The details shall be consistent with the other plans submitted in support of the application and the landscaping shall be carried out in accordance with the approved design and implementation programme.

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

9. No development shall take place that does not accord with the approved Arboricultural Method Statement and Tree Protection Plan unless otherwise approved in writing by the LPA.

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.

10. Any newly planted trees, plants or hedgerows in non-adopted public areas, 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 in the first available planting season and to the specification shown on approved plans and in supporting documents, unless the LPA gives written consent to any variation.

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

11. Unless otherwise agreed in writing with the LPA, no development shall take place that does not accord with the approved Soil Resource Plan, including the monitoring of soil stripping and storage, subsoil preparation, topsoil preparation and placement, tree pit construction, and topsoil amelioration by a qualified soil scientist, and including the production of auditable site monitoring reports to be made available to the LPA on completion of each stage.
Reason: To ensure that soil resources are re-used sustainably and to maximise their functionality in supporting the approved soft landscaping.

12. Prior to commencement of development, an Ecological Mitigation Strategy shall be submitted to and approved in writing by the Local Planning authority. This shall accord with the approved plans and shall include:

- l) A description of existing ecosystems on the site and how mitigation measures will be utilised to reduce the impact on these ecosystems;
- Details of precautionary measures to mitigate potential impacts upon roosting bats that may be discovered during tree-felling, such that these measures would be compatible with a subsequent successful EPS licence application;
 - Details of measures to create and enhance habitat for wild birds, and to avoid harm to birds nests which are in use or being built;
 - Details of measures to create and enhance habitat for bat nesting and roosting habitats;
 - Habitat management provisions to ensure the ongoing viability of the translocated slow worm and possible grass snake population;
 - Details of measures to incorporate amphibian-friendly features into development to minimise the risk of amphibians being trapped in gully pots as they migrate to and from the wetland feature;

Reason: To compensate for any loss of foraging habitat for birds and bats. To ensure compliance with the Regulation 6 duty under the Environment (Wales) Act 2016 to seek to maintain and enhance biodiversity and in doing so to promote the resilience of ecosystems.

The appropriate ratios set out for habitat management levels can be found in the TCPA's 'Biodiversity Positive: Eco-towns Biodiversity Worksheet 2009', and in the Bat Conservation Trust's 'Biodiversity for Low and Zero Carbon Buildings: A Technical Guide for New Build 2010'.

13. The scheme shall be implemented in accordance with the recommendations in the Landscape and Ecology section, pages 30 to 36, of the submitted Design & Access Statement prepared by Pentan Architects, dated May 2016, and sections 9.6 to 9.10 of the *Report*

Following a Survey for Reptiles and Bats prepared by Just Mammals Consultancy, dated October 2014.

Reason: To ensure the implementation of ecological mitigation for European Protected Species.

14. A detailed lighting plan, focussing particularly on minimising lighting impacts, maintaining dark corridors and flight lines, to be submitted to the Local Planning Authority for approval.

Reason: To ensure the implementation of ecological mitigation for European Protected Species.

15. No clearance of trees, bushes or shrubs to take place between 1st February 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.

16. Prior to the commencement of the development, a detailed drainage strategy for the management and disposal of foul and surface water during the construction and operation phases of the development shall be submitted to and approved in writing by the Local Planning Authority. Any subsequent amendments to the detailed drainage strategy shall be agreed in writing with the Local Planning Authority. The approved detailed drainage strategy is to be implemented as agreed and shall be managed and maintained thereafter in accordance with the management and maintenance plan to be agreed in writing with the local authority.

The foul and surface water detailed drainage strategy shall follow the principles set out on the approved drawings and shall include measures to ensure only water of appropriate quality and quantity is discharged from the site.

Only foul water from the development site shall be allowed to discharge to the public sewerage system and this discharge shall be made at or downstream of manhole reference number ST23804204.

Reason: To ensure the efficient operation of the sustainable drainage feature and to safeguard the special interest of the Gwent Levels - Rumney and Peterstone SSSI and prevent pollution of watercourses.

17. Prior to the commencement of development, an assessment should be provided to demonstrate that:
- a) Existing flows to the watercourses crossing the site will be replicated or not exceeded;
 - b) The culverted watercourse that connects the proposed new

attenuation pond to the Hendre Reen watercourse, has sufficient capacity to accommodate the attenuated flows from the site.

Reason: To ensure that the proposed development does not cause or exacerbate any adverse condition on the development site, adjoining properties and environment with respect to flood risk.

18. Prior to the occupation of any dwellings, the existing culverted water course that connects the proposed new attenuation pond to the Hendre Reen must be fully repaired in accordance with details to be approved in writing by the Local Authority.
Reason: To ensure that the proposed development does not cause or exacerbate any adverse condition on the development site, adjoining properties and environment with respect to flood risk.
19. No development shall commence until the performance of the proposed surface water sewerage has been assessed in relation to the impact of a 1 in 100 year return period storm and a climate change allowance of +30%. Locations of flooding from the proposed surface water sewerage, along with their flood flow routes and proposed method of on-site management are to be submitted to and approved by the Local Planning Authority. These details shall indicate how the development is to comply with the requirements of Section 8.3 of TAN15.
Reason: To ensure that the impact of storms in excess of the required design return period do not cause or exacerbate any adverse condition on the development site, or the wider community.
20. No development shall take place until the applicant, or their agents or successors in title, has secured agreement for a written scheme of historic environment mitigation which has been submitted by the applicant and approved by the local planning authority. Thereafter, the programme of work will be fully carried out in accordance with the requirements and standards of the written scheme.
Reason: To identify and record any features of archaeological interest discovered during the works, in order to mitigate the impact of the works on the archaeological resource.
21. No development shall take place until detailed plans showing the position and form of construction of all roads and footpaths within the site and the method of disposal of all surface water drainage therefrom have been submitted to and approved in writing by the Local Planning Authority.
Reason: To ensure an orderly form of development and to make provision for the satisfactory access to the development by future occupants.
22. No dwelling shall be occupied until that part of the road and footpath which provides access to it and all surface water drainage works for the said road shall have been laid out, constructed and completed (except for the final surfacing) in accordance with the approved plans and details.

Reason: To ensure an orderly form of development and to make provision for satisfactory access to the development for future occupiers.

23. No development shall take place until details of the junction between the proposed access road and the highway to include measures to reduce excessive vehicle speeds on Willowbrook Drive and allow pedestrians to cross safely have been submitted to and approved in writing by the Local Planning Authority. Those details shall be implemented prior to the development being put into beneficial use.

Reason: To ensure that the use of the proposed development does not interfere with the safety and free flow of traffic passing along the highway abutting the site.

24. The car parking spaces for each dwelling as shown on the approved plans shall be provided prior to the occupation of that dwelling and thereafter shall be maintained and shall not be used for any purpose other than the parking of vehicles.

Reason : To ensure that the use of the proposed development does not interfere with the safety and free flow of traffic passing the site.

25. Prior to commencement of superstructure, a comprehensive sample panel of external finishing materials shall be submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the finished appearance of the development is in keeping with the area.

RECOMMENDATION 2 : WASTE MANAGEMENT

Refer to detailed comments from officer dated 7th June 2016 with regards to size of bins, access, types of surfaces, dropped kerbs, types of waste provision, lighting, ventilation, storage containers for houses and apartment blocks etc to meet the Waste Collection and Storage Facilities Supplementary Planning Guidance.

Bulk containers must be provided by the developer/other appropriate agent, to the Councils' specification (steel containers are required where capacity exceeds 240 litres) as determined by S46 of the Environment Protection Act 1990 and can be purchased directly from the Council. Please contact the Waste Management's commercial department for further information on 02920 717504.

RECOMMENDATION 3 : WELSH WATER

Refer to Advisory Notes on letter from Welsh Water dated 22.6.16, with regards to water supply and sewerage connections.

RECOMMENDATION 4 : NRW

Note all recommendations in letter from NRW dated 16 August 2016. Please note the document entitled Conditions for Development near water mains, PLA0020484, dated 21st June 2016.

- A Construction Management Plan and Associated method statements is

recommended to include the following:

- Adequate methods of working near watercourses, including buffer requirements, installation of silt/terram fencing, PPG5 requirements;
- Adequate mitigation measures to prevent silt running off-site and into any nearby watercourses;
- Adequate measures to separate clean water from contaminated water on site to ensure only clean surface water drains into any nearby watercourses;
- Appropriate use of interceptors;
- Requirement to import only clean, inert materials onto site for ground works;
- Requirement that any materials removed from site will have to have the necessary waste transfer notes;
- Procedures to be followed in the event of a pollution incident, including contacting NRW incident hotline (0800 807060).

RECOMMENDATION 5 : NOISE

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 6 : HIGHWAYS

Extinguishment of highway

The proposed development will require the extinguishment as public highway of various sections of existing adopted highway. The applicant will need to apply for extinguishment via the Welsh Government under Sections 247/248 of the Town & Country Planning Act 1990.

Given that the Council is the joint developer in this instance formal legal agreements under Sections 38 and 278 of the Highways Act 1980 will not be entered into. The associated technical approval procedures will still be required and will have to be concluded to order to discharge relevant conditions. The approval of the Operational Manager, Infrastructure & Operations will need to be secured prior to undertaking any works within the adopted public highway.

RECOMMENDATION 7 : GGAT

We envisage that this programme of work would take the form of a watching brief during the groundworks, including geotechnical work, required for the development, with detailed contingency arrangements including the provision of sufficient time and resources to ensure that any archaeological features or finds that are located are properly investigated and recorded; it should include provision for any sampling that may prove necessary, post-excavation recording and assessment and reporting and possible publication of the results.

The archaeological work must be undertaken to the appropriate Standard and Guidance set by Chartered Institute for Archaeologists (CIfA), (www.archaeologists.net/codes/ifa) and it is recommended that it is carried out either by a CIfA Registered Organisation (www.archaeologists.net/ro) or an accredited Member.

RECOMMENDATION 8 : FIRE SERVICE

The developer should consider the need for the provision of: a) adequate water supplies on the site for firefighting purposes (in discussion with Welsh Water; and b) access for emergency firefighting appliances. Refer to detail in letter dated 3.6.16.

RECOMMENDATION 9 : PROW

The Landowner/Developer is required to apply for Diversion Legal Orders once planning consent has been granted. A phased approach will need to be outlined in order to retain the existing highway until the legal orders are confirmed.

The granting of planning permission does not give a developer any right to interfere with, obstruct or move a public right of way (para. 3.12 Public Rights of Way SPG)

Temporary Diversions/Stopping up orders can be applied for, to Cardiff Council, to allow works to be undertaken or prevent a danger to the public. This restriction is only temporary and the route must be reopened. These orders cannot be used in lieu of a permanent order and again the developer will be expected to pay the costs of producing and implementing the order (para.3.17).

RECOMMENDATION 10 : CONTAMINATION AND UNSTABLE LAND ADVISORY NOTICE (R4)

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

- (i) determining the extent and effects of such constraints;
- (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.

1. **DESCRIPTION OF PROPOSED DEVELOPMENT**

- 1.1 The application is amongst the first of several forthcoming applications within Phase 1 of the Council's Housing Partnership Programme (HPP) with Wates Living Space Homes. The aim of the HPP is to build around 1500 sustainable, high quality homes across 40 Council owned sites within Cardiff. Overall, the programme will deliver 40% affordable homes across the portfolio of sites with the remaining dwellings being open market sale.
- 1.2 This application seeks full planning permission for 192 residential dwellings (including 58 affordable units, 30%), a central green space and a wetland area, new access roads and a number of new pedestrian links.
- 1.3 The 58 affordable units comprise of 18no. one-bedroom apartments, 15no. 2-bed flats, 14no. 2-bed houses, and 11no. 3-bed houses. There are a further 135 units for open market sale which comprise of 9no. one-bed apartments, 21no. two-bed apartments, 17no. 2-bed houses, 61no. 3-bed houses and 27no. 4-bed houses. The houses are predominantly 2-storey with some 3-storey elements around the central open space and for the apartment blocks.
- 1.4 The affordable units are designed to DQR, Welsh Housing Quality Standards and Lifetime Homes including specific RNIB specifications. All street and house designs are inclusive and meet the Equalities Act 2010, as outlined in the Design and Access Statement.
- 1.5 The houses utilise two-tones of a high quality buff brick with bespoke architectural striped patterns to the ground floor in combination with a variety of architecture in terms of roof and form, elevational depth and different fenestrations. All the buildings and apartments have pitched roofs.
- 1.6 Two on-plot parking spaces are included for each house. Each apartment has access to a single car parking space. The remaining on-street and parking bay spaces are located throughout the development including visitor parking.
- 1.7 The new residential streets within the re-line boundary include mainly roads with pavements with a mixture of tarmac and block paved areas and one homezone street concept in accordance with Manual for Streets. The homezone concept streets seek to change the way streets operate by reducing

the dominance of vehicles and encouraging drivers to behave more accommodatingly towards pedestrians. The design includes meandering routes, narrowing of shared surface widths, dedicated vehicle passing places, planting beds, trees and changes in surface and colour material.

- 1.8 Several mature trees are retained to form public open spaces and green infrastructure corridors. Some trees are lost to accommodate development and this loss has been mitigated. There is an extensive planting plan for the site that includes a range of small, medium and large tree planting. Tree planting is located in front gardens, homezone concept streets, and within the wetland area.

2. **DESCRIPTION OF SITE**

- 2.1 Willowbrook West is in Trowbridge, close to St Mellons, a residential area on the eastern side of Cardiff. The site is to the west of Willowbrook Drive, a circular road linking between Trowbridge and St Mellons which has a short link to Newport Road.
- 2.2 The site measures approximately 5.48 hectares, it is generally level and gently slopes from north to south (with levels varying from 15m AOD in the north to 10m AOD in the south) and is irregular in shape.
- 2.3 The site is bound to the north by Crickhowell Road, to the east by Willowbrook Drive, to the west by Trebanog Crescent and to the south by dwellings at the end of the cul-de-sacs of Treborth Road, Trecinon Road and Ffordd Daniel Lewis.
- 2.4 The site is mainly unused and comprises areas of fields, hedgerows, trees and scrub vegetation, with public rights of way and a number of watercourses running through the site.
- 2.5 Several trees are subject to Tree Protection Orders. An adopted lane runs through the site (known as 'lane running from Tresigin Road/Wern Gethin Lane), although it is overgrown and appears to be unutilised.
- 2.6 There are a number of local facilities within a 10-minute walk of the site, including schools, playing fields, supermarket, shops and parks. There are bus stops close to the site from which buses travel to the city centre.

3. **SITE HISTORY**

- 3.1 10/01246/E – Permission granted for residential development (granted 8.9.10 with a 5 year expiry).
- 3.2 04/02620/E – Permission granted for residential development (granted 20.3.06 with a 5 year expiry).

4. **POLICY FRAMEWORK**

4.1 **NATIONAL PLANNING POLICY**

Planning Policy Wales (PPW) sets out the land use policies of the Welsh Government and is supplemented with Technical Advice Notes (TANs) and Circulars.

4.2 **Planning Policy Wales** (Edition 8, January 2016)

Section 1.2 explains that the purpose of the planning system is to manage the development and use of land in the public interest, contributing to the achievement of sustainable development. It notes that the planning system should reconcile the needs of development and conservation, securing economy, efficiency and amenity in the use of land, and protecting natural resources and the historic environment. It recognises that a well-functioning planning system is fundamental for sustainable development.

4.3 PPW has been updated, amongst other things, to take into account the Well-being of Future Generations (Wales) Act 2015, and now includes information on the provisions of the Act, including the seven well-being goals (Fig. 4.1) designed to help ensure that public bodies are all working towards the same vision of a sustainable Wales and the sustainable development principle. This principle requires a defined public body 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.

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

4.5 Paragraph 4.4.3 sets out objectives to contribute to the Well-being of Future Generations Act goals which reflect the Welsh Government's vision for sustainable development and should be considered when determining planning applications.

4.6 **Technical Advice Notes (TANs) and Circulars**

Key TANs and Circulars include:

TAN 1: Joint Housing Land Availability Studies (2015):

TAN 2: Planning and Affordable Housing (2006)

TAN5: Nature Conservation and Planning (2009)

TAN 11: Noise (1997)

TAN 12: Design (2016)

TAN 15: Development and Flood Risk (2004)

TAN 16: Sport, Recreation and Open Space (2009)

TAN 18: Transport (2007)

TAN 21: Waste (2014)

Circular 13/97 'Planning Obligations'

Circular 60/96 'Planning and the Historic Environment: Archaeology'

Circular 61/96 'Planning and the Historic Environment: Historic Buildings'

Circular NAW 20/01 'Planning Controls for Hazardous Substances'
Circular WGC 016/2014 'The Use of Planning Conditions for Development Management'

4.7 Other Guidance

Manual for Streets (2007)

Practice Guidance: Planning for Sustainable Buildings (2014)

4.8 LOCAL PLANNING POLICY

Cardiff Local Development Plan, 2006-2016 (Examination version, adopted January 2016)

4.9 Key policies:

KP1: LEVEL OF GROWTH

KP5: GOOD QUALITY AND SUSTAINABLE DESIGN

KP6: NEW INFRASTRUCTURE

KP7: PLANNING OBLIGATIONS

KP8: SUSTAINABLE TRANSPORT

KP12: WASTE

KP13: RESPONDING TO EVIDENCED SOCIAL NEEDS KP14: HEALTHY LIVING

KP14: HEALTHY LIVING (if Sue comments)

KP15: CLIMATE CHANGE

KP16: GREEN INFRASTRUCTURE

KP18: NATURAL RESOURCES

4.10 Detailed Policies:

H3: AFFORDABLE HOUSING

EN5: DESIGNATED SITES

EN6: ECOLOGICAL NETWORKS AND FEATURES OF IMPORTANCE FOR BIODIVERSITY

EN7: PRIORITY HABITATS AND SPECIES

EN8: TREES, WOODLANDS AND HEDGEROWS

EN9: CONSERVATION OF THE HISTORIC ENVIRONMENT

EN10: WATER SENSITIVE DESIGN

EN11: PROTECTION OF WATER RESOURCES

EN13: AIR, NOISE, LIGHT POLLUTION AND LAND CONTAMINATION

EN14: FLOOD RISK

KP16 GREEN INFRASTRUCTURE

T1: WALKING AND CYCLING

T5: MANAGING TRANSPORT IMPACTS

T6: IMPACT ON TRANSPORT NETWORKS AND SERVICES

C3: COMMUNITY SAFETY/ CREATING SAFE ENVIRONMENTS

C4: PROTECTION OF OPEN SPACE

C5: PROVISION FOR OPEN SPACE, OUTDOOR RECREATION, CHILDREN'S PLAY AND SPORT

C6 HEALTH

C7: PLANNING FOR SCHOOLS

W2: PROVISION FOR WASTE MANAGEMENT FACILITIES IN DEVELOPMENT

The application site falls within Cardiff's settlement boundary, as identified on the adopted Cardiff LDP Proposals Map.

4.11 **Supplementary Planning Guidance**

Access, Circulation and Parking Standards (2010)
Affordable Housing (2007)
Cardiff Residential Design Guide (2008)
Trees and Development (2007)
Waste Collection and Storage Facilities (2007)
Biodiversity: Part 1 and 2 (2006)
Community Facilities and Residential Development (2007)
Open Space (2008)
5/93: Public Rights of Way
Archaeologically Sensitive Areas (2006)
Developer Contributions for School Facilities (2007)
Developer Contributions for Transport (2010)

4.12 **OTHER GUIDANCE**

Liveable Design Guide (2015)

5. **INTERNAL CONSULTEE RESPONSES**

5.1 **Affordable Housing**

The Housing Strategy Officer provided the following comments :

In terms of the affordable housing, the proposal is for 58 affordable homes (30%), to be owned by Cardiff Council for social rented accommodation. The mix of the units is 18 x 1 bed flats, 15 x 2 bed flats, 14 x 2 bed houses, 11 x 3 bed houses.

This proposal meets the planning policy requirements of 30% on greenfield sites, and we are fully supportive of this affordable housing scheme.

A proportion of the affordable housing units on the site may be sold by the Council to 1st time buyers as low cost shared equity housing. The low cost shared equity housing units may be offered for sale at a percentage of the Open Market Value, with the residual equity held by the Council. The exact quantum and percentage equity share purchase price is yet to be determined.

5.2 **Highways**

5.2.1 The Highways Officer provided the following comments:

Original plans:

The Transport Assessment from Cambria demonstrates that the proposed

development will generate a total of 800 daily vehicle movements – 91 and 72 during the morning and evening peak hours respectively – which can be adequately accommodated by the existing highway network. However, apart from making reference to existing pedestrian facilities in the vicinity i.e. footway links to existing underpasses located some 150 metres to the north and south of the development, it doesn't address how safe access/egress to/from the site by both vehicles, cycles and pedestrians will be achieved, mindful in particular of highway vehicle speeds on Willowbrook Drive which it identifies. The 85 percentile speeds on Willowbrook are shown to be up to 40mph which is not conducive to safe access by these various modes of travel.

In this respect the supporting Stage 1 Safety Audit from The Safety Forum identifies (3.1) that a pedestrian desire line across Willowbrook Drive is likely to be created as a consequence of the development which the remoteness of the aforementioned underpasses would not meet, and the Audit recommends the creation of a suitable crossing facility on Willowbrook Drive. Though the Designer's Response is that no such desire line is anticipated and so no provision is included in the application for this. However, mindful also of the aforementioned issue of high vehicle speeds, I don't consider that is adequate and that positive proposals are required.

The principle roads within the development, though of straight alignment, contain raised tables at most junctions which should serve to adequately restrict vehicle speeds – and it appears that a variety of contrasting construction materials are to be used which will help further in this respect.

There are existing Public Rights of Way crossing the site which would need to be either retained or legally diverted (in particular the one in the vicinity of unit 193 which links to Trecinin Road. There is also an existing adopted highway (Wern Gethin Lane) crossing the site – though it's little-used and its route will be adequately retained by means of diversion through the proposed development – though notwithstanding that it will need to be formally extinguished via the WAG under Section 247 of the T&CP Act – and a second recommendation to this effect is advisable.

Amended plans: Further to my original comments I (Highways Officer) note that revised drawings have now been received and I'm pleased to note that my principle areas of concern have now been addressed – namely the Designer's Response to Item 3.1 raised in the Safety Audit now confirms that a controlled pedestrian crossing will be provided on Willowbrook Drive, and additional speed reducing features have been introduced on the long 'shared surface' element of the works on the eastern side of the site. Though the latter issue wasn't raised in the Safety Audit I consider that the length and alignment of the shared surface section make such additional features necessary.

Though there are a number of matters of detail which require further consideration these can be addressed during the course of the technical approval procedure which will be a pre-requisite to the future adoption of the roads, and on that basis the submitted plans are generally satisfactory of granting planning consent – with the exception of the following;

I have safety concerns with regards to the shared surface element in the vicinity of unit 159 where the 90 degree bend in the horizontal alignment would severely restrict inter-visibility between vehicles and pedestrians, and I don't accept the designer's view that the lack of forward visibility will in itself ensure such low vehicle speeds that this issue will be addressed. I would therefore require that part of the frontage of unit 159 be utilised to introduce a feature that will segregate pedestrians and provide them with protection from approaching vehicles.

I would also require that an improved turning facility be provided in the vicinity of unit 116 for use by home delivery vehicles – in order to enable such vehicles to exit via the main access road rather than diverting through the shared surface road. A similar facility in the vicinity of units 91-99 would also be useful if it can be achieved – though I'm not sure that it would be?

Subject to these revisions I am satisfied that the proposed layout arrangements are generally satisfactory – subject to conditions relating to the submission for approval of full engineering details of the roads, provision of road prior to occupation of dwellings, details of junction and parking.

A further condition is required with respect to the proposed zebra crossing on Willowbrook Drive.

I understand that under the terms of the joint agreement that, as the Council is the developer, the zebra crossing works would not be subject to a formal Section 278/38 agreement. However, for clarity I would request a second recommendation advising the applicant that the consent of the Operational Manager, Street Operations is required prior to the carrying out of any associated works within the adopted public highway.

The proposed development will need the extinguishment as public highway of various sections of existing adopted highway, and I would therefore suggest a further recommendation advising the applicant of the need to secure their extinguishment via the WAG under Sections 247/248 of the Town & Country Planning Act 1990.

5.2.2 Further comments

The Highways Officer has agreed that a S106 contribution will be sought. The works for a zebra crossing (or equivalent measures) will be carried out by the Council.

5.3 **Public Rights Of Way (PROW)**

The PROW Officer provided the following comments :

- 5.3.1 This site is part of a wider green infrastructure in St Mellons which is limited in the area therefore accessible routes for recreation need to be considered. There is highway maintainable at public expense across the development site which will be greatly affected by the construction of houses:

- PROW Footpath St Mellons 10: From Trecinon Road to the adopted highway (currently overgrown)
- PROW Footpath St Mellons 12: From back gardens of Trebanog Crescent across field to intersect with St Mellons 10
- Adopted Highway: This is an extension of Wern Gethin Lane which is now overgrown but will need to be retained and a Diversion required if not kept in the same alignment. This provides a strategic link across the site for the local community and onto the wider network of paths.

All of the above will require Diversion Legal Orders to realign the highways within the new design of the development. The Public Right of Way footpaths will need to be equally commodious on their new alignment and consider access for all.

5.4 Trees

The Tree Officer provided the following comments :

- 5.4.1 Original plans: I [Tree Officer] have no adverse observations regarding the proposed tree planting which mitigates the proposed losses in numerical terms and in terms of appropriateness in the context of the proposed layout.

Whilst nominal provision is made for the retention of a significant percentage of 'A' and 'B' category trees, scrutinising the levels plans it appears that most, if not all of these trees are likely to be compromised by changes in levels. It is absolutely critical that there are no level changes within Root Protection Areas (RPAs), except where the project arboriculturist can demonstrate satisfactorily, that roots will not, or are highly unlikely to have developed within the area in question (for example, in some cases where trees are on embanked soil, roots may not have developed extensively into soils at lower levels, particularly if they are poorly drained).

Even if it can be shown that the trees shown for retention can be protected from unacceptable harm, I have concerns about their relationship with the proposed development as follows: Oak 1 in G1 is likely to over-dominate plots 23-24; the retained hazel, field maple and hawthorn in G10 are likely to be perceived as taking up usable garden space in plot 35 and will be vulnerable to removal as a consequence; the ash and oak in the open space comprising retained elements of G3 and G4 fronting plots 38-43 may encourage lurking space/anti-social behaviour; the oaks in G7 are likely to over-dominate plots 105-108; the three ash comprising G9 are likely to over-dominate plots 119 and 136; the off-site oak T43 is likely to over-dominate plot 175 and the oaks in G8 are likely to over-dominate plots 184 and 185.

Amended plans: There is in some cases conflict between new tree planting and proposed drainage infrastructure – I [Tree Officer] point in particular to the trees fronting plots 163-164, 167-168, 169-170, 171-172 and 174-175. I seek amendments to remove this conflict. I am not of the view that landscaping and scaffolding within Construction Exclusion Zones (CEZ) are matters that should fall outside of the control of an Arboricultural Method Statement (AMS) and

Tree Protection Plan (TPP). As such, I would like to see amendment to the AMS, TPP and planting plans to include precautionary measures during landscaping including: -

I am not of the view that landscaping and scaffolding within Construction Exclusion Zones (CEZ) are matters that should fall outside of the control of an Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP). As such, I would like to see amendment to the AMS, TPP and planting plans to include precautionary measures during landscaping.

5.5 Drainage

The Drainage Officer's comments are summarised as follows :

- 5.5.1 The applicant has proposed to discharge storm/surface water drainage to watercourse via a sustainable drainage system. It is evident that the attenuation feature will be constructed upon the existing ordinary watercourse in the south of the site and Ordinary Watercourse Consent will need to be obtained from the City of Cardiff Council with respect to this structure.
- 5.5.2 There is likely to be further constraints with regards to how the drainage is achieved and this may have an effect on the sizing of the attenuation facility.
- 5.5.3 The details of the sustainable drainage will need to be agreed through conditions.

5.6 Green Infrastructure including Ecology

- 5.6.1 Original plans: The ecology officer requested further information with regards to additional bat roost survey on trees to be felled. The officer welcomed the bat flight surveys and recommendation in 9.6 that '*Measures for the development design must be put in place to minimise the disturbance of flight lines and foraging by retaining linking habitat corridors.*'
- 5.6.2 The final layout of the development will have to incorporate a lighting scheme which avoids light spillage onto habitats such as woodlands and hedgerows, as this may disturb some nocturnal species. A lighting scheme is sought to be secured by condition.
- 5.6.3 The ecology officer was generally satisfied with the dormice survey.
- 5.6.4 The officer was generally satisfied with the reptile surveys and in particular that appropriate refugium material and sizes of refugia were used, along with an appropriate refugium density and bedding-in time. The officer emphasised that any mitigation measures should take account of the likelihood that both Grass Snake and Slow-worm occur at this site. A mitigation strategy for translocating reptiles was sought.
- 5.6.5 The ecology officer accepted that badgers are likely to be absent from the site.

- 5.6.6 A number of conditions relating to bird habitats have been requested to meet the Council's duty in relation to wild birds following the 2012 amendment to the Habitats Regulations.
- 5.6.7 The ecology officer was satisfied that Great Crested Newts are likely to be absent. Further guidance was given on suitable conditions to guide the protection of amphibians in general.
- 5.6.8 The officer promoted the inclusion of wildflowers on the landscaping to allow for cut and lift machinery to allow for maintenance.
- 5.6.9 Amended Plans: The ecology officer's comments representing Green Infrastructure were as follows:

I [ecology officer] welcome the proposal to strengthen the green infrastructure corridor along the western boundary of the site. Details of how this will be achieved should be set out in a Green Infrastructure Mitigation Strategy. I am concerned that the amended Proposed Site Plan suggests that the north-eastern green infrastructure corridor, along Willowbrook Drive, will be narrowed still further. For the avoidance of doubt, I see this as a critical element of the green infrastructure on the site, allowing at least some ecological connectivity to be retained between the open space and woodland to the north and the connections to habitats in the south. This view accords with the original DAS on page 16.

- 5.6.10 The GI Group was satisfied with the proposal to retain this corridor, as suggested by the original Proposed Site Plan, and so did not comment on this aspect in detail, but if there is any suggestion that it will be weakened, then this would be a concern for us. The Tree Planting Strategy (16-21-PL-210 Rev B), the original Proposed Site Plan (3512_PA_003), and the amended Proposed Site Plan (3512_PA_003 Rev B), all show differing arrangements of planted trees and footways at this point, with the latter seeming to show fewer trees planted in this area. Therefore clarification of how this section of green infrastructure will be recreated such that it continues to perform an ecological connectivity function, should be set out in a Green Infrastructure Mitigation Strategy as requested in our previous response.
- 5.6.11 Bats: I note the proposal to conduct a fresh assessment of the trees to be felled from ground level to identify potential roost features and score them, as set out in Diane Morgan's email of 15th August, and that follow up action by way of tree climbing inspections and/or activity observations will be required for moderate or high suitability results. I am happy with this approach.
- 5.6.12 Reptiles I am satisfied that those undertaking the reptile survey and mitigation work at this site are suitably qualified and experienced, but it is important to have a statement to this effect in writing, so I therefore welcome the additional information provided.
- 5.6.13 The reptile translocation methodology, including use of exclusion fencing and identification of a suitable receptor site, have been agreed with the planning

agent and their ecologist in emails.

5.6.14 I also took this opportunity to highlight my previous concerns that Grass Snakes may well be present on the site as well as Slow-worms (though they can be translocated to the same receptor site) and also that initial surveys tend to underestimate the actual population on a site, so that when it comes to the translocation exercise, many more animals are found than expected, causing unexpected delays.

5.6.15 It would be better if most or all the mitigation measures were bundled up into a conditioned GI Mitigation Strategy rather than have a whole series of mitigation conditions for each issue.

5.6.16 If this approach is acceptable we can provide more detailed advice, but in general terms a GI Mitigation Strategy should include:-

- Description of the GI resource which is retained and /or re-created on site, such as replacement planting of trees for example, together with management undertakings to ensure that the GI resource will continue to provide benefits throughout the lifetime of the development.
- A description of the main ecosystems on the site, together with measures to mitigate or compensate for impacts upon those ecosystems
- Details of measures to mitigate impacts upon roosting bats, such that these measures are compatible with a subsequent successful EPS licence application
- Details of measures to create or enhance habitat for wild birds, and to avoid harm to birds nests which are in use or being built
- Habitat management provisions to ensure the ongoing viability of the translocated Slow-worm / Grass Snake population
- Habitat management measures to avoid harm to amphibians during construction, and in particular to incorporate amphibian-friendly features into development to minimise the risk of amphibians getting trapped in gully pots as they migrate to and from the pond
- Methods for control of Invasive Non-native Species such as Japanese Knotweed and Himalayan Balsam, if discovered during construction
- The number and location of enhancement measures in accordance with the 'Enhancements' section of the GI Group response
- Any other mitigation measures proposed by the GI Group in their group response, for example relating to trees, soils and landscaping, parks and POS, PRow and SuDS.

5.7 **Pollution Control**

The Pollution Control Officer provided the following comments :

5.7.1 The following information was submitted as part of the application:

Terrafirma (Wales) Ltd, March 2016; Geotechnical and Geo-environmental Report Ref: 13484.

- 5.7.2 The above report concludes that no contaminative risks to human health or the environment were identified. Consequently, based on their findings to date, no mitigation or remedial measures are required.
- 5.7.3 Should there be any importation of soils to develop the garden/landscaped areas of the development, or any site won recycled material, or materials imported as part of the construction of the development, then it must be demonstrated that they are suitable for the end use. This is to prevent the introduction or recycling of materials containing chemical or other potential contaminants which may give rise to potential risks to human health and the environment for the proposed end use.
- 5.7.4 Shared Regulatory Services requests the inclusion of the following conditions and informative statement in accordance with CIEH best practice and to ensure that the safety of future occupiers is not prejudiced in accordance with policy EN13 of the Cardiff Local Development Plan:

5.8 **Glamorgan Gwent Archaeological Trust (GGAT)**

GGAT provided the following comments :

- 5.8.1 The proposal has an archaeological restraint.
- 5.8.2 Cotswold Archaeology conducted an archaeological evaluation of the proposed development area, followed by an archaeological excavation in 2006. The results of the work were published as "A Roman Enclosure at Crickhowell Road, Trowbridge Cardiff: Evaluation and Excavation 2005–6" in Archaeologia Cambrensis Volume 158.
- 5.8.3 The work recorded an Early Bronze Age pit, although the vast majority of the significant features dated to the Roman period. These included drainage ditches, a rectilinear enclosure (possibly used for stock management), an ironworking enclosure, numerous pits and postholes and a possible building. It was concluded that the excavation area lay on the periphery of a settlement, the focus of which may be located to the south.
- 5.8.4 Whilst the evaluation trenches were spread across the site, the excavation area was located in the southeast corner of the site. The features located in the excavation area have been fully preserved by record, although it is possible that associated features or structures are located in the wider development area and so be encountered during intrusive groundworks associated with the proposal.
- 5.8.5 Therefore it is our recommendation that a condition requiring the applicant to submit a detailed written scheme of investigation for a programme of archaeological work to protect the archaeological resource should be attached to any consent granted by your Members.

5.9 Schools

Schools Services provided the following comments :

5.9.1 Schools services have sought a S106 contribution of £622,767. This is based on £511,273 for additional places plus proportionate land costs towards site(s) of new Welsh medium school provision being a further contribution of £111,494. The figure has been calculated using guidance in the Developer Contributions for School Facilities SPG

5.10 Noise and Air

The Pollution Control Officer advised that a Construction Site Noise Recommendation should be placed on the report, which it has been.

5.10.1 A construction site noise recommendation was made and placed on the report.

5.10.2 There were no comments from air pollution.

5.11 Waste

5.11.1 The Waste Management Officer raised no objections to the scheme and accepted the applicant's further explanation that the refuse details are included in the DAS pages 40– 41. All open market sale homes, where rear access isn't provided, have an integral bin store to their front porch. The affordable dwellings, where rear access is not possible, will have timber bin enclosures to their front gardens. All of the apartment blocks have dedicated bins stores, appropriately sized, as can be seen on the site layout.

5.11.2 Vehicle tracking was submitted considered acceptable. The officer's detailed comments with regards to size of bins, access, types of surfaces, dropped kerbs, types of waste provision, lighting, ventilation, storage containers for houses and apartment blocks, were forwarded to the applicant.

5.12 Parks

The Parks Officer provided the following comments :

5.12.1 Amended plans: Overall I welcome the changes to the design proposals following discussions on green infrastructure. These have made a significant improvement to the connectivity of the development and the designers have done much to address the points raised previously.

5.12.2 The connectivity of the green corridor is much improved and now provides a link to the wetland area. By relocating properties it has become possible to widen the buffer zone. I believe that properties 100 and 116 do impinge on the green corridor and would have been better omitted from the design.

5.12.3 Removing the existing reed/ditch from ownership in private properties is welcome as this will make maintenance and control of the reed much more

practical. Retaining them within the apartment grounds is reasonable as this will enable maintenance of the reën through the agreed management company/Council.

- 5.12.4 I agree with the decision not to provide a formal path along the south west boundary as this would encourage access behind properties, which could lead to problems with anti-social behaviour. However leaving it open allowing informal access by children seems reasonable, although this can be monitored. If problems occur, gates and fencing, allowing controlled maintenance access only, can be installed at a later date. The 2 footpaths connecting from the roads to external footpaths are welcome as this provides access off-site to other recreational facilities.
- 5.12.5 Eastern Corridor: I note the comments made by my colleague Matt Harris regarding the decrease in width of the green corridor. This is apparent next to the main entrance road, where highway footpaths have been included on either side of the road before the road enters into the homezone. Although the decrease in green infrastructure is regrettable I'm aware from discussions involving highways that the footpaths will provide much improved safety for people entering/leaving the developments, and gaining access to the central open space. Therefore I can't see an alternative option that would allow the green corridor to be restored to its original size.
- 5.12.6 Removal of some of the large existing trees from plots 104-107 is welcome following concerns about their long term dominance within small gardens, and difficulty in controlling maintenance,. Although this removes some of the green infrastructure link to the central open space, this has been offset by the addition of additional tree planting to create a green link to the south east corner of the open space.
- 5.12.7 The retained group of *Fraxinus excelsior* adjacent to plot 117 is still likely to cause issues of over-shading. However given the ongoing problem of ash dieback this issue may not be long term.
- 5.12.8 I welcome the changes to the open space, with the southern road being omitted (except where it provides access to properties 108 and 109. This means the open space feels less hemmed in by roads and is better connected to other footpaths. The diagonal footpath has been relocated away from the retained oak tree (where it would have been difficult to construct without damaging the root system).
- 5.12.9 Design of the SUDS area still provides a good asset within the site, as well as providing drainage.
- 5.12.10 There remains a question over the size and depth of area designated as a permanent water feature, particularly the section adjacent to the pond dipping platform which is located adjacent to one of the narrowest sections of water which may quickly become vegetated, thereby prevented the platform from being used successfully. The narrow sections of water will be much more prone to siltation and invasive vegetation, thereby requiring more frequent

management.

5.12.11 Regardless of the final management approach a detailed maintenance schedule and a management plan will be required.

5.13 Open Space Provision

5.13.1 As the public open space being provided on-site (0.35 hectares) does not reach the required total, the officer seeks a financial contribution towards the provision of open space off-site, or the improvement (including design and maintenance) of existing open space in the locality, such as ABC Park, Cemaes Crescent POS, Coleford Drive and Heol Maes Eirwg. Based on the above assessment the contribution sought is £255,177. This calculation is based upon the LDP and Supplementary Planning Guidance for Open Space.

The open space requirement for the new population has been calculated as 0.96 ha of on-site open space based on the criteria set for Housing accommodation.

5.13.2 The on-site open space available for functional use includes:

- Central open space
- Open space containing trees
- Footpath and dipping platform in SUDS area as these provide public access and seating

5.13.3 Demand for usage of the existing open spaces would increase in the locality as a result of the development and therefore the Council considers it appropriate that an off-site contribution is made, calculated in accordance with the guidelines set out in the LDP.

5.13.4 Based on the 2009 Cardiff Council Open Space Survey there is a deficiency in the open space provision of 25.01 hectares in the Trowbridge Ward, in which the development is situated (Measured by the Fields in Trust recommended standard of 2.43 hectares per 1000 population). The quality and facilities of existing open spaces also require improvement, with additional capacity to take into account the increased residential population resulting from the development.

5.14 Community Facilities

The Neighbourhood Regeneration Officer provided the following comments :

5.14.1 Supplementary Planning Guidance (SPG) on Community Facilities and Residential Development states that 'the Council will seek a financial contribution for improvements to existing community facilities or the provision of additional community facilities on all significant developments because the increased population will result in increased demand for local community facilities'. If no onsite provision is proposed, a financial contribution is sought on residential developments containing 25 or more new dwellings where it has been identified that investment in community facilities will be required to meet the needs of the new population.

5.14.2 The formula in the SPG is based on the number of habitable rooms per dwellings and is calculated as a total of £142,634.

6. **EXTERNAL CONSULTEE RESPONSES**

6.1 **Natural Resources Wales (NRW)**

NRW provided the following comments :

The submitted Design & Access Statement prepared by Pentan Architects, dated May 2016, and the submitted Report following a survey for reptiles and bats prepared by Just Mammals Consultancy, dated October 2014, identify recommendations which make future provision for European Protected Species (EPS).

We do not consider it likely the proposed development will result in a detriment to the maintenance of favourable conservation status of the European Protected Species present, provided measures are implemented and secured by way of planning conditions.

We advise an assessment/survey of any trees which may be affected by the proposals is carried out prior to work commencing. We recommend you seek the advice of your in-house ecologist to determine the surveys required to inform the planning application. The survey should be carried out in accordance with 'Bat Surveys for Professional Ecologists; Good Practice Guidelines 3rd Edition' published by the Bat Conservation Trust 2016, and the results used to inform the planning application. Please consult us again if any survey undertaken finds bats are present at the site and you require further advice from us.

If any bat roosts are found, work must stop immediately, and we should be contacted for further advice.

The Gwent Levels - Rumney and Peterstone SSSI lies approximately 160m to the south of the application site. The SSSI is notified for its range of aquatic plants and invertebrates associated with the reens and ditches of the drainage system. The special interests of the SSSI are dependent on the water quality, water quantity, the existence of the drainage system and its continued management. Any development which has an adverse impact on any of these factors will have an adverse impact on the wildlife for which the area was notified. There is a watercourse in the south east of the site that connects to Hendre Reen, an IDD viewed watercourse within SSSI.

We advise requirements are secured as conditions to overcome our significant concerns on the impacts to Gwent Levels - Rumney and Peterstone SSSI:

The application site lies partially within Zone C1, as defined by the Development Advice Map (DAM) referred to under Technical Advice Note 15: Development and Flood Risk (TAN15) (July 2004). Our Flood Map information,

which is updated on a quarterly basis, confirms the site to be within the tidal outlines.

The submitted Flood Consequences Assessment (FCA) produced by Cambria Consulting Limited, ref. CC1583/100/REPO1/B, dated May 2016, is based upon outputs from a detailed flood risk mapping study supplied by Natural Resources Wales. The FCA shows, based on a lifetime of development of 100 years:

- The proposed development site is predicted to be flood free during a 0.5% (1 in 200 year) annual probability tidal flood event, with a breach of the defences;
- The proposed development site is predicted to be flood free during a 0.1% (1 in 1000 year) annual probability tidal flood event, with a breach of defences.

It should be noted Table 6.1 of the FCA is the extreme tidal node data provided by NRW. It does not take into account local topography and only gives an extreme tidal level. The detailed modelling undertaken as part of the Cardiff SFCA indicates the site is not at risk as no tidal flood event reaches the site.

The proposed development lies outside of the Internal Drainage District (IDD) area. However, the submitted drainage strategy produced by Cambria Consulting Limited, ref. CC1583/100/REPO1/B, dated May 2016, proposes to discharge surface water via a culvert in the south west corner of the site. This culvert discharges to Hendre Reen, an IDD watercourse within the Rumney and Peterstone SSSI. The Applicant should therefore note the proposed discharge of surface water to ordinary watercourse will require Land Drainage Consent from Natural Resources Wales.

A number of recommendations and advice to the developer in a letter from NRW was forwarded to the applicant.

6.2 Welsh Water

Welsh Water have provided wording for a condition and advisory notes to ensure no detriment to existing residents or the environment and to Dwr Cymru Welsh Water's assets. Welsh water have no objection providing the condition is applied.

6.3 South Wales Police

The comments from South Wales Police are summarised as follows :

South Wales Police welcome the proposed layout as it promotes active street frontages and good levels of surveillance and welcome reference to inclusion of principles of Secured by Design.

The Design Out Crime Officer is satisfied with further clarification provided by the architects that community safety issues will be addressed in the development, with regards to boundaries, doors, service meters, parking areas,

lighting and achieving secured by design standards. The architects have confirmed in writing that they are meeting these standards and no further conditions are required.

6.4 **Health Board**

Comments from the Health Board are summarised as follows :

In terms of healthcare provision, the UHB would welcome discussions with the developer and Cardiff Council in order to support Willowbrook Surgery to prepare for the increase in patients from this development.

In terms of public health issues related to the layout, it was recommended that:

- The recommendations of the Road Safety Audit are implemented
- Further prioritise the pedestrian throughout the development, 20mph zones should cover the entire development and further use made of a variety of methods to reduce and control traffic speed (signage, road materials, design, layout, shared surfaces etc).
- Design in and provide formal and informal outdoor active play areas in addition to open spaces.
- Strengthen interconnectivity within the development and facilitate interconnectivity with other developments and facilities/services nearby.
- Adhere to the planning guidance that identifies minimum standards for outdoor playing space and distances to local provision of spaces and negotiate to ensure the open spaces are well maintained.
- Make available land for community food growing.

7. **REPRESENTATIONS**

7.1 The following representations as relevant to planning are as follows:

A resident on Trebanog Crescent (54 Trebanog Crescent) who backs onto the site requested that fencing of a good standard is built between the site and them.

7.2 A second representation (66 Trebang Crescent), said that:

I came to the resident consultation event at St Mellons hub to see the plans and my main concerns were about the opening of the foot path around the corner from me, I was told that the police were also concerned about this being opened, my other worry is the amount of traffic especially at rush hour as it is very busy now. I live on the corner of Trebanog Crescent and get a lot of cut through traffic, as the new super school will be opening in Trowbridge will my street be having any traffic calming measures to combat this as with 193 new accommodations this will definitely have an effect on my life.

7.3 A third representation (34 Ffordd Daniel Lewis) raised a number of concerns as follows:

Local Development Plan / Existing Outline Planning Permission: The increase

in density from 150 units in the LDP and Outline permission, to 193 units represents a significant increase of 29% and should be considered as material and negate the original outline planning consent.

The disproportionately high development density in the southern quarter of the site has 56 units in 20-25% of the total area available. The design, largely of 3 bed properties built in several long terraces, is a total design reversal to the rest of the site where the housing has been sympathetically arranged around green spaces and compact terraces.

The mid and northern sections of the development have significantly more garden space and green areas around their dwellings. This arrangement will provide a healthier living environment alongside a more child friendly and safer play areas.

The southern part of the development is considerably compacted and does not provide direct access to green space and children's play areas. In addition, garden areas offer very small gardening spaces. How does Cardiff Council believe that they have met their statutory requirements within the Well Being of Future Generations Act where, sustainability, equality and the creation of cohesive communities are core principles?

The homogenous external design template harks back to a 1960s / 70s approach to new developments that creates a mini ghetto of lacklustre aesthetic. It is acknowledged that housing developments of this era lacked design foresight and did not create cohesive communities so creating a whole site of this beige coloured brick does not reflect positively on Cardiff's objective to create vibrant communities.

Parking: Concerns regarding on-road parking within the estate. I [representation] appreciate the inherent irregular design of the gardens and paving creating a natural traffic calming deterrent; but, there does not seem to be a natural on-road deterrent to parking within turning areas etc within the design.

Access points: The number of access points to the western side of the development is a concern as the supplementary reports provided have not adequately addressed safety and anti-social behaviour issues previously raised.

Reens: The proposal to integrate part of the existing reën infrastructure (to the south eastern part of the site) within householder's gardens is a ridiculous and highly impractical suggestion which is likely to result in detrimental outcomes. The responsibility to maintain the on-site reën infrastructure falls squarely on Cardiff Council and should not be reassigned to a third party to ensure effective ongoing operation and maintenance of this important drainage / flood prevention feature.

Proposed Wetland Area / Drainage Strategy: As Hendre Lake park is within a 5-10 minute walk of the proposed Willowbrook West development why is there

a perceived need for another wetland area when an existing site is situated in such close proximity?

Flood Consequence Assessment and Drainage Strategy: The present state of disrepair and lack of maintenance for the existing drainage and watercourses within the site. The Residual Risks section of the report specifically highlights this as the most significant risk of flooding.

A medium risk of pluvial flooding from parts of the drainage network due to potential infrastructure blockage or overflow due to ongoing low maintenance.

The site is perceived to be vulnerable to inundation from overflows entering from Crickhowell Road to the north and the public right of way connected to Tresigin Road.

Dwr Cymru Welsh Waters response regarding water infrastructure is currently out of date and has not been reconfirmed within the report. Does this not represent a risk that you have not presented your current site design including the wetland area to the utility for a response? In tandem, the rise in development size may negatively impact on the utilities response including their S106 responsibilities?

The plans/drawings that have been submitted illustrate that the site level will be raised between 80-100 cm in relation to the surrounding area. However, no explanation is forthcoming in any of the associated reports regarding water run-off and mitigating drainage plans in relation to existing housing and walkways around the site. This raises a particular concern regarding the effect of rainwater run-off and an associated higher water table at the perimeter of the development seeping onto lower ground. As a result this is likely to adversely affect local resident's gardens and other associated areas.

Table 12.3 highlights minimal options for suitable SuDs techniques to be applied on-site.

The impact of the proposed wetlands area on existing dwellings is not addressed. The water table is extremely high and housing in the area already suffers from poor garden drainage. In tandem with the concerns above, the wetlands development is likely to have a negative affect for the following reasons:

- Increased insect life / odour which would adversely impact on quality of life of the existing residents;
- Act as a focus / catalyst for anti-social behaviour;
- Probable fly tipping;
- Wetlands feature would be used by traveller communities for horse grazing and watering.

The reports supplied do not detail the environmental approach to dealing with the untitled land to the southern edge of the development. This is an important area which provides ecological diversity and a safe haven / transit point for several species of protected wildlife including bats, sparrows and robins.

The Safety Report on 20th May highlights the potential need for additional road crossing points to the north and east of the site. I note the Council's response and would comment that the paths and walkways that you refer to along the perimeter of the north and east of the site are regularly flooded on both sides of Willowbrook Drive and represent a walking hazard due to poor drainage and maintenance.

7.4 **Other matters**

Other matters were raised by the third representation that are not reported in full in this report as they are not considered to be material to this application. They included matters in relation to the internal arrangement of open plan living style and the reported relocation of spoil from a housing association development on Trecinion Road.

8. **ANALYSIS**

- 8.1 Willowbrook West forms part of the Council's Housing Partnership Programme (HPP) which is a partnership between the Housing Development Team and Wates Living Homes. The aim of the HPP is to build around 1,500 mixed tenure, energy efficient, sustainable and high quality homes across circa 40 Council owned sites within Cardiff. Overall, this programme will provide 40% affordable homes across the portfolio of sites with the remaining dwellings being placed on open market sale by Wates Living Homes.
- 8.2 This application meets planning policy requirements of 30% affordable housing on greenfield sites.
- 8.3 The application is within the settlement boundary on the LDP proposals map, is surrounded by residential properties on all sides and has no special protection. The principle of residential development within the site has been established through previous outline consents.
- 8.4 Highways have reached agreement with the layout which includes access roads and homezone concept streets. The safety concerns with regards to the shared surface element in the vicinity of unit 159 have been overcome with a feature that segregates pedestrians and provides them from approaching vehicles.
- 8.5 The inclusion of additional turning heads in the vicinity of units 116 and 91-99 would impact on the green infrastructure, the footpaths and landscaping on the site. It is considered that there is sufficient means in the layout for home delivery vehicles to navigate the site.
- 8.6 Since the comments requesting a condition for a scheme for a zebra crossing for approval, Highways have agreed that a zebra crossing (or equivalent pedestrian crossing and traffic calming measures) for the site can be secured via a S106 contribution for £35,000.

- 8.7 There is a Public Rights of Way Strategy to help guide the future applications for diversion orders. This strategy allows for routes to be maintained through the new development. The PROW team have provided advice which has been included in the Conditions and Recommendations to ensure that the correct procedures are followed.
- 8.8 There is existing widespread tree coverage on the site. The layout allows for a significant percentage of 'A' and 'B' category trees to be retained. The development involves the loss of some trees to allow for a well designed street pattern and to ensure that residential amenity is not impacted on by overshadowing. Most of the trees that were identified as causing potential amenity issues on the original plans have been removed on the amended plans and replanted, with exception of one Oak along the eastern side of the development which partially covers the garden of plot 117. The visual amenity of this tree and the strength of the green corridor is considered to outweigh the partial impact on residential amenity in this location. The proposed tree planting mitigates the proposed losses in numerical terms and in terms of appropriateness in the context of the proposed layout.
- 8.9 Concerns from the tree officer have been overcome with regards to the raising of levels for the site and the potential impact on the health of the retained trees. The Arboricultural Method Statement and the Tree Protection Drawings have been updated with precautionary measures to adhere to during landscape works to ensure that the retained trees are adequately protected during construction and that level changes will not have a negative impact. It is considered that the ash and oak in the open space comprising retained elements of G3 and G4 fronting plots 38-43 will provide good amenity benefits and is of low likelihood of encouraging a lurking space/anti-social behaviour. On balance, the benefit of the trees is considered to outweigh the possible issues.
- 8.10 The precautionary construction measures that the tree officer listed have been added to the amended plans. Conditions were since recommended and have been integrated.
- 8.11 The overall principle and level of detail for the SUDS feature and the Drainage Strategy to deal with flooding on the site at Full Application Stage is considered to be acceptable in line with TAN 15.
- 8.12 The Council's drainage officer has asked for further details with regards to the drainage solutions as part of this application. The officer has concerns that there is not enough evidence provided to ensure that the SUDS could meet a sufficient standard of best practice, as it is set out exactly as on the plans. However, it is considered that the level of detail provided is good enough to meet the requirements in TAN 15. The officer has provided a list of conditions should the application be approved in order to agree details via condition. There are several different ways that SUDS features can operate and it is considered that these technical matters should be dealt with at Condition stage.
- 8.13 NRW and Welsh Water have provided advice for conditions and

recommendations which has been applied to ensure that surface water drainage is dealt with adequately, there is adequate flood prevention measures and that there is no detriment to existing residents, the environment, European Protected Species, SSSI, watercourses or to assets.

- 8.14 The ecologist and green infrastructure group (Public Rights of Way, Parks, Trees) initially raised a number of significant concerns on the first submitted layout and the lack of green infrastructure. In response to this, a set of amended plans were submitted to address this issue. The layout was redesigned to accommodate green infrastructure along both the east and west edges, as well as a stronger green connection between the central public open space and the wetland area. Green Infrastructure on the site includes central public open space, retention of some mature trees, a range of small, medium and large new tree planting, comprehensive landscaping and a wetland area. Whilst the ecologist still seeks a wider green corridor on the east side, this needs to be balanced with the highway safety advice from highways to include footpaths alongside the highway for access and is therefore considered acceptable.
- 8.15 The ecologist requested that the mitigation measures for the existing green infrastructure may be conditioned as a single GI Mitigation Strategy. It was considered that whilst many of the issues overlap, the mechanism to discharge these conditions would be clearer and more straightforward if the measures were mainly dealt with separately under ecology, trees and landscaping and conditions have been added accordingly.
- 8.16 Additional information on bat roost surveys and Non-native Invasive Species has been received to the ecologist's satisfaction. The ecologist also welcomed the bat flight surveys and linked habitat corridors that will be retained. It is therefore considered that the layout will provide good habitat connectivity and green infrastructure.
- 8.17 A number of conditions have been added to deal with Pollution Control.
- 8.18 A condition has been included to address the archaeological constraint on the site. A detailed written scheme of investigation for a programme of archaeological work has been required to protect the archaeological resource.
- 8.19 The waste management arrangements are satisfactory.
- 8.20 In terms on open space, the wetland area to the south of the site will provide a number of benefits for the area, including a sustainable drainage feature, a recreational and learning facility, and an ecological habitat that links into green infrastructure corridors.
- 8.21 The central open space and the wetland area form beneficial landscaping assets for the development. It will also provide some recreational benefits. The central open space is well connected to footpaths for access. The exact size and depth of the SUDS features and the maintenance will be agreed through condition.

- 8.22 South Wales Police have welcomed the proposed layout as it promotes active street frontages and good levels of surveillance. They also welcome reference to inclusion of principles of Secured by Design.
- 8.23 The police officer made some recommendations with regards to boundaries, doors, service meters, parking areas, lighting and achieving secured by design standards. These recommendations will be implemented and have been confirmed in writing.
- 8.24 In terms of funding sought to support ongoing healthcare, there will not be any S106 contributions allocated. Contributions can only be sought under KP6 and KP7 of the LDP for capital projects where it can be demonstrated that in order to make the development acceptable, it is necessary to expand the size of the existing GP surgery or provide a new surgery. Given that the request was for ongoing revenue costs, this is not applicable.
- 8.25 In terms of the other health board recommendations, many of these can be evidenced in the amended plans, namely, pedestrian priority streets, measures to control traffic speed, formal and informal outdoor active play areas, good connectivity within the development and improved connectivity to nearby services. Parks services have provided comments on the outdoor playing space standards in line with the Open Space SPG.
- 8.26 Three representations were received on the original submitted plans, one neutral and two objections.
- 8.27 No representations were received on the amended plans.
- 8.28 With regards to the first representation, the approach by the developer is that they will look at each fence and talk to each neighbour on a case by case basis. If the existing fence is recently installed, robust and completely free of rot, it will be left alone. If not, fences will be replaced with a new 1.8m high close-boarded timber fence. In areas where the legal boundary line is buried deep in hedge that is being retained as part of the green infrastructure, this may prevent installation of a new fence. Often the hedge can be five or more metres thick and in this case, the developers would not cut down the hedge to put a fence up, as the ecological corridors need to be maintained.
- 8.29 With regards to the second representation, the footpath is an existing public right of way which is currently overgrown and subject to flytipping. As part of the development, the intention is that the access for the public right of way will be retained and a diversion order will be applied for so that people can walk through the area to access community facilities and create good walking links through to the wetland area and the wider neighbourhood. The footpath will be overlooked with housing where possible to discourage antisocial behaviour and the overgrown areas will be cut back to make the footpath more open whilst retaining enough planting to retain an ecological corridor. The south wales police have commented on the application and have raised no concerns.

- 8.30 In relation to the highway safety concerns raised, Highways advises that the great majority of the vehicle movements that will be generated by the proposed development will be via Willowbrook Drive and Crickhowell Road. This is unlikely to have any adverse impact on existing traffic conditions on Trebanog Crescent to any significant degree – notwithstanding the pending Eastern High School development. Whilst a School Safety Zone is to be provided on Trowbridge Road in association with the new school, the provision of traffic calming on Trebanog Crescent in conjunction with this residential development could not be justified.
- 8.31 With regards to the third representation, the increase in density from 150 units in the previous outline permission and 193 is a material consideration and has been considered. Whilst it is an increase in units, the design, architecture, layout and landscaping features for the site are all positive for the new community and will benefit wider neighbourhood cohesion. The number of units proposed for the outline permission was an indicative number and this established the principle of residential development. The Outline is now lapsed and a new application for full planning permission is sought and should be considered on its own merits. The proposal makes efficient use of the land for residential development, whilst also retaining areas for ecology corridors, public open space and a wetland area.
- 8.32 It is noted that there is slightly higher density in the south-east of the site. The long terraces on this street are considered to be well designed, create enclosure for the street and are suitable for a homezone concept which will be safe for children to play, as cars will be reduced to approximately 10mph. The street scene has a different character to the remainder of the site which helps to aid legibility.
- 8.33 The houses in the middle of the terraces (the furthest points away) are 220m away from the central green open space (approximately 2-3minute walk). The same units are approximately 80m away from the Wetland Area. This is considered to be very close. The garden areas are generous and are all above the minimum 50sqm stipulated in the Residential Design Guide SPG. They range from approximately 66.5sqm to 84sqm. The requirements in the Well Being of Future Generations Act are incorporated into Planning Policy Wales and this layout is considered to meet planning policy.
- 8.34 The development is considered to be high quality contemporary suburban design with a number of different housing types and architecture. The houses will be unified through the use of two-types of buff brick, one a multi brick with visual depth, and a sharper edged smoother brick in a much lighter shade to create a brick banding feature to the ground floor. The variation in architecture, roof forms, porches and detailing on streets will bring different characteristics, atmospheres and legibility throughout the site. The eaves are tightly clipped and verges are mortar bedded, and the windows will be grey UPVC to give an appearance of a contemporary aesthetic. The materials between the affordable and open-market houses are designed to be tenure blind. In terms of environmental sustainability, the dwellings will adopt a standard to achieve 17% uplift in building performance over Part L of the Building Regulations

Wales 2014.

- 8.35 There is a parking strategy that provides sufficient parking spaces for the development, both on plot and in visitor bays. Parking within turning areas is therefore not considered to be a likely issue.
- 8.36 The two access points to the west of the site (in addition to the northerly access) are considered acceptable. These access points connect directly into the existing footpath network and will allow residents to walk to school and facilities which creates healthy neighbourhoods. The South Wales Police have commented on the layout, they are supportive and they have not raised any concerns.
- 8.37 The amended plans have addressed the issue of the previous integration of the existing reën structure into a few gardens to the south-east corner of the site. The Drainage Plans and Flood Consequences Strategy do not require the use of the reëns. A management and maintenance plan for the remainder of the reën structure on the site has been conditioned.
- 8.38 The concerns over the historical management of the site made by the resident are noted.
- 8.39 In terms of the detail of the Flood Consequences Report and the amended plans, the applicant's drainage experts have provided further feedback in relation to this, and has been agreed with the Council's drainage officer.
- 8.40 The applicants have confirmed that recently a CCTV survey was undertaken from the headwall at the south end of the development site through the culvert crossing Trecinon Road to the outfall into the Reën system. This CCTV showed a 'belly' in the culvert and is likely the source of the "poor drainage and water logging being experienced by the housing to the south of the site.
- 8.41 The Flood Consequences Assessment goes into details with regards to the how the drainage will be dealt with and demonstrates that there is no historic evidence of groundwater flooding on the site.
- 8.42 Welsh Water have provided a response to this application and the relevant conditions applied.
- 8.43 As part of the proposed works the ground level within the site will increase, however the proposed external levels design will ensure local grading mitigates the effects and impact of flooding and an effective design solution will consider drainage performance in conjunction with external level proposals.
- 8.44 Following the introduction of the proposed attenuation and SUDS enhancements the proposed development will stand to reduce flood risk to neighbouring / downstream properties. Allowance for climate change will be incorporated into the design to ensure the longevity and robustness of the infrastructure serving the proposed development.

- 8.45 It is acknowledged that the representee reports that presently the watercourses on site are poorly maintained, silted up and blocked with significant amounts of debris. However, post development these watercourses will benefit from better maintenance access and improved maintenance regimes. This would provide betterment to the properties immediately adjacent the western and southern boundaries.
- 8.46 The details of the wetland feature will be designed in accordance with the recommended condition, in association with parks services, drainage and ecology. Whilst there will be increased biodiversity, this is considered to be an asset and will be designed accordingly to be a well-utilised community asset. The features being directly overlooked by housing which will help to minimise any anti-social behaviour.
- 8.47 The area to the south of the site which the representee refers to as untitled land is outside the application boundary. The ecologist and the Welsh Water have been consulted in relation to this application and the proposal should not have a negative impact on any surrounding biodiversity.
- 8.48 This report seeks a S106 contribution for a new crossing point along Willowbrook Drive. When engineering drawings are drawn up, the engineers can review the surrounding drainage of the paths, footways in association with the drainage information.
- 8.49 Whilst a number of concerns have been raised by the representees, it is considered that the site will be well-designed, create a good residential area with amenity areas to benefit the wider neighbourhood and that sufficient technical reassurances have been provided to deal with drainage.

9. S106 REQUIREMENTS AND VIABILITY

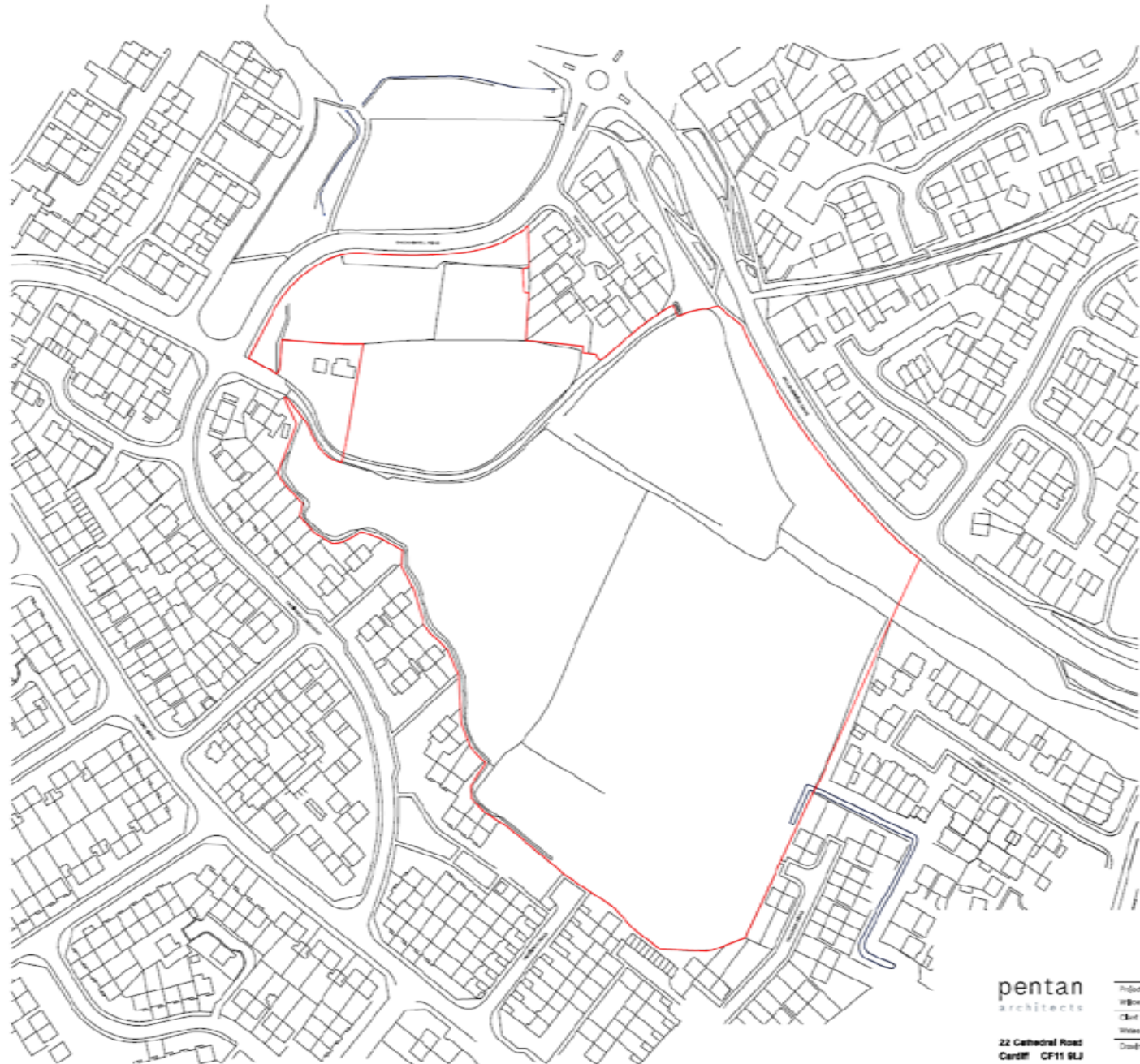
- 9.1 The following obligations have been agreed to mitigate any significant adverse impacts of the proposed development and to provide essential, enabling and necessary infrastructure as defined within LDP policies KP6 and KP7.
- 9.2 In identifying the nature and quantum of infrastructure provision, and having regard to the extent and tenure of affordable housing to be delivered, the applicant has provided a viability statement which has been independently verified. It is considered that the planning obligations listed below represent value for money to the council and deliver a quality and quantity of consistent LDP policies and Liveable Design Guide.
- 9.3 It is acknowledged that the scale and nature of affordable housing provision, alongside higher design costs and site abnormalities would render the development unviable within the levels of obligations sought. All units within the development are designed to achieve 17% higher energy performance than current Welsh Building Regulations.
- 9.4 Notwithstanding the above, the developer has agreed to the following obligations:

- 30% affordable housing on-site, comprising of affordable homes to be offered to the Council for social rent;
- £55,000 towards commuted sums;
- £35,000 towards local highways improvements (pedestrian crossing);
- £91,000 towards school provision.
- Details of on-site management and maintenance of public open space and drainage.

9.5 It is considered that the S106 Heads of Terms satisfy the requirements of Circular 13/97 Planning Obligations and the statutory tests set out in Regulation 122 of the Community Infrastructure Levy Regulations.

10. **CONCLUSION**

10.1 It is recommended that planning permission be granted, subject to conditions and a section 106 agreement to secure works as indicated in Section 9.



Revisions

pentan
architects

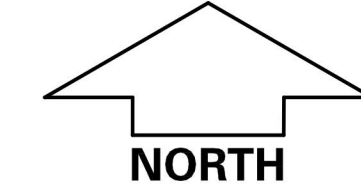
22 Cathedral Road
Cardiff CF11 9LJ
t: 029 2030 0010
info@pentan.co.uk

Project: Winton Park West, St. Leonards
Client: Wales Living Homes
Drawing Title:

Site Location Plan

NOTES: Do not scale. All dimensions are in millimetres unless stated otherwise.

Site boundary	⊙
Date:	
Issue No:	
Scale:	1:1000 @ A2
Drawing No.:	3.512_PA_E31
Rev.:	





View into the scheme from entrance off Willowbrook Drive, looking towards our central green space.

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COMMITTEE DATE: 28/09/2016

APPLICATION No. **16/01680/MJR** APPLICATION DATE: 14/07/2016

ED: **TROWBRIDGE**

APP: TYPE: Outline Planning Permission

APPLICANT: City of Cardiff Council

LOCATION: ST MELLONS COMMUNITY HALL, CRICKHOWELL ROAD, ST MELLONS, CARDIFF, CF3 0EF

PROPOSAL: OUTLINE APPLICATION TO DEMOLISH THE EXISTING BUILDING AND ERECT 9 DWELLINGS (2 STOREY) AND 18 FLATS (3 STOREY) ON THE SITE

RECOMMENDATION 1 : That outline consent be **GRANTED** subject to the applicant submitting a unilateral **S106 Agreement** that the proceeds of the sale of the land for housing will be allocated towards funding the St Mellons Hub and that a minimum of 20% of the units be affordable to Welsh Government DQR standards and the units be allocated from the Common Waiting List and the following conditions:-

1. C00 Standard outline
2. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it shall be reported in writing within 2 days to the Local Planning Authority, all associated works shall stop, and no further development shall take place unless otherwise agreed in writing until a scheme to deal with the contamination found has been approved. An investigation and risk assessment shall be undertaken and where remediation is necessary a remediation scheme and verification plan shall be 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 Local Planning Authority within 2 weeks of the discovery of any unsuspected contamination.
Reason: To ensure that any unacceptable risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems are minimised, and to ensure that the development can be carried out safely without unacceptable risks to neighbours and other offsite receptors.
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 Local Planning Authority.

Reason: To ensure that the safety of future occupiers is not prejudiced.

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 Local Planning Authority.

Reason: To ensure that the safety of future occupiers is not prejudiced

5. Any site won material including soils, aggregates, recycled materials shall be assessed for chemical or other potential contaminants in accordance with a sampling scheme which shall be submitted to and approved in writing by the Local Planning Authority in advance of the reuse of site won materials. Only material which meets site specific target values approved by the Local Planning Authority shall be reused.

Reason: To ensure that the safety of future occupiers is not prejudiced.

6. Prior to commencement of development a scheme shall be submitted to and approved in writing by the Local Planning Authority to provide that all habitable rooms exposed to external road traffic noise in excess of 63 dBA Leq 16 hour [free field] during the day [07.00 to 23.00 hours] or 57 dBA Leq 8 hour [free field] at night [23.00 to 07.00 hours] shall be subject to sound insulation measures to ensure that all such rooms achieve an internal noise level of 40 dBA Leq 16 hour during the day and 35 dBA Leq 8 hour at night. The submitted scheme shall ensure that habitable rooms subject to sound insulation measures shall be provided with acoustically treated active ventilation units. Each ventilation unit (with air filter in position), by itself or with an integral air supply duct and cowl (or grille), shall be capable of giving variable ventilation rates ranging from –
- 1) an upper rate of not less than 37 litres per second against a back pressure of 10 newtons per square metre and not less than 31 litres per second against a back pressure of 30 newtons per square metre, to
 - 2) a lower rate of between 10 and 17 litres per second against zero back pressure.

No habitable room shall be occupied until the approved sound insulation

and ventilation measures have been installed in that room. Any private open space (excepting terraces or balconies to any apartment) shall be designed to provide an area which is at least 50% of the area for sitting out where the maximum day time noise level does not exceed 55 dBA Leq 16 hour [free field].

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

7. No development shall commence until a drainage scheme for the site has been 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 prior to the occupation of the development and 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.
8. The position of two public sewers crossing the site shall be accurately located and marked out on site before works commence. No part of any building shall be erected within 3 metres either side of the centreline of each public sewer up to and including 300mm and 5 metres either side of the centreline of each public sewer greater than 300mm internal diameter.
Reason: To protect the integrity of the public sewer and avoid damage thereto protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.
9. The development shall be carried out broadly in accordance with the scaling statement and the Indicative Layout Plan submitted with this application.
Reason: To avoid doubt and confusion as to the nature of future development on this site and to achieve an acceptable form of development.
10. Prior to any development commencing on site details of a scheme to minimise the risk of pollution from construction and to protect the Gwent levels: Rumney and Peterstone SSSI shall be submitted to and approved in writing by the Local Planning Authority and then implemented in accordance with the approved scheme.
Reason: To minimise the risk of pollution.
11. No development shall take place until a construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. The statement shall provide for:
 - i. The parking of vehicles of site operatives and visitors
 - ii. Loading and unloading of plant and materials

- iii. Storage of plant and materials used in constructing the development
- iv. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing
- v. wheel washing facilities
- vi. measures to control the emission of dust and dirt during construction
- vii. a scheme of recycling/disposing of waste resulting from demolition and construction works

Reason: In the interests of highway safety and public amenity

12. Prior to any development commencing details of car parking and covered cycle storage shall be submitted to and approved by the Local Planning Authority. The approved details shall be implemented prior to the dwellings they serve being occupied and the approved car parking and covered cycle storage shall be maintained and retained for the approved uses thereafter.

Reason: To provide adequate car and cycle parking for future occupants.

13. No development shall commence on site until the Hub, the subject of application 16/01400/MJR, has been completed.

Reason: To ensure adequate community and leisure facilities continue to be available for the community.

RECOMMENDATION 2 The developer needs to have due regard to the consultation responses received during the processing of this application in formulating the reserved matters submission.

RECOMMENDATION 3 Prior to the commencement of development, the developer shall notify the Local Planning Authority of the commencement of development, and shall display a site notice and plan on, or near the site, in accordance with the requirements of Article 12 of the Town & Country Planning (Development Management Procedure)(Wales)(Amendment) Order 2016.

RECOMMENDATION 4 The contamination assessments and the effects of unstable land are considered on the basis of the best information available to the Planning Authority and are not necessarily exhaustive. The Authority takes due diligence when assessing these impacts, however you are minded that the responsibility for

- (i) determining the extent and effects of such constraints;
- (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 5 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 6 The developer is advised to consider using external walling materials that are in keeping with those used to the north and east of this site.

1. **DESCRIPTION OF PROPOSED DEVELOPMENT**

- 1.1 The proposal is in outline for residential development with all matters reserved. An illustrative layout plan shows a terrace of 6 houses at the rear of the site facing west, a terrace of 3 dwellings facing the District Shopping centre and a three storey block of 18 flats towards the front of the site. All the proposed dwelling houses would be 2 storeys in height. Vehicular access would be from the existing road running along the northern boundary of the site.
- 1.2 The Scaling Statement specifies the height of the dwellings as 7.5m, 9m in length and 6m in width. Parking is indicated in front of the houses with rear gardens between 10-12m in length. The flats are to be a maximum of 11m in height, 16m deep, 35m in length along the eastern elevation and 28m in length along the northern elevation. A private amenity area of some 300sqm to serve the flats is shown to the rear gardens of the terrace properties. There is also an open amenity area of 900sqm in front of the flats. An area of some 400sqm for parking for the flats is indicated to the rear of the flats.
- 1.3 The indicative layout has been designed to take account of the line of sewers

crossing the site and also provides for a 5m wide buffer zone along the southern boundary next to a band of trees.

- 1.4 The community centre on the site will be relocated in the new St Mellons Hub that is to be built immediately to the south of this site.

2. **DESCRIPTION OF SITE**

- 2.1 The site comprises a community centre building and open air basketball court. The site is 0.5 ha in area, rectangular in shape and level.
- 2.2 A band of trees and small watercourse run along the southern boundary of the site and there are a few mature trees near the eastern edge of the site adjoining Crickhowell Road.
- 2.3 The existing community centre is finished in materials that are used in developments to the north and east.
- 2.4 Willowbrook House on the other side of Cickhowell Road is a part 3 storey residential block.

3. **SITE HISTORY**

- 3.1 None in the last 10 years on this site.
- 3.2 16/1400 EXTENSION TO EXISTING LIBRARY BUILDING TO CREATE NEW INTEGRATED COMMUNITY HUB (D1/D2) WITH RELOCATED CAR PARK, MULTI USE GAMES AREA, EXTERNAL LIGHTING, ASSOCIATED LANDSCAPING WORKS. Approved 2/8/16

4. **POLICY FRAMEWORK**

- 4.1 It is considered that the following LDP policies are relevant to this application:-

KP5 Good Quality and Sustainable Design;
KP6 New Infrastructure
KP7 Planning Obligations
KP13 Responding of Evidenced Social Needs
KP14 Healthy Living
KP8 Sustainable Transport;
H3 Affordable Housing
EN8 Trees and Hedgerows
EN12 Renewable Energy and Low Carbon Technologies
EN13 Air, Noise, Light Pollution and Contaminated Land
EN14 Flood Risk
T1 Walking and Cycling
T5 Managing Transport Impacts
C2 Community Safety/Creating Safe Environments;
C4 Provision for Open Space, Outdoor Recreation and Sport
C7 Health

W3 Provision for Waste Management Facilities in Development.

5. **INTERNAL CONSULTATIONS**

- 5.1 Shared Regulatory Services states that should there be any importation of soils to develop the garden/landscaped areas of the development, or any site won recycled material, or materials imported as part of the construction of the development, then it must be demonstrated that they are suitable for the end use. This is to prevent the introduction or recycling of materials containing chemical or other potential contaminants which may give rise to potential risks to human health and the environment for the proposed end use.

Shared Regulatory Services requests the inclusion of conditions and informative statement in accordance with CIEH best practice and to ensure that the safety of future occupiers is not prejudiced in accordance with policy EN13 of the Cardiff Local Development Plan:

- 5.2 Noise and Air Team recommend a noise condition.
- 5.3 The Tree Officer states: Subject to the design of any reserved matters application being similar to the indicative layout presented at outline, as informed by the Tree Survey and Constraints Plan, and as supported by an Arboricultural Impact Assessment, Method Statement and Tree Protection Plan, unacceptable harm should not result to trees of amenity value. This said, it is worth noting that some young trees may grow into gardens and become over-dominant, if sufficient space is not given to support their future growth – oak 25 for example is a young tree with considerable growth potential that may grow to over-dominate plots to its south. The 5m ‘buffer zone’ is particularly important in minimising potential conflict between retained trees and residential development. In this regard an indicative section should be provided showing the treatment of the buffer zone – it should provide an ecotone grading from existing forest trees like oak, to shrubs and shrubby trees like willow, hazel and hawthorn, to herbaceous vegetation closest the garden.

Where ‘C’ category trees are present that have poor long-term potential, their removal and replacement should be specified.

Any reserved matters application should be supported by a detailed landscaping scheme comprising scaled planting plan, plant schedule, topsoil and subsoil specification, tree pit section and plan view, planting methodology and aftercare methodology. The landscaping scheme should be informed by a Soil Resource Survey and Plan prepared in accordance with the 2009 DEFRA Code that delineates, characterises and quantifies the re-usable soil resource and explains the methods and equipment to be used in its stripping, handling, storage, amelioration and placement.

- 5.4 Waste Strategy and Minimisation Officer has submitted her standard comments.
- 5.5 The Housing Officer states that: The application proposes that 9 of the units are

delivered as affordable housing. This is acceptable as it exceeds the affordable housing policy requirement for the site.

All of the units would need to be built to Welsh Government DQR standards, and units will be allocated from the Common Waiting List.

For clarification, if there are any roads or public open space/realms/green infrastructure within the site that will not be adopted (ie privately managed), then neither the RSL nor their tenants may be able to make additional contributions to the management of these aspects of the scheme. The prices to be paid relate solely to the purchase of the completed affordable units, including finishes to the external garden/communal space within property curtilages.

6 EXTERNAL CONSULTATIONS

- 6.1 South Wales Police have no objection to proposed development and have been engaged in pre-application discussions. South Wales Police welcome the proposed layout and general design which they believe will create active surveillance and assist with creating a safer and more sustainable neighbourhood and community.

South Wales Police welcome reference made in the design and access to adopting the principles of secured by design but would argue that these need to be detailed and included within the Design and Access statement submission.

For this reason South Wales Police make a number of specific recommendations listed below:

1. All rear gardens are made secure by 1.8m min walling, fencing and gating (2.1m min where property boundary adjoins public open space) reason to prevent burglary and theft.
2. All main external entrance doors are PAS24 2012 compliant reason to prevent burglary.
3. All ground floor windows are PAS24 2012 compliant reason to prevent burglary.
4. All service meters are located to front elevations of properties and are externally readable reason to prevent distraction type crime.
5. All parking areas are overlooked by properties reason to prevent vehicle related crime.
6. A scheme of work in relation to lighting is submitted to the local authority for approval prior to completion reason to enhance personal safety.
7. Where there are flats that are accessed by means of a communal entrance where 5 or more properties are served by a communal entrance then the communal entrance needs to be fitted with audio-visual access control systems. Reason to prevent unauthorised entry to communal areas and prevent crime.
8. The estate is built to Secured by Design standards reason to reduce crime. South Wales Police would be happy to work with developers to achieve Secured by Design Standards which has been shown to reduce

crime risk by up to 75%.

South Wales Police would ask that items 1-7 be considered by way of condition in line with Authorities obligations to prevent crime under Crime and Disorder Act.

- 6.2 Welsh Water request two conditions to ensure no detriment to existing residents, the environment and to Dwr Cymru Welsh Water's assets.
- 6.3 GGAT has no archaeological objections.
- 6.4 NRW has raised no objection subject to 2 conditions, one of which is in line with that recommended by Shared Regulatory Services.
- 6.5 Wales and West Utilities have identified a low pressure gas pipeline running along the northern boundary of the site.

7. **REPRESENTATIONS**

- 7.1 Local Members have been consulted. No comments have been received to date but will be reported to the Planning Committee if received prior to the meeting.
- 7.2 The proposal has been advertised in the press and by site notice as a major application.
- 7.3 Neighbouring occupiers were consulted by letter. No representations have been received to date.

8. **ANALYSIS**

- 8.1 The developer has submitted a planning statement which states inter alia that:

The pre-application report states that the site falls within St Mellons District Centre. Policy R4 of the Local Development Plan (LDP) 2006 – 2026 states:

‘Retail, office, leisure and community facilities will be favoured’ within St Mellons District Centre.

However, the pre-application report goes on to state ‘In principle, it is considered that the residential option put forward for this site would not result in the loss of retail floorspace and residential development of the site would add to the footfall in the centre’.

Policy C2 of the Local Development Plan states:

Proposals involving the loss or change of use of buildings currently or last used for community facilities will only be permitted if:

- i) An alternative facility of at least equal quality and scale to meet

- community needs is available or will be provided within the vicinity or;
- ii) It can be demonstrated that the existing provision is surplus to the needs of the community.

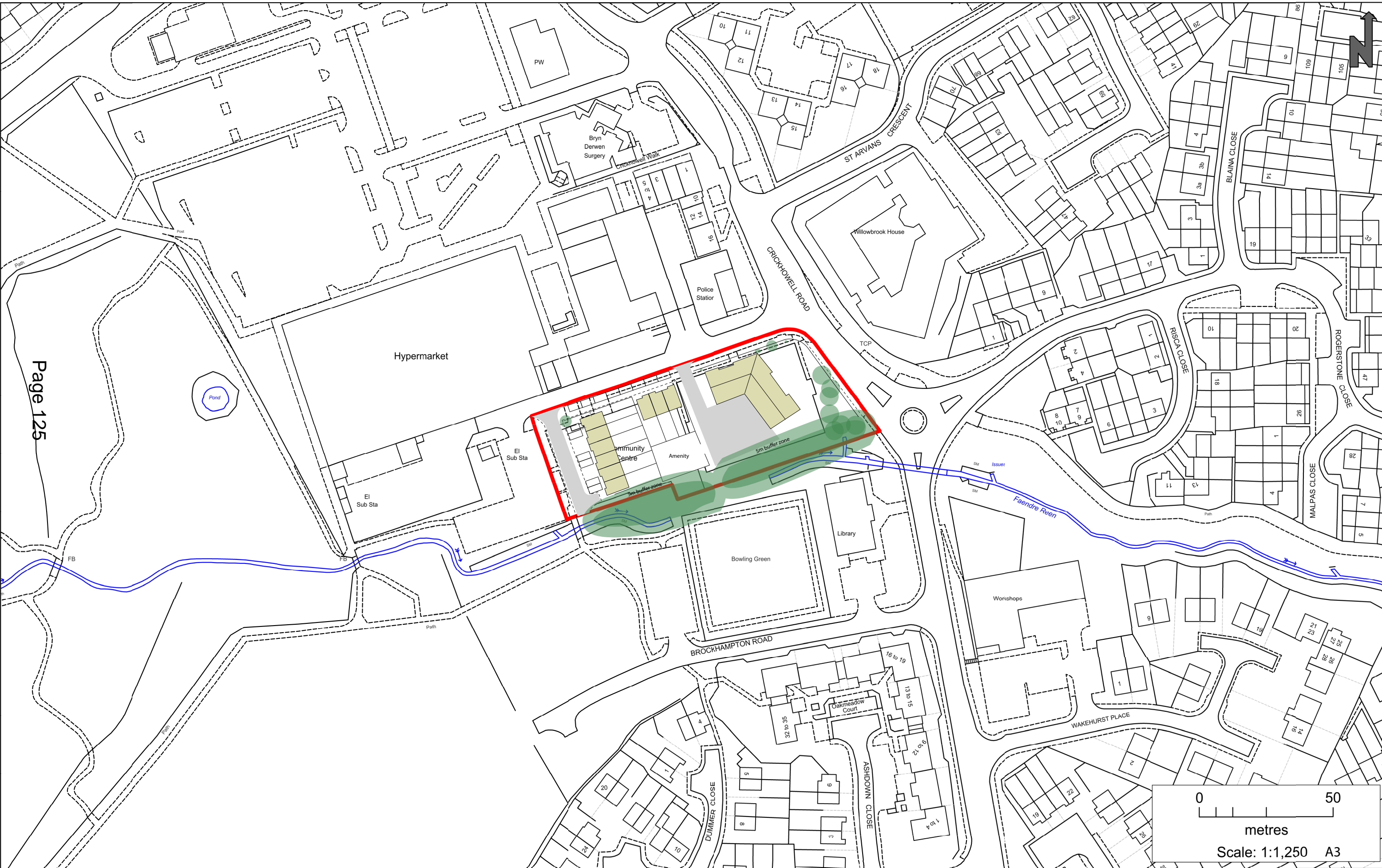
The redevelopment of the site is necessary to fund the extension to St Mellons Hub, adjacent to this site, which will accommodate a range of community and leisure facilities.

The current application involves residential development on the site of the existing St Mellons Community Centre. Facilities for the community will be significantly improved by their inclusion in the expanded St Mellons Hub, adjacent to the current community centre site. The expanded hub will incorporate a range of modern state of the art facilities including include a library and training rooms with new IT equipment, an exemplar Flying Start nursery and crèche, a youth den, a music studio, 2 multi-use rooms, 2 community kitchens, a café, a 3-court sports hall and current-standard team changing rooms. These will all be equipped to a high standard, and will be highly accessible due to their location in one central building. A modern floodlit 'Multi Use Games Area' will replace the existing outdoor playing court, and will be attractive to young people and other local residents.

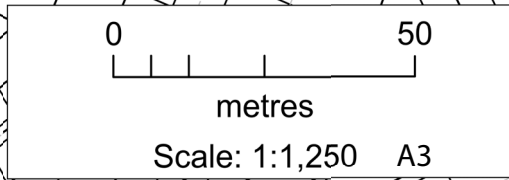
Development of the site will not result in the loss of retail or office floor space, and community provision is being relocated and improved on an adjacent site. Therefore the proposal will address the requirements of policies R4 and C2 of the Local Development Plan.

- 8.2 I concur with the developer's assessment contained within the Planning Statement. I also consider the development to be in line with the Council's approved planning policies. To ensure that community and leisure facilities are available for the community I consider it necessary that any consent be conditioned to restrict development until the St Mellons Hub is available for use.
- 8.3 The approved MUGA and Sports Hall will increase leisure facilities for the local community and will offset the loss of the open air basketball court.
- 8.4 Consultee responses raise no significant issues and in the main the suggested conditions are incorporated into the recommendation. Consultees' responses have been forwarded to the applicant and in the case of the South Wales Police's comments these can be addressed at detailed stage.
- 8.5 The number and size of dwellings proposed and their indicative layout raise no fundamental planning issues at outline stage but will be considered in more detail at the reserved matters stage. The proposed access arrangements are considered to raise no new significant highway issues from that currently existing.
- 8.6 In conclusion it is considered that the principle of residential development on this site can be granted subject to conditions and allocating the proceeds of the sale of the land for housing towards funding the St Mellons Hub and the provision of affordable housing as per paragraph 5.5 of this report.

Community Centre, Crickhowell Road, St Mellons Indicative Layout. (Illustrative only, do not scale)



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