



County Hall
Cardiff
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AGENDA

Committee	PLANNING COMMITTEE
Date and Time of Meeting	WEDNESDAY, 11 OCTOBER 2017, 1.30 PM
Venue	COMMITTEE ROOM 4 - COUNTY HALL
Membership	Councillor Keith Jones (Chair) Councillors Gordon, Ahmed, Asghar Ali, Congreve, Driscoll, Hudson, Jacobsen, Jones-Pritchard, Lay, Murphy and Keith Parry

1 **Apologies for Absence**

2 **Minutes**

To approve as a correct record the minutes of the meeting held on 13 September 2017

3 **Declarations of Interest**

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

4 **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, 17/00711/MNR, Proposed dwelling rear of 19 Fairwood Road, Fairwater

Application no, 17/01143/MNR, 11 Station Road, Llanishen

Application no, 17/01183/MNR, Unit 1 Cowbridge Court, 58-62 Cowbridge Road West, Ely

Application no, 17/01547/MNR, 9 Heol Fair, Llandaff

Application no, 17/01765/MNR, 225 Albany Road, Penylan

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5 Development Control Applications

The schedule of development control applications has been circulated under separate cover.

- a 17/007/11/MNR, Proposed dwelling rear of 19, Fairwood Road, Fairwater
- b 17/01143/MNR, 11 Station Road, Llanishen
- c 17/01183/MNR, Unit 1, Cowbridge Court, 58-62 Cowbridge Road West, Ely
- d 17/01547/MNR, 9 Heol Fair, Llandaff
- e 17/01765/MNR, 225 Albany Road, Penylan
- f 16/02934/MJR, Windsor Buildings, Ferry Road, Grangetown
- g 17/00969/MJR, Former Ty Newydd Care Home, 343 Heol Trelai, Caerau
- h 17/01291/MJR, 38-48 Crwys Road, Cathays
- i 17/01438/MJR, Land at former ATC Centre, Caldicot Road, Caerau
- j 17/01490/MJR, Part of former Phoenix Estate, Caerphilly Road, Heath
- k 17/01532/MNR, 49 Dispenser Street, Riverside
- l 17/01691/MJR, Briardene, North Road, Gabalfa
- m 17/01824/MJR, Land at Nettlefold Road, Splott

6 Section 119, Highways Act 1980, Diversion Order

7 Applications decided by Delegated Powers

Davina Fiore

Director Governance & Legal Services

Date: Thursday, 5 October 2017

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

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PLANNING COMMITTEE

13 SEPTEMBER 2017

Present: County Councillor Keith Jones(Chairperson)
County Councillors Gordon, Ahmed, Congreve, Driscoll, Jones-Pritchard, Lay and Murphy

21 : APOLOGIES FOR ABSENCE

Councillors Asghar Ali, Hudson and Parry

22 : MINUTES

The minutes of the 16 August 2017 were agreed as a correct record.

23 : DECLARATIONS OF INTEREST

Councillor	Item	Reason
Lay	17/0751/MJR	Employer shop Located by site

24 : PETITIONS

Application no 17/00406/MNR, The Caerau, Bishopston Road

The petitioner spoke and the applicant responded.

25 : DEVELOPMENT CONTROL APPLICATIONS

The Committee considered the schedule of development control applications submitted in accordance with the Town & Country Planning Act 1990. RESOLVED: That pursuant to this Committee's delegated powers the following development control applications be determined in accordance with the recommendations as set out in the report of the Director of City Operations subject to any further amendments as detailed below and notification be given of the decision in accordance with Section 74 of the Planning (Listed Building & Conservation Area Act 1990)

APPLICATIONS GRANTED

16/03044/MNR – CAERAU

LAND ADJACENT TO NUMBER 5, CHURCH STREET

Proposed new retail units with residential above (9 apartments), balconies and amenity roof terrace, rear car parking and associated works.

Subject to an amendment to Condition 1 to read:

'The development permitted shall be begun before the expiration of two years from the date of this planning permission'

APPLICATIONS GRANTED ON EXECUTION OF A PLANNING OBLIGATION UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990:

17/01063MJR – ADAMSDOWN

HALLINANS HOUSE, 22 NEWPORT ROAD

Demolition of Hallinans House and erection of building (11-32 storeys) to accommodate managed purpose built student cluster flats and studios, amenity areas, refuse and cycles stores, including flexible commercial floorspace at ground floor and associated works.

17/01751/MJR – CATHAYS

LAND NORTH OF WOOD STREET, WEST OF HAVELOCK STREET, SOUTH OF PARK STREET AND EAST OF NO.6 PARK STREET. (THE SITE ENCOMPASSES PLOTS 6 (IN PART), 7 AND 8 OF THE CENTRAL SQUARE MASTERPLAN AREA) 31,630 SQ M (GIA/24,837 SQ M (NIA) of use Class B1 (office) floorspace of which up to 372 SQ M of use Class A1/A3 (Retail/Café) will be provided at ground floor level, with car and cycle parking and public realm works.

Subject to an amendment to Condition 4 to read:

'Unless otherwise agreed in writing with the LPA a minimum of 372 sqm of use class A1/A3 (retail/café) floorspace will be provided at ground floor level fronting the new square'

Subject to an amendment to Condition 5 to read:

'Material samples: Prior to the commencement of the external envelope samples of the 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'

Subject to an amendment to Condition 6 to read:

'Architectural detailing: Prior to the commencement of the external envelope a scheme showing the architectural detailing of the principal elevations shall be submitted to and approved in writing by the LPA and the development shall not be brought into beneficial use until the approved scheme is implemented'

Subject to an amendment to Condition 9 to read:

'Cycle parking: Prior to beneficial occupation details showing the provision of cycle parking spaces shall be submitted to and approved in writing by the LPA. The approved scheme shall be implemented in accordance with the approved details'

Subject to an amendment to Condition 10 to read:

‘Prior to beneficial occupation of a scheme of environmental improvements to the adjacent footway/carriageway of Park Street and the adjacent footway of Havelock Street shall be submitted to and approved in writing by the LPA. The improvement works shall include details of surfacing, kerbs, edging, drainage, lighting, lining, signing, street furniture, soft and hard landscaping and traffic orders as may be required as a consequence of the development’

Subject to an amendment to Condition 11 to read:

‘Public realm: Notwithstanding the submitted plans an amended public realm scheme for the new square shall be submitted to and approved in writing by the LPA within 6 months following the commencement of development. The scheme shall include details of surfacing, kerbs, edging, drainage, lighting, lining, signing, telematics/signals/CCTV and communications, street furniture, cycle stands, soft and hard landscaping, public art and indicative phase 2 public realm proposals. The phase 2 proposals shall include for the provision of an A3 pavilion unless otherwise agreed in writing with the LPA and shall provide sufficient detail and clarity to enable the phase 1 scheme to be properly assessed. The agreed phase 1 scheme to be implemented in accordance with the approved details prior to beneficial occupation.

Subject to an amendment to Condition 12 to read:

‘Inclusive access: In support of the amended public realm scheme a detailed access strategy setting out the measures proposed to ensure inclusive access to the new square for all groups shall be submitted to and approved in writing by the LPA within 6 months following the commencement of development. The measures shall include signage and wayfinding, the use of guidance path and other interpretive tactile paving within the public realm proposals where appropriate , and the design and siting of on-street furniture, including lighting. The measures shall be implemented in accordance with approved details prior to beneficial use of the building’

Subject to an amendment to Condition 27 to read:

‘Independent energy assessment: Unless otherwise agreed in writing with the LPA an independent energy assessment of the financial viability and technical feasibility of incorporating renewable energy and low carbon technologies shall be submitted to and approved in writing by the LPA within 3 months of the commencement of development and the development shall not be brought into beneficial use until the approved scheme is implemented’

APPLICATIONS REFUSED

16/01867/MJR – ADAMSDOWN

4-46 BROADWAY

Proposed conversion of property to form A3 restaurant use to ground floor with 12no self-contained flats to upper floors with associated external works.

Reason 2: The proposal fails to provide on-site open space or sufficient compensatory financial contribution in lieu of such provision, contrary to the

provisions of Policies C5 (Provision for open space, outdoor recreation, children's play and sport), KP6 (New Infrastructure), and KP7 (Planning Obligations) of the Adopted Cardiff Local Development Plan (2006 – 2016); advice contained in the Council's approved Planning Obligations SPG (Jan 2017)

APPLICATIONS DEFERRED

17/00406/MNR – CAERAU

THE CAERAU, BISHOPSTON ROAD

Takedown public house building and construct three retail units with related car parking facility

REASON: The application was deferred in order for officers to draft reasons for refusal.

APPLICATIONS WITHDRAWN

17/01824/MJR – SPLOTT

LAND AT NETTLEFORD ROAD

Redevelopment to provide a dogs trust, re-homing centre including various buildings, associated car parking internal roads and paths, exercise runs, fences, sewage treatment plant, boundary treatments and landscaping.

REASON: At the request of the applicant.

26 : SECTION 119, HIGHWAYS ACT 1980, DIVERSION ORDER

The application was deferred to the meeting of the 11 October 2017

27 : APPLICATIONS DECIDED BY DELEGATED POWERS - AUGUST 2017

Noted

This document is available in Welsh / Mae'r ddogfen hon ar gael yn Gymraeg

PETITION AND LOCAL MEMBER OBJECTIONS

COMMITTEE DATE: 11/10/2017

APPLICATION No. **17/00711/MNR** APPLICATION DATE: 29/03/2017

ED: **FAIRWATER**

APP: TYPE: Reserved Matters

APPLICANT: Mr. N Maqueline

LOCATION: PROPOSED DWELLING REAR OF 19, FAIRWOOD ROAD,
FAIRWATER

PROPOSAL: RESERVED MATTERS IN RELATION TO APPLICATION
11/1285/DCO AND APPLICATIONS 14/01330/DCO AND
13/2253/DCO

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

1. C01 Statutory Time Limit
2. The development shall be carried out in accordance with the following approved plans:
 - 2331-03 Rev B – Block Plan
 - 2331-02 Rev B – Proposed Plans and Elevations

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

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013 (or any Order amending, revoking or re-enacting that Order) no windows shall be inserted in the first floor Side elevations facing 17 Fairwood Road (to the South) and The Bungalow (to the North), other than those hereby approved.

Reason : To ensure that the privacy of adjoining occupiers is protected.

4. The Second floor rooflights facing 17 Fairwood Road (to the South) and The Bungalow (to the North) elevation shall be non opening below a height of 1.8 metres above internal floor level and glazed with obscure glass and thereafter be so maintained.

Reason : To ensure that the privacy of adjoining occupiers is protected.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013 (or any Order amending, revoking or re-enacting that Order) no structure

or extension shall be placed within the curtilage of any dwelling or alteration to any roof.

Reason: To ensure the orderly development of the area with adequate space about buildings and in the interests of the visual amenity of the area.

6. No development shall take place until details of the means of site enclosure have been submitted to and approved by the Local Planning Authority. The means of site enclosure shall be constructed in accordance with the approved details prior to the development being put into beneficial use.

Reason: To ensure that the amenities of the area are protected.

7. The car parking spaces shown on the approved plans shall be provided prior to the development being brought into beneficial use 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.

8. No development shall take place 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.

9. No equipment, plant or materials shall be brought onto the site for the purpose of development until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping, which shall include details of paved areas, verges and other open spaces, indications of all existing trees and hedgerows on the land and details of any to be retained and planted.

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

10. The use of the roof of the flat roof annexe positioned to the rear elevation of the dwelling hereby approved shall not be used for any type of external amenity space or recreational space what so ever.

Reason: To ensure that the privacy and amenities of the occupier of the adjoining properties are protected.

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

to Fridays and 0800 - 1300 hours on Saturdays or at any time on Sunday or public holidays. The applicant is also advised to seek approval for any proposed piling operations.

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

- (i) determining the extent and effects of such constraints and;
- (ii) ensuring that any imported materials (including, topsoils, subsoils, aggregates and recycled or manufactured aggregates / soils) are chemically suitable for the proposed end use. Under no circumstances should controlled waste be imported. It is an offence under section 33 of the environmental Protection Act 1990 to deposit controlled waste on a site which does not benefit from an appropriate waste management 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 4 : That the applicant is advised that no work should take place on or over the neighbour's land without the neighbour's express consent and this planning approval gives no such rights to undertake works on land outside the applicants ownership.

RECOMMENDATION 5 : You should contact Welsh Water before commencing the development since it may lie within the easement of a public sewer that crosses the site. The approximate position of the sewer is marked on the attached record plan. No development (including the raising or lowering of ground levels) will be permitted within the safety zone which is measured either side of the centre line. For details of the safety zone please contact Dwr Cymru Welsh Water's Developr Services on 0800 9172652 or via email at

developer.services@dwrwymru.com . Please note that the grant of planning permission does not give any rights to build within a sewer easement without first obtaining the consent of Welsh Water.

1. DESCRIPTION OF PROPOSED DEVELOPMENT

- 1.1 Planning permission is sought for the construction of a two-storey detached dwelling
- 1.2 The proposed dwellinghouse is to be approximately 8.2m high with a pitched roof, 7.6m wide and 7.8m deep and a single storey rear annexe measuring 4m wide, 3.2m deep and 2.8m high with a flat roof. The submitted plans show the provision of two off-street parking spaces positioned to the front of the proposed dwelling.

2. DESCRIPTION OF SITE

- 2.1 The application site comprises the rearmost part of the rear garden of no.19 Fairwood Road
- 2.2 The site is accessed off Chatsworth Close along a single lane highway
- 2.3 The surrounding area is a combination of two-storey semi-detached dwelling, detached two-storey dwellings as well as a number of single storey dwellings

3. SITE HISTORY

- 3.1 11/1285/DCO – Outline planning application (with all matters reserved) for new detached residence at land to rear of 19 Fairwood Road. Approved
- 3.2 13/935/DCO – Variation of conditions 8 (attached plans) and 9 (single storey dwelling only) of 11/1285/DCO to allow construction of a house within 9.5m x 7m footprint and to allow for the construction of a two-storey house. Refused
- 3.3 13/2253/DCO – Removal of condition 9 (single storey dwelling only) of planning permission 11/1285/DCO to enable a two-storey development on the application site. Approved
- 3.4 14/1330/DCO – Variation of condition 8 (attached plans) of planning permission 13/2252/DCO to allow for substitution of plan drawing 663-03 G. Refused but subsequent Planning Appeal Allowed

4. POLICY FRAMEWORK

- 4.1 The application site is shown as part of an existing housing area indicated on the Proposals Map of the City of Cardiff Local Plan
- 4.2 The following policies of the approved Cardiff Local Development Plan (2006-2026) are considered to be relevant to the proposal:

Policy KP5 (Good Quality and Sustainable Design)
Policy T5 (Transport Impacts)
Policy W2 (Provision for Waste Management Facilities in Development)

- 4.3 Supplementary Planning Guidance: Infill Sites (April 2011)
- 4.4 Supplementary Planning Guidance: Access, Circulation and Parking Standards (January 2010)
- 4.5 Supplementary Planning Guidance: Waste Collection and Storage Facilities (March 2007)

4.6 Technical Advice Note 12: Design

4.7 Planning Policy Wales 2016

5. **INTERNAL CONSULTEE RESPONSES**

- 5.1 The Operational Manager, Transportation – No objections
- 5.2 The Operational Manager, Environment and Public Protection – No objections
- 5.3 The Operational Manager, Waste Management – No objections

6. **EXTERNAL CONSULTEE RESPONSES**

6.1 Welsh Water – No objections

7. **REPRESENTATIONS**

7.1 Neighbours have been consulted, letters and e-mails have been received from the occupiers of 1, 2 and 3 Chatsworth Close, 62, 64, 66 and 68 Kirton Close, 5, 6, 9, 13, 14, 17, 19 and 21 Fairwood Road (plus a Diane Brewster, address unknown) objecting for the following summarised reasons;

- i) Highway Safety issues – site is down a narrow lane
- ii) Off-street parking provision for proposal is unsatisfactory
- iii) Proposed dwelling not in keeping with area
- iv) Overlooking/privacy issues
- v) Proposed dwelling would be overbearing and unneighbourly
- vi) Loss of value to adjacent dwellings
- vii) Noise and disturbance from construction works
- viii) Potential for vehicles from occupants or visitors to block adjacent lane

7.2 A 53 name Petition has been received objecting to the proposal for the following summarised reasons;

- i) Creation of new building line within Chatsworth Close
- ii) Precedent for further new dwellings in immediate area
- iii) Impact on surrounding area

- iv) Cramped size of plot

7.3 Councillor Lisa Ford, objects for the following summarised reasons;

- i) The development by reason of its size, depth, width, height and massing would have an adverse impact on the amenities of the properties immediately adjacent to the site and the surrounding area by reason of overlooking, loss of privacy, being overbearing and visual impact on the area as a whole
- ii) Circulation within the site would be unacceptable as will create conflict between pedestrians, cyclists and vehicular movement thereby creating a safety hazard
- iii) Vehicles could overhang onto the lane to the detriment of other users
- iv) Parking spaces are insufficient which will impact surrounding properties through roadside parking on the narrow lane
- v) Beech hedge will be affected by the house

8. **ANALYSIS**

8.1 The main planning issues relate to:

- (i) The impact of the amenities of neighbouring occupiers.
- (ii) Highway safety/parking issues.

8.2 Amended Plans have been received due to concerns regarding the design and scale of the proposed dwelling, its siting adjacent to the side boundaries and potential overlooking issues.

8.3 It is noted that the principle of a dwellinghouse on this site was approved under planning application 11/1285/DCO. The original application was in outline with all matters reserved for future consideration. However, conditions 8 and 9 were imposed in regard to the proposed scale, design and size of the dwelling being as shown on the submitted plans and the dwelling being of a single storey design. It should be noted that subsequent planning applications have removed these requirements as listed in the site history section of this report.

8.4 It is not considered that the proposal as amended would prejudice the amenities of adjoining neighbours. The property is detached and sited approximately 2m away from the adjoining side boundaries with 17 Fairwood Road and The Bungalow.

8.5 The submitted amended plans show that there are no first floor windows sited in the side elevations facing 17 Fairwood Road and The Bungalow other than the insertion of four rooflights into the second floor. It is considered necessary to ensure that these rooflights are non-opening and obscurely glazed if sited below 1.7m internal floor level (see conditions 4) and that no other windows be inserted into the first floor side elevations (see condition 3). The first floor elevation is sited 21 metres from the adjoining dwelling at no. 19 Fairwood Road and approximately 10.8 metres from the rear elevation of 64 Kirkton Close, notwithstanding this distance it is considered that privacy will not be compromised.

8.6 It is noted that the original outline permission was granted with a condition that any future dwelling-house be single storey (condition 9), this condition was subsequently removed under planning application 13/2253/DCO and the Planning Committee considered that a two-storey development would be acceptable on this site

8.7 In considering the application the Supplementary Planning Guidance; Infill sites (2011) is appropriate.

Para 2.14 states that It is important to strike a balance between maintaining the established positive character of a residential street and introducing additional housing. To avoid a 'town cramming' effect, any proposals must:

- Maintain a useable amenity space or garden for new as well as any existing dwellings/ occupiers;
- Maintain an established spacing between buildings that respects the pattern of layout in the vicinity of the site;
- Maintain appropriate scale and massing which respects buildings in the vicinity of the site;
- Respect the frontage building line and respond to the existing street scene

Para 2.15 states that the intensification of a site often means that additional car parking needs to be accommodated within the site boundary. Parking design is an important consideration with all infill development (see section on Parking), but the increased unit densities can specifically create problems for site redevelopment. Front gardens are important for biodiversity, amenity, drainage, street character and therefore parking should not intrude on these areas where they contribute to the character of the area. Parking should be designed and sited to encourage the use of street frontage to access dwellings

Para 3.11 states that as an overarching guide for all residential development, the Residential Design Guide sets out the following list of design characteristics that should inform a character analysis:

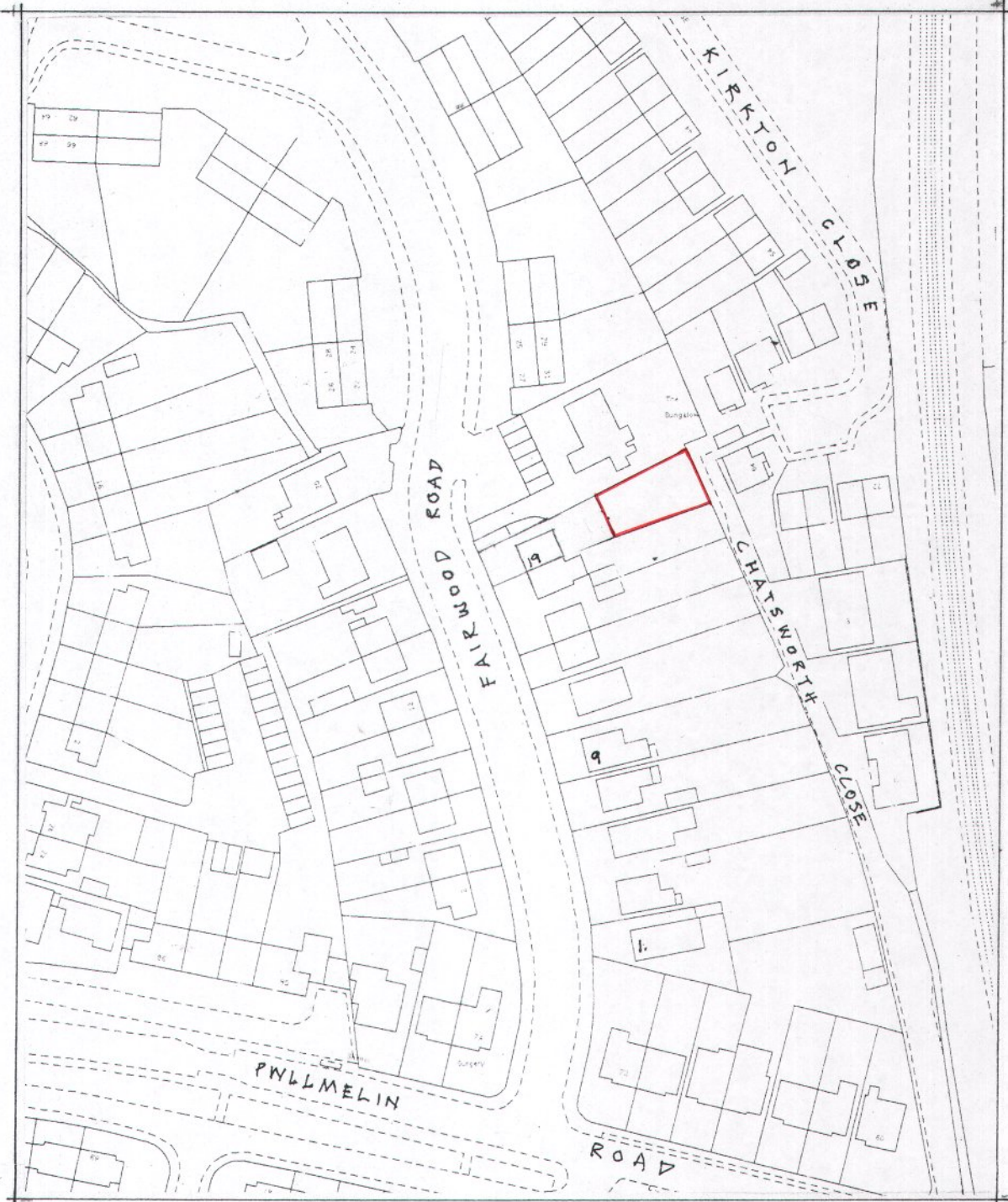
- Locally distinct patterns of streets and spaces
 - Urban grain/built form relationships
 - Local or strategic views
 - Building envelope : scale, mass, form, height, roof form
- Detailing and visual richness: window profiles, timberwork, building entrances, materials
- Layout: plot widths, set backs
 - Topographical, microclimatic and ecological features
 - Local patterns of landscape: front garden treatments, street trees

Para 3.12 Infill development needs to be sensitive to its immediate surroundings and respond well to the built context. It is important that in residential areas where there is a clear existing pattern and form of development, that new buildings, landscaping and boundary treatment (e.g. gates, railings, walls and hedges) complement the character of the surroundings. A thorough understanding of detailing in the street scene which

contributes to the form the character of the area needs to be gained and responded to.

It is considered that the proposal meets the above criteria used in the Supplementary Planning Guidance: Infill Sites as the design of the dwelling as amended is considered to be acceptable, and reflects those properties adjoining in Kirton Close. It is noted that there are a number of different designs of dwellings within the area with no one dominant style, with those sited off the Chatsworth Close being modern properties.

- 8.8 The Operational Manager (Transportation) has no objection to the proposal.
- 8.9 In regards to comments made by neighbours which are not covered above, the following should be noted:
- i, ii + viii) The OM, Transportation raises no objections to the proposal
 - iii) See para 8.4
 - iv+ v) See para 8.3
 - vi) Not a material planning consideration
 - vii) Dealt with under separate legislation
- 8.10 In regard to the comments made by Councillor Lisa Ford, would comment as follows;
- i) See para 8.4-8.6
 - ii-iv) See para 8.7
 - v) Damage to adjoining neighbours property is a private legal matter between the two parties
- 8.11 Having regard to the policy context above, the proposal as amended is considered to be acceptable and planning permission is recommended subject to conditions.

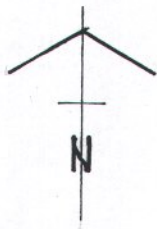


LOCATION PLAN

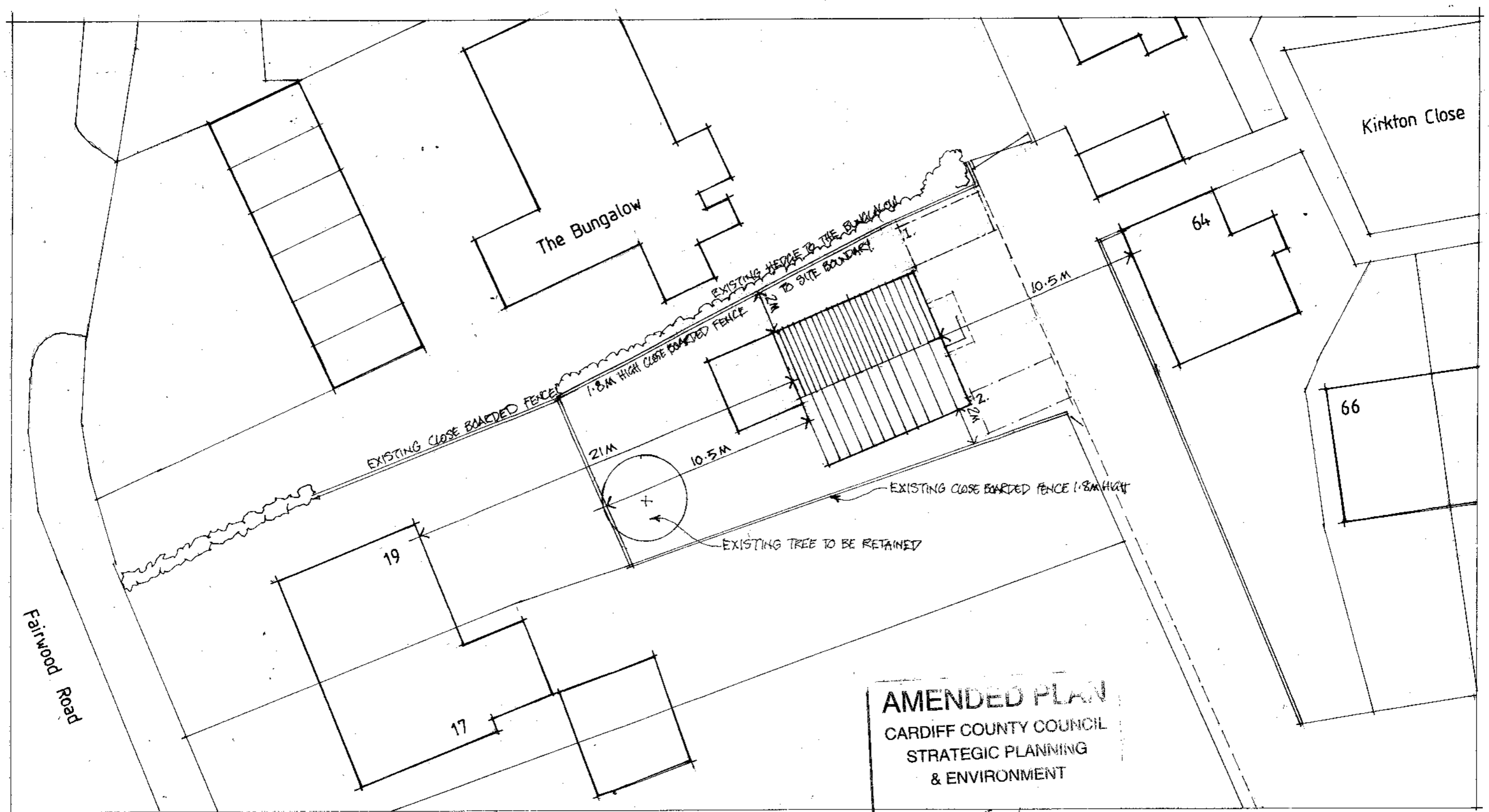
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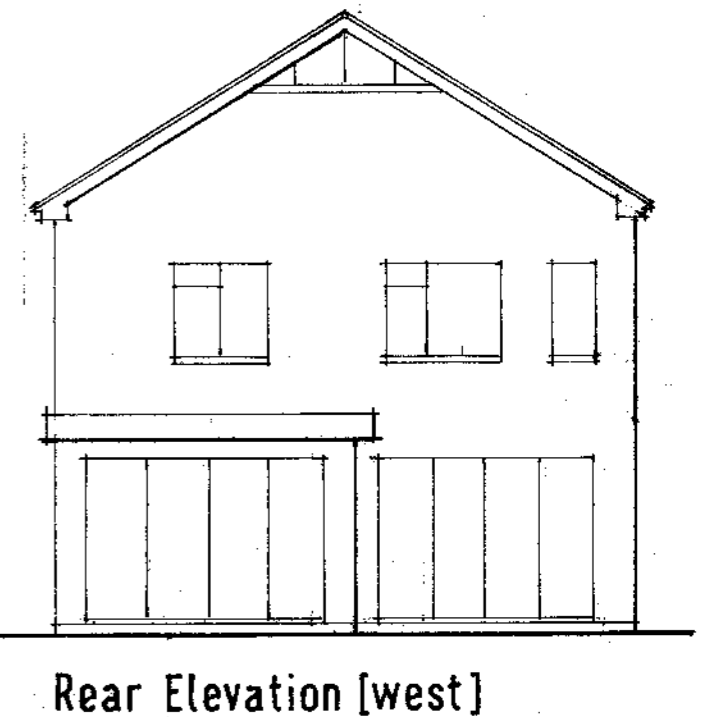
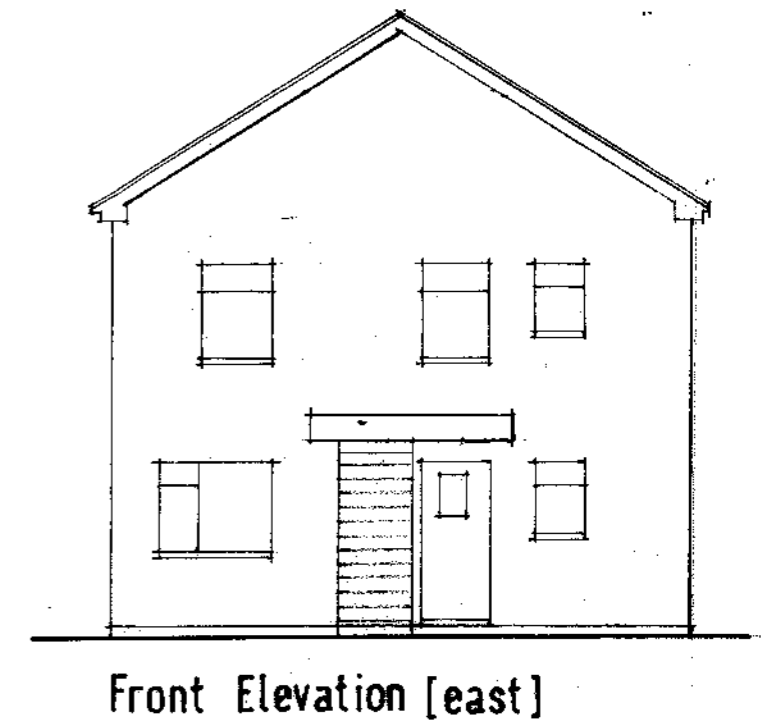
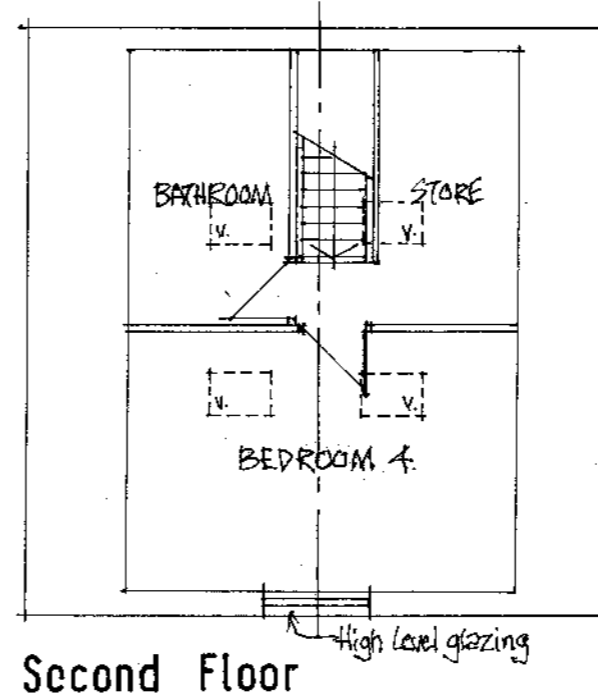
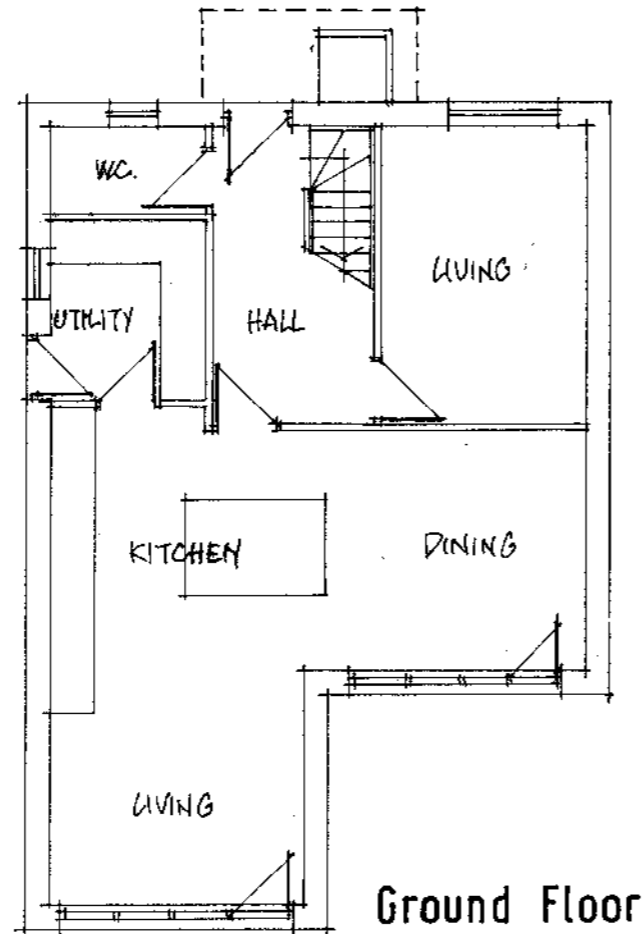
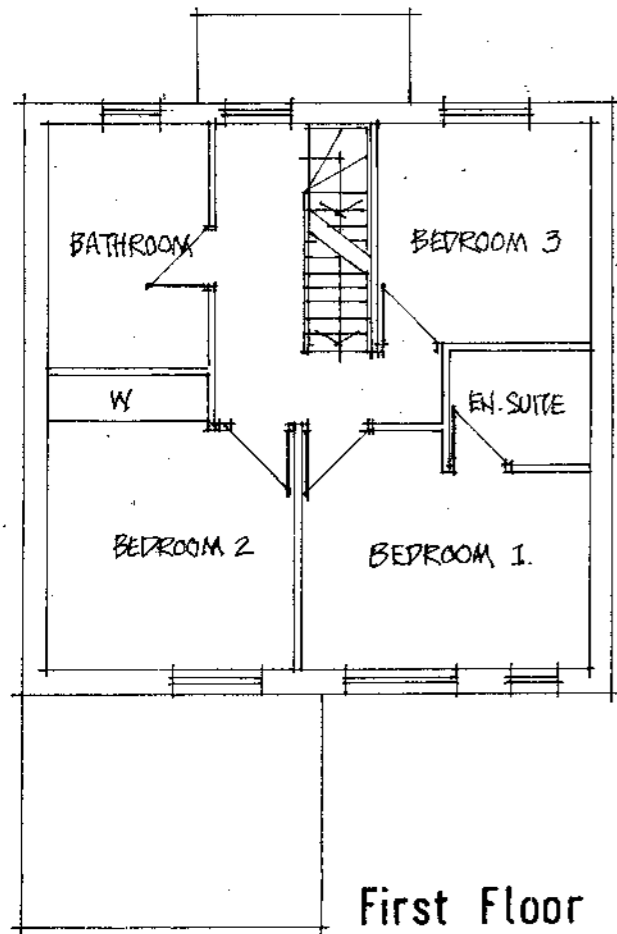
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 CARDIFF COUNTY COUNCIL
 STRATEGIC PLANNING
 & ENVIRONMENT

DATE 7.8.17

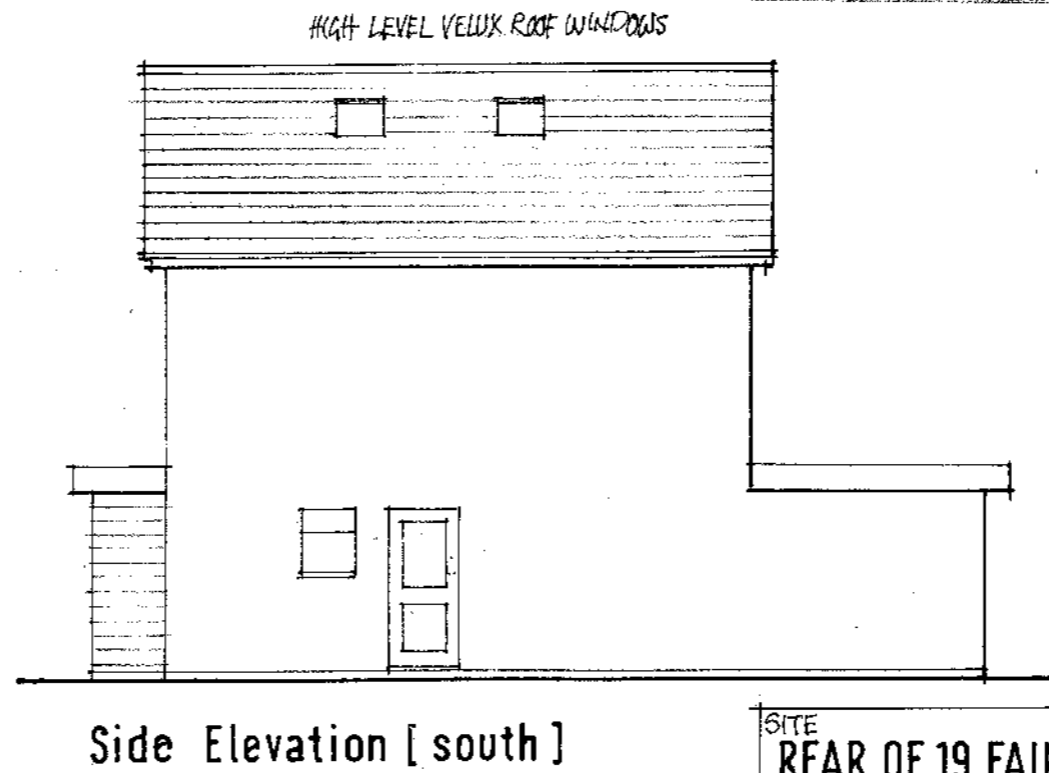
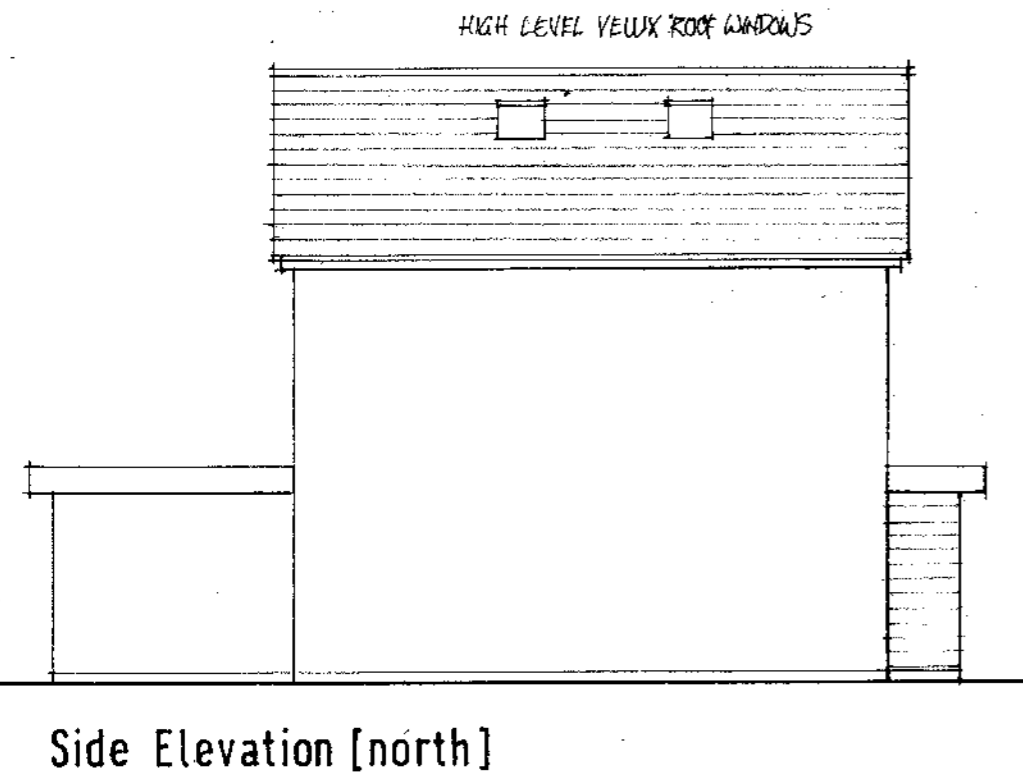
TERRY NUNNS ARCHITECT
 D.Arch Dip.TP ARB

Bedw Arian, School Lane, Gwaelod y Garth,
 Cardiff, CF15 9HN
 Email: terry@terrynnuns.co.uk
 Tel: 02920 810134 Mob: 07581 233058

SITE REAR OF 19 FAIRWOOD ROAD	
TITLE BLOCK PLAN	
DATE 03-07-2017	DRWG. NO. 2331-03 REV B
SCALE 1:200 AT A3	



AMENDED PLAN
 CARDIFF COUNTY COUNCIL
 STRATEGIC PLANNING
 & ENVIRONMENT
 DATE 7.8.17



SITE
REAR OF 19 FAIRWOOD ROAD
 TITLE
PROPOSED PLANS & ELEVATIONS

DATE 31-07-2017	DRWG. NO. 2331-02 REV. B
SCALE 1:100 AT A3	

TERRY NUNNS ARCHITECT
 D.Arch Dip.TP ARB

Bedw Arian, School Lane, Gwaelod y Garth,
 Cardiff, CF15 9HN
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**PETITION OF OBJECTION, PETITION OF SUPPORT
& LOCAL MEMBER OBJECTION**

COMMITTEE DATE: 11/10/2017

APPLICATION No. **17/01143/MNR** APPLICATION DATE: 18/05/2017

ED: **LLANISHEN**

APP: TYPE: Variation of conditions

APPLICANT: Mr S Gropetis

LOCATION: 11 STATION ROAD, LLANISHEN, CARDIFF, CF14 5LS

PROPOSAL: VARIATION OF CONDITIONS: 1) TO ALLOW FISH AND CHIP CAFE WITH TAKE AWAY USE AND 2) TO ALLOW TRADING HOURS OF 07:30 TO 21:00 MONDAY - SATURDAY AND 09:00 - 21:00 SUNDAY OF 14/01745/DCO

RECOMMENDATION 1 : That Planning Permission be **GRANTED** for the development in accordance with planning permission 14/01748/DCO without compliance with conditions 1 and 2 but subject to the following conditions:

1. C01 Statutory Time Limit
2. The premises shall be used only be used as a restaurant, hot food takeaway, café or coffee shop and for no other purpose (including any other purpose in Class A3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument amending, revoking or re-enacting that Order).
Reason: The use of the premises for other purposes within Class A3 could detract from the amenities of nearby occupiers.
3. The premises shall only be open to members of the public between 09:00 and 21:00 on any day.
Reason: To ensure for the amenities of occupiers of other premises in the vicinity are protected.
4. The extraction of all fumes from the food preparation areas shall be mechanically extracted to a point to be agreed in writing by the Local Planning Authority, and the extraction system shall be provided with a de-odorising filter. All development shall be so mounted and installed so as not to give rise to any noise nuisance. Details of the extraction equipment including the flue shall be submitted to and approved by the Local Planning Authority in writing and equipment installed prior to the commencement of use for the cooking of food.
Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected.

5. Refuse storage containers shall be provided internally to accommodate general waste, recycling and food waste. Refuse storage shall thereafter be retained.

Reason: To protect the amenities of the area.

RECOMMENDATION 2: The applicant is advised that a suitable grease trap should be provided to prevent entry into the public sewerage system of matter likely to interfere with the free flow of the sewer contents, or which would prejudicially affect the treatment and disposal of such contents.

1. **DESCRIPTION OF PROPOSED DEVELOPMENT**

- 1.1 This application seeks planning permission to modify conditions 1 and 2 of planning application 14/01745/DCO which allowed for the retention of the use of 11 Station Road, Llanishen, Cardiff as a day time café.

Condition 1 states:

The property shall only be used as a daytime café as specified within this application and for no other use within Use Class A3 of the Town and Country Planning (Use Classes) Order 1987 or any order amending, revoking or re-enacting that order.

Reason: Other A3 uses may not be appropriate within this location.

and Condition 2 states:

The daytime cafe shall only be open to members of the public between the hours of 07:30-16:00 Monday to Saturday and shall not open on Sundays or public bank holidays

Reason: To ensure that the privacy and amenities of the occupier of the adjoining properties are protected.

The applicant seeks to vary conditions 1 and 2 of planning permission 14/01745/DCO to read as follows:

Condition 1 – *“The property shall only be used as a fish and chip and traditional British foods café as specified within this application and for no other use within Use Class A3 of the Town and Country Planning (Use Classes) Order 1987, or any order amending, revoking or re-enacting that order.”*

Condition 2 – *“The fish and chip and traditional British foods café shall only be open to members of the public between 07:30 - 21:00 Monday to Saturday and 09:00 -21:00 on Sundays or Bank Holidays.”*

- 1.2 No external changes are proposed as part of this application.

2. **DESCRIPTION OF SITE**

- 2.1 The site relates to the end unit of a block of five, two storey purpose built shop

units within the Station Road Local Shopping Centre. The lawful use of No. 11 is as a daytime café, subject to conditions controlling the type of use permitted. At first floor level is a residential flat.

The four adjoining properties are all in commercial use on the ground floor. The adjoining property contains a residential flat above with the first floor of the three other units being used for commercial and storage purposes. The block of properties is adjoined on the one side by Llanishen Church and associated graveyard and on the other side by Llanishen Police Station. Forecourt parking is available at the front of the properties and a service road is situated to the rear which provided for a garage and a parking space for each unit.

3. **SITE HISTORY**

3.1

Application No : 94/00077/N
Proposal : HOT & COLD FOOD TAKEAWAY FOOD OUTLET
Application Type: FUL
Decision : REFUSED
Decision Date : 12/10/1994

Application No : 91/00282/N
Proposal : HOT AND COLD FOOD TAKEAWAY OUTLET
Application Type: FUL
Decision : REFUSED
Decision Date : 24/07/1991

Application No : 14/01745/DCO
Proposal : RETENTION OF USE OF PROPERTY AS A DAY TIME
CAFE
Application Type: FUL
Decision : PERMISSION
Decision Date : 17/09/2014

Application No : 17/01144/MNR
Proposal : GROUND FLOOR REAR EXTENSION
Application Type: FUL
Decision : PERMISSION
Decision Date : 17/07/2017

4. **POLICY FRAMEWORK**

4.1 The site lies within the Station Road Local Shopping Centre as defined by the proposals map of the Cardiff Local Development Plan 2016

4.2 Relevant National Planning Guidance:

Planning Policy Wales (Edition 9, 2016)

4.3 Relevant Cardiff Local Development Plan Policies:

Policy KP5: Good Quality and Sustainable Design
Policy EN 13: Air Noise Light Pollution and Land Contamination
Policy R5: Local Centres
Policy R8: Food and Drink Uses

4.5 Relevant Supplementary Planning Guidance:

Restaurants, Takeaways and Other Food and Drink Uses (1996)

5. **INTERNAL CONSULTEE RESPONSES**

- 5.1 Waste Management have advised that the current waste storage arrangements are acceptable and need to be retained for future use. They have also confirmed that they do not object to this application.
- 5.3 Traffic and Transportation have advised that they have no objection to the proposal.
- 5.4 Pollution Control have advised that they have no objection to the proposal subject to a condition requiring the submission of the proposed fume extraction system and associated flue.

6. **REPRESENTATIONS**

- 6.1 12 separate letters of objection have been submitted together with a petition of over 50 signatures against the proposal.
- 6.2 A petition of over 50 signatures has also been submitted in support of the proposal.
- 6.3 Local Ward Councillor Shaun Jenkins objects to the planning application for the following reasons:
- a) I have consulted with several nearby businesses who all expressed deep concerns over the potential negative impact to their businesses.
 - b) A fish and chip shop would be out of place in Llanishen and would change the character of the village. Moreover, given the proposed opening hours, I feel this could lead to increased activity in the area at unsociable hours, which again would change the character of the village.
 - c) Litter can be an issue in and around Llanishen village and a takeaway outlet would only exacerbate the problem further.
 - d) There are already significant parking issues in Llanishen village, the proposed development would likely make a difficult parking situation even worse.
 - e) I feel that this development does not meet the requirements of section 3 of the Well-being and Future Generations (Wales) Act 2015. (*N.B. Section 3 relates to a healthier Wales. The goal's objective is to seek a society in which people's physical and mental well-being is maximised and in which choices and behaviours that benefit future health are understood*).

6.4 Local Ward Councillor Phil Bale has commented the following:

I write in relation to the current planning application to vary conditions in relation to 11 Station Road, Llanishen following representations from local residents who have expressed opposition to the proposals. I note that there have been similar applications in the past which have previously been rejected by the Local Planning Authority and the Planning Inspectorate on appeal. It is not clear what has changed significantly since these previous applications were considered as well as the precedent which might be set by a recommendation for approval on this occasion. I would therefore ask that such concerns are fully considered during consideration of this application.

7. **ANALYSIS**

7.1 This application seeks planning permission to modify conditions 1 and 2 of planning permission 14/01745/DCO which allowed the change of use of 11 Station Road to be used as a day time café, subject to conditions. The applicant proposes to vary conditions 1 and 2 of planning permission 14/01745/DCO to read as follows:

Condition 1 – *“The property shall only be used as a fish and chip and traditional British foods café as specified within this application and for no other use within Use Class A3 of the Town and Country Planning (Use Classes) Order 1987, or any order amending, revoking or re-enacting that order.”*

Condition 2 – *“The fish and chip and traditional British foods café shall only be open to members of the public between 07:30 - 21:00 Monday to Saturday and 09:00 -21:00 on Sundays or Bank Holidays.”*

7.2 The key issues for the Council are the impact the modification of the two conditions will have upon the character of the Station Road Local Shopping Centre and the surrounding area and the implications for the residential accommodation situated above the application site and within close proximity to the application site.

7.3 In 1991 a planning application was submitted to change the use of the property to a hot and cold food takeaway food outlet – planning application 91/00282/N refers. This application was refused for the following reason:

The proposal would by virtue of litter, cooking smells, late evening noise and disturbance, together with increased parking and traffic congestion detract from the residential amenities of Llanishen Village and be detrimental to the character of the surrounding residential area as a whole.

7.4 In 1994 a further planning application was submitted to change the use of the property to a hot and cold food takeaway food outlet – planning application 94/00077/N refers. This application was refused for the same reason as the 1991 planning application, namely:

The proposal would by virtue of litter, cooking smells, late evening noise and disturbance, together with increased parking and traffic congestion detract from the residential amenities of Llanishen Village and be detrimental to the character of the surrounding residential area as a whole.

- 7.5 After the second refusal the applicant lodged an appeal to the Planning Inspectorate Division of the then Welsh Government against the Council's decision to refuse to grant planning permission for the use of the property as a hot food takeaway. The matter was considered at a public inquiry whereby the appeal was subsequently dismissed. In summing up the appeal the Planning Inspector stated:

The Llanishen centre is a small compact shopping and commercial centre. There are no residential uses interspersed at ground floor level and only two such uses at first floor level. One is at your clients premises and the other is on the edge of the centre, a centre which is busy with traffic and pedestrians throughout the working day.

Noise and disturbance in such a location, and relating to such a use, is normally a nuisance in the evenings, caused by cars stopping and starting, car doors slamming, car radios and people talking loudly. There was no dispute that the appeal property has ample parking space available in the evening immediately outside. In the circumstances it seems to me that only the occupants of the flat above the shop could be seriously affected by such nuisance. Apart from the public house there are no businesses open after 20:00 in the centre. There was little dispute that the centre is much quieter in the evenings than during the day. It appears to me that whether the flat is occupied by the manager of the business, or by someone else, that the proposal would be detrimental to the occupants in terms of noise nuisance.

Furthermore the appeal premises are immediately adjacent to the parish church and cemetery. A path linking the local comprehensive school to the village centre passes through the cemetery and emerges alongside the takeaway. There is therefore considerable movement at certain times of the day through the cemetery. However, it seems to me that the opening of a takeaway in this location would in all probability lead to the lingering and the consumption of food within the confines of the cemetery to the disturbance of persons visiting graves or occasionally attending a burial.

With respect to litter, it would appear that there is already a significant litter problem in the centre, and in the churchyard and cemetery. This is despite there being a number of well-placed litter bins throughout these areas, and there being a police station within the centre. Whilst other legislation exists to control the nuisance it clearly does not prevent it from happening. There would be no control over the type of takeaway business operated, and there is clearly a potential for substantial litter from an establishment such as a fish and chip shop. In most centres this matter would not in my view be of significant weight to dismiss the appeal. However, I consider in this case that the close proximity of the churchyard and the use of the cemetery as a through route by school children is sufficient to cause justified concern

amongst local people that litter would significantly increase in this sensitive location. It appears to me that the proposal is a good example of inappropriately sited development.

- 7.6 In 1999 it was brought to the attention of the Council that the occupier of the property, who was trading as a bakery, had installed a small frying range to sell chips to the local school children during lunchtimes. Observations had revealed that the sale of hot food to local school children was having a detrimental effect on the area by virtue of noise, litter and general disturbance. An Enforcement Notice was subsequently issued which required the sale of hot food to cease. The Enforcement Notice was not appealed against and the use subsequently ceased. No further involvement was had with the property until 2014 when the ownership of the property was changing and the issue of the Enforcement Notice raised by the purchaser's solicitor.
- 7.7 The purchaser's solicitor had identified that the current use of the property as a daytime café did not have the benefit of planning permission and that there was a valid Enforcement Notice on the property which prevented the sale of hot food from the property. As a result of discussions between both parties legal representatives on 24th July 2014 a planning application was submitted seeking to regularise the use of the property as a daytime café – planning application reference number 14/01745/DCO refers.

As part of the planning application the applicant advised that he had been trading at the property as a daytime cafe for over 11 years since moving into the property in 2003. He also indicated that he traded as a daytime cafe selling mainly sandwiches, baguettes and salad although jacket potatoes, toasties, hot melts and cooked breakfasts were also provided. A search of Departmental records revealed that no complaints had been received with respect to the use of the property from either a Planning or Pollution Control perspective, this issue was only brought to light when the ownership of the property was changing.

The planning officer report advised that:

In terms of land use, the property falls within the Station Road Local Centre as defined by the Local Plan. Paragraph 3 of the SPG on Restaurants, Takeaways and Other Food and Drink Uses states that food and drink uses are complementary, in principle, to the main shopping role of the district and local centres so long as they do not adversely affect the living environments of nearby residents or, with other non-shopping uses, reach such a level that they undermine the shopping character of the area. As this unit has been in a non-shopping use since 2003 it is not considered that the retention of the use would have a detrimental impact upon the predominant shopping role of the centre or the vitality or viability of the shopping frontage.

It is acknowledged that there is a valid Enforcement Notice on the property which prevents the sale of hot food and that the granting of this planning permission will supersede this Notice. However, conditions 1 and 2 restricts the use and trading hours of the property to a daytime cafe only and as such it

is officers opinion that in this instance to have a blanket ban on the sale of hot food at the property is inappropriate.

No objections were received with respect to the planning application and it was considered reasonable therefore that all of the previous issues and concerns in respect of the sale of hot food from the property had not materialised in this instance as no complaints had been received in the 11 years of trading. Planning permission was subsequently granted subject to conditions.

7.8 Looking at the current planning application before the Council the main issue for consideration is the impact the proposal will have upon the character of the Station Road Local Shopping Area and the surrounding residential area. Officers are aware of the previous two refusals with respect to the change of use of the property to a hot food take away and also the Inspectors decision when the appeal was dismissed. Essentially three issues of concern are identified:

1 – Noise nuisance by customers in the evening causing an unacceptable degree of harm to occupiers of the first floor flat;

2 – Impact of the proposed use upon the adjoining church and graveyard by virtue of local comprehensive school children attending the property via the footpath which runs through the church grounds;

3 – Litter associated with such a use.

However, these applications were refused over 23 years ago. The Council now has to consider this application against the current planning policy and the Local Development Plan adopted by the Council in January 2016.

7.9 Looking at the planning history of the property it is apparent that the previous planning applications, which were refused and subsequently dismissed at appeal, related to the change of use of the property from an A1 retail unit to an A3 hot food takeaway. However, since planning permission has already been granted to change the use of the property into an A3 daytime café which has existed for many years (it should be noted raised no objections from either neighbouring occupiers or local ward members) this application differs from the previous applications in that the application site is not operating as an A1 retail unit. As such the circumstances associated with the consideration of this application are not identical to that which was previously refused.

7.10 The application property is sited at the end of a block of five, two storey purpose built shop units within the Station Road Local Shopping Centre. As mentioned at the start of this report the four adjoining properties are all in commercial use on the ground floor. The application site together with the adjoining property at No 13 Station Road also contains a residential flat above with the first floor of the three other units being used for commercial and storage purposes.

- 7.11 Policy R5 of the adopted Local Development Plan relates to Local Centres and seeks to retain residential accommodation at upper floors. It also advises that proposals for uses other than Class A1 (except business offices class B1) being permitted at ground floor level if they would not cause unacceptable harm to the predominant shopping role and character of the centre, the vitality, attractiveness and viability of a specific frontage or group of frontages.

In addition to this Paragraphs 5.276 and 5.277 of the adopted Local Development Plan states :

Planning Policy Wales acknowledges that a range of uses as well as shops are appropriate within centres. These include financial and professional services (A2) and food and drink uses (A3). In general, proposals for such uses will be permitted where they would not cause unacceptable harm to the primary shopping function of the centre or the vitality, attractiveness or viability of its shopping frontages, by virtue of their number or location. What is deemed as unacceptable harm will depend upon the nature of each centre which will have its own individual characteristics.

Local Centres are generally smaller in size and variety of uses. Local Centres are generally more residential in nature than District Centres and do not have the scale or variety of retail and non-retail uses. As a consequence proposals other than A1 may be more difficult to satisfactorily accommodate than in District Centres. Within Local Centres, the policy stance is to discourage significant office or commercial leisure developments and give greater emphasis to safeguarding residential amenity. At ground floor level, only professional and financial (A2) offices with a shop front will be acceptable, provided they do not cause unacceptable harm to the vitality, and viability of the centre. In relation to A3 uses more emphasis will be placed on closing times, and the type of premises.

In this particular instance the use of the property already benefits from A3 use therefore the proposal will not result in the loss of a retail unit. As the first floor of the application site is also shown as being in residential use then the proposal would be in compliance with this policy.

The applicant has also advised that they would accept a later opening time of 09:00 from the approved opening time of 07.30. The proposed closing time of 21:00 is also considered to be acceptable within a Local Centre given that there is residential accommodation above and to the side of the application site. Pollution Control were consulted and have not objected to the proposed opening hours. Such opening times can be controlled by condition.

- 7.12 Policy H2 of the adopted Local Development Plan relates to the conversion of vacant space above commercial premises to residential use and advises that within Local Centres (together with the Central Business District and District Centres) the Council will encourage the conversion of suitable space above commercial premises to residential use. It goes on to advise that the

conversion of empty space above shops to residential use provides a valuable contribution to the city's housing stock and provides much needed homes. Such uses will positively contribute to the creation of vibrant, mixed use communities where people live and shop. Centres remain busy and populated beyond business hours, increasing surveillance and providing a market for ancillary uses associated with the night-time economy.

As previously mentioned as the first floor of the property is presently in use as residential accommodation then it would support the aims and objectives this Policy.

7.13 However, notice should also be taken of Policy EN13 of the adopted Local Development Plan which seeks to ensure that development will not cause or result in unacceptable harm to...local amenity...because of air, noise or light pollution. As such the fact that the first floor of the application site and the first floor of the adjoining property is in residential use then this Policy will need to be taken into consideration. In this respect officers from the Pollution Control Section of the Council were consulted in respect of the change of use and the proposed opening hours. They advised that they had no objection to the proposal and to protect the amenities of the neighbouring occupiers a condition requiring the submission of details of the fume extraction system and associated flue should be imposed.

7.14 Section 3 of the 'Restaurants, Takeaways and other Food and Drink Uses' SPG 1996 advises that District and Local Centres are the most appropriate locations for food and drink uses. It goes on to advise that food and drink uses are also complementary, in principle, to the main shopping role of district and local centres, so long as they do not adversely affect the living environment of nearby residents, or, with other non-shopping uses, reach such a level that they undermine the shopping character of the area. The use of the property as an A3 premises has already been established therefore the proposal will not result in the loss of a retail unit undermining the shopping character of the area. As such the issue of how the use impacts on the residential unit above and adjacent to the application site are the primary issue in this respect.

As mentioned in Para 7.13 Pollution Control have advised that they had no objection to the proposal and to protect the amenities of the neighbouring occupiers a condition requiring the submission of details of the fume extraction system and associated flue should be imposed.

7.15 I note that previously concerns were raised with respect to the impact the use of the property as a hot food takeaway would have upon the adjoining church and associated graveyard. It was claimed that there was the potential for school children who would use the footpath through the church grounds to attend the property to linger and consume food within the confines of the cemetery to the disturbance of persons visiting graves or occasionally attending a burial. Indeed this was one of the reasons cited by the Inspector at the previous appeal

In this respect enquiries have been made with Llanishen High School and it has been confirmed that the school policy has now changed and that years 7 to 11 (previously forms 1-5) are not allowed to leave the school site during the day however years 12 and 13 (former 6th form) are. As such this concern is no longer considered relevant by virtue of the school policy changing and the fact that majority of the school children will no longer be able to attend the Local Centre during the day.

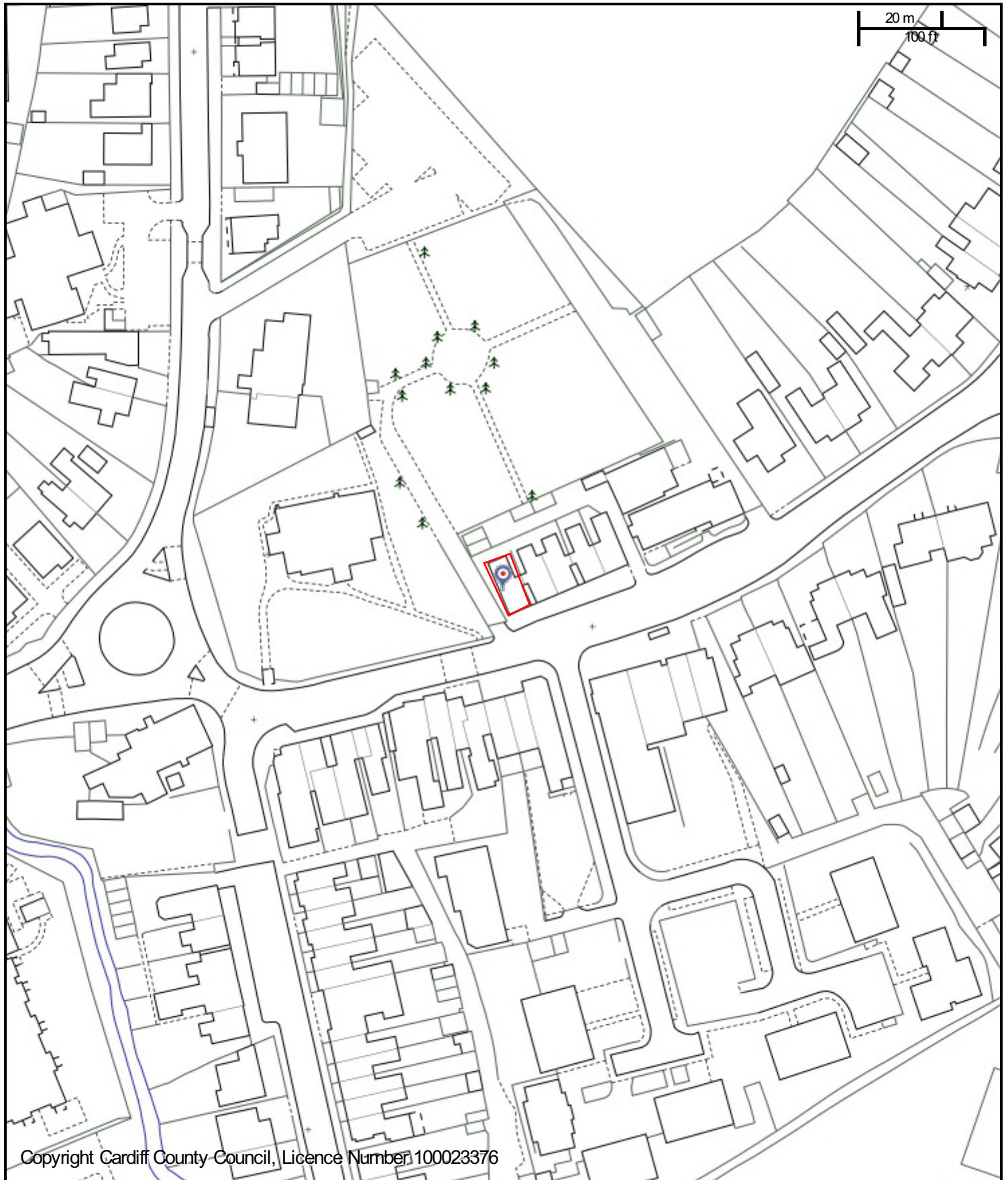
- 7.16 Concerns has also been raised with respect to litter and a fish and chip shop would only lead to an increase in such matter. Waste Management have been consulted and have advised that the current waste storage arrangements are acceptable and need to be retained for future use and that they do not object to the planning application.
- 7.17 In respect of concerns over parking and highway safety issues officers from the Transportation Section of the Council were consulted on the application and have advised that they have no objections to the proposal on highway safety grounds.
- 7.18 In respect of the Concerns raised by Councillor Jenkins I would comment as follows
- a) See 7.11 to 7.13 above;
 - b) See 7.11 to 7.13 above;
 - c) See 7.15 above;
 - d) See 7.16 above;
 - e) The Well-being and Future Generations (Wales) Act 2015 places a duty on public bodies that they must carry out sustainable development and puts in place seven well-being goals to help ensure that public bodies are all working towards the same vision of a sustainable Wales. It defines sustainable development as *“the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the well-being goals.”* It goes on to identify that *“acting in accordance with the sustainable development principle means that a body must act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.”*
Section (Goal) 3 of the Well-being and Future Generations (Wales) Act 2015 relates to a healthier Wales. The goal's objective is to seek *“A society in which people’s physical and mental well-being is maximised and in which choices and behaviours that benefit future health are understood.”*
It is not considered that the use of the property as a fish and chip café with takeaway sales would be in conflict with this goal given that the property already benefits from planning permission to be used as a daytime café and that the application does not relate to any building operations.
- 7.19 Taking all matters into consideration it is concluded that in this particular instance there are insufficient grounds to refuse to grant planning permission for the development. Circumstances have changed as the property now benefits from an A3 use albeit limited to a daytime café. Since the previous

refusal the Council adopted the Restaurants, Takeaways, and Other Food and Drink Uses SPG in 1996 which has a presumption in favour of food and drink uses which are located within District and Local Centres subject to detailed consideration. The concerns relating to the impact on the church and grounds by schoolchildren would appear to have been overcome by the school changing its policy whereby schoolchildren (other than years 12 and 13) are no longer allowed off the school grounds during the lunchtime period. Officers from the Pollution Control Section of the Council have not raised any concerns with respect to the impact of the proposal on the nearby residential properties and officers from the Highway Section of the Council do not believe the proposal will have any impact in terms of parking or highway safety grounds.

- 7.20 Whilst it is noted that the conditions attached to this report are different to that which the applicant has applied for it is considered that the wording submitted by the applicant would be difficult for the Council to control. During the processing of this application the applicant has also agreed to the opening hours changing to a later start time than that which he originally applied for.

8. **RECOMMENDATION**

- 8.1 Having taken all of the relevant factors into consideration it is concluded that in this particular instance there are insufficient grounds to refuse this application and it is recommended that planning permission be granted subject to conditions.



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AM, MP & LOCAL MEMBER OBJECTION & PETITION OF OBJECTION

COMMITTEE DATE: 11/10/2017

APPLICATION No. **17/01183/MNR** APPLICATION DATE: 22/05/2017

ED: **ELY**

APP: TYPE: Full Planning Permission

APPLICANT: WINNERS CHAPEL INTERNATIONAL CHAPEL
 LOCATION: UNIT 1, COWBRIDGE COURT, 58-62 COWBRIDGE ROAD
 WEST, ELY
 PROPOSAL: PROPOSED CHANGE OF USE FROM USE CLASS B1 TO D1
 (PLACE OF WORSHIP)

RECOMMENDATION: That planning permission be **REFUSED** for the following reasons:

1. The proposed hours of operation would have an unacceptable impact upon the amenities that the occupiers of the neighbouring residential properties currently enjoy due to noise and general disturbance that would occur predominantly weekday evenings and weekends contrary to the provisions of paragraph 13.15.1 of Planning Policy Wales (Edition 9, 2016), paragraph 8 of TAN 11 (1997) and Policies EN13, C1 (ii) and KP5 (x) of the Cardiff Local Development Plan (January 2016).
2. The application fails to demonstrate that all potential retail and commercial centre options, and then edge-of-centre options, have been thoroughly assessed to justify the out-of-centre location contrary to provisions of paragraphs 10.1.5, 10.1.6 and 10.2.14 of Planning Policy Wales (Edition 9, 2016) and Policy Ci (i) of the Cardiff Local Development Plan (January 2016).
3. The application fails to effectively address the vehicular trip generation that is likely to occur from the proposed development and whether this can be satisfactorily mitigated against due to the lack of a submitted Transport Statement contrary to provisions of paragraphs 8.7.1 of Planning Policy Wales (Edition 9, 2016) and Policies T5, T6 and C1 (iv) of the Cardiff local Development Plan (January 2016).

1. **DESCRIPTION OF PROPOSED DEVELOPMENT**

- 1.1 The application seeks planning permission to convert an existing two storey office building (B1 Use) to a place of worship (D1 Use).
- 1.2 Internally the 132.61 square metres of ground floor area would be used to create a community room which would be used to accommodate the formal

worship space and the 132.61 square meters first floor area would be sub-divided into three meeting rooms, an office, a small kitchen and a store room. The stairway and surrounding area (approx. 28.49 square meters each at ground and first floor level) will be used to accommodate 4 WCs, of which one will be an Accessible WC. It is proposed to fit the windows with internal secondary glazing or a similar acoustic barrier and to acoustically line the internal party wall.

- 1.3 Externally the building has nine car-parking spaces allocated for its use. A new fire door is also located for the ground floor northern (rear) elevation of the building.
- 1.4 The application form states that the proposed hours of operation would be from 8:00am to 8:30pm Monday to Friday, 8:00am to 6:30pm Saturday and 8:30am to 4:30pm on Sunday. This is to allow for twice weekly services on a Wednesday evening and Sunday morning and for additional smaller services and group activities throughout the week. It is anticipated that the main services will average an attendance of 60 persons, peaking to 80 persons.
- 1.5 The supporting statement notes that there will be 2 staff members although none will be permanent at the site.

2. **DESCRIPTION OF SITE**

- 2.1 The site comprises a two storey attached office building located within the Ely Ward of the city.
- 2.2 The office building is located within a courtyard site of four office buildings that are accessed directly from Cowbridge Road West. The application site is a two storey block located to the west of the site and is orientated to run north / south within the site. A similar block is orientated the same way to the east of the site; this is occupied by the Swan Family Centre. These two blocks are attached by offices that are orientated to run east / west within the site. These central offices form an archway that enables vehicle access to the parking spaces to the rear of the site.
- 2.3 The office block is set back from the front of the site by approx. 7.0m at its closest points to the adjoining footway on Cowbridge Road West and there are 8 parking spaces to the front of the building (3 of which are allocated to the office building the subject of this application). The remaining 18 parking spaces (of which 6 are allocated for this application site) are located to the rear of the site.
- 2.4 The office block site is surrounded by residential properties and its northern, eastern and western boundaries form shared boundaries with residential dwellings. The boundary to the front is the footway to Cowbridge Road West. Residential dwellings are located on the southern boundary of this carriageway facing the application site.
- 2.5 Directly to the south of the application site is a bus stop and approx. 38m west

of the western boundary of the site is the road junction with Heol-y-Felin. The St David's Church site lies approx. 35m to the south west of the application site.

- 2.6 The application site falls within the settlement boundary on unallocated white land as defined by the Adopted Cardiff Local Development Plan. The site is not within a Conservation Area and no Listed Buildings will be affected by the proposal. The site is on land that lies to the north of flood zone C1.

3. **SITE HISTORY**

3. 16339: Approval Granted June 1962 for Alterations to Ely Service Station
- 3.2 82/1405: Permission refused November 1982 for a change of use of the site to a car sales area
- 3.3 88/998: Outline approval July 1988 for a courtyard with small offices and car-park at former petrol filling station
- 3.4 89/55: Reserved Matters application withdrawn for a courtyard with small office and parking
- 3.5 89/00729R: Reserved Matters approval granted May 1989 for Small scale office development with ancillary parking.

4. **POLICY FRAMEWORK**

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

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

4.2.4 Legislation secures a presumption in favour of development in accordance with the development plan for the area unless material considerations indicate otherwise.

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

- *putting people, and their quality of life now and in the future, at the centre of decision-making;*
- *taking a long term perspective to safeguard the interests of future generations, whilst at the same time meeting needs of people today;*
- *respect for environmental limits, so that resources are not irrecoverably depleted or the environment irreversibly damaged. This means, for example, mitigating climate change, protecting and enhancing biodiversity, minimising harmful emissions, and promoting sustainable use of natural resources;*

- *tackling climate change by reducing the greenhouse gas emissions that cause climate change and ensuring that places are resilient to the consequences of climate change; and*
- *taking account of the full range of costs and benefits over the lifetime of a development, including those which cannot be easily valued in money terms when making plans and decisions and taking account of timing, risks and uncertainties. This also includes recognition of the climate a development is likely to experience over its intended lifetime.*

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

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

- *Contribute to the protection and improvement of the environment so as to improve the quality of life and protect local and global ecosystems*
- *Promote access to employment, shopping, education, health, community facilities and green space*
- *Foster improvements to transport facilities*
- *Foster social inclusion.*
- *Promote resource-efficient and climate change resilient settlement patterns that minimise land-take and urban sprawl, especially through preference for the re-use of suitable previously developed land and buildings, wherever possible avoiding development on greenfield sites;*
- *Locate developments so as to minimise the demand for travel, especially by private car;*
- *Support the need to tackle the causes of climate change by moving towards a low carbon economy.*
- *Play an appropriate role to facilitate sustainable building standards (including zero carbon) that seek to minimise the sustainability and environmental impacts of buildings.*
- *Contribute to the protection and improvement of the environment, so as to improve the quality of life, and protect local and global ecosystems.*
- *Promote access to employment, shopping, education, health, community, leisure and sports facilities and open and green space, maximising opportunities for community development and social welfare.*
- *Foster improvements to transport facilities and services which maintain or improve accessibility to services and facilities, secure employment, economic and environmental objectives, and improve safety and amenity.*
- *Foster social inclusion by ensuring that full advantage is taken of the opportunities to secure a more accessible environment for everyone that the development of land and buildings provides. This includes helping to ensure that development is accessible by means other than the private car.*

8.7.1 When determining a planning application for development that has transport implications, local planning authorities should take into account:

- *the impacts of the proposed development on travel demand;*
- *the level and nature of public transport provision;*
- *accessibility by a range of different transport modes;*
- *the opportunities to promote active travel journeys, and secure new and improved active travel routes and related facilities, in accordance with the provisions of the Active Travel (Wales) Act 2013;*
- *the willingness of a developer to promote travel by walking, cycling or public transport, or to provide infrastructure or measures to manage traffic, to overcome transport objections to the proposed development (payment for such measures will not, however, justify granting planning permission to a development for which it would not otherwise be granted);*
- *the environmental impact of both transport infrastructure and the traffic generated (with a particular emphasis on minimising the causes of climate change associated with transport); and*
- *the effects on the safety and convenience of other users of the transport network.*

10.1.4 ...Wherever possible, retail provision should be located in proximity to other commercial businesses, leisure and community facilities, employment and housing. Such co-location of retail and other uses in existing centres, with enhancement of access by walking, cycling and public transport, provides the opportunity to use means of transport other than the car. This mix of uses sustains and enhances the vibrancy, attractiveness and viability of those centres as well as contributing to an increase in linked trips and a reduction of travel demand.

10.1.5 Although retailing (A1 uses) should continue to underpin retailing and commercial centres, it is only one of the factors which contribute towards their vibrancy. Policies should encourage a diversity of uses in centres. Other appropriate retail and commercial centre uses are...educational and other non-residential establishments (D1)...Mixed use development should be encouraged to promote lively centres as well as to reduce the need to travel to visit a range of facilities. Leisure uses can benefit retail and commercial centres and with adequate attention to safeguarding amenities can contribute to a successful evening economy.

10.1.6 These uses are complementary to the retail function of retail and commercial centres and should be subject to the sequential test (see 10.2.13 onwards) in consideration of development plan policies and development management decisions.

10.2.13 The sequential approach to development applies to all retail and other uses that are complementary to retail and commercial centres. Local planning authorities should adopt a sequential approach to the selection of new sites in their development plan and when determining planning applications. The sequential approach supports the principle that retail and commercial centres are in the most readily accessible location, and promotes combined trips for shopping, business, leisure and services. The approach reinforces the vibrancy, viability and attractiveness of retail and commercial centres.

10.2.14 Adopting a sequential approach requires the application of a sequential

test whereby first preference should be for a site allocation or development proposal located in a retail and commercial centre defined in the development plan hierarchy of centres. The proposed use is likely to determine what type of centre (i.e. higher or lower order centre) is most appropriate as a starting point for this process...Developers should demonstrate that all potential retail and commercial centre options, and then edge-of-centre options, have been thoroughly assessed using the sequential approach before out-of-centre sites are considered. The onus of proof that central sites have been thoroughly assessed rests with the developer.

13.13.1 Noise can affect people's health and well-being and have a direct impact on wildlife and local amenity. Noise levels provide an indicator of local environmental quality. The objective of a policy for noise is to minimise emissions and reduce ambient noise levels to an acceptable standard.

13.14.1 Policies should also be designed to ensure, as far as possible, that potentially noisy developments are located in areas where noise will not be such an important consideration or where its impact can be minimised.

13.15.1 Noise can be a material planning consideration, for example in proposals to use or develop land near an existing source of noise or where a proposed new development is likely to generate noise. Local planning authorities should make a careful assessment of likely noise levels and have regard to any relevant Noise Action Plan before determining such planning applications and in some circumstances it will be necessary for a technical noise assessment to be provided by the developer (see 8.5.5).

4.2 Relevant National Planning Guidance:

Planning Policy Wales (Edition 9, 2016)
Planning Policy Wales TAN 4: Retail and Commercial Development (2016)
Planning Policy Wales TAN 11: Noise (1997)
Planning Policy Wales TAN 12: Design (2017)
Planning Policy Wales TAN 18: Transport (2007)
Planning Policy Wales TAN 21: Waste (2014)
Development Management Manual

4.3 Relevant Cardiff Local Development Plan Policies:

Policy KP5: Good Quality and Sustainable Design
Policy KP 8: Sustainable Transport
Policy KP 12: Waste
Policy KP 13: Responding to Evidenced Social Needs
Policy EC1: Existing Employment Land
Policy EC 3: Alternative Use of Employment Land and Premises
Policy EN13: Air, Noise, Light Pollution and Land Contamination
Policy T1: Walking and Cycling
Policy T5: Managing Transport Impacts
Policy T6: Impact on Transport Networks and Facilities
Policy R5: Local Centres

Policy C1: Community Facilities
Policy C6: Health
Policy W2: Provision for Waste Management Facilities in Development

4.4 Relevant Supplementary Planning Guidance:

Waste Collection and Storage Facilities (October 2016)
Access, Circulation & Parking Requirements (January 2010)

Prior to January 2016 the Supplementary Planning Guidance's were approved as supplementary guidance to the City of Cardiff Local Plan (1996). Although the City of Cardiff Local Plan (1996) has recently been superseded by the Cardiff Local Development Plan (2016), the advice contained within the SPG's is pertinent to the assessment of the proposal and remains consistent with the aims of both the Cardiff Local Development Plan Policies and guidance in Planning Policy Wales and are therefore afforded significant weight. Any Supplementary Planning Guidance approved since January 2016 are approved as supplementary guidance to the Cardiff Local Development Plan 2016.

5. INTERNAL CONSULTEE RESPONSES

- 5.1 The **Operational Manager, Transportation**, notes that the allocated number of spaces is in excess of the policy requirements stated in table 3.9 of the SPG and as such does not object to the proposal on Highways grounds subject to the inclusion of conditions securing disabled and cycle parking spaces. A further response is waited in regard to the objection comments received.
- 5.2 The **Operational Manager, Environment (Noise)**, recommends conditions in the event that planning permission is granted to restrict the noise from the building on neighbouring occupiers through sound insulation and plant noise conditions and to control the opening hours of the place of worship. The recommended hours of operation are as follows: 08:00-20:30 Monday to Friday, 08:00-18:00 on Saturday and 08:30-16:30 on Sunday. Outside of these hours no members of the public are to be admitted or allowed to remain on the premises.
- 5.3 The **Operational Manager, Waste Management**, notes that the plans do not make any reference to waste storage and that a plan must be submitted that details the refuse storage and the refuse storage must be retained for future use. They advise that commercial and domestic waste not be mixed and the waste must not be stored on the highway. They remind the applicant / agent that a commercial contract is required for the collection and disposal of all commercial waste. By law (Environmental Protection Act, 1990, section 34) all commercial premises have a duty of care to ensure that their waste is transferred to and disposed of by means of a registered waste carrier. Owners or developers of commercial developments/properties who require Cardiff County Council to collect and dispose of their waste can contact the commercial services department on **029 2071 7500**. They refer the agent/architect to the Waste Collection and Storage Facilities Supplementary Planning Guidance for further relevant information. The agent has confirmed

that existing facilities would be utilised and are happy to accept a condition to ensure Waste Management requirements are met.

6. **EXTERNAL CONSULTEE RESPONSES**

6.1 None

7. **REPRESENTATIONS**

7.1 A joint objection has been received from the Local Assembly Member (Mark Drakeford) and Local Member of Parliament (Kevin Brennan). Their objections are for the following reasons:

(a) Concern over-flow parking will be required and that this will occur on the closest neighbouring streets, such as Heol-y-Felin, which is often near capacity from existing residents.

(b) Concern that the immediate local population does not form the majority of the congregation and as public transport outside of the immediate locality is not sufficient on Sundays and evenings the likelihood is that the majority of the congregation will arrive by private car. They consider the Council's parking requirements are for local conditions and unless evidence that the majority of the congregation will be from the local population is provided, it is assumed that parking will be insufficient.

(c) Concern about the impact of noise from the chapel on local residents who already experience traffic noise from Cowbridge Road West.

7.2 An objection has been received from Councillor Goddard who also noted the strong opposition and objection petition being collected.

7.3 A valid petition of over 50 signatures (c. 83 signatures) has been received objecting to the application.

7.4 Four additional objection letters have been received from residents in Cherrydale Road and on Cowbridge Road West and a document entitled grounds of opposition amongst residents has been submitted. (This document has been written and signed by one resident on Cowbridge Road West.) The grounds for objection both on the petition and from the residents are summarised as follows:

(a) Traffic:

- (i) Concern the location is inappropriate due to the business of Cowbridge Road West and the number of obstructions that can prevent traffic coming from the east or the west from moving smoothly off the carriageway. These obstructions include volume of traffic, adjacent bus stop that frequently results in a blockage to Heol y Felin junction road layout and lack of available parking at neighbouring properties on Cowbridge Road West.
- (ii) Concern is raised that the additional traffic will coincide with additional Sunday traffic using Trelai Park for Sunday football matches and recreational use.

- (iii) There is further concern that roads will block emergency vehicles from moving through / within the area.

(b) **Parking:**

- (iv) Concern the parking provision is not acceptable and that the number of allocated parking spaces will not meet the needs of 90 attendees.
- (v) Concern the users will not be from within the local area and so car usage will be high. The result will be cars parked on neighbouring streets and in potentially illegal places, such as double yellow lines.
- (vi) The use of neighbouring streets as an over-flow parking is something the Council proposes for this proposal.
- (vii) Heol y Felin is already a heavily populated street with insufficient parking.
- (viii) Suggest moving the bus stop to outside the office units to enable residents on Cowbridge Road West to form driveways and so relieve some of the on-street parking.
- (ix) In addition the weekday hours are until 19:00 and so may mean neighbouring occupiers are not able to park outside their houses when returning from work and the knock on parking effect this will have on other residents within the wider neighbourhood.
- (x) Concern the area also has the over-flow of worshippers at the neighbouring St David's Church. This is accepted as the Church has been established for many years.
- (xi) Concern the additional cars will lead to less tolerance of additional cars parking in the area.
- (xii) Concern the parking is to the rear of the property and the confusion this will create with people trying to enter and exit the property not knowing the car-park is full.

(c) **Noise:**

- (xiii) Concern the building is not fit for purpose in terms of sound proofing and close proximity to residential properties especially due to the nature of the worship.
- (xiv) This is on top of additional noises within the area; St David's Church bells and the increasing use of motorcycles within the area.
- (xv) Concern is also raised regarding the increase weekend noise from people coming and going and the impact on neighbouring occupiers.
- (xvi) Concern that the use of the building will increase to beyond what is proposed with early morning services, special occasion services and additional specific meetings thereby increasing the duration of noise impact.

- (d) **Community:**
- (xvii) Concern notification undertaken by the Council is insufficient in terms of number of people notified and lack of opportunity to meet with the Council to discuss concerns.
 - (xviii) Consider the offices were erected and have very little weekend use / traffic making the proposed use inappropriate for the building.
 - (xix) Concern the people using the building are not from within the community and will be coming from across Cardiff coupled with vigilance within the area due to crime there is concern the neighbourhood watch feeling of community will be difficult to maintain.
- (e) **Privacy:**
- (xx) Concern the first floor windows will increase over-looking of neighbouring properties. This occurs during the week but to have it at the weekend leads to no privacy.
- (f) **Safety:**
- (xxi) Concern the car-park will not cater for a large enough fire assembly point and that the additional traffic in the area will affect the nearby Fire Station and Ambulance Station from operating effectively.
 - (xxii) Concern that the location of the car-park will create unnecessary and dangerous congestion at the site entrance with cars trying to exit the site as the car-park is full while pedestrians are accessing the building.
 - (xxiii) Previous road fatalities have resulted in the relocation of the bus stop on Heol-y-Felin. The increased traffic flow could again result in road safety issues at the busy Heol-y-Felin / Cowbridge Road West junction.
- (g) **Future Use:**
- (xxiv) Concern that if the Church is given approval and then leaves the site the D1 Use that the unit has been given could lead to further disruption for residents as another type of D1 use could take it over.

7.5 A petition in support of the application (c. 21 signatures) has been received from residents within the wider Ely area has been received. The signatories state that they are happy with the siting of the Church within the Ely community and consider that it will help bring members of the community together promoting values of multi-culturalism.

7.6 Two comments of support have been received from residents of Lougher Close and Greenland Crescent, both in Fairwater. The support is for the following reasons:

- (a) **Community cohesion:** a new church in Ely will be an opportunity to create better community relationships and integration and will be an opportunity to help children and needy within the local area
- (b) **Greater accessibility:** members from Ely that attend the church in Heath will be able to attend more easily.

8. ANALYSIS

- 8.1 The key issues for the consideration of this application are the principle of the change of use to Class D1 (Non-Residential Institutions), impact upon residential amenity and transportation considerations.

Principle of Development

- 8.2 The application site falls within the settlement boundary on unallocated white land as defined by the Adopted Local Development Plan (LDP) proposals map and has no specific allocation or designation. It should be noted therefore that the site does not fall within the scope of LDP Policy EC1 which identifies areas where B Use Classes will be protected. Giving regard to all factors it is concluded that there is not a policy or evidence base to retain the unit in business use.
- 8.3 Policy C1 of the LDP encourages proposals for new and improved community facilities, which include religious facilities subject to an assessment against criterion (i) to (iv). These criterion note community facilities should be (inter alia) readily accessible to the local community; not unduly prejudice the amenities of neighbouring and nearby residential occupiers; not detract from the character and appearance of a property or the locality and; not lead to unacceptable parking or traffic problems.
- 8.4 In order for the application to be considered acceptable in this instance, particular consideration should be given to criterion (ii) and (iv) whereby the development should not unduly prejudice the amenities of neighbouring and nearby residential occupiers; or lead to unacceptable parking or traffic problems.
- 8.5 Planning Policy Wales (PPW) notes the importance of finding the right location for any proposal. PPW states that non-residential (D1) uses are appropriate for retailing and commercial centres and these centres should be preferred for such proposals in terms of enhancing the viability of the centres and promoting sustainable development priorities.
- 8.6 Paragraph 5.307 of Policy C1 (of the Cardiff LDP) notes that Community facilities, health uses and religious facilities will be favoured within District or Local Centres where appropriate, however where such uses cannot be accommodated within centres, proposals on the edge of centres or within residential areas...will be favourably considered provided that issues of residential amenity...and transportation are appropriately addressed.
- 8.7 The application site does not lie within a retail or commercial centre and as such

is not considered as a preferred location. While the policy references the need to apply a sequential test to justify location a previous appeal decision noted that there is a need to distinguish between the rigour of the sequential search necessary for retail developers and that required by a modest community facility. While a full sequential test may not be justified no evidence has been submitted within the application to support the location of the proposal over other policy preferred locations.

Residential Amenity

- 8.8 LDP Policy C1 encourages proposals for new religious facilities, subject to five criteria, of which number (ii) places a requirement on such developments not unduly prejudicing the amenities of neighbouring and nearby residential occupiers.
- 8.9 There are windows in the ground and first floor rear elevations of the application site that face onto neighbouring residential properties. It is noted that concern is raised regarding additional over-looking however the distance from the windows to the rear boundary of the application site is approx. 10.5m and the distance to residential properties windows at the rear of the application site is in excess of the recommended 21m as stipulated in the Councils residential SPGs. As such the impact of over-looking is considered acceptable in privacy terms.
- 8.10 Policies EN13 and C1 note that development should not result in unacceptable harm to local residential amenity. PPW notes the need to consider the impact of noise from any proposed development and the impact it can have. TAN 11 notes that LPAs must ensure that noise generating development does not cause an unacceptable degree of disturbance. [And that LPAs] should also bear in mind that if subsequent intensification or change of use results in greater intrusion, consideration should be given to the use of appropriate conditions.
- 8.11 A previous application (82/1405) for a change of use from a petrol filling station to a car sales site was refused. The proposal was considered to be detrimental to the amenities and environment of nearby residential properties due to the intensification of the use in a predominantly residential area.
- 8.12 The current use of the site was approved (88/998R and 89/729R) without any conditions to restrict the hours of operation. Officers have undertaken site visits at various hours (weekday early morning, weekday late night and Sunday) and the neighbouring offices do not appear to be widely used, if at all.
- 8.13 While the office use is unrestricted in terms of hours there is a reasonable assumption (confirmed through site visits) that the offices do not operate significantly outside of the average weekday working day. Residential occupiers can reasonably expect limited disturbance on a week-night evening, afternoon and evening on a Saturday and at any time on a Sunday. The application proposes limited weekday use and is predominantly for an 'out-of-hours' use.

- 8.14 The pollution control officer notes conditions that can be included to mitigate the impact on residential amenity. However there is concern regarding noise that cannot be controlled, such as non-amplified noise and general external noise disturbance generated by the concentrated arrival and departure of members of the public.
- 8.15 It is not known how many employees previous occupiers of the unit have employed. Guidance regarding desks space suggests approx. 50 employees could be accommodated within the floor space of the proposed application site. The application states the number of worshipers will be approx. 60 – 80 persons. The additional number of people arriving and departing the application site and the likely concentrated times of this occurring will increase general disturbance caused. Cowbridge Road West is identified on the Welsh Government Strategic Noise Maps and when combined with noise that cannot be controlled by condition this raises further concern in regard to the location of the proposed development.
- 8.16 The supporting statement submitted with the application notes that an additional escape door is proposed for the rear elevation. This information has not been included on the submitted plans. This door could not be conditioned as non-opening and as such any sound insulation scheme could be compromised by the additional door.

Transportation Considerations

- 8.17 The Councils Highways Officer does not object to the application on parking grounds. Officers note that the allocated number of spaces is in excess of the policy requirements stated in table 3.9 of the SPG. The officer notes that there is a requirement for disabled parking provision and secure cycle stands. These can be secured through conditions and as such no objection to the proposal has been received.
- 8.18 It is noted that a number of the objections to the application are for reasons of Highway Safety. Any additional comments received from the Councils Highways Officers will be reported to Committee.
- 8.19 It is noted that additional information has been received regarding the addresses of some of the existing congregation living in the west of Cardiff. The information is for 39 (or 49) members who live an average of 1.24 (or 1.26) miles away from the application site. The supporting documents state that there are currently 60 members of the congregation and the bus stop outside the application site serves the west of Cardiff / Cardiff city centre with a regular continuous 10-15 minutes service and that a national hourly service is offered to the Vale of Glamorgan and Barry.
- 8.20 The application site exceeds the floor space threshold that requires a Transport Statement to be submitted with the application. However a Transport Statement was not submitted with the application. Given the concerns set out in relation to the principle of development, the lack of a supporting Transport Statement fails

to clearly demonstrate the acceptability of the scheme with regard to the policy context.

- 8.21 While the application site lies on a strategic cycle network route. It is noted that there are no dedicated cycle paths or dual cycle path / footway close to the site. The Ely trail lies approx. 325 m to the north of the site and worshippers would be required to use main roads, protected only by parking and loading/unloading restrictions to access the site by bicycle.
- 8.22 PPW promotes the principles of sustainability in any development. The proposed occupiers of the application site are a city wide congregation and consideration needs to be given to alternative transport options available. Around a third of the congregation identified by the applicant living within the western area would potentially have a minimum 15 minute walk plus bus ride. The nearest train station is approx. 900m away at Waun-gron, Fairwater.

Third Party Representations

- 8.23 In respect of the third party representations which have not already been addressed in the report:
- In regard to objections raised on parking and highway safety grounds. The Councils Highways Officers have confirmed the proposed on-site parking provision is acceptable. Any additional comments received regarding Highway Safety concerns will be reported to committee.
 - The level of publicity undertaken for this application meets the requirements of Article 12 of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012. LPA officers have met with the objectors' representative on, at least, two occasions and have undertaken telephone and e-mail dialogue when contacted.
 - In general the fact a development is for a specific religious body or religious purpose is not in itself a material consideration in determining a planning application. The need for a use that is considered as a community facility is a consideration and while a petition objecting to the application citing the lack of local community users as a reason is noted a further petition in support, citing the need for this community facility in the wider community has been received. The supporting statement references the use of the building for children and youth activities run by the Church although is not clear on the extent of wider community involvement. It is considered that a refusal could not be sustained on lack of need for an additional community facility.
 - The use can be restricted to a specific use within Use Class D1, in order to prevent further changes of use without proper assessment.

Other Considerations

- 8.24 Section 17(1) of the Crime and Disorder Act 1998 imposes a duty on the Local Authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. This duty has been considered in the

evaluation of this application. It is considered that there would be no significant or unacceptable increase in crime and disorder as a result of the proposed decision.

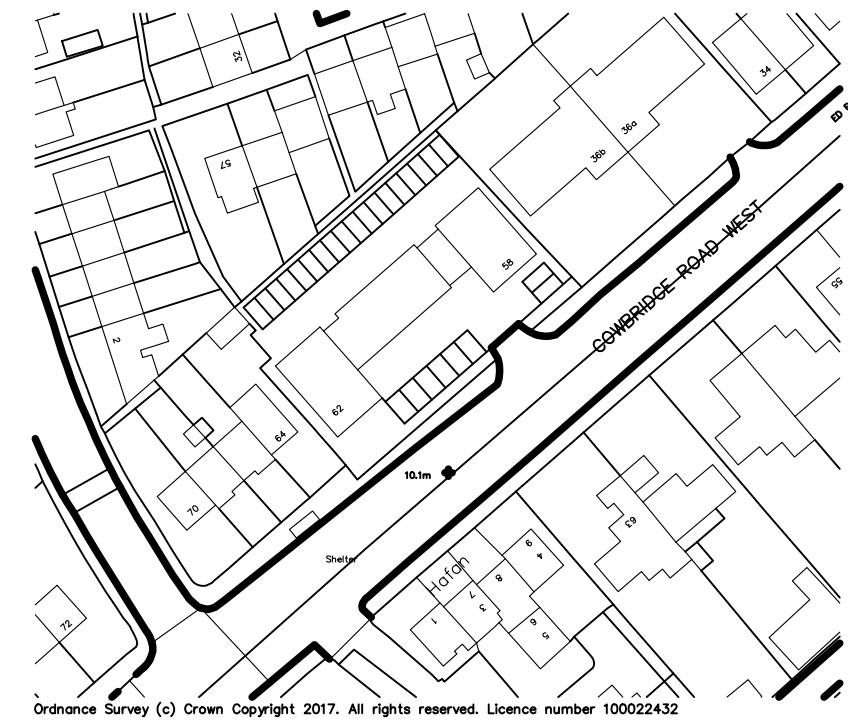
- 8.25 The Equality Act 2010 identifies a number of 'protected characteristics', namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; marriage and civil partnership. The Council's duty under the above Act has been given due consideration in the determination of this application. It is considered that the proposed development does not have any significant implications for, or effect on, persons who share a protected characteristic.

9. **RECOMMENDATION**

- 9.1 The principle of the change of use from B1 to D1 raises no objection in land use policy in terms of the loss of a B1 office unit. However, concern is given to the location of the unit out of the main centres and the impact of the use on neighbouring residential amenity and from the potential for traffic / parking issues arising and as such the application fails to meet provisions within paragraphs 8.7.1 and 10.1.6 of Planning Policy Wales (Edition 9, 2016) and criterion within Policy C1 of the LDP.



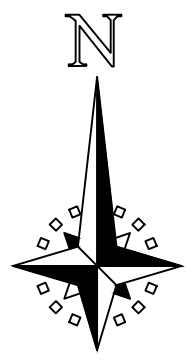
SITE PLAN
1:250




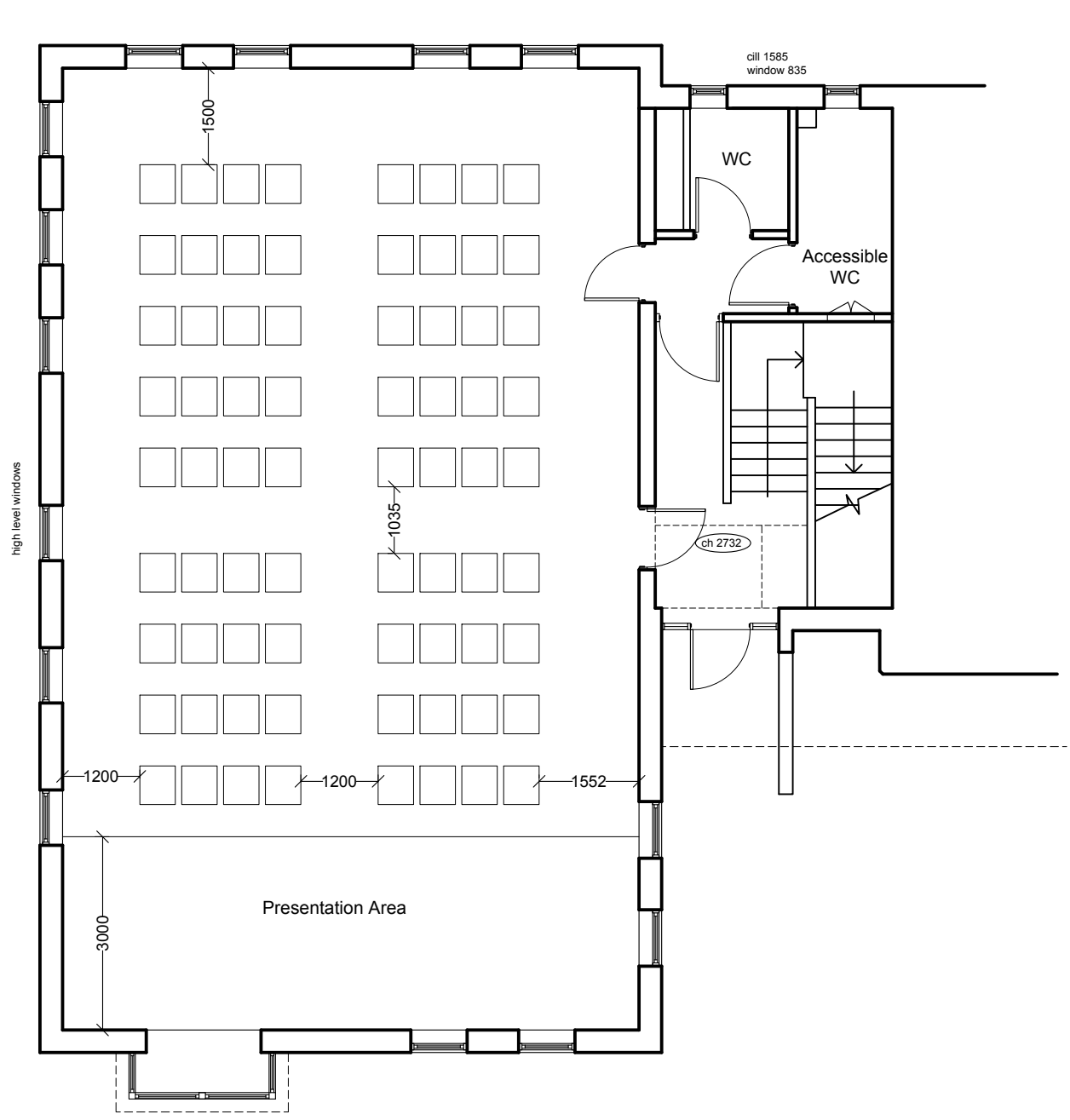
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LOCATION PLAN
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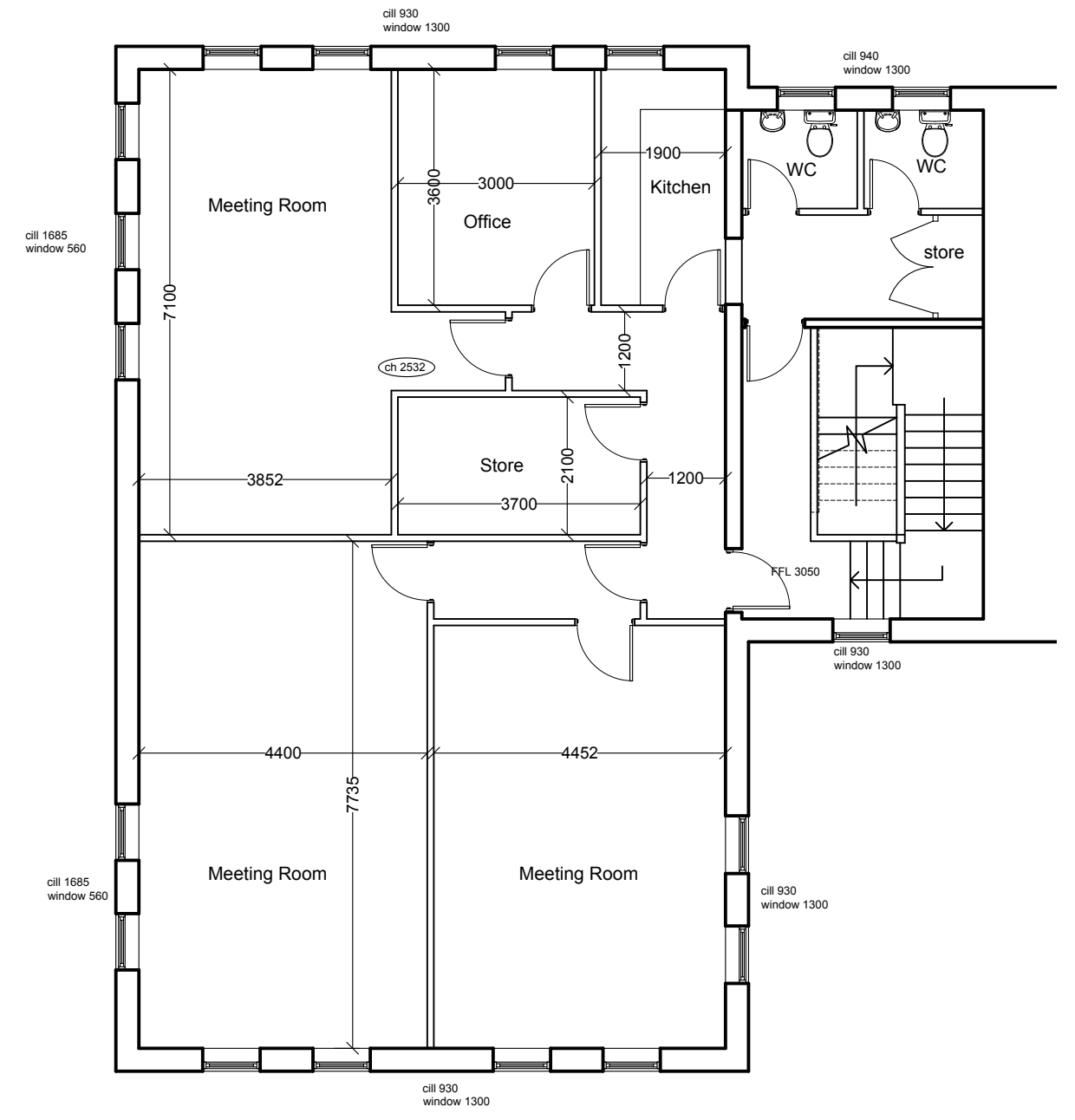
AMENDED PLAN
17/01183/MNR
19.06.2017




Unit 1, Cowbridge Rd West Cardiff		Job No. 17_020
Title Lease Plan		Dwg No. Rev. L(01)01 B
Date 26.04.2017	Drawn G.W.L.	Scale 1:250/1250 @ A3
		
Unit 1A, Compass Business Park, Pacific Road, Cardiff. CF24 9HL		www.c-jarchitects.co.uk tel: 029 20452100



GROUND FLOOR



FIRST FLOOR

Unit 1, Cowbridge Rd West Cardiff		Job No. 17.020
Title Proposed Plans		Dwg No. Rev. AL(00)02 A
Date March 17	Drawn kp	Scale 1:100 @ A3
 Architects · Town planners Environmental & Urban design		www.c2architects.co.uk tel: 029 20452100
<small>Unit 1A, Compass Business Park, Pacific Road, Cardiff, CF24 6HL</small>		<small>www.c2architects.co.uk tel: 029 20452100</small>

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PETITION AND LOCAL MEMBER OBJECTIONS

COMMITTEE DATE: 11/10/2017

APPLICATION No. **17/01547/MNR** APPLICATION DATE: 12/07/2017

ED: **LLANDAFF**

APP: TYPE: Full Planning Permission

APPLICANT: Love Investments Ltd

LOCATION: 9 HEOL FAIR, LLANDAFF, CARDIFF, CF5 2EE

PROPOSAL: 2 STOREY SIDE EXTENSION AND CONVERSION TO THREE DUPLEX DWELLINGS

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

1. C01 Statutory Time Limit
2. The development shall be carried out in accordance with the following approved plans:
 - BBA0/5/a – Ground Floor Proposed
 - BBA0/6/a – First Floor Proposed
 - BBA0/7 – Second Floor Proposed
 - BBA0/8 – Site Plan Proposed
 - BBA0/8/a/b – Front & Side Elevations Proposed
 - BBA0/15 – Construction Details
 - BBA0/16 – Construction Detailing

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

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013 (or any Order amending, revoking or re-enacting that Order) no windows shall be inserted in the First Floor windows facing 11 Heol Fair, other than those hereby approved.

Reason : To ensure that the privacy of adjoining occupiers is protected.

4. The first floor rear bathroom window and rear rooflight facing 11 Heol Fair and first floor rear bedroom window on the northern elevation shall be non-opening below a height of 1.8 metres above internal floor level and glazed with obscure glass and thereafter be so maintained.

Reason : To ensure that the privacy of adjoining occupiers is protected.

5. No development shall take place until details of the means of site enclosure have been submitted to and approved by the Local Planning Authority. The means of site enclosure shall be constructed in accordance with the approved details prior to the development being put into beneficial use.
Reason: To ensure that the amenities of the area are protected.
6. No development shall take place 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.
7. Prior to commencement of any works on site, details shall be submitted to and approved in writing by the Local Planning Authority of all new windows, doors, quoin details, moulded brick tiles and brick dental course. The approved works shall be implemented as agreed and thereafter retained.
Reason: To protect the historic fabric and aesthetic integrity within the Conservation Area and ensure the proposal protects or enhances the character of the Conservation Area.
8. Prior to occupation of the dwelling units hereby approved, a covered cycle store shall be provided within the curtilage of the property to accommodate at least 7 cycles and shall thereafter be retained.
Reason: To ensure that secure and under cover cycle parking facilities are provided to encourage other modes of transport over the private car.
9. Prior to occupation of the dwelling units hereby approved, a refuse storage area shall be provided within the curtilage of the site to accommodate general waste, recycling and food waste for all the dwelling units. The refuse storage area shall thereafter be retained.
Reason: To secure an orderly form of development and to protect the amenities of the area.
10. Prior to installation, details of the conservation style roof light hereby approved on the rear elevation, shall be submitted to and approved in writing by the local planning authority. The development shall be completed in accordance with the approved details.
Reason: In the interests of conservation.

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 : That the applicant is advised that no work should take place on or over the neighbour's land without the neighbour's express consent and this planning approval gives no such rights to undertake works on land outside the applicants ownership.

1. **DESCRIPTION OF PROPOSED DEVELOPMENT**

1.1 Planning permission is sought to erect a two-storey side extension and convert the property to three duplex dwellings

1.2 The proposed side extension is to be approximately 7.4m high with a pitched roof, 4.3 wide and 7.2m deep. The submitted plans show the property to be converted into three duplex dwellings units within the property, these units are to be 1 x 3 bed unit and 2 x two bed units (seven bedrooms in total).

2. **DESCRIPTION OF SITE**

2.1 The application property known as 9 Heol Fair, sited on the junction of Heol Fair and Imperial Buildings. The property is currently vacant but was previously in use as 5 bed dwelling house with an attached A1 shop unit

2.2 The surrounding area is a combination of two-storey terrace and detached dwellings

2.3 The site is located within the Llandaff Conservation Area

3. **SITE HISTORY**

3.1 None

4. **POLICY FRAMEWORK**

4.1 The application site is shown as part of an existing housing area indicated on the Proposals Map of the City of Cardiff Local Plan

4.2 The following policies of the approved Cardiff Local Development Plan (2006-2026) are considered to be relevant to the proposal:

Policy KP5 (Good Quality and Sustainable Design)

Policy H5 (Sub-Division or Conversion of Residential Properties)

Policy H6 (Change of Use or Redevelopment to Residential Use)

Policy EN9 (Conservation of the Historic Environment)

Policy T5 (Transport Impacts)

Policy W2 (Provision for Waste Management Facilities in Development)

4.3 Supplementary Planning Guidance: Residential Extensions and Alterations (2015)

- 4.4 Supplementary Planning Guidance: Access, Circulation and Parking Standards (January 2010)
- 4.5 Supplementary Planning Guidance: Waste Collection and Storage Facilities (March 2007)
- 4.6 Llandaff Conservation Area Appraisal
- 4.7 Technical Advice Note 12: Design
- 4.8 Planning Policy Wales 2016

5. **INTERNAL CONSULTEE RESPONSES**

- 5.1 The Operational Manager, Transportation – No objections but advise the need for cycle parking (see condition 7)
- 5.2 The Operational Manager, Environment and Public Protection – No objections
- 5.3 The Operational Manager, Waste Management – No objections

6. **EXTERNAL CONSULTEE RESPONSES**

- 6.1 None

7. **REPRESENTATIONS**

- 7.1 Neighbours have been consulted and a site notice erected (expiry 24/08/2017), letters and e-mails have been received from the occupiers of 1 + 19 Heol Fair and 1 Imperial Buildings objecting for the following summarised reasons;

- i) Proposal will lead to increased parking problems
- ii) Materials proposed not in keeping with surroundings
- iii) Submitted plans are inadequate
- iv) Noise from occupants of extension
- v) Issues in regard to changing adjacent property from an end of terrace to terraced house
- vi) Overdevelopment of site
- vii) Proposal would impact upon the Conservation Area

- 7.2 The Llandaff Society object for the following summarised reasons;

- i) Overdevelopment of the property into 3 dwelling units
- ii) Reduction in amenity space for occupiers
- iii) Proposal would lead to unacceptable car parking pressure within the Conservation Area
- iv) Concern over proposal to replace original shop window and ask that this element is retained if approved

7.3 A 52 name Petition has been received objecting to the proposal for the following summarised reason;

- i) Increase in on-street parking in an area already overstretched

7.4 Councillor Philippa Hill-John, objects for the following summarised reasons;

- i) Parking problems due to increased on-street parking
- ii) Overlooking/loss of privacy to adjoining properties
- iii) Party Wall agreement has not been submitted/agreed

8. **ANALYSIS**

8.1 The main planning issues relate to:

- (i) The impact of the amenities of neighbouring occupiers.
- (ii) Highway safety/parking issues.
- (iii) Impact upon the Conservation Area

8.2 Amended Plans have been received due to concerns regarding the proposed materials and alterations as the property is within the Llandaff Conservation Area. The details received show additional details on the alterations (including retention of the existing shopfront and doorway). The materials proposed are likely to be acceptable, subject to appropriate conditions regarding final details

8.3 The amended plans show that each dwelling unit proposed has a satisfactory amount of floorspace and an acceptable outlook available for future occupiers.

8.4 The amended plans show that there is an acceptable amount of amenity space available for occupiers. The area is shown as a communal space for occupiers and this is an accepted situation for developments of this nature

8.5 It is not considered that the proposal as amended would prejudice the privacy of adjoining neighbours. The amended plans show the provision of a rear facing first floor bathroom window and a rear facing rooflight which look directly toward 11 Heol Fair (approx. 4.5m away) and a first floor bedroom window on the northern elevation and it is considered necessary to ensure that these windows and the rooflight are obscurely glazed and non-opening below 1.7m internal floor level (see condition 4). The amended plans also show a first floor window and second floor dormer window facing south towards the property known as 1 Imperial Buildings, however it should be noted that these are existing windows, which were utilised as habitable rooms in the original building. The windows are sited approximately 12m from the boundary of no. 1 Imperial Buildings, which is considered to be an acceptable privacy distance in this circumstance.

8.6 It is not considered that the proposed side extension would prejudice the amenities of the adjoining neighbours, the extension would adjoin onto the existing flank wall of no. 1 Imperial Buildings and would not project rearward of the adjoining property

8.7 The Councils Conservation Officer has no objections to the proposal as

amended subject to conditions approving the proposal materials, also states that the proposed extensions and alterations as amended would maintain the character and appearance of the Conservation Area and would not have a prejudicial impact upon it.

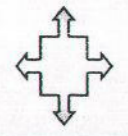
- 8.8 The Operational Manager (Transportation) has no objections to the proposal as amended. Note that the Supplementary Planning Guidance: Access, Circulation and Parking Standards (January 2010) advises that the proposed 3 dwelling units in a non-central area would require the provision of 2 parking spaces, however the existing 5 bedroom property together with the A1 retail unit would also have a requirement of a minimum of 2 parking spaces, therefore the required parking requirement does not exceed the existing situation. It is noted that there is no allocated on-street parking for the existing property and other adjoining residential properties within the surrounding area (other than a residential permit scheme within part of Imperial Buildings).
- 8.9 In regards to comments made by neighbours and other interested parties, which are not covered above, the following should be noted:
- i) See para 8.8
 - ii) See para 8.4
 - iii) The submitted plans are considered to be acceptable
 - iv) Covered under a future Building Regulations submission
 - v) Noted, the issue of an end of terrace becoming a mid terrace property is generally considered acceptable in planning terms
 - vi) The proposal is not considered an overdevelopment of the site, the extension proposed is modest in size and the proposed dwelling units are of a sufficient size in terms of proposed floor-space
 - vii) See para 8.7
- 8.10 Having regard to the policy context above, the proposal as amended is considered to be acceptable and planning permission is recommended subject to conditions.



THE SITE.

17/01547

DTB DESIGN
 TEMPLE COURT 13a CATHEDRAL ROAD
 CARDIFF CF11 9HA
 TEL 029 2035 0365



REVISIONS	DATE	REVISIONS	DATE

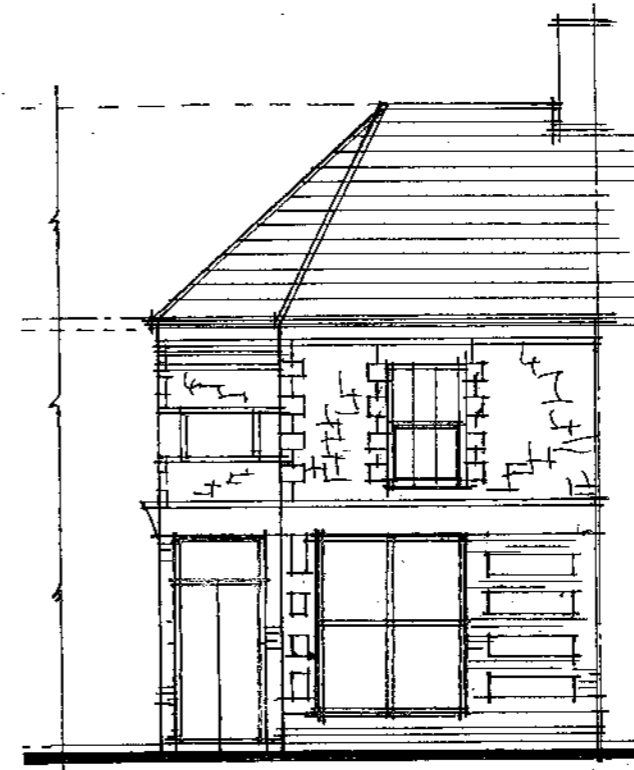
DEVELOPMENT AT
9 HEOL FAIR
CARDIFF

DATE JUNE 2017 PLAN NO. BBA0/8

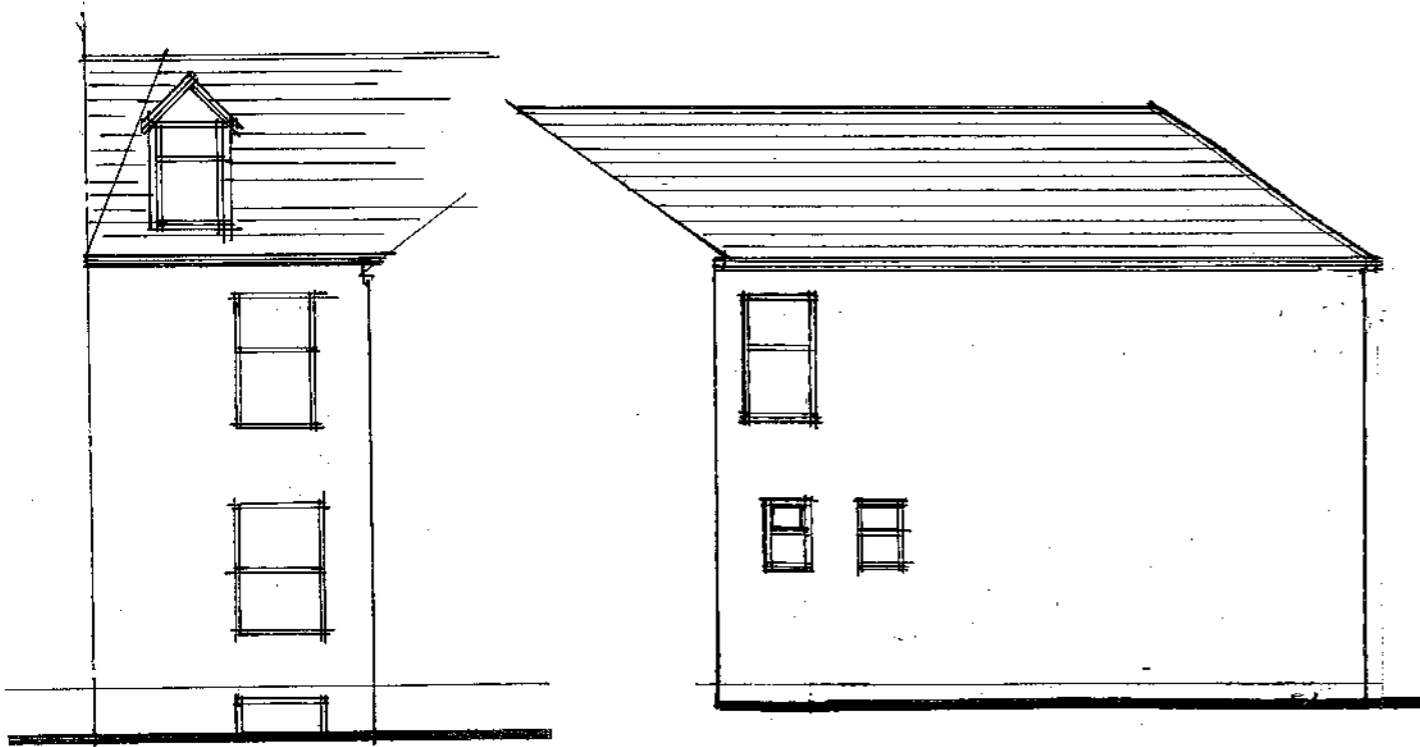
SITE PLAN PROPOSED 1:500 at A3



SIDE



FRONT

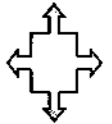


REAR

REAR/SIDE

17/01547

DTB DESIGN
 TEMPLE COURT 13a CATHEDRAL ROAD
 CARDIFF CF11 9HA
 TEL 029 2035 0365

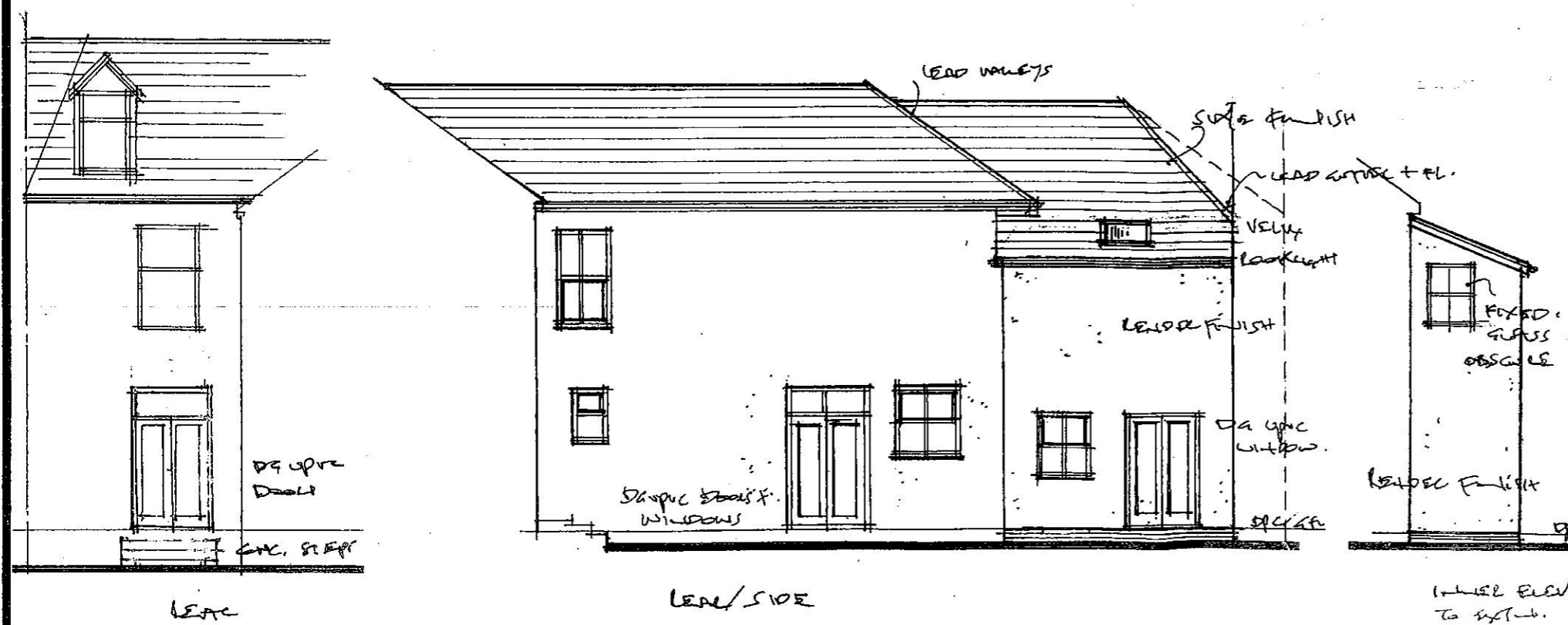


REVISIONS	DATE	REVISIONS	DATE

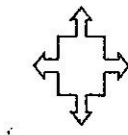
DEVELOPMENT AT
9 HEOL FAIR
CARDIFF

DATE JUNE 2017 PLAN NO. BBA01/9

FRONT & SIDE ELEVATIONS EXISTING 1:100 at A3



DTB DESIGN
 TEMPLE COURT 13a CATHEDRAL ROAD
 CARDIFF CF11 9HA
 TEL 029 2035 0365



REVISIONS	DATE	REVISIONS	DATE
DEVELOPMENT AT			
9 HEOL FAIR			
CARDIFF			

FRONT & SIDE ELEVATIONS PROPOSED 1:100 at A3

DATE JUNE 2017 PLAN NO 6600/8/a/6

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PETITION, LOCAL MEMBER, MP & AM OBJECTIONS

COMMITTEE DATE: 11/10/2017

APPLICATION No. **17/01765/MNR** APPLICATION DATE: 18/07/2017ED: **PENYLAN**

APP: TYPE: Full Planning Permission

APPLICANT: Mr HANNAN

LOCATION: 225 ALBANY ROAD, ROATH, CARDIFF, CF24 3NW

PROPOSAL: REAR EXTENSION, LOFT CONVERSION WITH REAR DORMERS & CONVERSION OF DWELLING TO FORM 4 NO. FLATS

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

1. C01 Statutory Time Limit
2. The development shall be carried out in accordance with the approved drawings numbered P584 L_200A, P584 L_201, P584 L_210A, P584 L_211A & P584 L_212.
Reason: To ensure satisfactory completion of the development and for the avoidance of doubt in line with the aims of Planning Policy Wales to promote an efficient planning system.
3. Pedestrian access to the ground floor rear flat hereby approved shall be via the front of 225 Albany Road and thereafter be retained.
Reason: Sole pedestrian access via the rear lane would be detrimental to occupants and give rise to concerns over pedestrian safety and security.
4. Prior to occupation of the flats hereby approved, refuse storage shall be provided externally to accommodate general waste, recycling and food waste. Refuse storage shall thereafter be retained.
Reason: To secure an orderly form of development and to protect the amenities of the area.
5. Prior to occupation of the flats hereby approved, a covered cycle store shall be provided within the rear garden to accommodate at least 8 cycles and shall thereafter be retained.
Reason: To ensure that secure and under cover cycle parking facilities are provided to encourage other modes of transport over the private car.
6. The south east facing windows of the rear annexe dormer shall be non-opening below a height of 1.7m above internal floor level and glazed with obscure glass, and thereafter be retained.

Reason: To ensure that the privacy of adjoining occupiers is protected.

7. 1.8m high opaque privacy screens shall be provided along the north west and south east sides of the first floor rear balcony and a 1.1m high balustrade to the rear of the balcony, and thereafter retained.

Reason: To ensure that the privacy of adjoining occupiers is protected.

RECOMMENDATION 2: Developers of all new residential units are required to purchase the bin provision required for each unit. The bins have to meet the Council's specifications and can be purchased directly by contacting Waste Management's commercial team (029 20717500).

RECOMMENDATION 3: The site is crossed by a public sewer, consent is required from Welsh Water for buildings directly over or within 3 metres of public sewers. The developer is advised to contact Welsh Water Developer Services prior to commencement of development (tel: 0800 917 2652).

RECOMMENDATION 4: As the site is located within a flood risk area future occupants/owners are advised to sign up to the Environment Agency's Flood Warning service. Additional guidance can be found on the following website: <https://naturalresources.wales/flooding/flood-warning-service/?lang=en>

1. **DESCRIPTION OF PROPOSED DEVELOPMENT**

- 1.1 The application seeks planning permission to convert a two storey end of terrace dwelling to four flats and to erect single storey and rear dormer extensions.
- 1.2 An existing 3.8m long original single storey annexe structure would be demolished and a 12m long 4.7m wide single storey extension is proposed beyond the existing two storey annexe incorporating an existing detached outbuilding, it would have a flat roof 3m high and be finished in render. A small balcony would be formed on part of the roof of the single storey extension, enclosed by 1.8m high opaque screens to the sides and a 1.1m high balustrade screen to the rear.
- 1.3 A pitched roofed dormer would project from the main roof by up to 3.8m at a width of 5.1m, finished in hanging tiles. A flat roofed dormer would project from the rear annexe roof by up to 3.6m at a width of 9.7m, finished in hanging tiles. A window would also be inserted in the existing front gable roof, roof lights would also be inserted in the front and rear roof slopes of the main roof.
- 1.4 Internally the accommodation would comprise of a flat (65m²) within the ground floor front, a flat (66m²) within the first floor rear, a maisonette flat (57m²) within the first floor front and main roof space and a maisonette flat (56m²) within the first floor rear and rear roof space. The upper level flats would be accessed via an existing entrance from Albany Road and the ground floor flats would be accessed via an external passage to the side.
- 1.5 The application originally also proposed uncovered cycle storage within the

external side passage and shorter privacy screens to the sides of the rear balcony, however the architect was advised that the cycle storage would obstruct access to the rear flats and not be covered, and that the side screens would fail to prevent overlooking to the adjoining side gardens from persons leaning over the rear balustrade. The cycle store was subsequently relocated and altered to a secure structure at the rear, and the privacy screens lengthened to prevent direct overlooking from persons leaning over the rear balustrade.

2. **DESCRIPTION OF SITE**

- 2.1 The site comprises a two storey end of terrace dwelling with a detached garage at the rear.

3. **SITE HISTORY**

- 3.1 15/01837/DCH – planning permission granted for single storey rear extension and separate single storey games room, not implemented to date.

3.2 Related History:

06/00690/C – planning permission granted for conversion of no. 223 Albany Road to 2 flats, not implemented.

05/00285/E – planning permission granted and implemented for single storey rear extension rear dormer extension and conversion to 4 no. flats at 219 Albany Road.

10/01203/DCO – planning permission granted and implemented for conversion from 2 to 4 flats with rear extension rear dormer and detached garage at 215 Albany Road.

08/00140/E – planning permission granted for conversion to 3 flats at no. 211 Albany Road.

09/2178/E – planning permission granted for conversion into 2 no. 2 bedroom self-contained flats at no. 199 Albany Road, not implemented.

01/02654/R – planning permission granted and implemented for conversion into 7 self- contained flats at no. 191-193 Albany Road.

07/00232/E – planning permission granted and implemented for conversion to 5 flats with ground floor rear extensions and dormer extension and alterations at no. 189 Albany Road.

14/01216/DCO – planning permission granted and implemented conversion from 2 to 5 flats with single storey rear extension and loft conversion with rear dormer at 237 Albany Road.

15/00084/MNR - planning permission granted for two storey rear extensions and conversion of house in multiple occupation to 5 flats at no. 269 Albany Road.

04/01990/E – planning permission granted for conversion to 2 flats at no. 206 Albany Road, not implemented.

4. **POLICY FRAMEWORK**

4.1 **Relevant National Planning Guidance:**

Planning Policy Wales (Edition 9, 2016)
Technical Advice Note 12: Design
Technical Advice Note 15: Development & Flood Risk

4.2 **Relevant Cardiff Local Development Plan (2006-2026) policies:**

Policy KP5 (Good Quality and Sustainable Design)
Policy EN14 (Flood Risk)
Policy H5 (Subdivision or Conversion of Residential Property)
Policy T5 (Managing Transport Impacts)
Policy W2 (Provision for Waste Management Facilities in Development)

4.3 **Relevant Supplementary Planning Guidance**

Access, Circulation & Parking Standards (2010).
Waste Collection and Storage Facilities (2016).
Residential Extensions & Alterations (2015).

5. **INTERNAL CONSULTEE RESPONSES**

5.1 Transportation – The existing property does not have any off-street parking. There is no on-street resident parking scheme in operation in this section of Albany Road. The location is at the boundary of the central planning area. Therefore the parking requirements under the current parking standards (January 2010) would expect a minimum of between zero and two spaces (up to a maximum of eight spaces). Therefore, the proposal to provide no spaces off-street spaces would be acceptable under current guidelines. Secure covered cycle parking is being proposed within the development. Eight cycle parking spaces are proposed which is in line with the current parking standards (January 2010).

5.2 Waste Management – Each flat will require the following for recycling and waste collections: 1 x 140 litre bin for general waste; 1 x 25 litre kerbside caddy for food waste; Green bags for mixed recycling (equivalent to 140 litres). The storage of which must be sensitively integrated into the design. Please advise the owner/applicant that since 27th July 2015, the developers of all new residential units are required to purchase the bin provision required for each unit. The bins have to meet the Council's specifications and can be purchased directly by contacting the Waste Management's commercial team.

6. **EXTERNAL CONSULTEE RESPONSES**

- 6.1 Natural Resources Wales – initially requested a Flood Consequences Assessment (FCA) to demonstrate the risks and consequences of flooding can be managed to an acceptable level in accordance with Technical Advice Note 15. The application proposes highly vulnerable development (residential) within Zone C2 of the Development Advice Map (DAM) contained in TAN15. Their Flood Map information, which is updated on a quarterly basis, confirms the site to be at risk from the 1% (1 in 100 year) and 0.1% (1 in 1000 year) annual probability tidal/fluviat flood outlines of the Rhymney River and Roath Brook. An FCA was subsequently produced, however Natural Resources Wales advised that it did not utilise their latest flood data. As a result they were unable to provide advice on the risks and consequences of flooding in accordance with TAN15. A revised FCA was produced and Natural Resources Wales were re-consulted, comments will be reported to committee.
- 6.2 Welsh Water - no objection, however the applicant's attention is drawn to the fact that there is a public sewer in the rear garden.

7. **REPRESENTATIONS**

- 7.1 The application was publicised by letter. A petition of objection was received, signed by 57 residents with addresses in Cardiff, all of which are within the vicinity who could reasonably be affected by the matter. Full details are viewable online.
- 7.2 Objections have been received from the following addresses:
- nos. 180, 182, 186, 190, 192, 201, 202, 204, 206, 210, 221, 223, 227, 231, 235, 241, 263 Albany Road
 - 86, 104 Marlborough Road
 - 32 Roath Court Road
 - 5, 16 Roath Court Place
 - 2, 5, 11 Arran Place
 - 84 Heol y Cadno
 - 62 Brithdir Street.

Full details are viewable online, their comments are summarised as follows:

- a) *Density/overdevelopment;*
- b) *Size and scale detrimental to the character of the area;*
- c) *Large number of bins/bags in the front garden and placed on pavement on collection days;*
- d) *Adverse impact upon parking which is already an issue;*
- e) *Loss of family accommodation, a large proportion of houses in Roath and Plasnewydd have already been converted to flats;*
- f) *Fast turnover of tenants;*
- g) *Further stress on local amenities;*
- h) *Increased pressure on local infrastructure and capability of sewerage*

- system;
- i) *Overlooking/loss of privacy from extensions and balcony;*
 - j) *Loss of light from proposed dormer extensions;*
 - k) *Noise disturbance from flats and balcony;*
 - l) *Insufficient outdoor space for the proposed development;*
 - m) *Small size of flats and lack of disabled access to the flats;*
 - n) *When permission 15/01837/DCH was granted for a single storey extension/games room a condition was imposed to prevent use as a separate dwelling;*
 - o) *The proposed development sits on the boundary between nos. 223 and 225. The owners of no. 223 do not give permission for building on the boundary.*
 - p) *Devaluation of other existing family properties.*

7.3 Cllr Joe Boyle objects to the application, summarised as follows:

- a) *Over-intense conversion of family homes into HMOs along Albany Road. I argue that this is having a detrimental impact on community amenity and cohesion. Policy H5 of the Local Development Plan states 'Proposals for any conversion to flats or Houses in Multiple Occupation will be permitted where: 'i) The property is of a size, whereby the layout, room sizes, range of facilities and external amenity space of the resulting property would ensure an adequate standard of residential amenity for future occupiers. ii) There would be no material harm to the amenity of existing, nearby residents by virtue of general disturbance, noise, or overlooking. iii) The cumulative impact of such conversions will not adversely affect the amenity and/or character of the area. iv) Does not have an adverse effect on local parking provision.' I am especially mindful of the third point and believe that the amenity and / or character of the area has already been adversely affected by an intense level of conversion along Albany Road. This proposal, I fear, would add to those problems.*
- b) *The SPG on Houses of Multiple Occupancy also makes the following valid observation in paragraph 4.3: ... concentrations of HMOs, clustered in small geographical areas can detract from the character of the area and actively contribute towards a number of perceived problems. It is considered that this may conflict with policy KP13 of the LDP which aims to improve the quality of life for all. Eight out of the thirty-six homes within a 50m radius of 225 Albany Road are already converted. This equates to 22%, above even the threshold for Cathays and Plasnewydd and well beyond that 10% that would be considered acceptable within Penylan. It is also worth pointing out that in the adjacent stretch, 177 – 207 Albany Road, all bar three of the properties have been converted to HMOs.*

7.4 Cllrs Peter Wong, Dan De'Ath, Mary McGarry, Sue Lent object to the application, as follows:

- a) *Overdevelopment and change of character to the area. Albany Road is predominantly a street of residential houses, and we consider this planning application to be a clear overdevelopment of the site and therefore too large a development for the area. It has the potential for up to 16 people to be*

living there, with the added potential of 16 additional cars to the area. Allowing the over development of the residential areas of Albany road and reducing family housing stock will have a significant detrimental effect on the local community.

- b) Previous Planning Rationale. The previous planning application on this property (15/01837/DCH) was subject to complying with the following condition: "The single storey games room building hereby approved shall at all times remain in use for purposes ancillary to the residential use of no. 225 Albany Road and shall not be sold or let independently. Reason: The creation of a separate dwelling unit would be unacceptable in this location." If the creation of a single separate dwelling unit is unacceptable in this location then the latest application to create 4 separate dwelling units is much more untenable. For consistency, this application should be declined on this basis.*
- c) Local Parking. The proposal will significant additional burden on local parking in Albany Road and the surrounding streets. There is already pressure on parking from customers of the shops on Albany Road/Wellfield Road. It is difficult for residents to park, and a development with the potential for 16 additional cars would exacerbate the situation in Albany Road, with a knock on effect on streets like Arran Place and Roath Court Place. This would create great inconvenience for the existing residents in the area.*

7.5 Jo Stevens MP objects to the application, summarised as follows:

- a) The development of dormer roof extensions and the first floor balcony will dominate the outlook of neighbouring properties;*
- b) The additional windows and balcony will overlook neighbouring properties with considerable loss of privacy;*
- c) The rear extension is out of character of the area;*
- d) The previous permission (15/01837/DCH) was subject to a condition that 'the single storey games room building hereby approved shall as all times remain in use for purposes ancillary to the residential use of no. 225 Albany Road and shall not be sold or let independently' as the creation of a separate dwelling unit would be unacceptable in this location;*
- e) The proposal will have a negative impact on parking in Albany Road and surrounding streets. There is already overflow parking from customers of shops on Albany Road/Wellfield Road.*
- f) Four flats will require four sets of bins stored at the front, the number of bins is likely to block pavement access on collection days.*

7.6 Jenny Rathbone AM objects to the application, summarised as follows:

- a) Overdevelopment and change of character of the area, reduction of family housing stock will have a significant detrimental effect upon local residents and the area;*
- b) The previous permission (15/01837/DCH) was subject to a condition that 'the single storey games room building hereby approved shall as all times remain in use for purposes ancillary to the residential use of no. 225 Albany Road and shall not be sold or let independently' as the creation of a*

separate dwelling unit would be unacceptable in this location;

- c) The proposal will have a negative impact on parking in Albany Road and surrounding streets. There is already overflow parking from customers of shops on Albany Road/Wellfield Road.*

7.7 A further objection to the amended drawings has been received from no. 223 Albany Road. Full details are viewable online, their comments are summarised as follows:

- a) The increased length of the side screens of the balcony would have an impact upon neighbouring amenity and do not meet the requirement of Supplementary Planning Guidance;*
- b) The increased length of the side screens would be overbearing and overshadowing upon adjacent gardens as a result of 1.8m screens on top of the 3m wall;*
- c) Use of the balcony in the evening/night will possibly affect the nearby window with noise and smell issues;*
- d) The balcony would be over over-dominant and out of character with the surrounding area.*

7.8 Comments of support have been received from the following address:

- no. 217 Albany Road.

Full details are viewable online, their comments are summarised as follows:

- a) Most people with average incomes would struggle to buy a property in the area. There needs to be an option for people to buy or rent smaller properties;*
- b) A few properties have been converted to flats in this street, there were no representations from neighbours, AM and MP for those applications;*
- c) Nos. 217 & 219 Albany Road have been converted into flats and there is no waste management issue with those properties.*

8. **ANALYSIS**

8.1 **Policy Considerations**

Subdivision of residential properties is supported by Policy H5 of the Local Development Plan, the subdivision of a residential building into smaller residential units can be an important source of housing. National Planning policy encourages the provision of additional housing stock within previously developed or existing residential land. Paragraph 9.2.6 of Planning Policy Wales states that *'Local planning authorities should address the scope and potential for rehabilitation, conversion, clearance and redevelopment when considering suitable sites for housing development. Maximising the use of suitable previously developed land for housing development can assist regeneration and at the same time relieve pressure for development on greenfield sites.'* It is noted that some residential dwellings within Albany Road have been subdivided to flats, however Policy H5 does not identify a threshold

at which subdivision of residential dwellings is considered to reach saturation level and the Council does not have any supplementary planning guidance applicable to subdivision of dwellings. In this case it is noted that 25% of buildings within 50m of the application site have been subdivided to flats, this proportion is relatively low in comparison with other streets elsewhere within Cardiff. Accordingly, it is not considered that subdivision to four flats would adversely affect the general character of the area.

8.2 Residential Amenity Considerations

It is not considered that the single storey extension would be overbearing or generally un-neighbourly to justify concern for the Local Planning Authority in this instance. The overall length and height would be identical to that permitted by extant permission 15/01837/DCH and there is an existing garage of 5m length adjoining at no. 223. It should also be noted that the majority of the proposed single storey rear structure adjacent to the boundary would constitute development permitted under Class A of Part 1 in Schedule 2 of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013.

It is noted that the side facing windows of the rear annexe dormer would be sited 4.5m from the side boundary of no. 227 Albany Road which is less than the minimum of 10.5m specified by the Residential Extensions & Alterations Design Guide. Condition 6 is considered necessary to ensure these windows are obscure glazed and non-opening below an internal height of 1.7m.

It is noted that the first floor rear balcony could allow overlooking to the side of nos. 223 & 227 Albany Road, condition 7 is therefore considered necessary to ensure 1.8m high opaque screens are provided along the north west and south east sides of the balcony and a 1.1m high balustrade to the rear prior to beneficial use of the balcony, and thereafter retained. The rear balustrade balcony would be sited 13.5m from the rear gardens of nos. 104 & 106 Marlborough Road, exceeding the minimum of 10.5m specified by the Residential Extensions & Alterations Design Guide.

It is not considered that the provision of the opaque screen within close proximity to the boundary with no. 223 Albany Road would result in any unreasonable loss of amenity to 223 as it would not extend beyond the point of the adjoining single structure at no. 223 and its total height (4.7m) would be considerably lower than the maximum height of the existing two storey annexe structure (7.7m) in relation to the impact upon the adjoining garden.

The internal floor area of all flats comfortably satisfies the minimum requirement of 30 square metres at an internal height of 2m or more, and the outlook from all living areas is considered adequate. An adequate private external amenity area of 65 square metres (60 excluding the cycle store) would be retained at the rear/side accessible by all flats via an external side passage. A cycle store would be provided within the rear garden, condition 5 is considered necessary to ensure a covered cycle store is provided prior to beneficial occupation of the flats. Refuse storage containers can be

satisfactorily accommodated within the front forecourt as per the existing scenario or within the rear garden, condition 4 is considered necessary to ensure the necessary storage containers are provided prior to beneficial occupation.

It is noted that the ground floor rear flat would have a secondary access to the rear lane, if pedestrian access was solely via the rear lane it would be unacceptable as this would be detrimental to residents in terms of pedestrian safety and security. Condition 3 is therefore considered necessary to ensure access to this flat via the front of 225 Albany Road is retained at all times. It is also noted that a condition was imposed on previous permission 15/01837/DCH to prevent use of the games room as a separate dwelling, however this was imposed due to the characteristics of that proposal being a detached building with an access via the rear lane whereas the current proposal is for an extension attached to the existing building.

It is noted that the side facing windows of the ground floor rear flat would be overlooked by occupants of the other flats when using the shared outdoor amenity space, however this is a widely established accepted relationship between ground floor flats and shared external amenity areas of buildings converted to flats and new build blocks of flats.

8.3 Design Considerations

The scale of the single storey extension is considered acceptable in this instance as a large external area (17.5m long 3.5m wide) of 65 square metres would remain to the rear/side, the provision of an unusually large external area at the side is repeated within the vicinity at nos. 227, 237 & 239 Albany Road. The overall footprint would be very similar to the extension permitted by extant permission 15/01837/DCH and part of the extension encompasses the existing detached garage structure. Accordingly it is considered that it would not be out of character to the locality and will provide a subservient addition to the building. It should also be noted that a large proportion would constitute development permitted under Class A of Part 1 in Schedule 2 of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013 on the basis that: *the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would not exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse); the height of the eaves of any part of the enlarged part which is within 2 metres of the boundary of the curtilage would not exceed 3 metres; and the enlarged part of the dwellinghouse would not extend beyond the rear wall of the original dwellinghouse by more than 4 metres.*

The main roof rear dormer is considered visually acceptable as it would be set back from the rear/side elevations and finished in materials to match the existing building, in accordance with the Residential Extensions & Alterations SPG. It is noted that the rear annexe dormer would be of substantial size, however in any case this dormer extension would constitute development permitted under Class B of Part 1 in Schedule 2 of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013

if constructed prior to the conversion to flats on the basis that: *it does not exceed the highest part of the existing roof, does not exceed 40 cubic metres, is set back by 0.2m from the eaves of the roof, and the appearance of the materials used will far as practicable match the appearance of the materials used in the equivalent elements of the existing dwellinghouse.*

8.4 Transport Considerations

The proposal is compliant with the Access, Circulation and Parking Standards SPG with no off street parking spaces, subject to provision of cycle parking as confirmed by Transportation. The site is also in a sustainable location near to bus routes.

8.5 Representations

The representations received from the neighbouring residents, Cllrs Joe Boyle, Peter Wong, Dan De'Ath, Mary McGarry, Sue Lent, Jenny Rathbone AM and Jo Stevens MP are noted. While the substance of local views must be considered, the duty is to decide each case on its planning merits. As a general principle, local opposition or support for a proposal is not, on its own, a reasonable ground for refusing or granting planning permission; objections, or support, must be based on valid planning considerations. Specific issues are addressed as follows:

- a) Bins. It is considered that refuse storage containers could be suitably accommodated within the front forecourt enclosed behind the boundary wall as detailed within the above analysis, existing refuse storage containers for dwellings within this street are accommodated within the front forecourts.
- b) Parking. The proposal is compliant with the Access, Circulation and Parking Standards SPG with no off street parking spaces subject to provision of cycle parking as detailed within the above analysis.
- c) Loss of privacy. It is not considered that the proposal would result in any unreasonable loss of privacy or amenity to adjoining properties as detailed within the amenity analysis above. Condition 6 would ensure the south east facing windows of the rear annexe dormer shall be non-opening below a height of 1.7m above internal floor level and condition 7 would ensure a 1.8m high opaque screen is provided along the north west and south east sides of the balcony.
- d) Loss of family accommodation. There is no planning policy to protect family accommodation and no policy or specific supplementary planning guidance in terms of thresholds/saturation which the Council could rely on to support a refusal.
- e) Saturation of HMOs. The application does not propose conversion to HMO accommodation (use class C4) as it proposes residential flats within use class C3. The Houses in Multiple Occupation Supplementary Planning Guidance does not apply to residential units within class C3.
- f) Pressure on local infrastructure and sewerage system. Connections would be considered by the building regulations procedure, it is not considered that the proposal would cause 'demonstrable' harm to the infrastructure. There is no policy or specific supplementary planning guidance which the

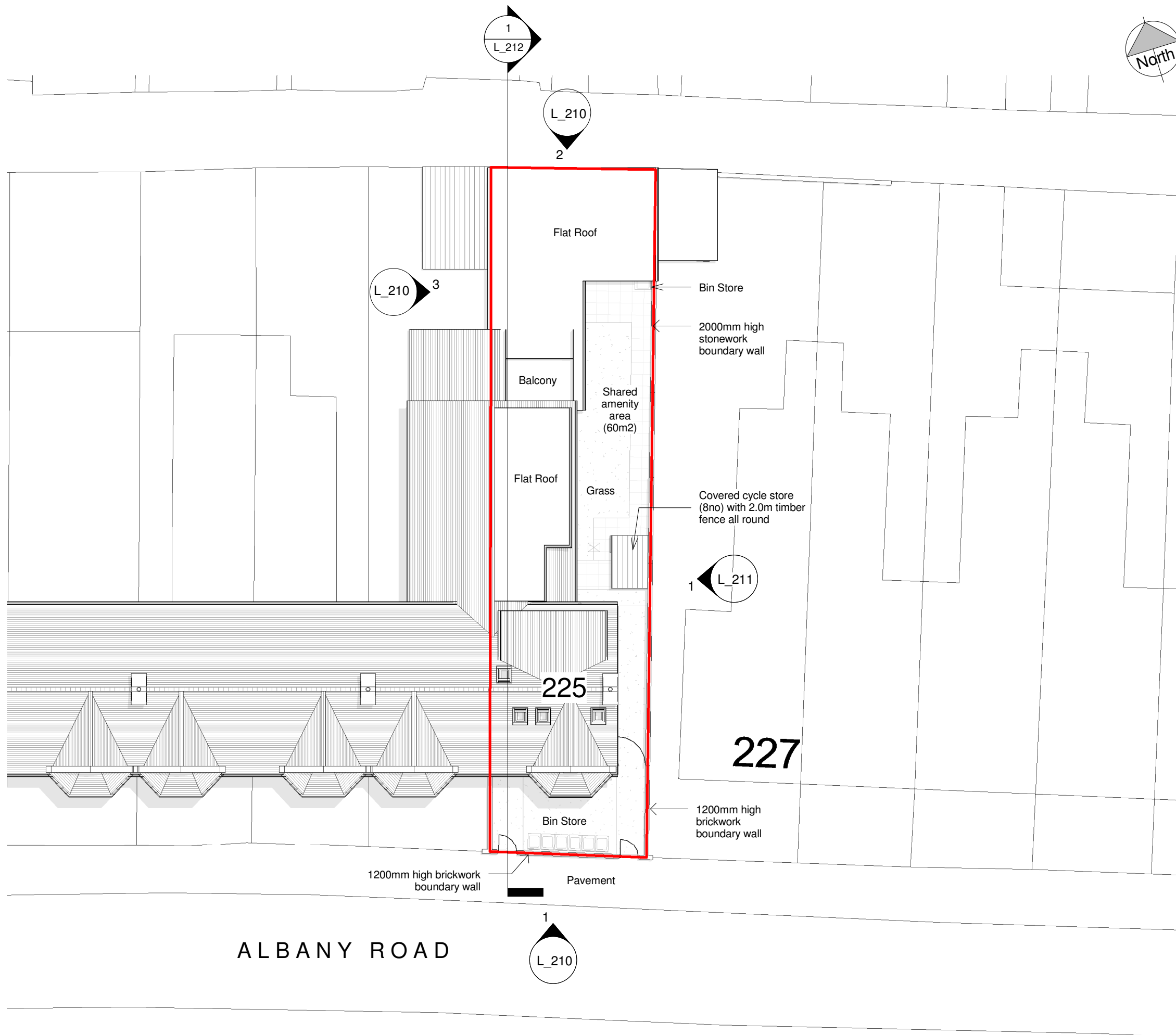
Council could rely on to support a refusal.

- g) Impact of rear dormers. It is not considered that the proposal would result in any unreasonable loss of amenity to adjoining properties as detailed within the analysis above. The rear annexe dormer extension would constitute 'permitted development' if constructed prior to the conversion to flats.
- h) Noise Disturbance. It is not considered that the proposal would result in adverse noise consequences.
- i) Overdevelopment/Density. It is considered that the provision of four flats is acceptable and the proposed external amenity area of adequate size and useable form as detailed within the above analysis.
- j) Size of flats. The Council and the Welsh Government have no formal policy or guidelines relating to the size of flats. However, it is of relevance that the size of the proposed flats would be considerably exceeds 30 square metres which is considered to represent a reasonable standard of amenity for occupants.
- k) Disabled access: Access would be considered by part M of the Building Regulations. Part M is not applicable where there is no material change of use (subdivision of an existing dwelling to flats is not a material change of use), and in such cases requires that any material alterations must not make the building less satisfactory than it was before. Therefore, provision of a lift is not required in this instance.
- a) Fast turnover of tenants. Not a material planning matter, there is no planning control upon the length of a tenancy.
- b) Condition of previous planning permission. A condition was only imposed on previous permission 15/01837/DCH to prevent use of the games room as a separate dwelling due to the characteristics of that proposal being a detached building with an access via the rear lane. The current proposal is considered acceptable as detailed within the above analysis.
- c) Development on the boundary: The proposal is considered acceptable in this respect, any party wall matters would be a private civil matter between the property owners concerned as set out by the party wall legislation.
- d) Effect on Property Values. Not a material planning matter.

The representations in support are noted.

8.5 **CONCLUSION**

It is concluded that the application is acceptable in accordance with the planning policies listed, and is recommended that planning permission be granted, subject to conditions.



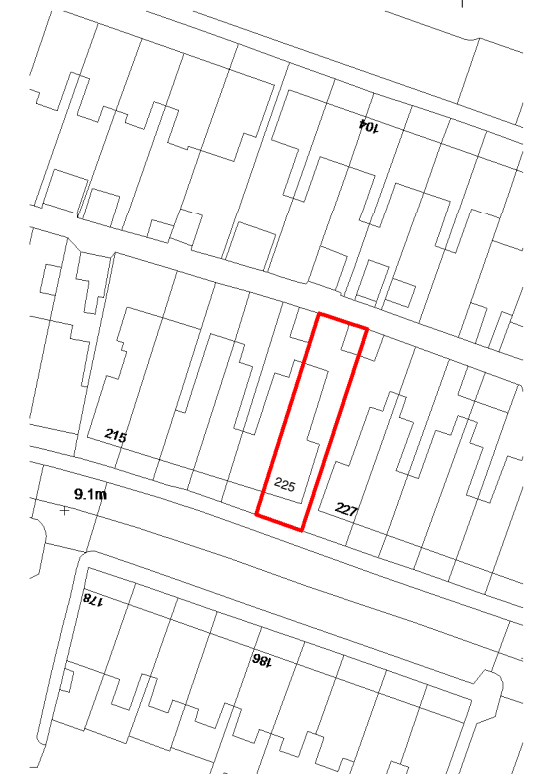
Site Plan as Proposed
1 : 200

SITE AREA: 285m²

Responsibility is not accepted for errors made by others in scaling from this drawing. All construction information should be taken from figured dimensions only.

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A3 Original Sheet Size



Location Plan
1 : 1250

Planning Issue

date	rev	name	chk	note
07/09/17	A	PL		Balcony screens & cycle store amended



Architectural Design - Feasibility - Planning - Building Control - Construction Details - Sustainable Design
Systems House 89 Heol Don Cardiff CF14 2AT
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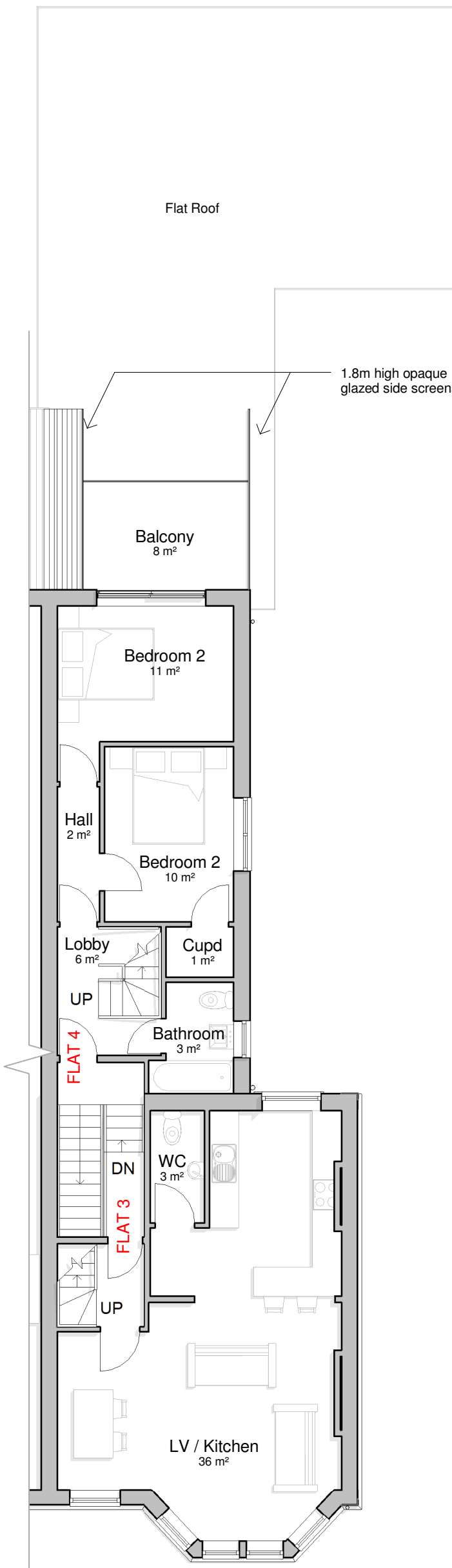
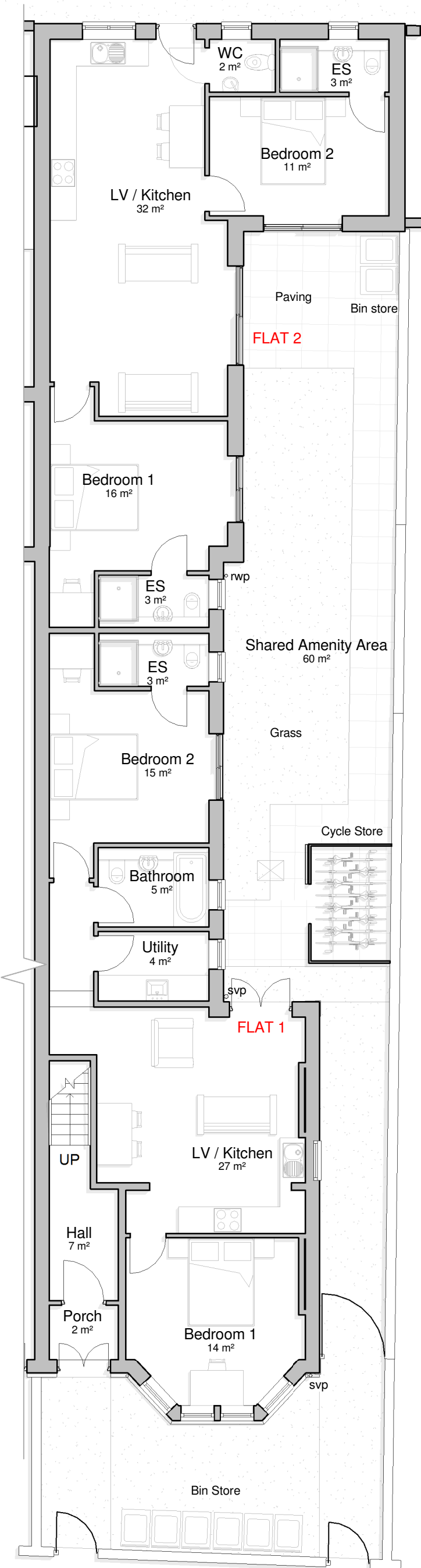
PROJECT
Proposed rear extension, loft conversion with dormers & conversion of dwelling to form 4 no. flats
225 Albany Road, Roath, Cardiff, CF24 3NW

DRAWING TITLE
Site Plan as Proposed

SCALE	DATE	DRAWN BY	CHECKED BY
As indicated	05/07/17	PL	HH
DRAWING NUMBER	REVISION		
P584	L_002		A

FINISHES KEY:

- A : GREY SLATE ROOFING & RED RIDGE TILES
- B : WHITE DOUBLE GLAZED UPVC WINDOWS & DOORS
- C : BLACK UPVC RAINWATER GOODS ON BLACK FASCIA
- D : WHITE RENDERED EXTERNAL WALLS
- E : RED / ORANGE BRICKWORK EXTERNAL WALLS
- F : GREY SLATE VERTICAL CLADDING TILES



Ground Floor Plan
1 : 100

First Floor Plan
1 : 100

Planning Issue

07/09/17 A PL Balcony screens & cycle store amended
date rev planr chk



Architectural Design - Feasibility - Planning - Building Control - Construction Details - Sustainable Design
 Systems House 89 Heol Don Cardiff CF14 2AT
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PROJECT
 Proposed rear extension, loft conversion with dormers & conversion of dwelling to form 4 no. flats

225 Albany Road, Roath, Cardiff, CF24 3NW

DRAWING TITLE
 GF & 1st Floor Plans as Proposed

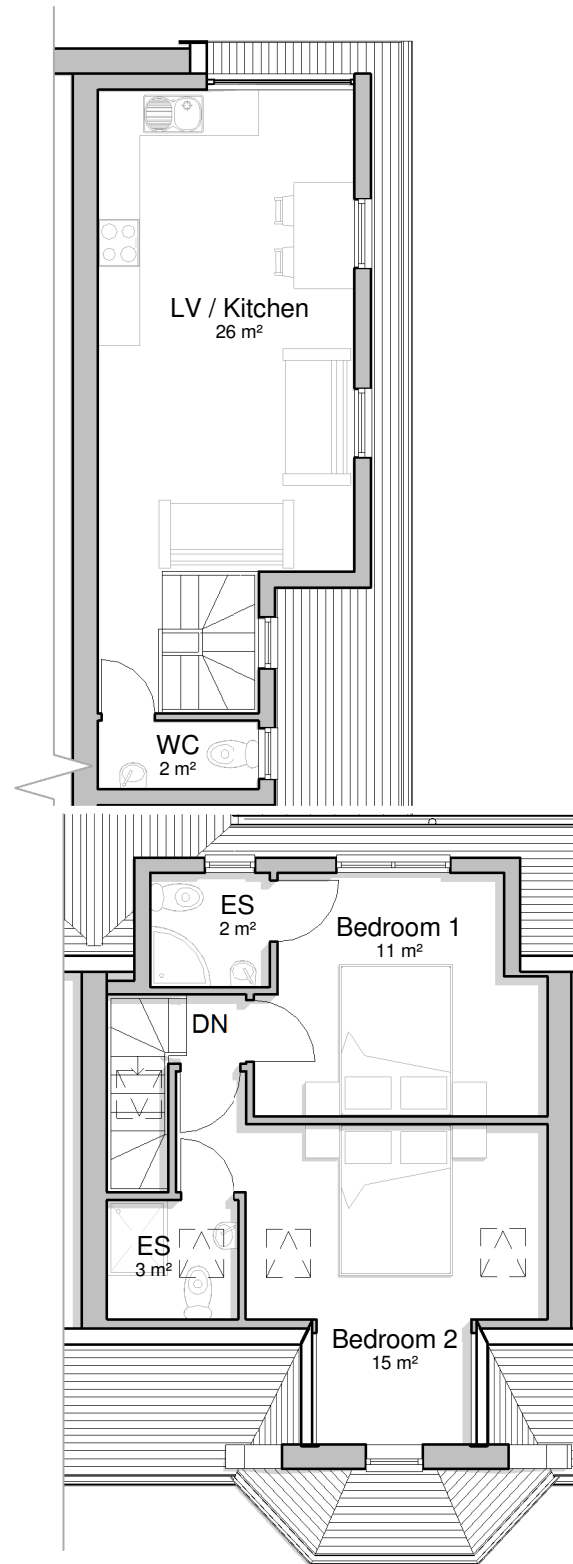
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As indicated	05/07/17	PL	HH

DRAWING NUMBER	REVISION
P584 L_200	A

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A3 Original Sheet Size



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- F : GREY SLATE VERTICAL CLADDING TILES

Planning Issue

date	rev	name	chk	note



Architectural Design - Feasibility - Planning - Building Control - Construction Details - Sustainable Design
 Systems House 89 Heol Don Cardiff CF14 2AT
 T 02920316857 M 07785582007 info@dlparchitecture.co.uk

PROJECT
 Proposed rear extension, loft conversion with dormers & conversion of dwelling to form 4 no. flats
 225 Albany Road, Roath, Cardiff, CF24 3NW

DRAWING TITLE
 Second Floor Plans as Proposed

Second Floor

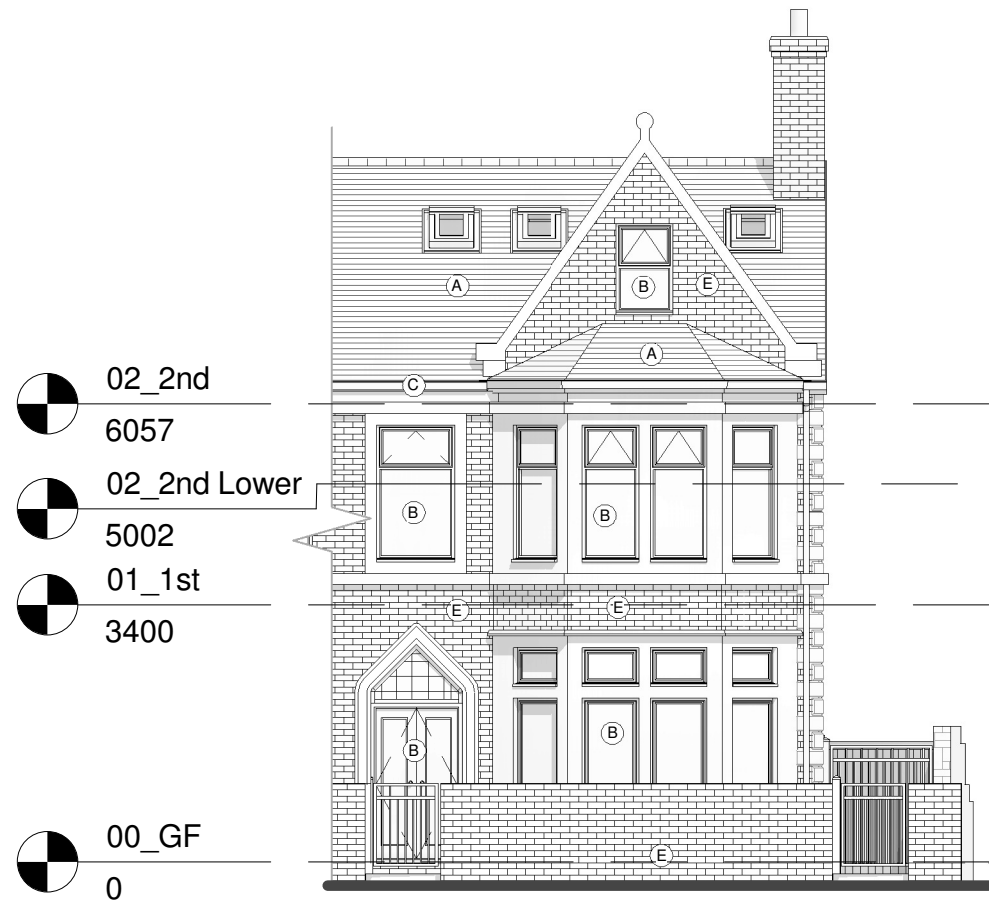
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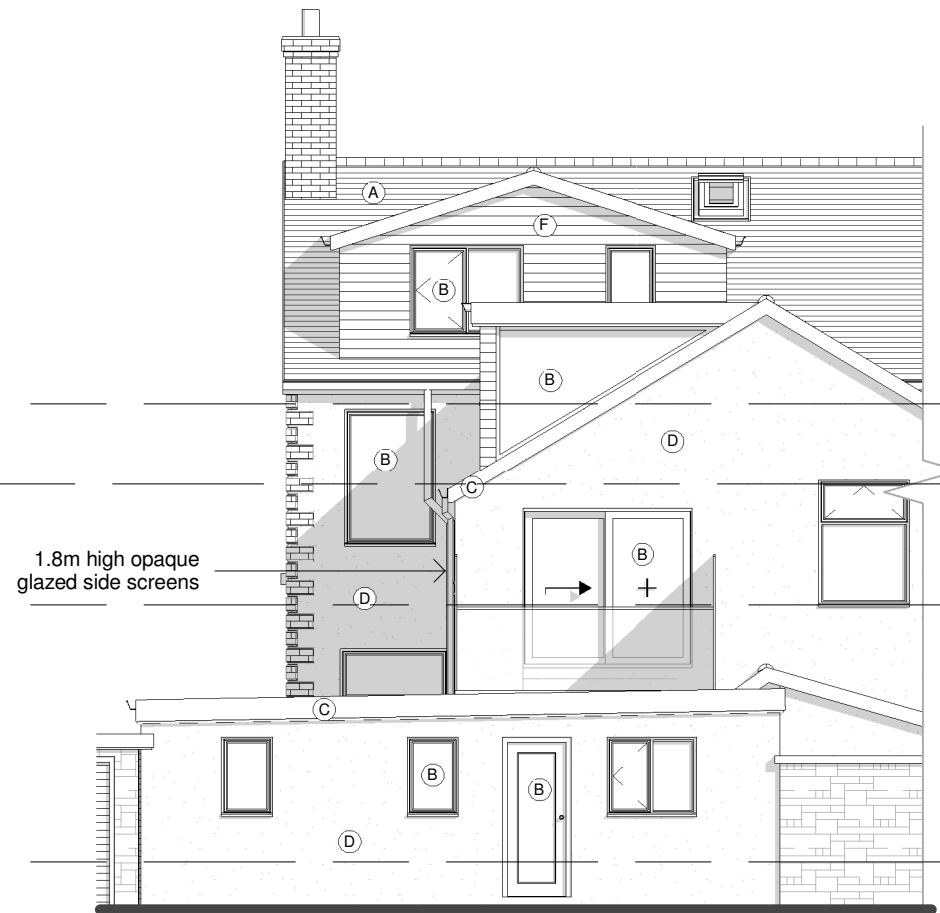
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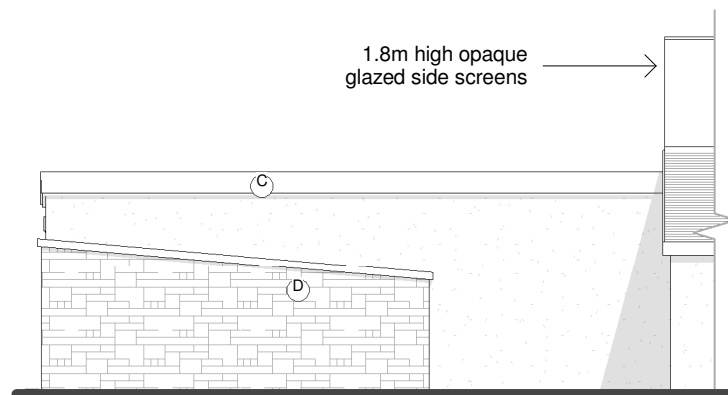
South (Front) Elevation
1 : 100



North (Rear) Elevation
1 : 100

FINISHES KEY:

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- B : WHITE DOUBLE GLAZED UPVC WINDOWS & DOORS
- C : BLACK UPVC RAINWATER GOODS ON BLACK FASCIA
- D : WHITE RENDERED EXTERNAL WALLS
- E : RED / ORANGE BRICKWORK EXTERNAL WALLS
- F : GREY SLATE VERTICAL CLADDING TILES



West (Side) Elevation
1 : 100

Planning Issue

date	rev	name	chk	note
07/09/17	A	PL		Balcony screens & cycle store amended



Architectural Design - Feasibility - Planning - Building Control - Construction Details - Sustainable Design
Systems House 89 Heol Don Cardiff CF14 2AT
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PROJECT
Proposed rear extension, loft conversion with dormers & conversion of dwelling to form 4 no. flats
225 Albany Road, Roath, Cardiff, CF24 3NW

DRAWING TITLE
Elevations 1 of 2 as Proposed

SCALE	DATE	DRAWN BY	CHECKED BY
As indicated	05/07/17	PL	HH
DRAWING NUMBER	REVISION		
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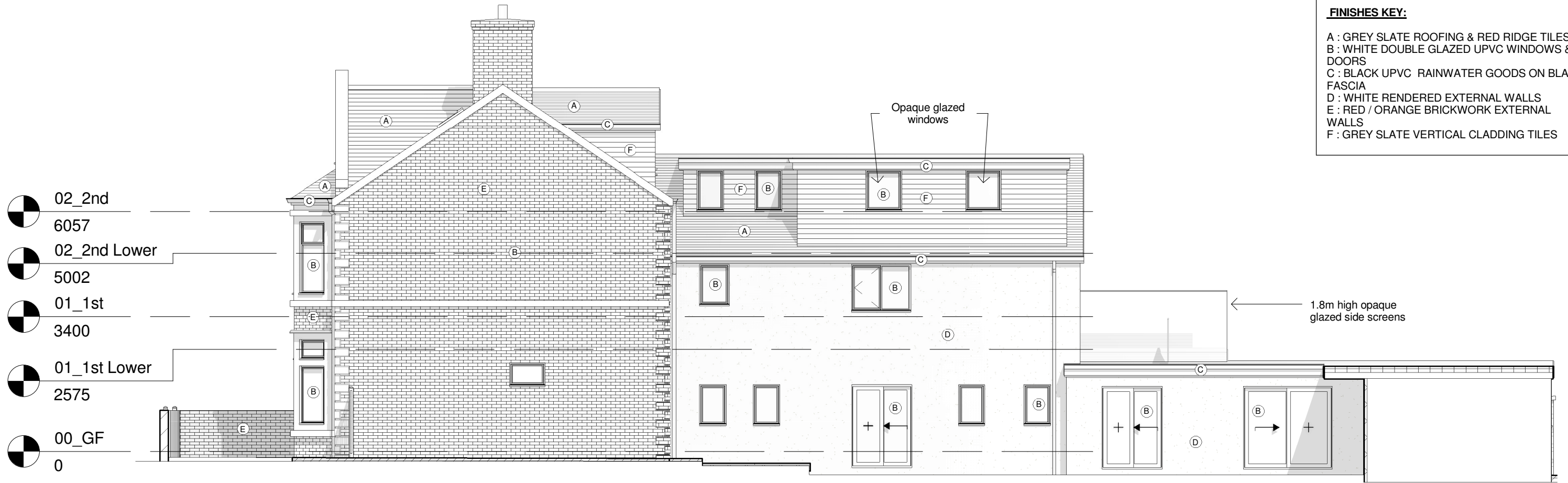
Responsibility is not accepted for errors made by others in scaling from this drawing. All construction information should be taken from figured dimensions only.

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A3 Original Sheet Size

FINISHES KEY:

- A : GREY SLATE ROOFING & RED RIDGE TILES
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- D : WHITE RENDERED EXTERNAL WALLS
- E : RED / ORANGE BRICKWORK EXTERNAL WALLS
- F : GREY SLATE VERTICAL CLADDING TILES



East (Side) Elevation
1 : 100

Planning Issue

07/09/17 A PL Balcony screens & cycle store amended

date	rev	name	chk	note
07/09/17	A	PL		Balcony screens & cycle store amended



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DRAWING TITLE
Elevations 2 of 2 as Proposed

SCALE	DATE	DRAWN BY	CHECKED BY
As indicated	07/07/17	PL	HH
DRAWING NUMBER	REVISION		
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COMMITTEE DATE: 11/10/2017

APPLICATION No. **16/02934/MJR** APPLICATION DATE: 09/12/2016

ED: **GRANGETOWN**

APP: TYPE: Full Planning Permission

APPLICANT: Mr C Burrige

LOCATION: WINDSOR BUILDINGS, FERRY ROAD, GRANGETOWN, CARDIFF, CF11 0JL

PROPOSAL: PROPOSED AFFORDABLE HOUSING DEVELOPMENT AND ANCILLARY WORKS

RECOMMENDATION 1 : That planning permission be **REFUSED** for the following reasons :

1. The development, by virtue of whole site coverage/siting and design, would realise a poor quality of living environment, outlook, and lack of amenity space provision for future residents, contrary to policies KP5: [GOOD QUALITY AND SUSTAINABLE DESIGN] and H6: [CHANGE OF USE OR REDEVELOPMENT TO RESIDENTIAL USE] of the Cardiff Adopted Local Development Plan 2016
2. The location of the principal entrance to the building would provide an unacceptable privacy relationship with the main living room window in ground floor flat unit 1 contrary to policies KP5: [GOOD QUALITY AND SUSTAINABLE DESIGN] of the Cardiff Adopted Local Development Plan 2016
3. The development by virtue of whole site coverage and design is considered to be prejudicial to the future development of the land to the west, contrary to policies KP5: [GOOD QUALITY AND SUSTAINABLE DESIGN] and H6: [CHANGE OF USE OR REDEVELOPMENT TO RESIDENTIAL USE] of the Cardiff Adopted Local Development Plan 2016
4. The development by virtue of the necessity to modify and repeatedly prune the three street lime trees would realise an unacceptably detrimental impact on the verdancy of the streetscape and likely requests to fell the trees from future residents given the proximity of the trees to primary living spaces within the building contrary to policies KP5: [GOOD QUALITY AND SUSTAINABLE DESIGN] and EN8 [TREES, WOODLAND AND HEDGEROWS] of the Cardiff Adopted Local Development Plan 2016

1. **DESCRIPTION OF DEVELOPMENT**

This application seeks to demolish an existing corner retail warehouse building

in Grangetown and to provide flatted residential units in a three storey block. The accommodation is indicated as being for affordable housing, however it is noted that the application is not submitted with an RSL (Housing Association) partner, although it is understood that there may be an RSL interest in principle should the development gain approval.

- 1.2 The application form confirms that the development would comprise 15 no. One bed units and 3 no. Two bed units accessed from a perimeter 'deck access' to the rear (W) of the building positioned adjacent to the side wall of a neighbouring repair garage.
- 1.3 The application is a modification of application 15/00966 for up to 19no. units and ancillary works. Refused by Planning Committee on 11/12/2015 and Dismissed at Appeal on 11/08/2016.
- 1.4 Previous reasons for refusal were :
 1. The development, by virtue of whole site coverage/siting, design, and quantum of accommodation represents an overdevelopment of the site resulting in a poor quality of access, outlook, quality of living environment, amenity space and opportunity for landscaping, contrary to policies 2.20: Good Design, 2.21: Redevelopment to Residential Use; of the Unitary Development Plan Deposit written statement Oct 2003, and policy 11(Design and aesthetic quality) of the Cardiff Adopted Local Plan January 1996.
 2. The development by virtue of whole site coverage and design is considered to be prejudicial to the future development of the land to the west, and to be likely to have a detrimental impact on the business interest of the existing auto repair garage operation contrary to policies 2.20: Good Design, 2.21: Redevelopment to Residential Use; of the Unitary Development Plan Deposit written statement Oct 2003.
- 1.5 The current submission is also supported by:
 - Design and Access Statement;
 - Flood Consequences Assessment;
 - Noise Impact Assessment;
 - Planning Statement ;
 - Transport Review ;
 - Tree Protection Plan ;
 - Tree Survey, and
 - Pre-application consultation report [PAC] report

2. **DESCRIPTION OF THE SITE**

The site is located on the corner of Ferry Road and South Clive Street and comprises a long rectangular furniture sales warehouse. The building has a ridged roof which parallels South Clive Street, and which is of mixed single

storey and two storey height with the lower section to the middle.

- 2.2 The corner of the building to Ferry Road is elevated to provide a wrap around gable presentation to the Junction. The southern end of the site exhibits a raised central ridge.
- 2.3 The northern boundary of the warehouse is formed by Ferry Road - which currently provides pedestrian access into the warehouse. The eastern boundary is formed by Clive Street which contains a large roller shutter door to its southern end in the elevated section; The western boundary of the site is formed by a directly abutting car repair garage and the southern boundary formed by a lean-to structure associated with the car repair garage.
- 2.4 The South Clive Street/Ferry Road junction is a busy traffic junction used by many vehicles accessing the nearby Ferry Road retail park.
- 2.5 Surrounding development is essentially residential of varying age and character, but generally traditional inter-war two storey family houses, Victorian Terraced dwellings and newer build three and four storey flatted developments.

3. **SITE HISTORY**

15/00966 Windsor Buildings, Ferry Road, Grangetown, Cardiff Full Planning Permission for affordable housing development of up to 19no. units and ancillary works Refused 11/12/2015. Dismissed at Appeal 11/08/2016

06/00172/C Units 1 & 2 Windsor Buildings, Ferry Road, Grangetown, Cardiff Outline Application For Residential Apartments (25 No: 1 And 2 Bedroom Apartments) Withdrawn May 2006

05/02776/C Unit 2 Windsor Buildings, Ferry Road, Grangetown, Cardiff Outline Application For Residential Apartments (16 No. 1 Bedroom) Withdrawn Jan 2006

05/02061/C Windsor Buildings, South Clive Street, Grangetown, Cardiff A1, Retail Warehouse Certificate of Lawfulness Issued Dec 2005

05/00349/C Windsor Buildings, South Clive Street, Grangetown, Cardiff Demolish Existing Retail Warehouse And Build 12 2 Bedroom Flats With 12 Parking Spaces Planning Permission Refused May 2005

05/00151/C Windsor Buildings, South Clive Street, Grangetown, Cardiff A1, Retail Warehouse Certificate of Lawfulness Not Issued May 2005

4. **POLICY FRAMEWORK**

Planning Policy Wales

WG Technical Advice Notes

TAN 1: Joint Housing Land Availability Studies (2015)
TAN 2: Planning And Affordable Housing (2006)
TAN 11: Noise (1997)
TAN 12: Design (2016)
TAN 15: Development and Flood Risk (2004)
TAN 18 Transport 2007

Welsh Office Circular

11:99 Environmental Impact Assessment
16/94 Planning out Crime

Cardiff Local Development Plan 2006-2026 (Adopted January 2016)

KP5: GOOD QUALITY AND SUSTAINABLE DESIGN
KP7: PLANNING OBLIGATIONS
KP8: SUSTAINABLE TRANSPORT
KP15: CLIMATE CHANGE
H1: NON-STRATEGIC HOUSING SITES
H3: AFFORDABLE HOUSING
H6: CHANGE OF USE OR REDEVELOPMENT TO RESIDENTIAL USE
EC3: ALTERNATIVE USE OF EMPLOYMENT LAND AND PREMISES
EN8: TREES, WOODLANDS AND HEDGEROWS
EN10: WATER SENSITIVE DESIGN
EN13: AIR, NOISE, LIGHT POLLUTION AND LAND CONTAMINATION
EN14: FLOOD RISK
T1: WALKING AND CYCLING
W2: PROVISION FOR WASTE MANAGEMENT FACILITIES IN DEVELOPMENT

Supplementary Planning Guidance to Adopted LDP

Waste Collection & Storage Facilities Oct 2016
Residential Design Guide Jan 2017
Planning Obligations Jan 2017

Other Material Considerations

Inspector's decision on previous proposal

Supplementary Planning Guidance to former Local Plan which is material in so far as it is the most recently approved guidance and is compliant with National Guidance and Policies.

Access, Circulation and Parking Standards Jan 2010
Infill Sites Design Guide April 2011
Trees and Development Mar 07

5. **INTERNAL CONSULTEE RESPONSES**

5.1 **Contaminated Land**

In reviewing available records and the application for the proposed development, the site has been identified as commercial/industrial with uses including part of the site of the former 'Windsor Works', warehouse and retail. 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.

In addition former landfill/raise sites have been identified within 250m of the proposed development. Such sites are associated with the generation of landfill gases, within subsurface materials, which have the potential to migrate to other sites. This 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 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 the following conditions and informative statements 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:

Ground gas protection; Contaminated land measures – assessment; Contaminated land measures – remediation & verification plan; Contaminated land measures - remediation & verification; Contaminated land measures – unforeseen contamination; Imported aggregates; Use of site won materials and Advisory notification R4 contamination and unstable land advisory notice.

5.2 **Housing**

The planning application has been submitted by a Mr C Burridge for a 100% affordable housing (social rented) scheme.

Based on this planning application submission it does not currently contain a secure mechanism to ensure that the affordable housing remains as affordable housing on first and subsequent occupations, particularly as a Registered Social Landlord (RSL) would not be party to the s106 agreement.

In addition we are not aware that any of our partner RSLs are fully committed or in current dialogue with the owner to purchase the site and/or units.

On that basis, if the application is to go forward as a 100% affordable housing

scheme then the following need to apply:

- All social rented units will be required to meet Welsh Government Development Quality Requirements (DQR) & the Welsh Housing Quality Standard (WHQS).
- The planning permission needs to be a restricted use to a 100% affordable housing scheme.

We would use legal contract/agreement to cover: the provision of affordable housing on site including numbers, site mix and layout; The precise terms of the legal contract/agreement would be drafted by Legal Services.

5.3 Trees

The submitted Tree Constraints Plan depicts nominal, circular Root Protection Areas for the x3 Council, highway limes. A polygonal depiction is likely to be a more accurate reflection of the distribution of roots, but subject to clarification concerning any proposed works within the highway verge/footway, e.g. re-surfacing, service installation, and subject to implementation of the tree protection measures as submitted for the full course of development (including demolition and landscaping), unacceptable harm should not result to the trees directly as a result of development. However, I am concerned that the development pays insufficient regard to the future growth potential of the highway trees, which is considerable. The current elevation allows for significant growth over the roof of the warehouse, and given the current non-residential function, any nuisance resulting from this growth is minimal. Under the proposed development, the above ground growing space will be constrained, resulting in the trees developing offset growth over South Clive Street, and necessitating regular and unsuitable pruning (crown-lifting and lateral branch reduction). Furthermore, being limes, during spring, summer and autumn, honeydew is likely to rain down from these trees as a consequence of aphids feeding on the leaves. Honeydew can coat surfaces with a sticky veneer, necessitating regular cleaning if discoloration as a result of 'sooty moulds' colonising the honeydew is to be avoided. An additional consequence of the proposed development is likely to be increased wind tunnel effects, as wind passes between the three storey flats and the trees – this increases the risks of branch failures, particularly for trees that have been forced to grow offset. Limes are long-lived, and potentially very tall trees, with moderately spreading crowns, and the development should be designed to respect this, not to compromise the future growth potential of important highway trees.

New soft landscaping as part of the development is extremely sparse, with no space allocated for a new tree or trees for example. As such, the development misses the opportunity for de-sealing and mitigating the predicted effects of climate change. However, should the development be recommended for approval, a condition should be applied required submission of full landscaping details comprising a scaled planting plan, plant schedule, topsoil and subsoil specification, planting methodology and aftercare methodology.

5.4 Pollution Control Noise and Air

Air Quality

Examining the Design and Access Statement as well as the associated Transport Review I am satisfied that the development will not have a severe impact on surrounding highway network. I am therefore content that little risk is placed upon future residents and nearby residents in terms of traffic derived emissions.

Dust emissions

Due to the close proximity of residential dwellings to the proposed development. In accordance with IAQM "Guidance on the assessment of dust from demolition and construction" Chapter 6, Step 1, Box 1 highlights certain screening criteria which needs to be considered and if a development qualifies for an assessment. The document states "An assessment will normally be required where there is: a 'human receptor' within: - 350 m of the boundary of the site; or- 50 m of the route(s) used by construction vehicles on the public highway, up to 500 m from the site entrance(s)." It is apparent that there are residential dwellings located in close proximity to the proposed site (<50m), therefore satisfying the 'human receptor' criteria stipulated in the cited guidance and the need for a detailed assessment to be produced.

I would ask for the following condition to be implemented;

Unless otherwise agreed with LPA, the applicant is required to undertake a detailed dust assessment which shall quantify the magnitude of risk to surrounding/ nearby sensitive receptors, this being the various residential properties located within 350m to the site boundary, during the demolition and construction phase of the development. Prior to the commencement of development a scheme (Construction Environmental Management Plan) to minimise dust emissions arising from construction activities on the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of dust suppression measures and the methods to monitor emissions of dust arising from the development. The construction phase shall be implemented in accordance with the approved scheme, with the approved dust suppression measures being maintained in a fully functional condition for the duration of the construction phase.

Reason: To assess air quality and agree any mitigation measures that may be required to safeguard the amenity of nearby residents in the area.

5.5 Waste

The bin storage area indicated within current site plans has been noted.

These 18 flats will require the following allocation of bin capacity.

Dry Recyclables:	2 x 1100 litre bulk bins
Food waste:	1 x 240 litre bin

General waste: 2 x 1100 litre bulk bins

The site plan indicates that this amount of receptacles can be accommodated in the allocated space, however we are concerned that residents of units 2, 3 and 4 will have further than 30 metres to walk in order to dispose of their waste. As documented in chapter 6 of the Waste Collection and Storage Facilities Supplementary Planning Guidance 2016 it is stated that the bin store must no more than 30 metres from the dwelling. We would advise either an access door be provided between the rear corridor and the parking area or provide gates from the front of properties.

We notice that a collection point has been indicated on the plans and this is acceptable.

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.

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

Please refer the agent/architect to the Waste Collection and Storage Facilities Supplementary Planning Guidance for further relevant information.

5.6 Parks

Design Comments

The footway to South Clive Street contains three Lime Trees, (with a fourth slightly beyond) adjacent to the existing and proposed development, and may be affected both during construction and once the building is in place.

Currently these are located adjacent to the single storey section with pitched roof, so there is little impact on the warehouse and room for significant extra growth. But with the building proposed to be 3 storeys, and the trees with substantial growth remaining there will inevitably be significant shading of the new apartments, and the need to regularly prune the trees. On the original scheme refused at appeal there were a number of open balconies which would have been affected heavily by tree growth. From the current drawings it appears as if the building is more enclosed although the design hasn't changed substantially. However it is inevitable that frequent pruning will be required that will affect the trees. In addition I have concerns that the lime trees will produce honeydew which will create a sticky residue on the windows. However given the type, ultimate size and proximity of the trees to the building some degree of conflict is inevitable and all that can be done is to manage this.

Should the application proceed the only option is to carry out more regular tree pruning.

- 5.7 On the previous application discussions which took place between the applicant and developer confirmed that the Council's Parks department would require an additional maintenance sum to cover the costs of additional tree pruning over a 20 year period.
- 5.8 A separate sum was also agreed for some additional tree planting to offset the adverse impact on these trees. This would take place in the Marl rather than within the streetscape where there are many services. I have the costing for both of these sums agreed under the previous application but will send separately.
- 5.9 In terms of protection if the scheme was to proceed I would recommend use of tree protection boxes similar to the type shown below. In terms of root protection this would need to be assessed as part of a S278 highway scheme if repaving is to take place.

5.10 Open Space Provision

These comments relate to the current LDP (C5 Provision for Open Space, Outdoor Recreation, Children's Play and Sport; KP16 Green Infrastructure; EN8 Trees Woodlands and Hedgerows), supported by policies set out in the 2008 Supplementary Planning Guidance for Open Space which set the Council's approach to open space provision.

The Council's LDP requires provision of a satisfactory level and standard of open space on all new housing/student developments, or an off-site contribution towards existing open space for smaller scale developments where new on-site provision is not applicable.

Based on the information provided on the number and type of units, I have calculated the additional population generated by the development to be 25.74. This generates an open space requirement of 0.056 ha of on-site open space based on the criteria set for Affordable 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 **£ 21,341**. I enclose a copy of the calculation

5.11 Notes relating to Affordable Housing Schemes

The request for an offsite contribution is applied consistently across both private and affordable house developments. In providing for the additional residents the development will result in increased demand on local public open spaces and therefore increased intensity of use or demand for more facilities. This would result in a need for increased maintenance, more rapid upgrading and often expansion of existing facilities on existing or new sites. This is regardless of the financial model for the development.

For affordable houses/apartments it is recognised, based on the Cardiff Housing Allocation Scheme 2015 document that one bed properties will be for adults only and no children will be allowed to reside there. Therefore the calculation has been adjusted accordingly to remove the element relating to provision of children's play for these properties.

In the event that the Council is minded to approve the application, I assume it will be necessary for the applicant and the Council to enter into a Section 106 Agreement to secure payment of the contribution.

Consultation will take place with Ward Members to confirm use of the contribution, and this will be confirmed at S106 stage. The nearest area of open space is The Marl and it is likely that the money will be used for improvements to this open space, but this is subject to Member approval.

Based on the 2009 Cardiff Council Open Space Survey there is a deficiency in open space provision of 3.96 hectares in the Butetown 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.

6. **EXTERNAL CONSULTEE RESPONSES**

6.1 **Natural Resources Wales**

Raise no Objection to the development given a slab level of 7.35m AOD.

NRW suggest that the site will flood to a level of approximately 600mm in a 1 in a thousand year extreme flooding event and that the velocities of flow would be likely to be 0.36(m/s) for such an event (in excess of the maximum velocity of floodwaters cited in the TAN). This combination of depth and velocity is advised to represent a Hazard Rating of 'Danger to Most'; but that the applicant has recognised this position by virtue of the submission of a flood consequences assessment and demonstrated that the consequences can be managed by means of the incorporation of flood defences into the design of the scheme, undertaking to sign up to the NRW's early flood warning scheme and by confirming a safe evacuation route to future residents.

NRW advise that it is for the Local Planning Authority to consider whether the risks and consequences of flooding can be managed in accordance with TAN 15.

6.2 **Welsh Water**

Request drainage conditions be applied to any approval, in respect of a comprehensive drainage scheme for foul, surface and land drainage run off and that the potential for the site to drain via SUDS be explored.

6.3 South Wales Police

South Wales Police have no objection to application but suggest that the Design and Access Statement inadequately addresses community safety and crime prevention issues.

In view of this South Wales Police would recommend the following,

1 Undercroft parking area is securely gated (roller shutter) with access control facilities that restricts the area to residents only. Reason *to prevent crime and anti-social behaviour.*

2 Undercroft parking area is adequately lit to allow for consistent level of lighting Reason *to increase surveillance and personal safety.*

3 Bike storage is enclosed in secure area and fitted with access control Reason *to prevent theft and damage.*

4 All ground floor and accessible windows PAS 24:2012 compliant Reason *to prevent burglary.*

5 All apartment main entrance doors shall comply with PAS24 :2012 Reason *to prevent burglary.*

6 Main communal entrance doors to apartments should have audio visual access control features Reason *to prevent unauthorised entry.*

7 All service meters should be externally readable either to front elevation or in undercroft area Reason *to prevent distraction type crime.*

8 Rear area needs to have secure perimeter with 2.1 m min walling/ fencing due to vulnerability of rear balcony access design Reason *to prevent burglary.*

9 Rear balconies will need to be well lit Reason *for personal safety*

South Wales Police would strongly recommend that the development is built to Secured by Design (SBD) standards which can cut crime risk by 75%. South Wales Police would be happy to work with developers to achieve this

7. REPRESENTATIONS

7.1 The Freeholder of the Autocare Service Centre

Has written to object to the proposals. In summary his objections relate to what he perceives are unrelated precedents cited within the applicant's design and access statements; the incongruous development arrangement (by virtue of necessary single aspect and decked access); lack of amenity space provision; aesthetic; incompatibility with neighbouring garage use and likely future complaints directed at a legitimate business; impact on his business; sterilisation of the development potential of his land; and the lost opportunity for comprehensive development, which he emphasises he is supportive of but in

respect of which he has not been able to agree acceptable terms.

7.2 **Owner of 2 Ferry Road**

Objects on grounds of :

The height of the building

The height would give no privacy in our gardens to myself and my neighbours. The houses in ferry road opposite my house are three stories high but we can draw the blinds etc to get some privacy, in the back garden you can't have any privacy with a three story building overlooking you. If this was a two storey building then the residence could have some privacy

The Main Sewage Drains

Drains around the junction of Ferry Road, Clive Street and South Clive Street have many times over the past few years tend to back up a course a vile smell. There is also the problem with the drain water drains backing up at the same junction. These problems I believe have been brushed under the carpet by the department responsible for them over the years. I believe that a major modification of the sewer and drains is needed before any more houses are built.

Before this development is approved, could you answer the following?

The Site Access would most probably put in South Clive Street which would causes for all the residents with vehicles blocking the road

Area of building Site-

This development would need a site twice as big as the proposed building which would include a laydown area and room for the various plants for maundering. If you look at the same type of buildings which have been built on Watkins Way backing on the Penarth flyover, you can see the amount of space needed to build this proposed development. In my opinion this development will almost block off the top of South Clive Street for at least 6-8 months causing all sorts of inconveniences not just to the residents of South Clive Street but the residents of Channel View which the traffic will be diverted through.

7.3 **11 Clive Street**

I am an owner and occupier of a home near to the property of this planning application, and have previously objected to it on several grounds (see letters 5/6/15 and 14/11/15).

It appears that no material changes to this application have been made, and I am starting to find the repeated submission of the same plans vexatious to say the least.

The proposed plans remain objected to on the following grounds:

* Proposed Southern/ Eastern aspects of the building not in keeping with the style or scale of the Residential area containing the majority of near neighbours.

* The third storey of the development raises the profile of the Southern three quarters of the building considerably, and will overlook near neighbours.

* Such an overlook and difference in style and scale affects the presentation of South Clive Street, and could be expected to devalue neighbouring and adjacent properties.

* Given the number of single dwelling units, and absolute minimum of parking allowed, it seems likely that an inevitable overspill would then fall to parking on overcrowded areas for near neighbours.

I have previously noted from the planning history that the clear preference for this site would be a combined redevelopment of both the sites of the furniture warehouse and the garage. I suggest that not only is this still true, but that any future submitted plans should actually have taken into account the previous objections to these plans, and made changes accordingly.

I therefore submit that these plans be refused, and that further submissions of these same identical (or near identical) plans be prevented.

8. **ANALYSIS**

8.1 **Overview**

The application is noted to constitute the applicant's response to a previous refusal of planning permission, and Inspector's decision to dismiss an appeal for a very similar proposal, which are both material to the determination of this application.

The Local Planning Authority's previous decision and the subsequent Inspectors decision are appended as an annexe to this report.

The application is accompanied by a planning statement which clarifies the alterations to the proposal as a consequence of the above.

In summary these relate to:

- A modification of access arrangements including the repositioning of entrance to Ferry Road and South Clive Street;
- The introduction of Winter Gardens (enclosed patio/balcony spaces with large windows – as opposed to open balconies).
- Introduction of finned privacy screen to rear walkways to mitigate access to the adjacent garage roof and provide better privacy.

- Increased proportion of the fenestration
- Introduction of a raised planter area to the front of bedrooms fronting the public footway (to provide greater privacy and soft landscaping).
- Redistribution of internal spaces
- Cut back of roof to balconies at 2nd floor

These matters will be addressed within the analysis.

8.2 Environmental Impact Assessment

The works are not a Schedule 2 development for the purposes of assessment under the Environmental Impact Assessment Regulations and are not considered to have such significant environmental effects as to warrant the submission of an Environmental Statement to allow the Local Planning Authority to understand and consider the likely environmental impacts of the proposal and determine the planning application.

8.3 Land Use

The site is located in the settlement boundary as defined by the LDP proposals map. The site has no specific designation or allocation but falls within a predominantly residential area. The existing commercial premises are afforded no policy protection in land use terms.

The proposal should therefore be assessed against Policy H6: Change of Use or Redevelopment to Residential Use. This policy provides a framework for the assessment of change of use, conversion or redevelopment of redundant previously developed land and premises for residential purposes within settlement boundaries.

Assessed against this policy framework, given the location of the application site in a predominantly residential area and that the application premises are afforded no policy protection, the application raises no land use policy concerns.

8.4 Design

Layout/Coverage

The development proposes whole site coverage on the same near rectangular footprint as the existing building. The accommodation is provided over three storeys. 15 flats would be one bedroomed and 3 flats (one on each floor nearest the Ferry Road extreme of the complex) would be two bedroomed. [18 units – 21 bedrooms - 40 persons maximum]. A parking garage for 5 cars would be located to the southern extreme of the building and accessed from South Clive Street. This area would also accommodate refuse bins and cycle store.

8.5 Landscaping

Landscaping is limited to the incorporation of 5 planting areas into the building at ground floor. This is an improvement on the previous scheme however still disappointing in that this is a new build scheme.

The planning officer is concerned that the new arrangement would not legibly convey any responsibility for the planted areas to any ground floor flat unit, and although the upkeep of the planters might be taken on board by future residents, it is considered more likely that the planters would need to be maintained as part of a management agreement.

The arrangement is considered poor in comparison to a truly defensible garden space, but is probably not objectionable on planning grounds.

8.6 Access / Parking

In response to the Planning Inspector's commentary on the previous design, the principal access to all flats has been moved the north of the building via an undercroft entrance fronting South Clive Street. This is considered an improvement on the former arrangement which provided access to Ferry Road in close proximity to the entrance to the adjacent Motor Garage.

The Ground floor flats are now accessed solely from the base level of the deck access now clarified to be illuminated and ventilated by void areas forming light wells between the Auto repair garage and the deck access.

A secondary access would also be available to tenants of first and second floors via an enclosed staircase to the southern extreme of the building onto South Clive Street.

This would realise a semi-enclosed balcony terrace at first floor which becomes enclosed at both ends by virtue of the staircase enclosure and higher level wall of the repair garage buildings to the southern end of the site; and an open balcony to second floor level, with both upper level decks fronting the roofscape of the adjacent repair garage. In response to the Inspectors comments regarding the need to mitigate the potential for residents or unauthorised parties to be able to cross from the deck access to the roof of the adjacent garage, the applicant has proposed a slatted timber screen, also promoted to preserve privacy between the two sites.

The principle of such a screen is acknowledged to be an acceptable solution to the issue of security within the Inspector's decision; however the design of the finned screen is considered to be visually very heavy, and to result in a very claustrophobic / cage like experience for residents of the new building. It is accepted however, that in isolation, a screen of alternative design might provide for an alternative solution to security of the garage; but would be unlikely to acceptably overcome the issue of overlooking of the adjoining garage and therefore to be prejudicial to its future development, as considered below

Although the Local Planning Authority acknowledge the Inspector's opinion that the deck access arrangement to the first and second floors of the building would be broadly similar to those of a number of recently constructed developments in the wider locality, the design concept is still considered poor, and only necessary because of the design decision to provide for whole site coverage to maximise the development potential of the site.

- 8.7 Parking space for 5 vehicles is shown on the submitted drawings. This would be compliant with the Council's parking standards for affordable housing which would accept a minimum of 0.25 parking spaces per unit (4.5 spaces total) and a maximum of 1 space per unit (18 spaces). This is acceptable in the given location which is considered a sustainable location in terms of proximity to goods and services, public transport and opportunity for access to sustainable transport modes.

No objection is raised to the access point for the garage which is considered sufficiently far from the junction not to be frustrated by vehicle queuing or to unduly adversely affect the free flow of traffic.

Plans indicate the provision of cycle stands within the undercroft garage area. This is considered appropriate and in accord with cycle parking standards

- 8.8 Aesthetic

In terms of building presentation, the southern elevation of the building would provide an unfenestred off centre gable end detail toward No. 2 South Clive Street with a ridge height of some 8.5m and a further central ridge of 9.5m some 2m further to the north. This roof presentation would be further separated from the neighbour at 2 South Clive Street by the existing extension to the autocare centre building which returns to the rear of the site and has a monopitch roof of some 5.5m in height which abuts the current warehouse boundary. This allows for a tiering mechanism and a distance of approximately 7.75m between the new flatted development and the side elevation of 2 South Clive Street which is a two storey hipped roof house. This is considered acceptable as a means of grading/breaking up the southern presentation of the development to the height of the immediate residential neighbour.

- 8.9 The South eastern corner of the eastern elevation to South Clive Street would present a secondary entrance door to GF level serving a stair core to the southern end of the building; the entrance door to the proposed undercroft parking area and associated window openings with roller shutter security further to the north (in a not dissimilar position to the existing warehouse vehicle access), and thereafter a rhythm of 5 bays presenting paired, large glazed 'wintergarden' windows and paired open balconies. Balconies to the upper floor units would have increased light receipt by virtue of a cut back roof incline for the length of the balconies.

The development is shown finished in brown facing brick, buff render and grey standing seam roofing with grey painted aluminium windows.

Overall the aesthetic of the development is not objected to, and as the area is not a conservation area or area where the character of a predominant building form is desired to be preserved, the use of balconied elevations, brickwork and coloured render presentations and sloped metal roof within the materials palette is considered acceptable from an aesthetic perspective.

8.10 Amenity

There are a number of issues related to the proposed design which are considered less than satisfactory and to provide an undesirable living environment for proposed residents.

At ground floor, the means of access to the ground floor apartments remains to be considered to be very oppressive, formed by the eastern wall of the adjacent repair garage, the access is essentially a passageway periodically illuminated by intermittent light wells formed by cut backs in the proposed upper floor decks.

The rear outlook from kitchen windows on the ground floor would therefore be into a semi internalised space, naturally lit from above by intermittent limited natural daylight,

The principal outlook from the Ground floor apartments, being the outlook onto south Clive Street would now be enclosed by the glazed winter gardens positioned at the back of footway.

In the former proposals these spaces were shown as undercroft patio areas, and although this arrangement provides for better security than the former scheme, still in the opinion of the planning officer, would make the principal living space of the ground floor quite dark, as they would effectively be reliant on borrowed light from the street having to pass through two sets of windows, and the adjacent bedrooms similarly overshadowed by balcony infills above.

The impact of the arrangement is mitigated against at upper levels in the building by a reduction in the roof projection of the building at second floor, however neither ground or first floor residents would enjoy this benefit.

8.11 The planning officer is also concerned that the window to the main living/dining area to the northern ground floor flat is set back only a short distance from the principal pedestrian entrance to the building. Which would have adverse privacy implications.

8.12 The first floor accommodation, being accessed from a walkway similar in character to an American Motel model, is also considered compromised by the proximity of the boundary of the autocare repair centre. The section and elevation drawings confirm that the elevation of that building would come to approximately half the height of the screen enclosure of the boardwalk access in respect of units 6 to 9 in the mid section of the building; at a distance of only a metre; and which in respect of the higher level of the garage to the southern

end of the site would obscure the entire western aspect of units 10 and 11.

- 8.13 The applicant's solution to issues of unauthorised access to the roofscape of the adjoining garage, and to the proposal being prejudicial to the future development of that site, is a combination of vertical standing seam enclosures to the outer extent of the walkway projections to the full height of the roof eaves of the building and a screen of slatted design to the inner extent of the walkway deck.

It is accepted that this arrangement would provide appropriate security to the garage establishment, and would partially obscure views of the adjoining land if viewed internally at anything other than a perpendicular angle. However the planning officer has concerns that the louvered fin arrangement would feel oppressive from the decked area and the intermittent enclosure of the outer edge of the deck projections, and presumably their returns with a standing seam cladding would similarly be very oppressive and claustrophobic/cage like in combination.

This arrangement is repeated in a similar manner at the second floor level.

- 8.14 Amenity Space

The development provides for very little amenity area except for the commercial boardwalk access areas, the five small planting areas at ground floor, and limited balcony or enclosed 'winter garden' areas. The planning officer considers that this remains a lost opportunity, and sees no reason why a new build flatted development should not provide for outdoor amenity space in accordance with the Council's Residential Design Guide SPG (suggested at 205m² communal area and with balcony areas in excess of 5m²).

- 8.15 Design In summary

The concept of a decked access immediately adjacent to the motor repair garage is considered very poor, especially at ground floor level.

The provision of a screen to mitigate the potential for access to the adjacent rooftop is considered to further negatively detract from the living environment of potential occupants of the new building.

Overall the resulting single aspect to the majority of flats, limited outlook, and depth of shadowed space for the majority of residents is not considered desirable and to provide a substandard living environment contrary to policy KP5 of the LDP.

- 8.16 **Housing / Affordable Housing**

The comments of the Housing Manager are noted.

The applicant has advised that interest has been shown in acquiring the scheme as an affordable housing development by Taff Housing Association, but that they will not declare an interest until the site has the benefit of planning

permission.

Further to the last appeal, it is accepted that although an RSL partner would be preferable, that this cannot be insisted upon, and that provided that a legal undertaking can be secured and enforced, to ensure that the units would be made affordable in perpetuity, then there is no reason why an affordable development cannot be brought forward by a private developer.

Although not considered ideal, opposition to the proposal on grounds that the current scheme does not propose a mechanism to guarantee the provision of affordable accommodation at this stage would not appear sustainable.

8.17 Air, Noise and Light Pollution

The observations of the Pollution Control Officer are noted and it would appear reasonable, given that residential development already exists on the western side of the garage, that noise levels from the adjacent use and from road traffic noise generally would be capable of appropriate suppression through sound insulation and provision of acoustic glazing/ventilation.

It is not considered likely that the development would be unduly affected by light pollution from adjacent premises, or from adjacent traffic light installations, which although in close proximity to the site boundary, are shielded in terms of the direction of illumination.

Dust suppression at the time of development construction could be secured by planning condition if the development were considered acceptable in all other respects.

8.18 Provision for Open Space

The development does not provide for any Public Open Space, and as such would be considered against the Supplementary Planning Guidance relating to open space provision and in respect of the appropriateness of requiring an alternative payment in lieu for the creation of new, or enhancement of existing open space in the locality.

The Parks manager has confirmed that based on the current formulae in the Council's SPG the 18 units of accommodation proposed would result in the need for a payment of £ 21,341 for off-site provision and maintenance of open space to offset the on-site deficit and that if the development were recommended favourably that the specific usage of this figure would be apportioned according to CIL restrictions for any member approved specific project.

8.19 Contaminated and Unstable Land

The comments of the Contaminated land Officer are noted. The site is considered likely to contain contaminants, but unlikely to contain any contaminants or ground gases which cannot be effectively mitigated against.

8.20 **Flood Risk**

The FCA submitted accepts the risk of flooding which is estimated at 600mm in a 1 in 1000 year extreme flood event and proposed to be managed by means of incorporating flood resisting features within the design (e.g. high level electrical installations); subscription to the early warning system provided by NRW to advise of a potential flooding event, and the provision of an advisory escape route for residents in the event of such a situation.

Subject to adherence to the above, this is considered acceptable.

8.21 **Waste Management Facilities**

The undercroft garage and servicing area would appear to have sufficient space for bin storage and the adjacent highway to be wide enough for presentation of bins on collection days

8.22 **Other Matters**

Equalities

Section 149 Equality Act 2010 requires that due regard be given to any actual or potential differential impact of the development on the needs of those with protected characteristics.

The scheme includes for Ground Floor accessible accommodation

As such although the development is considered unacceptable for the reasons stated it is not believed to propose any undue differential impact to those with protected characteristics.

8.23 **Street Trees.**

The footway to South Clive Street contains three Lime Trees, and the scheme is effectively reliant on those for landscape setting. The tree canopies of these trees unfortunately coincide with the position of the proposed winter garden windows of a number of flats. This would require future management in terms of cutting back and restricting any future canopy spread and would also compromise the outlook from those units positioned behind the trees.

The Parks officer has confirmed that if found acceptable in all other respects, that the Parks department would require an additional maintenance sum of circa £ 3000 to cover the costs of tree pruning over a 20 year period.

The cost of planting a suitable additional tree in the Marl is estimated at around £3500.

This is noted, however the Planning Officer maintains a view that given the position of the street trees, even with managed canopies, that they would still

be very close to the winter garden windows with resultant poor outlook and potential future requests to fell.

8.24 Comprehensive development

The applicant has provided a sketch layout to indicate that the proposed building would allow for the development of the adjacent garage site in the manner of two perpendicular projections to the proposed building. This has been submitted in an attempt to prove that the current proposal would not sterilise the development potential of the adjacent site if approved.

However that proposal is not before planning committee to determine; and should not be pre-determined,

It also does not persuade the planning officer of the acceptability of the proposed development simply because it might allow for the theoretical development of the adjacent site.

The planning officer therefore remains of a view that there is a strong likelihood that the approval of the current proposal would prejudice the potential for the future development of adjacent land; and for the development potential of a better quality of development of the sites if combined.

8.25 Other matters raised by objectors

The height of the building at three storeys with elevated presentation to the corner junction is considered acceptable in the given context.

The development meets minimum privacy distances in terms of potential overlooking as set out in the Council's SPG.

Welsh Water have raised no objection to the proposal and if considered acceptable in all other respects, a comprehensive drainage survey and sustainable drainage system could be required by condition.

The proposed vehicle access position is not dissimilar to that existing for the retail warehouse. The arrangement would appear satisfactory for the 5 car proposed given the relative distance to the road junction.

Traffic flow during any construction period is considered able to be managed by means of construction management condition.

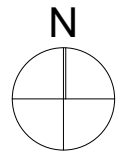
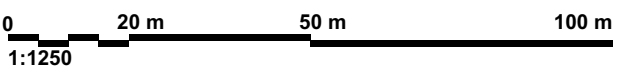
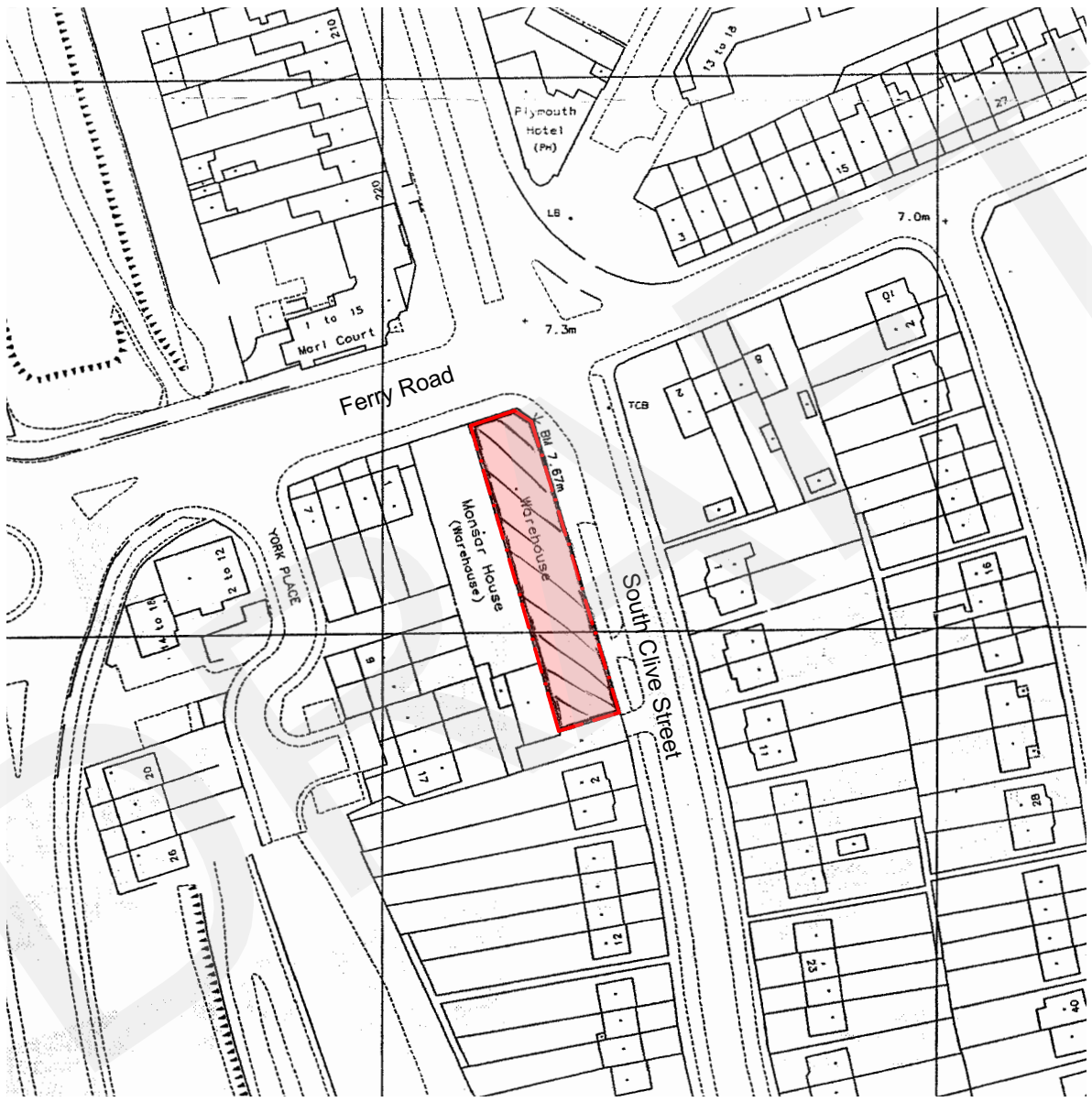
There would seem no apparent reason why the development would de-value neighbouring residences, but such matters would not be considered environmental or amenity considerations and are not planning matters.

In respect of potential overspill parking into overcrowded streets, the development is policy compliant in respect of car parking for affordable housing and there are no apparent special circumstances that would appear to warrant any departure from the standards indicate in the Council's SPG.

8.26 **Summary**

The Refusal of Planning Permission is recommended on the basis of the poor quality of accommodation proposed and impact on the residential amenity of future occupiers; and on the grounds that the development would be prejudicial to the development potential of the adjacent site.

A second recommendation is also considered appropriate to advise the applicant that the Local Planning Authority remain of the opinion that the site would likely yield a better quality of development if developed comprehensively with adjoining land.



1:1250 @ A4

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Job Title
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Drawing Title
Location Plan

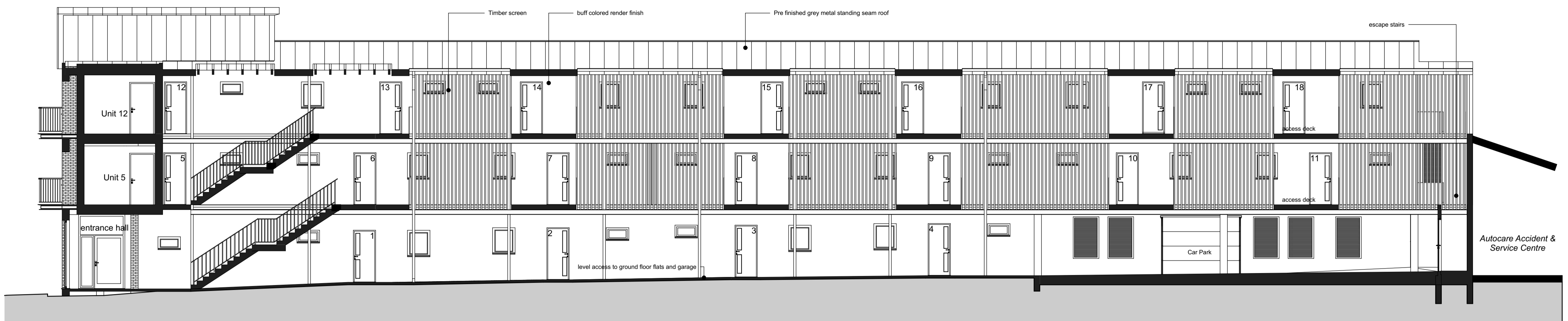
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Drawing No Revision

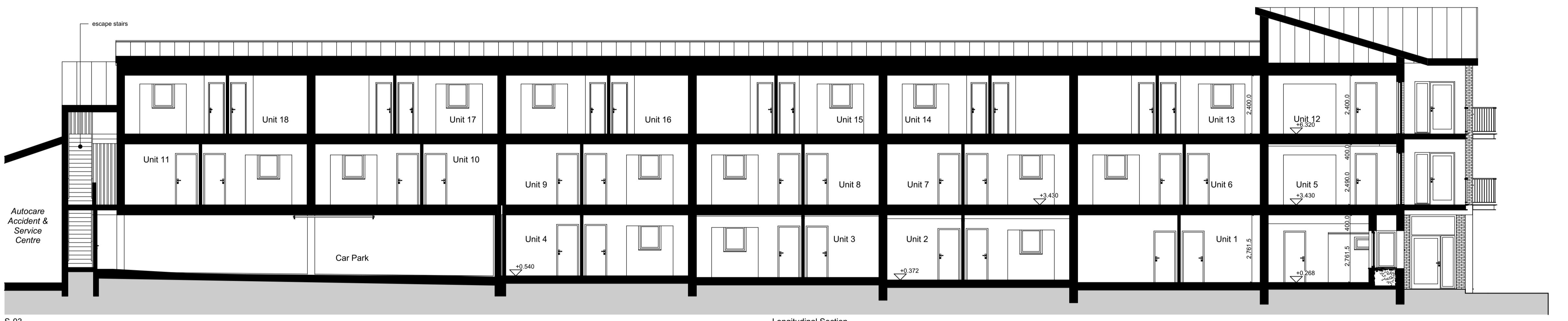
C195/AL(0)1 **P**

Client
Roath Property Co Ltd

File: C195 Windsor Buildings - Planning_150128.pln



S-04 Longitudinal Section 1:100



S-03 Longitudinal Section 1:100



E-02 East Elevation 1:100

1:100 @ A1

Revisions

P1 Redrawn for revised planning application
JRM 10-11-16

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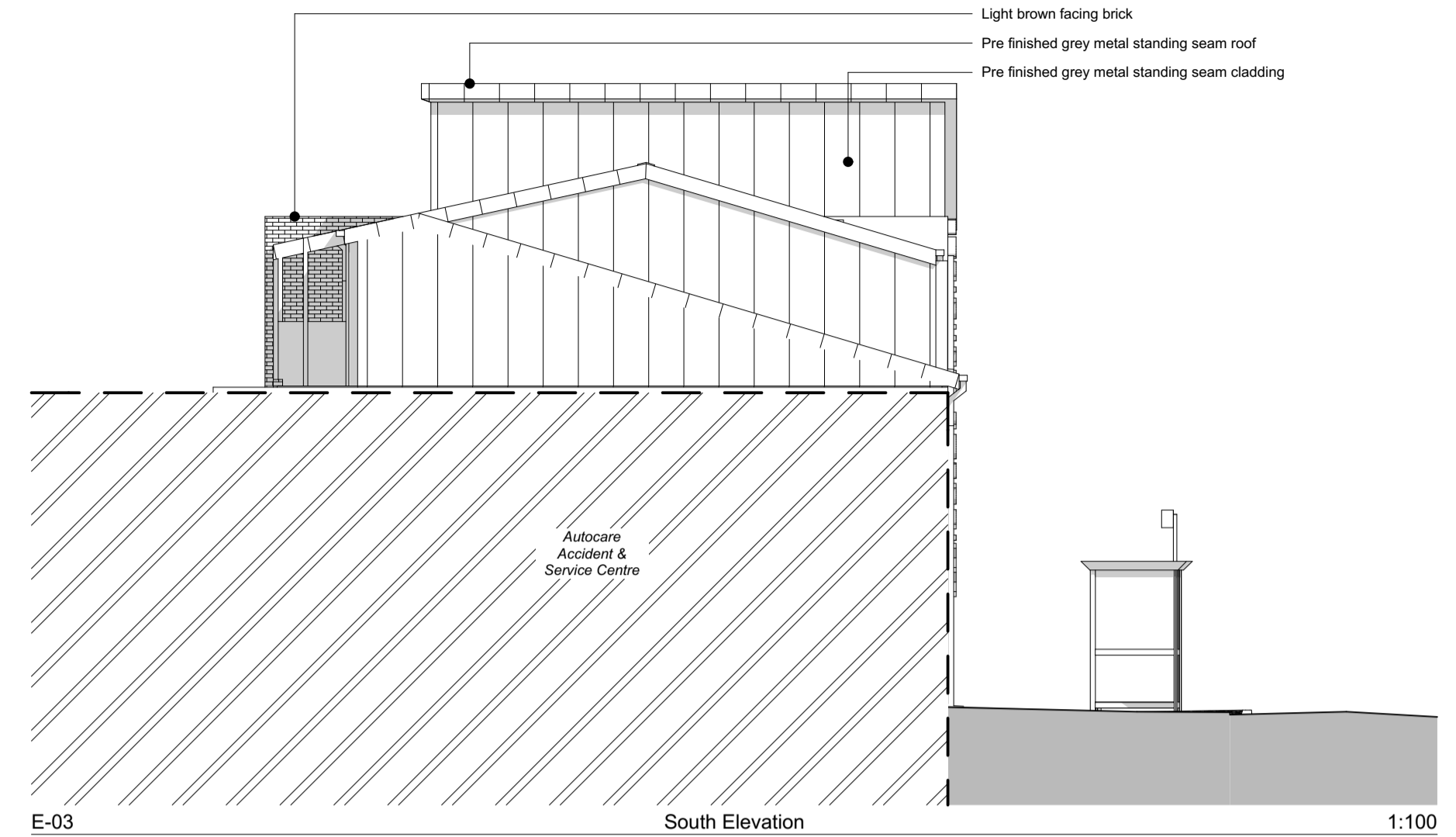
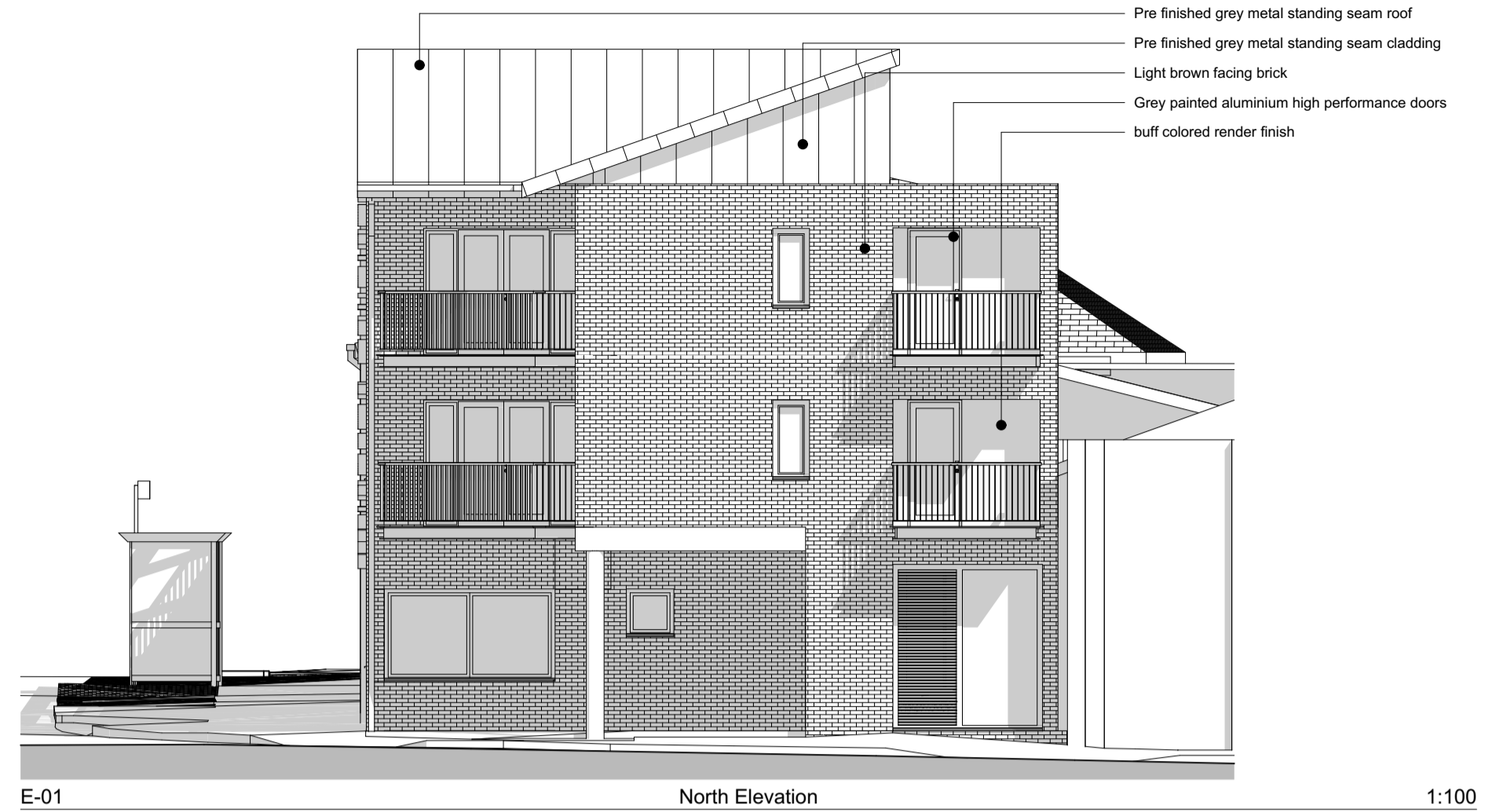
Client
Roath Property Co Ltd
Job Title
Windsor Buildings

Drawing Title
Elevations and Sections

Date 10/11/2016 Drawn by:
JRM
Drawing No Revision

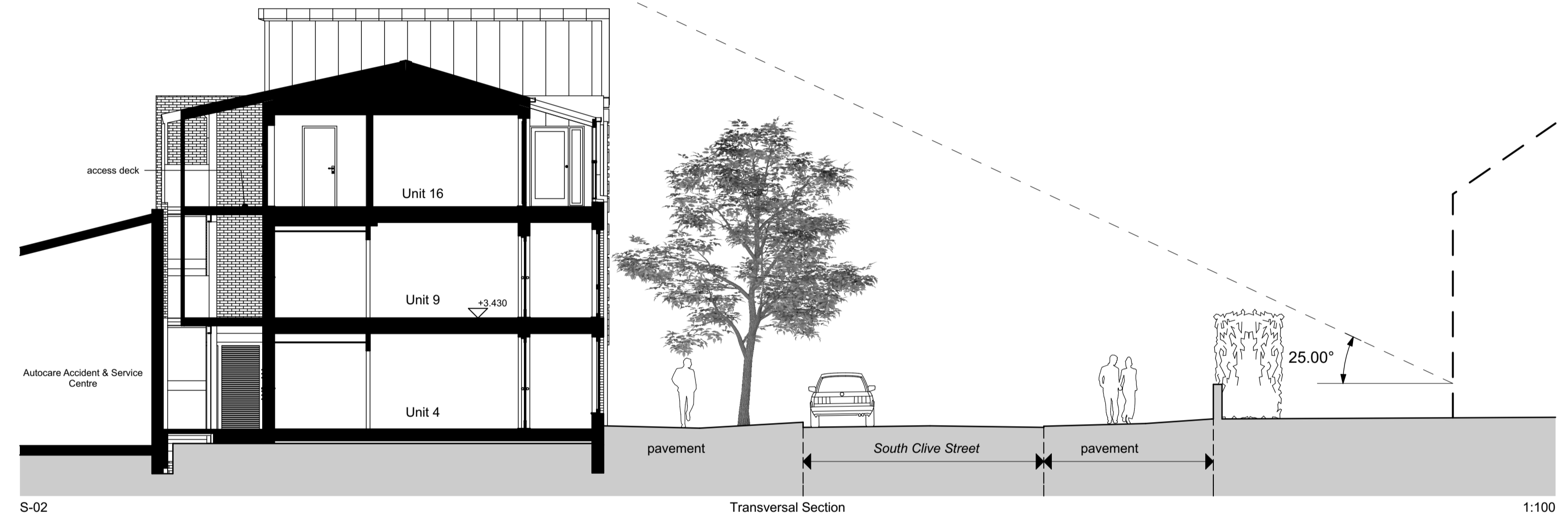
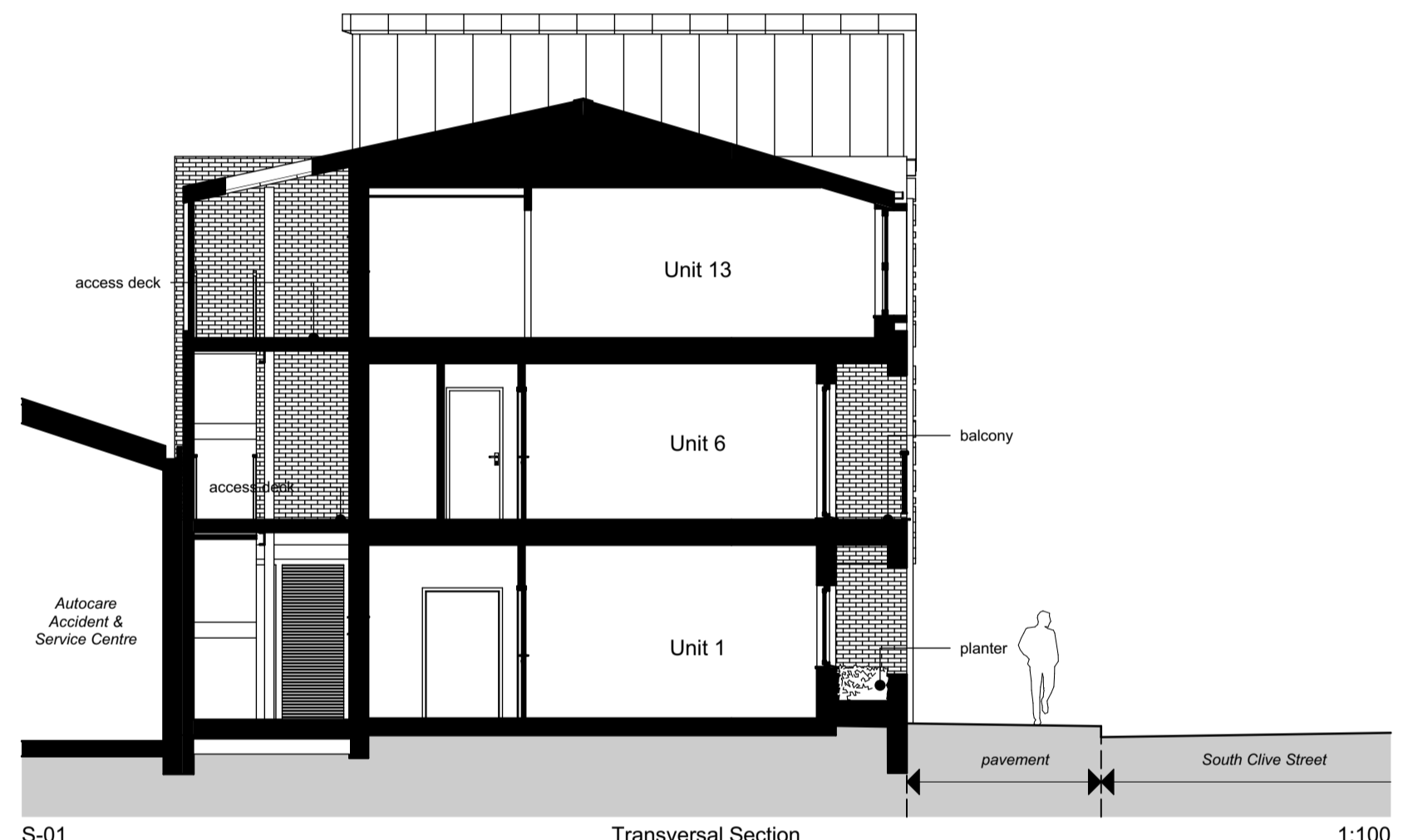
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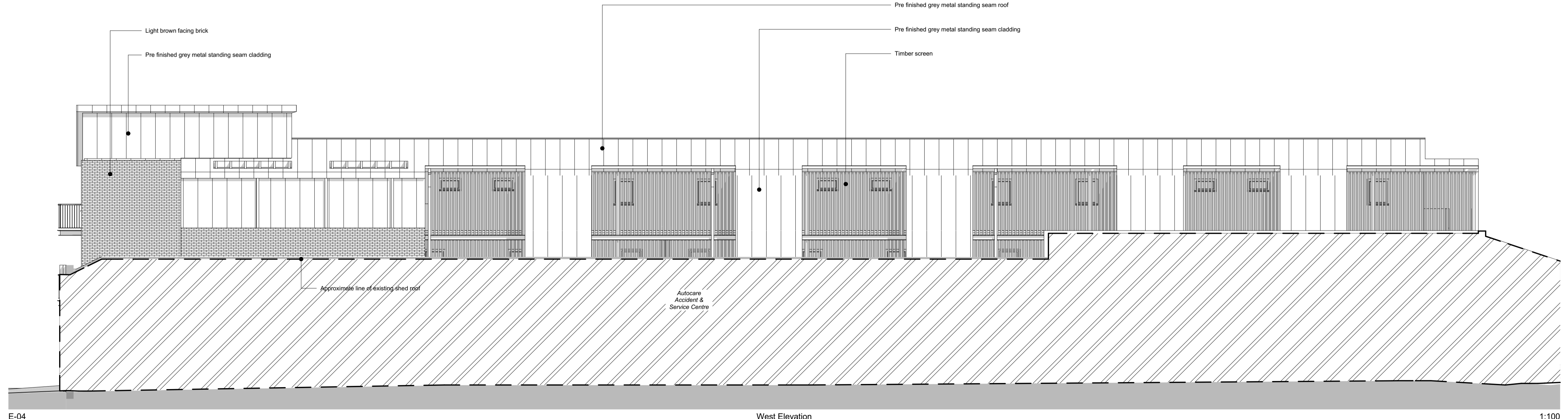
E-01 North Elevation 1:100

E-03 South Elevation 1:100



S-01 Transversal Section 1:100

S-02 Transversal Section 1:100



E-04 West Elevation 1:100

1:100 @ A1

Revisions

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Client
Roath Property Co Ltd
Job Title
Windsor Buildings

Drawing Title
Elevations and Sections

Date 10/11/2016 Drawn by:
Drawing No. Revision

C195/AL(0)8 P

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COMMITTEE DATE: 11/10/2017

APPLICATION No. **17/00969/MJR** APPLICATION DATE: 03/05/2017

ED: **CAERAU**

APP: TYPE: Full Planning Permission

APPLICANT: Wates Residential

LOCATION: FORMER TY NEWYDD CARE HOME, 343 HEOL TRELAI, CAERAU, CARDIFF, CF5 5LJ

PROPOSAL: DEVELOPMENT OF 16 AFFORDABLE DWELLINGS ON THE FORMER TY NEWYDD CARE HOME SITE (INCLUDING LAND TO THE REAR OF HEOL TRENEWYDD) COMPRISING 6NO, HOUSING APARTMENTS, 8NO, WALK-UP APARTMENTS AND 2NO. BUNGALOWS, ASSOCIATED LANDSCAPING, ACCESS, DRAINAGE AND HIGHWAYS WORKS

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

1. C01 Statutory Time Limit
2. This approval is in respect of the following plans and documents, unless otherwise amended by any other condition attached to this consent:

3514_PA_001, 003J, 004A, 100B, 110A, 111A, 112A, 200A, 301A, 400A, 401C, 402, 403B and 404; CC15585/CAM 00 00 GA C/500/P6, C/512/P4 and C/514/25; TDA2097.03 RevC, .05 ReD, and 06; TDHA/16/5232/4/LHJ; and TDA/2097/AMS/AMP/0.17 updated July 2017 and TDA/2097/TS&A/RhC/0.15 January 2015.

Reason: To avoid doubt and confusion as to the approved plans.

3. No development shall take place until the following have been submitted to and approved in writing by the Local Planning Authority (LPA) in accordance with the current British Standard 5837:

The AMS shall include details of site monitoring of tree protection and tree condition by a qualified arboriculturist, undertaken throughout the development and after its completion, to monitor tree condition. This shall include the preparation of a chronological programme for site monitoring and production of site reports, to be sent to the LPA during the different phases of development and demonstrating how the approved tree protection measures have been complied with.

- A Tree Protection Plan (TPP) in the form of a scale drawing showing the finalised layout and the tree and landscaping

protection methods detailed in the AMS that can be shown graphically.

The development shall be carried out in full conformity with the approved AMS and TPP.

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

4. Notwithstanding the submitted landscaping details no development shall take place until full details of hard and soft landscaping have been submitted to and approved in writing by the Local Planning Authority. These details shall include:
- A landscaping implementation programme.
 - Scaled planting plans prepared by a qualified landscape architect.
 - Proposed finished levels.
 - Earthworks.
 - Hard surfacing materials.
 - Existing and proposed services and drainage above and below ground level.

Planting plans shall be supplemented by:

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

The submitted details shall be consistent with other plans submitted in support of the application except that the tree species should be selected to be appropriate to the above and below ground space available and the residential context.

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.

5. Any newly planted trees, plants or hedgerows, which within a period of 5 years from the completion of the development die, are removed, become seriously damaged or diseased, or in the opinion of the Local Planning Authority (LPA) otherwise defective, shall be replaced.

Replacement planting shall take place during the first available planting season, to the same specification as that originally approved.

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

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 shall 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' (2012).

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 in accordance with policy EN13 of the Cardiff Local Development Plan.

7. The remediation scheme approved by condition 4 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' (2012), unless the Local Planning Authority agrees to any variation.

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 in accordance with policy EN13 of the Cardiff Local Development Plan.

8. 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 receptor 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 Local Planning Authority.

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

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 Local Planning Authority.

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

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. Prior to the 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, delivery times, site hoardings, site access, site compound, contractor parking, materials storage, measures for dust control and wheel washing facilities. Construction of the development shall be managed strictly in accordance with the scheme so approved.
Reason: In the interests of highway safety and public amenity.
13. No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewer.
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.
14. Prior to the commencement of development on site drainage details shall be submitted for the approval of the Local Planning Authority and shall then be implemented as approved.
Reason: To ensure that the drainage details for this site protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.
15. No clearance of trees, bushes or shrubs shall take place between 1st February and 15th August unless 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 work commencing on the approved dwellings details of the position of 1 x Bat box, 1 x Swift nest box, 1 x Swallow nest cup and 1 x House Martin double nest cups to be installed on dwellings and a programme for their installation shall be submitted to and agreed in writing by the Local Planning Authority and then be installed as agreed.
Reason: In the interests of biodiversity.
17. The first and second floor side kitchen windows and the first and second floor front and side windows in the stairwell of apartment block F shall be fitted with obscure glazing which shall be retained in perpetuity.
Reason: In the interests of privacy.
18. D3D Maintenance of Parking Within Site
19. Prior to the start of work on site full engineering details of the road including measures to ensure pedestrian safety within the proposed shared space arrangement shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented prior to the beneficial occupation of any of the dwellings.
Reason In the interests of highway safety.

RECOMMENDATION 2 : The applicant is advised to have due regard to the advisory notes provided by consultees.

RECOMMENDATION 3 : The contamination assessments and the effects of unstable land are considered on the basis of the best information available to the Planning Authority and are not necessarily exhaustive. The Authority takes due diligence when assessing these impacts, however you are minded that the responsibility for (i) determining the extent and effects of such constraints; (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 4 : Prior to the commencement of development, the developer shall notify the Local Planning Authority of the commencement of development , and shall display a site notice and plan on, or near the site, in accordance with the requirements of Article 12 of the Town & Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016.

RECOMMENDATION 5: 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.

1. **DESCRIPTION OF DEVELOPMENT**

- 1.1 The proposal is for full planning permission for Council housing. This would comprise two bungalows on the western part of the site for residents with learning difficulties; two apartment blocks, that would look like two pairs of two storey semi-detached dwelling houses, accommodating 8 one bedroom flats in the centre of the site; and a three storey block in the eastern corner of the site accommodating 5 two bedroom and 1 one bedroom general needs apartments.
- 1.2 The buildings would have pitched roofs finished in grey tiles with walls in red multi gilt stock with Staffordshire smooth rend banding every third course and a grey colour render on the upper floors of the staircase to the three storey apartment building. The bungalows would have a gabled roof and all the other buildings would have hipped roofs.
- 1.3 18 car parking spaces are proposed. The bungalows would have private garden areas and the apartments would have communal space for amenity purposes. The access road at the end of 341 Heol Trelai would be extended within the site by some 60m to serve the development.
- 1.4 This proposal is part of the Housing Partnership Programme (HPP) between Wates and the Council. The aim of the HPP is to build around 1500 mixed tenure, energy efficient, sustainable and high quality homes across 40 Council owned sites within Cardiff. Overall the programme will provide 40% affordable homes across these sites.

- 1.5 The layout has been amended since submission so that the bungalows now face Heol Trelai rather than as originally proposed at 90 degree to the road with a rear boundary fence that prevented surveillance of the adjoining open amenity area. Windows in the side of the bungalow will now overlook the amenity area.

2. **DESCRIPTION OF SITE**

- 2.1 The site is 5246 sq m in area. The site fronts Heol Trelai adjoining no 341 and backing onto residential properties in Heol Trenwydd and a lane then residential/commercial properties in Heol Poyston. The site is generally level with part of it rising approximately 1m behind 337 – 341 Heol Trelai.
- 2.2 The site was formerly occupied by a care home and garages but it has since been cleared. Vehicular access to the care home was from a secondary road in front of 341 Heol Trelai rather than a direct link onto the principal road.
- 2.3 There a number of services that cross the site and the easements have to be protected.

3. **SITE HISTORY**

- 3.1 03/02166/R Planning permission for a pair of semi detached houses to the rear of the three storey units at Heol Trenwydd, south of 339 Heol Trelai and north of 68 Heol Poyston was approved on 05/09/03
- 3.2 07/00927/W Planning permission for a pair of semi detached houses to the rear of Heol Trenwydd, south of 339 Heol Trelai and north of 68 Heol Poyston with access to Heol Trelai was approved on 13/04/07
- 3.3 08/02463/W Planning permission for a pair of semi detached houses on the same site as 07/00927/W but with access to the lane at the rear of Heol Tynwydd was approved on 31/10/08
- 3.4 14/00079/DCO Demolition of care home approved 10/01/14

4. **POLICY FRAMEWORK**

- 4.1 It is considered that the following LDP policies are relevant to this application:- KP5, KP7, KP13, KP16, EN6, EN8, EN13, T1, T6, C5 and W2

5. **INTERNAL CONSULTATIONS**

- 5.1 (a) The Parks Officer states:

Overall the layout of the new properties appears reasonable, avoiding significant impact on neighbouring dwellings (although the supported housing provision does feel rather tight in the space available), and providing good visibility over the highway. However I share the comments made by the design team in relation to the relationship between the bungalows and the

neighbouring space. The space is very much isolated from the main development, hidden both by a hedge and without significant active surveillance from any existing or proposed properties. This leads to a greatly increased risk of anti-social behaviour in the space and makes it unattractive to residents to use. To the south the open space is overlooked to a greater degree by the existing house, with a fence separating the two.

I'd need to have further discussions on the character of this area of land, and how the overall design could be revised to accommodate it better, e.g. by moving the bungalows westwards and bringing the space into the main development, although I accept there may be reasons why this is not feasible or desirable, such as services.

With regard to the trees retention of the four large trees along the highway is welcome. There are a number of new trees being proposed but these are very small with low impact. However the better incorporation of the existing open space area to the west could allow planting of significant sized trees. The 5 Malus trees shown along the western boundary are all shown as fair/poor; I think

Further details are needed on these to decide if they are worth retaining or should be replaced by new planting to create a more coherent design.

The planting scheme proposed contains a lot of evergreen shrubs, but very little in the way of flowering plants, and doesn't meet the aspirations of the DAS. For example the planting strip along the front of the site is simply a narrow bed made up of one low evergreen (with the bed itself narrowing to a point where planting won't be feasible); this will provide very little in the way of visual or seasonal interest. In terms of the planting schemes and maintenance further discussions should take place with Parks maintenance.

These comments relate to the current LDP (C5 Provision for Open Space, Outdoor Recreation, Children's Play and Sport; KP16 Green Infrastructure), and the 2017 Planning Obligations Supplementary Planning Guidance (SPG), supported by policies set out in the 2008 SPG for Open Space which set the Council's approach to open space provision.

(b) The Parks Officer originally requested a S106 contribution but he is no longer seeking to obtain an off-site POS contribution on this scheme due to the liability assessment provided by the Housing Officer. I'm aware that the site has a number of issues that make development more expensive than normal and therefore I would not wish to jeopardise the development on the grounds of viability by pursuing a contribution.

5.2 The Neighbourhood Services Officer requests a noise advisory (see recommendation 5 above)

5.3 The Waste Officer states inter alia that:

The bin storage area indicated within current site plans is acceptable.

Waste Management will not carry keys or access codes for bin storage areas; so waste must either be presented at the entrance to the development for collection, or the access gates to the site must be left open.

Vehicle tracking will have to be carried out on the site to ensure our biggest vehicles can enter and exit in a forward gear. If this cannot be accommodated a collection point may have to be set up close to the site entrance to allow our crews to collect.

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.

Refuse storage, once implemented, must be retained for future use. Please refer the agent/architect to the Waste Collection and Storage Facilities Supplementary Planning Guidance for further relevant information.

5.4 The Contamination Team recommend six conditions and an advisory note (see conditions 6-11 and Recommendation 3 above

5.5 The Tree Officer states in respect of the amended layout that:

Has no adverse comment to make.

5.6 Shared Regulatory Services states:

I have examined the submitted documentation in support of planning application 17/00969/MJR from an Air Quality perspective. Examining the proposed plans I am satisfied that little risk is placed upon future residents and nearby residents in terms of traffic derived emissions.

Reviewing the application from a dust emissions perspective, due to the close proximity of residential dwellings to the proposed development it is considered best practise to adopt the principles stipulated in IAQM "Guidance on the assessment of dust from demolition and construction." The guidance provides a risk based approach based on the potential dust emission magnitude of the site (small, medium or large) and the sensitivity of the area to dust effects. The importance of professional judgment is noted throughout the guidance. The guidance recommends that once the risk class of the site has identified, the appropriate level of mitigation measures are implemented to ensure that the construction activities have no significant impacts. In accordance with the guidance, Chapter 6, Step 1, Box 1 highlights certain screening criteria which needs to be considered and if a development qualifies for an assessment. The document states "An assessment will normally be required where there is: a 'human receptor' within: - 350 m of the boundary of the site; or- 50 m of the route(s) used by construction vehicles on the public highway, up to 500 m from the site entrance(s)." It is apparent that there are residential dwellings located in close proximity to the proposed site (<25m), therefore satisfying the 'human

receptor' criteria stipulated in the cited guidance and the need for a detailed dust assessment to be produced.

I would ask for the following condition to be implemented:

Unless otherwise agreed with the LPA, the applicant is required to undertake a detailed dust assessment which shall quantify the magnitude of risk to surrounding/ nearby sensitive receptors, this being the various residential properties located within 350m to the site boundary, during the demolition and construction phase of the development. Prior to the commencement of development a scheme (Construction Environmental Management Plan) to minimise dust emissions arising from construction activities on the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of dust suppression measures and the methods to monitor emissions of dust arising from the development. The construction phase shall be implemented in accordance with the approved scheme, with the approved dust suppression measures being maintained in a fully functional condition for the duration of the construction phase.

Reason: To assess air quality and agree any mitigation measures that may be required to safeguard the amenity of nearby residents in the area.

5.7 The Ecologist says that:

In relation to birds, there is likely to be nesting activity in the scrub and other vegetation on site, so we should attach our usual nesting bird condition.

I would not say that there are any other likely significant effects upon nature conservation issues at this site. However, mindful of our duty under the Environment (Wales) Act 2016 to seek to maintain and enhance biodiversity in the exercise of our functions, we should seek to secure biodiversity enhancements at this site.

I suggest the following measures:-

Bat and bird boxes should be incorporated into new buildings in broad accordance with the advice given 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*', With a small development such as this, I would say that an appropriate level of enhancement would be :-

- 1 x Bat box
- 1 x Swift nest box
- 1 x Swallow nest cup
- 1 x House Martin double nest cups

The applicant's ecologist can advise of the model and installation of these features.

5.8 The Housing Officer states:

- (a) 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 circa 40 Council owned sites within Cardiff. 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 development on the site at the Ty Newydd Care Home site (including land to the rear of Heol Trenchydd), which will provide a total of 16 homes, to be owned by Cardiff Council for social rented accommodation.

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

(b) The Housing Officer further states:

As you know we have submitted a Planning Application for the Ty Newydd HPP site. This site is a 100% affordable site and delivers the energy performance and high quality design aspirations we are trying to achieve for the whole of the HPP. The site is challenging due the amount of services within the site. There was also a requirement for bungalows on this site which has obvious effects on density and so viability. This site also has abnormal costs not identified at final tender stage.

The Development does not deliver value for money, and therefore is unable to make any monetary S106 contribution, and will have to bear the other associated costs.

5.9 The Highway Officer states:

The proposed arrangements are generally satisfactory subject to submission of details in order to ensure public safety with respect to the proposed shared surface arrangements. I'd therefore have no objection subject to conditions relating to retention of parking (D3D), and to the submission to the LPA for approval prior to the start of work on site of full engineering details of the road – including adequate measures to ensure pedestrian safety within the proposed shared space arrangement. The approved details to be implemented prior to beneficial occupation.

I'd also suggest a second recommendation advising the applicant that highway works will be subject to an agreement under Sections 278 and 38 of the Highways Act 1980. (A copy of these comments has been forwarded to the applicant).

5.10 The Drainage Officer states

1. Can the applicant forward the MDX files (digital simulation, not printed version) for the sw system?

2. The slopes on the 1in100 storage area are too steep for reasonable maintenance.

6. **EXTERNAL CONSULTATIONS**

- 6.1 GGAT has no objection
- 6.2 Wales and West Utilities has submitted a plan identify their apparatus at the entrance to the site. The developer must not built over their apparatus and advise that the developer is required to contact them to discuss requirements before development commences.
- 6.3 Welsh Water initially said that it is worth advising the applicant the drainage layout will need to be revised. The only way this layout would be acceptable is if the outfall does not connect to a public sewer. The issue is that we are not able to accept an overflow or connection from an above ground attenuation pond back into the public sewer.

Welsh Water further said that Condition 13 would address Welsh Water's concerns in the short term but if sustainable options are not viable on this site and a public sewer option progressed, then the issue of the overflow from the above ground attenuation pond back to the public sewer would need to be revised.

The easement provided on the sewer crossing the site is acceptable, I have no objection in principle to foul water draining to the public sewer and finally the principle of a surface water connection to the public surface water sewer at a rate not exceeding 5 l/s has been agreed. My concern is the basin/pond and the overflow back into the public sewer.

Notwithstanding the above as the principles have been established we can pick up the finer details of the drainage arrangement under the Section 104 adoption agreement.

7. **REPRESENTATIONS**

- 7.1 Local Members have been consulted. Councillor Bradbury has advised that he will only support bungalows for elderly persons on this site. He does not support high rise apartments. Councillor Simmons says that we were originally informed that the application would be for bungalows. The former Heol Trenewydd site was a residential home for the elderly and its only fit and proper that we invest in accommodation for the elderly in the area i.e. bungalows. For this reason she opposes this planning application as it stands.
- 7.2 Amended plans were received on 28/07/2107 revising the position of the bungalows by 90 degrees and were forwarded that day to the Local Members. The Local Members asked for the applications not to be reported to the August Committee so that they could have more time to study the plans.
- 7.3 The proposal was advertised by site notices.

- 7.4 Neighbouring occupiers were consulted by letter. A local resident states that: We are residents directly affected by the proposals and one of our main concern is regarding access to the site by contractors and eventually residents of the completed properties.

We have experienced first hand the upheaval and difficulties caused by large lorries and containers trying to access the site by the feeder road in front of our home. The site was recently used as a base by Wates, the contractors used by Cardiff Council to renew roofs on council properties in the area. On a number of occasions we have had our driveway blocked by contractors cars and have had to visit the site to ask for the driver to remove the car so that we can leave our driveway. One neighbour has had to park on Heol Trelai and carry her young baby plus shopping across to her house because of the volume of traffic parked in the small feeder road.

Our further objection is the main access to the proposed site which will be via a feeder road, and the crossover point further down the road in Heol Trelai. This junction is not only used by residents of this part of Heol Trelai and Heol Trenewydd but also by residents who live in the opposite direction to Church Road, Heol Poyston and Heol Carnau. The access needs to be reviewed urgently. Whilst the feeder road was used by users of the former Ty Newydd Home, the amount of traffic was limited to staff, many of whom used public transport and occasional visitors to residents. The new proposals of 16 properties will ensure that traffic volume is increased permanently.

Previously, emergency and regular service vehicles had access to Ty Newydd Care Home directly from Heol Trelai and it may be that this should be reconsidered for the new properties. We understand that many of the properties will be offered to older residents and it is quite clear that there could be an above average amount of health care needed with urgent access via emergency vehicles.

Access via the rear of the site from Heol Poyston does not seem to have been considered. This access would greatly reduce the amount of traffic using the feeder road.

Our other major concern regards the height of the proposed buildings to the rear of our property. I note that Elevation 4 on the plans directly overlooks our house, allowing residents to view into our garden and bedroom windows. We understand that the building of three storeys on the proposed apartments to the rear of our home is in direct contravention of the Human Rights Act. This states that everyone has the right to respect for their private and family life, their home and their correspondence. The lack of privacy in our own home is of major concern to us and we would strongly request that the height of the apartments is reduced to two storeys.

We would be grateful if the above points could be considered before planning approval is given.

8. **ANALYSIS**

- 8.1 The provision of 16 affordable dwellings, including some in need of assistance and for older persons, is to be welcomed. Nevertheless the impact of the development on the amenities of occupiers of surrounding properties, the appearance of the area and other matters such as ecology and landscaping needs to be carefully considered.
- 8.2 In respect of the issues raised by the Local Members the Director for Communities, Housing and Customer Services has advised them that:-
- a) The sole provision of bungalows on the site could make the scheme unviable. This has proved to be the case but the team took on board fully the overall objective to increase the amount of older persons' accommodation on the scheme. Therefore the number of units allocated on the site for older persons was increased from 2 to 10 with the loss of the original planned 6 houses for sale being replaced with 8 one up one down council owned flats allocated solely for older people. The ground floor flats have their own front and back door with direct access to a private patio and outdoor space so that they can be allocated to older people who need fully accessible accommodation with the flats above allocated to more mobile older people.
 - b) The 6 remaining flats have been designed to provide supported accommodation which social care colleagues have confirmed is a significant identified need for the area and are 3 storeys only designed in consultation with planning and in compliance with planning policy.
 - c) Whilst she appreciates that this still may fall short of the local member's aspirations for the site the team have tried hard to accommodate as many requirements as possible whilst maintaining viability.
- 8.3 In respect of the issues raised by the local members I have the following planning comments:-
- a) The local member's letter was addressed to Sarah McGill requesting a change in the mix of housing types that the Housing Development in conjunction with their partners Wates considered appropriate for this site. The Local Planning Authority has to consider whether the residential development proposed for this site is acceptable in land use planning terms. Such considerations would cover matters such as appearance and amenity issues.
 - b) The proposed 3 storey building is located approximately 27m from the rear of the three storey units at Heol Trewydd, 22m south of the rear wall of the dwelling at 339 Heol Trelai and 20m north of the rear wall of the dwelling at 68 Heol Poyston. The principal habitable rooms in the apartments (the living room and bedroom 1) are to face east towards Heol Trewydd. A ground floor kitchen, bathroom and second bedroom windows are to face west but will be screened by a 1.8m high fence to safeguard privacy. Windows to bedroom 2 and bathrooms at first and second floor will face west. The side facing windows that would serve an open kitchen to the living room would and face north and south are to be

fitted with obscure glazing. Windows in the staircase of the apartments face east north and south and those at first and second floor levels could be fitted with obscure glazing to avoid overlooking from this position.

- c) The proposed 3 storey building is set back over 40m from Heol Trelai and positioned between the existing dwellings at 335-341 Heol Trelai and the dwellings in Heol Postyn which rise behind. The properties in Heol Trelai will screen most of the apartment building when viewed from the north as will the properties in Heol Postyn when viewed from the south. The properties in Heol Tynewydd screen the proposed building from the east. Existing and proposed trees and the new houses will restrict views of the apartments from the west.
- d) The proposed 3 storey building is close to the boundary with 339 Heol Trelai so will cast a shadow over part of the neighbour's garden for part of the day. There is some existing vegetation along or near the rear boundary of 339 which appears to already cast an existing shadow over part of the rear garden of this property, which is on average 20m long.
- e) The SPG on Residential Development includes a 25 degree rule. This provides an indication whether a new building would obstruct reasonable light to a habitable room window if it breaks a line projecting up from the centre of such a window 25 degrees from the horizontal. There may be a marginal infringement of the 25 degree rule at the tip of the hipped roof in relation to a ground floor window to no 339 but this is considered insignificant. The objector's property faces the proposed rear amenity of the apartments rather than the wall and roof of the apartment.
- f) The application was deferred from the August Committee giving Local Members have over 14 days to study the amended plans and submit representations in writing or verbally to the Committee.

8.4 The agent does not believe the Local Members' objection is a matter for planning but if more information is required she would be happy to assist. In respect of the Local Members objection I am of the opinion that I have identified in the preceding paragraphs the issues that the Housing Officer is responsible for and the planning issues that the Local Planning Authority is responsible for.

8.5 To date one objection has been received from a local resident to this proposal and appears to be the same person who raised objections at the pre application consultation stage. The objection is primarily to the access but also to the 3 storey unit, principally on grounds of overlooking. I do not know whether the resident is aware that the nearest windows facing properties in Heol Trelai are to be obscurely glazed. If this were not the case then there would be a material reason to object to this element of this application. Condition 16 will safeguard this arrangement. From the rear of the proposed apartment building there would be the possibility of overlooking part of the garden of no 337 but this would be at an acute angle.

8.6 In terms of access arrangements the access served the former care home on the site so has enjoyed an established use. The type of accommodation proposed is not likely to generate the same level of vehicle movements that would be associated with general family accommodation. Whilst construction traffic can cause some disturbance in the immediate vicinity of the site this will

be for a temporary period only. Proposed condition 10 requiring a construction management scheme will help mitigate any inconvenience. The Highway Officer has no objection subject to conditions.

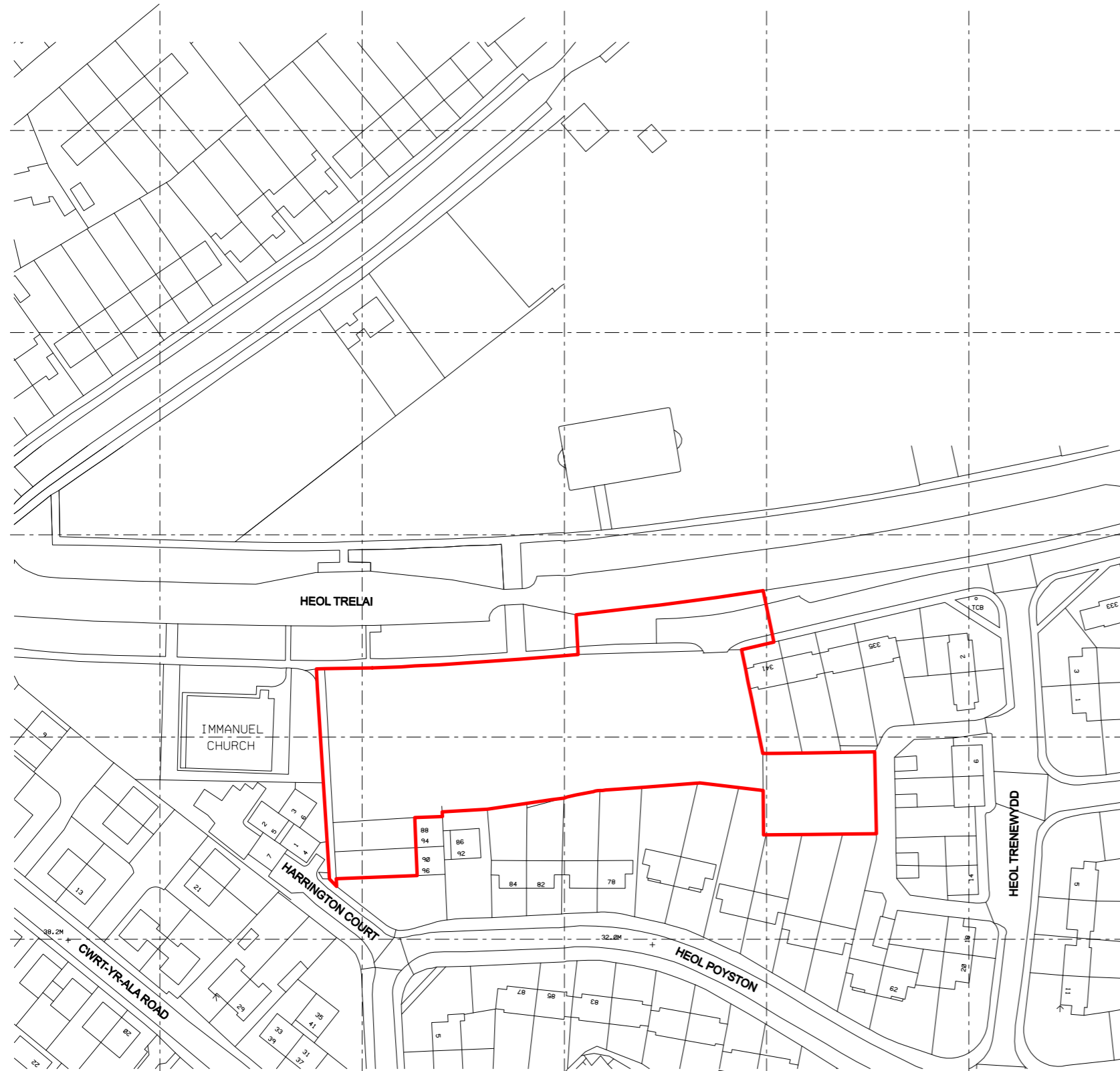
- 8.7 The site is in a sustainable location within the built up area of Cardiff. 120m from the site is a bus stop for a frequent bus service, and adjoins shops in Heol Trenewydd and a church. In the vicinity there is a surgery, post office and club.
- 8.8 The applicant considers that the site has a low ecological value. The Council's ecologist has identified some ecological issues that can be addressed by conditions.
- 8.9 The proposal would necessitate the removal of 12 trees of varying quality, two of which would be within the Welsh Water easement. The developer's initial landscaping plan sought to safeguard several of these trees but the Tree Officer was concerned that several of these trees would adversely affect the residential amenities of future residents as they mature. Nine replacement trees are proposed that the Tree Officer would be content with. There are five mature deciduous trees between the proposed dwellings and Heol Trelai which will help integrate the development into the street scene. In addition two trees will be retained within the site.
- 8.10 The requirement for dust control measures is included within condition 12.
- 8.11 During the processing of the application the area around the bungalows has been adjusted to remove an unnecessary length of road and enlarge the area available for landscaping to the south east of the bungalows. Since the Parks Officer's comments were received the bungalows have been re-orientated to overlook the adjoining POS from a lounge and kitchen window.
- 8.14 Well-Being of Future Generations Act 2016 - Section 3 of this Act imposes a duty on public bodies to carry out sustainable development in accordance with the sustainable development principle to act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs (Section 5). This duty has been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the recommended decision.
- 8.13 This application was to be reported to the August Planning Committee but the applicant requested its withdrawal from the agenda as he needed to address certain drainage issues. At that time Welsh Water had not responded to the consultation on this application. Welsh Water has now responded and proposed condition 13 has been revised accordingly.
- 8.14 The applicant in response to the Drainage Officer's and Welsh Water's comments states:-
- The site has been assessed in line with SUDS hierarchy and unfortunately, there is no potential to utilise any infiltration qualities of the

ground as part of the design. As there are no watercourses in the vicinity, the next option has been explored and designed accordingly (connection to existing surface water sewer through controlled means).

- The design draws parallels to that agreed on Braunton and Clevedon.
- Quick storage estimates have been provided, in the same format as previously consented schemes.
- The 1 in 100 slopes have been designed to a maximum of a 1 in 3 gradient, in accordance with SUDS design practices; additionally, parks have previously confirmed that such parameters will still enable maintenance regimes to be carried out.

We request that the drainage be conditioned; in order to finalise the detail during the technical design stage.

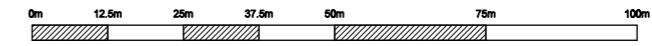
- 8.15 The applicant's response has been forwarded to the Drainage Officer and Welsh Water and no further comments have been submitted. Conditions 13 and 14 are designed to address drainage.
- 8.16 The proposal is considered acceptable in design terms and will have a limited impact on the amenities of nearby properties. The provision of 16 affordable dwellings is a welcome contribution towards Cardiff's housing needs. There are no fundamental objections from internal or external consultees to this application since the amendment to the layout and subject to conditions. It is considered that the planning objection from Local Members and a local resident has been properly addressed within the report. The proposal is considered to comply with the policies of the LDP and is acceptable in planning terms subject to conditions.



ORDNANCE SURVEY (C) CROWN COPYRIGHT 2017. ALL RIGHTS RESERVED. LICENCE NUMBER 100022432



— SITE BOUNDARY
 SITE AREA 0.52 (hectares)



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Project
 TY NEWYDD & HEOL TRENEWYDD, CAERAU

Client
 WATES RESIDENTIAL

Drawing Title

SITE LOCATION PLAN

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

Date
 FEB '17

Scale
 1:1250 @ A3

Drawing No.
 3 5 1 4 _ P A _ 0 0 1

Rev.
 -

Revisions

- A APARTMENT BLOCK 11-16 ROTATED & ASSOCIATED LANDSCAPING ADJUSTED TO SUIT. 25 APR '17
- B BUNGALOW FLOOR PLANS HANDED & FENCE UPDATED. PROPOSED TREE PLANTING ALTERED IN LINE WITH ARBORICULTURIST REVISED INFORMATION. 20 JUNE '17
- C BUNGALOW ROTATED & ASSOCIATED LANDSCAPING ADJUSTED TO SUIT. 26 JULY '17
- D 6NO. PARKING BAYS ADJUSTED TO AVOID CLASHES EXISTING MANHOLES. ROAD LAYOUT, LANDSCAPING AND PAVING ADJUSTED TO SUIT. ATTENUATION AREA INCREASED. 12 JULY '17



LANDSCAPING MATERIALS

- A Concrete block paving A colour - Autumn Yellow
- B Concrete block paving B colour - Purbeck
- C Tarmac
- D Concrete flag paving
- E Grassed areas

BOUNDARY TYPES

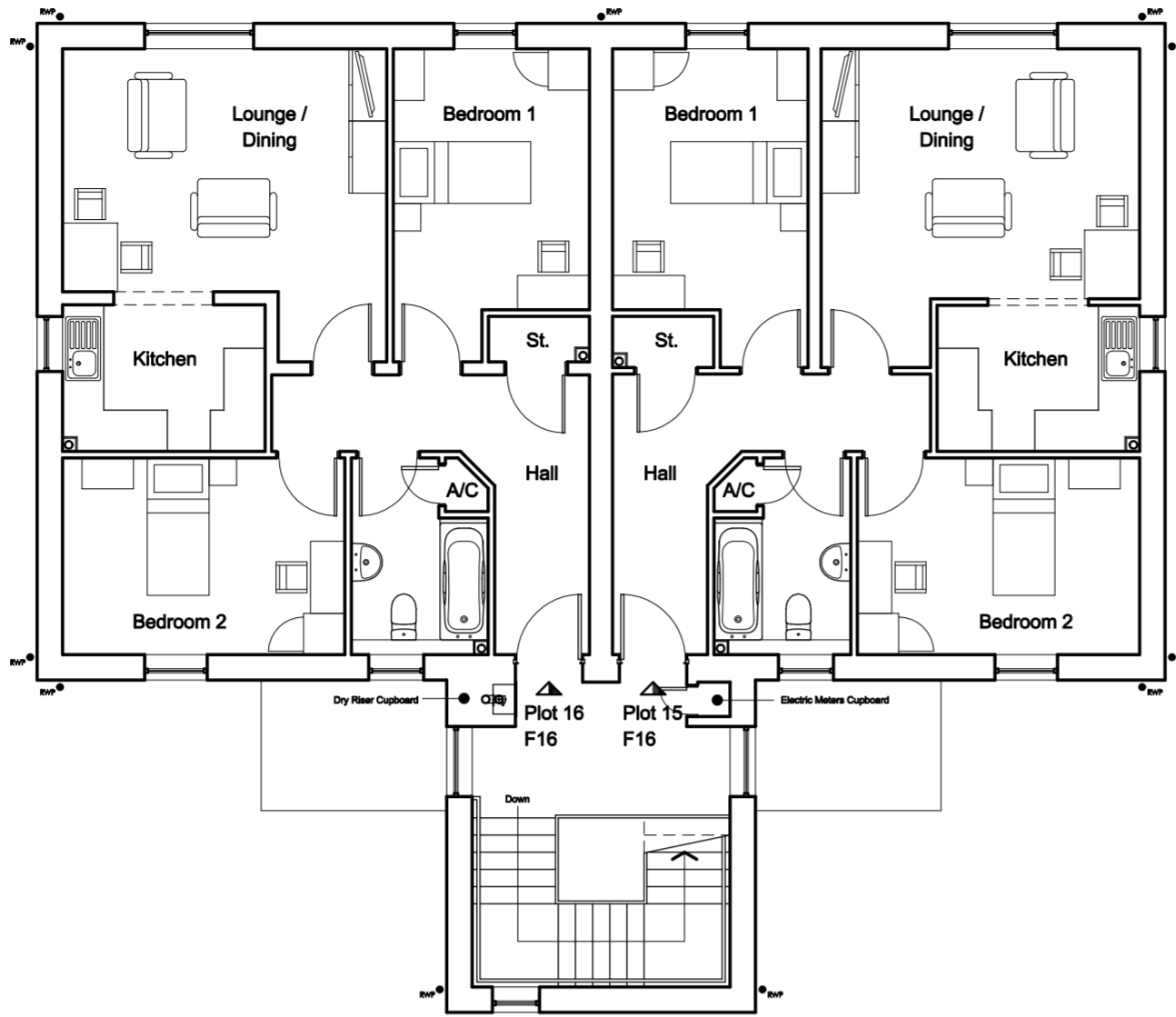
- Boundary Type 1:- 2100mm close boarded timber fence.
- Boundary Type 2:- 1800mm close boarded timber fence.
- Boundary Type 3:- Existing gable end/ boundary wall.
- Boundary Type 4:- 2100mm close boarded timber & steel combination fencing.
- Boundary Type 4:- 1800mm railings.
- Boundary Type 5:- 900mm railings.
- Boundary Type 5:- 1800mm close boarded timber fence in front of existing retaining wall and boundary to neighbouring property.

SYMBOLS

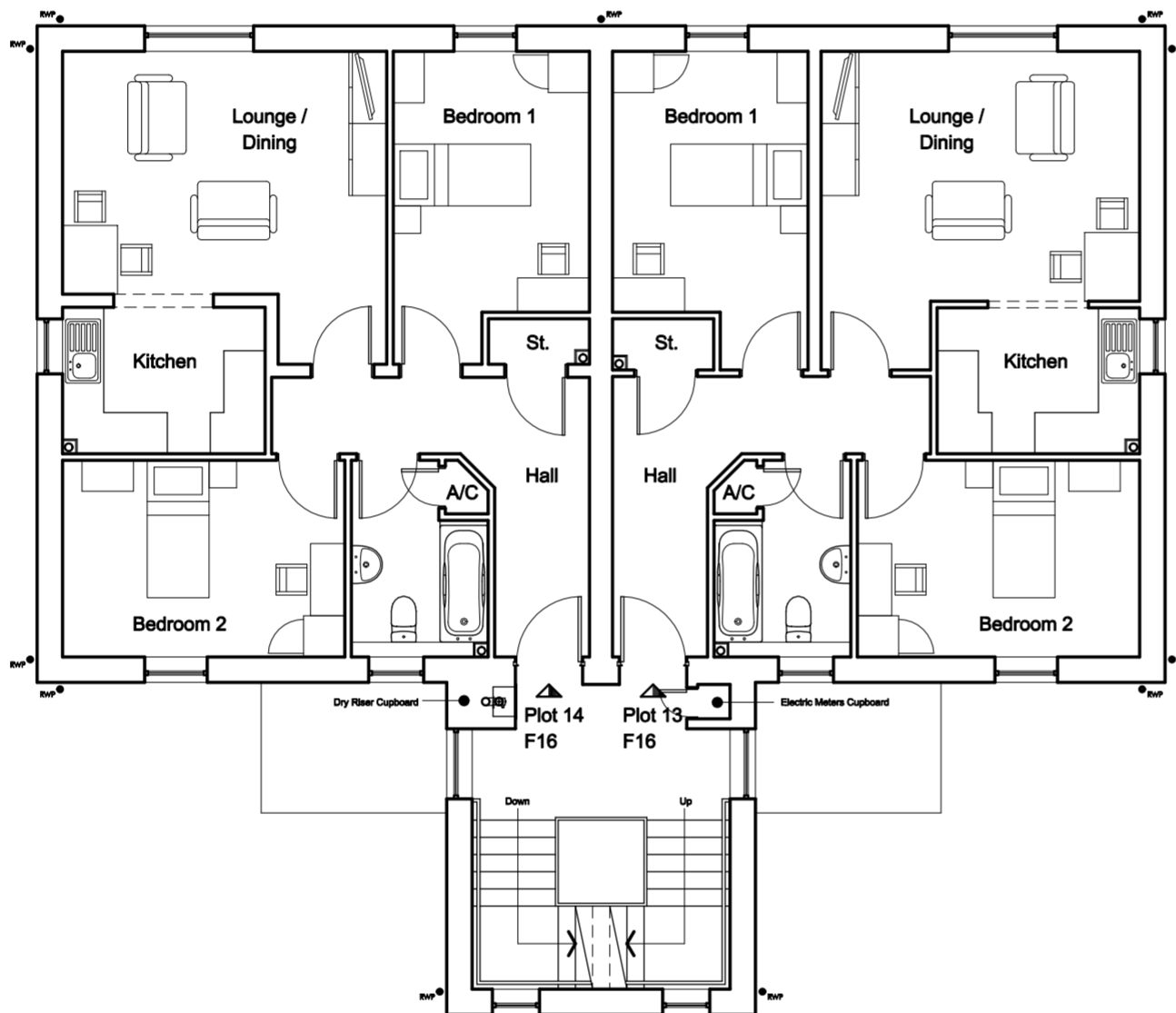
- Plot numbers.
- Dwelling Types.
- Car parking space allocation.
- Supported Housing Parking Allocation.
- Garden shed - Bike Store.
- Rotary Dryer.
- Planted areas.
- Proprietary Cycle enclosure.

Other Symbols:

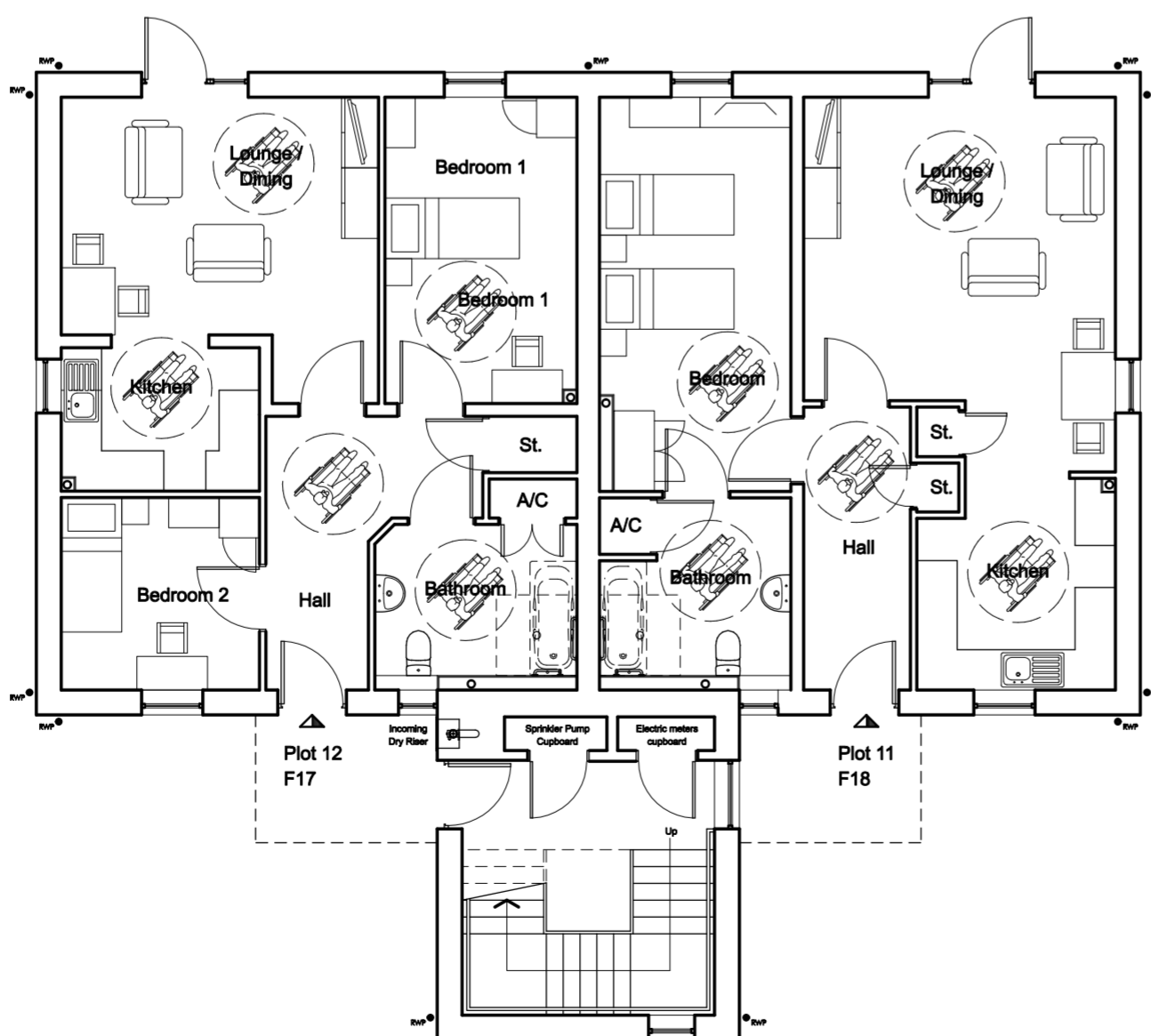
- Application site boundary.
- Proposed tree.
- Existing tree to remain. Dotted line indicates root protection zone.
- Existing tree to be removed.
- Indicative position of 1.5m service trench for proposed incoming services.
- Sewer easement position.



Second Floor Plan

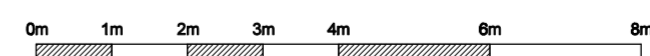


First Floor Plan



Ground Floor Plan

INDIVIDUAL APARTMENT GIA: 67.6m²



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Project
TY NEWYDD & HEOL TRENEWYDD, CAERAU

Client
WATES RESIDENTIAL

Drawing Title
APARTMENT BLOCK F
General Arrangements
(APT. TYPES F16, F17 & F18)

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

Date
FEB '17

Scale
1:100 @ A2

Drawing No.
3514_PA_111

Rev.
A



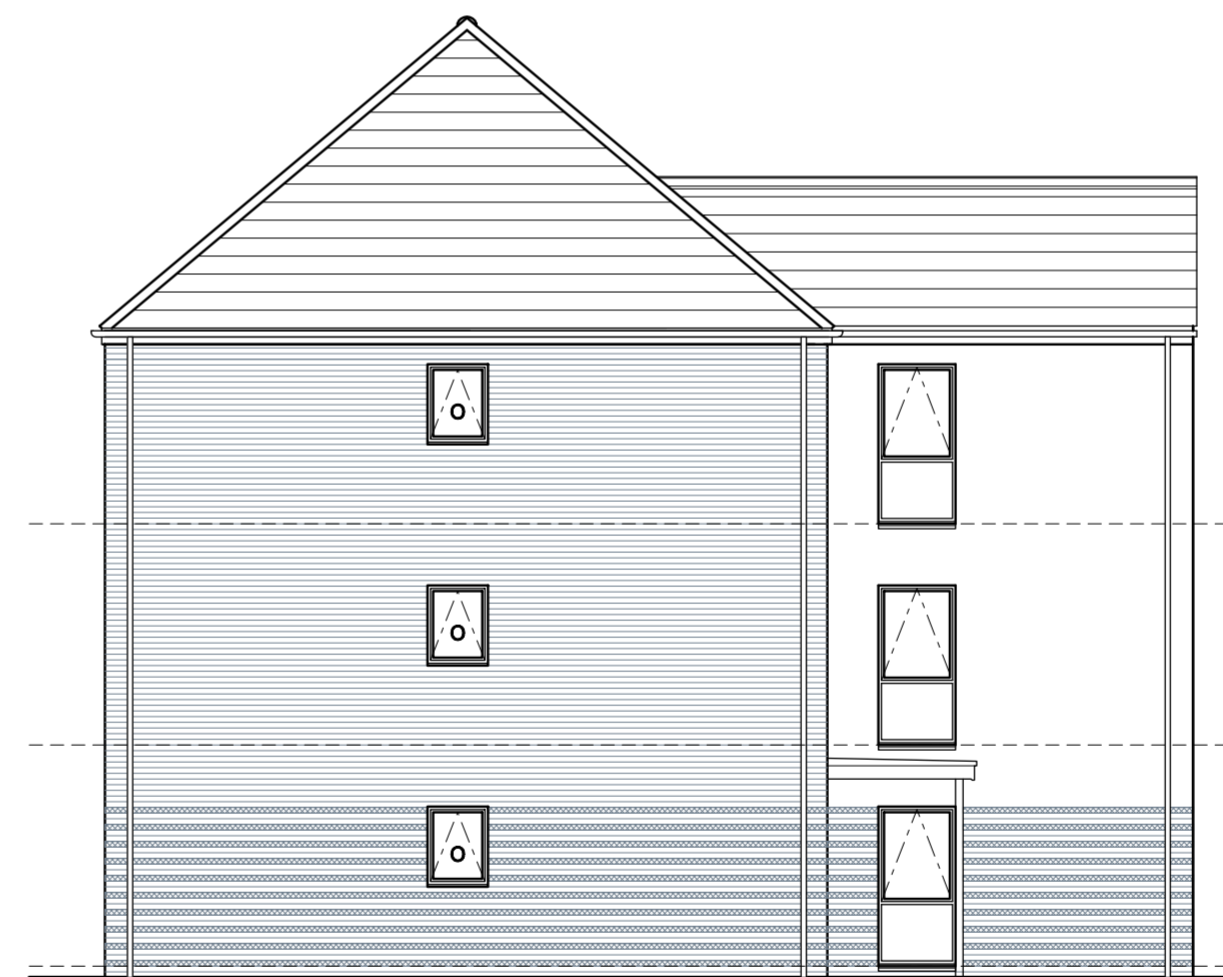
ELEVATION 1



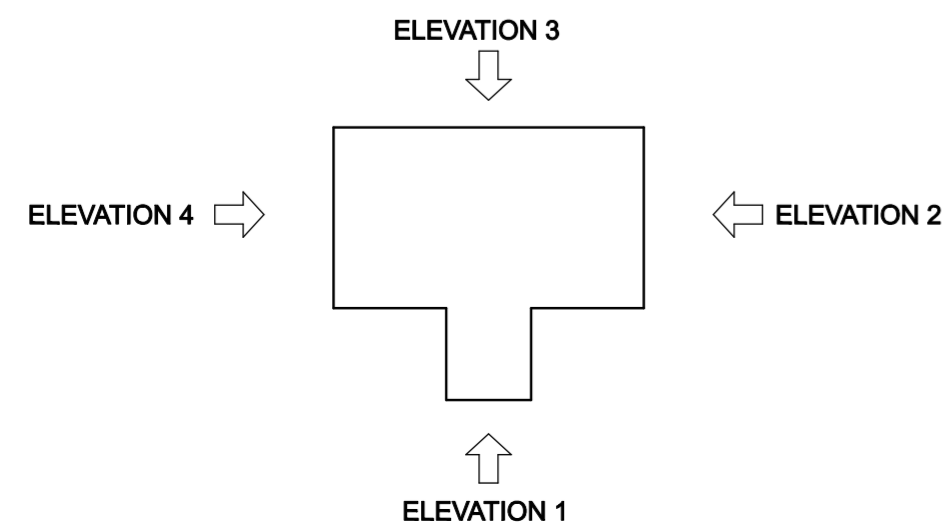
ELEVATION 2



ELEVATION 3



ELEVATION 4



Finishes

Walls:
Facing brickwork - Blended Red Multi Glit Stock with Staffordshire Smooth Red banding, every 3rd course.

Mortar:
Remix Natural Mortar.

Render:
Parex through-coloured render in 'Mouse Grey' colour.

Pitched Roof:
Marley Modern Duo 'Smooth Grey' interlocking concrete tile with

Windows and Doors:
White PVCu. GRP entrance doors in 'blue' colour.

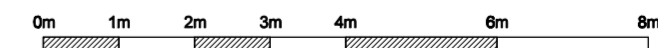
Window Sills
65mm re-constituted stone sills with no stools in 'Portland Grey'.
Sills to front elevation & side elevations of staircase projection only.

Fascias
White PVCu.

Canopies / Flat Roof
Timber post and beam structure with dark grey GRP canopy / flat roof.

Rainwater Goods
Black PVCu.

○ Obscure glazing



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Project
TY NEWYDD & HEOL TRENEWYDD, CAERAU

Client
WATES RESIDENTIAL

Drawing Title
APARTMENT BLOCK F
Elevations
(APT. TYPES F16, F17 & F18)

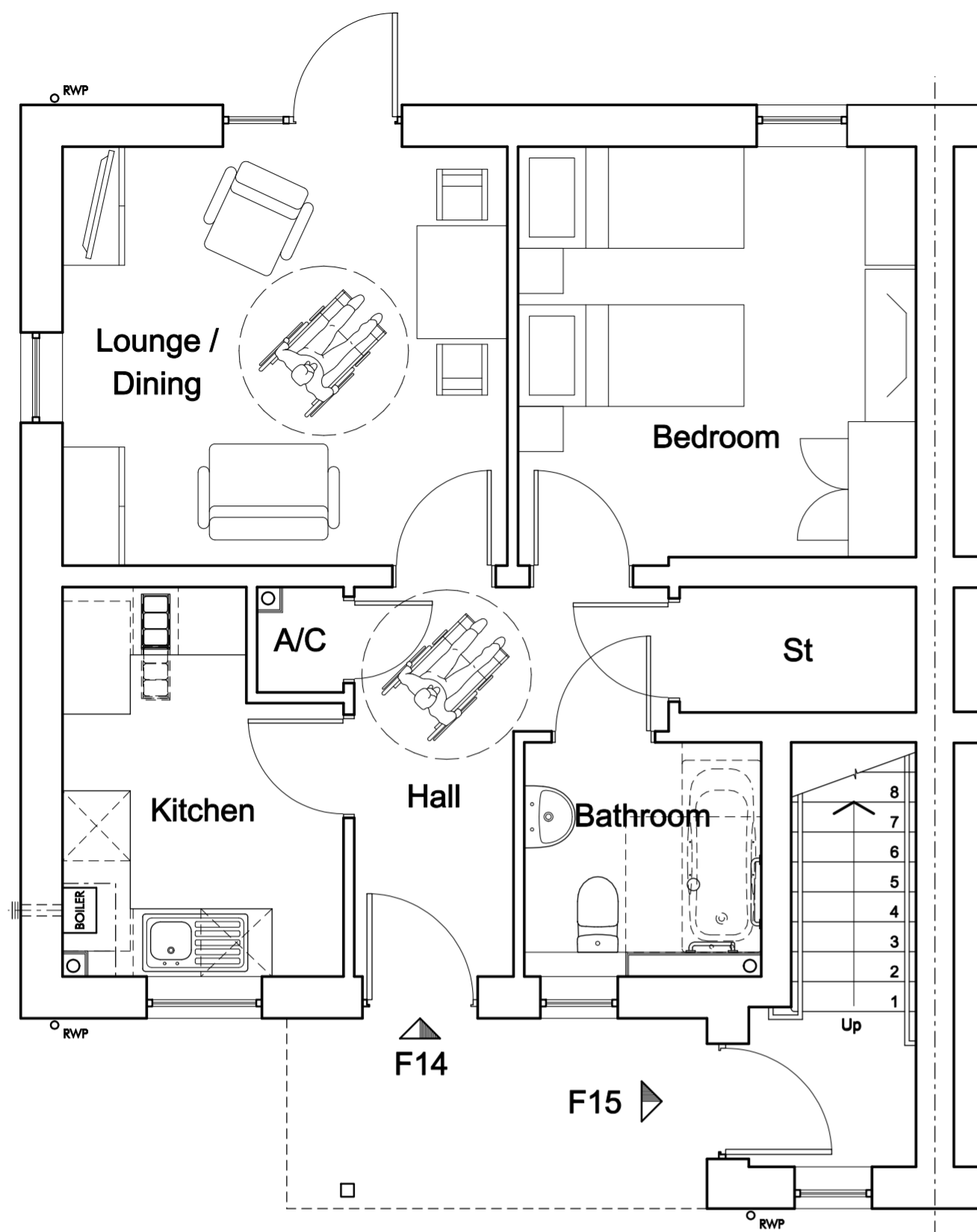
Date
FEB '17

Scale
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Drawing No.
3514_PA_112

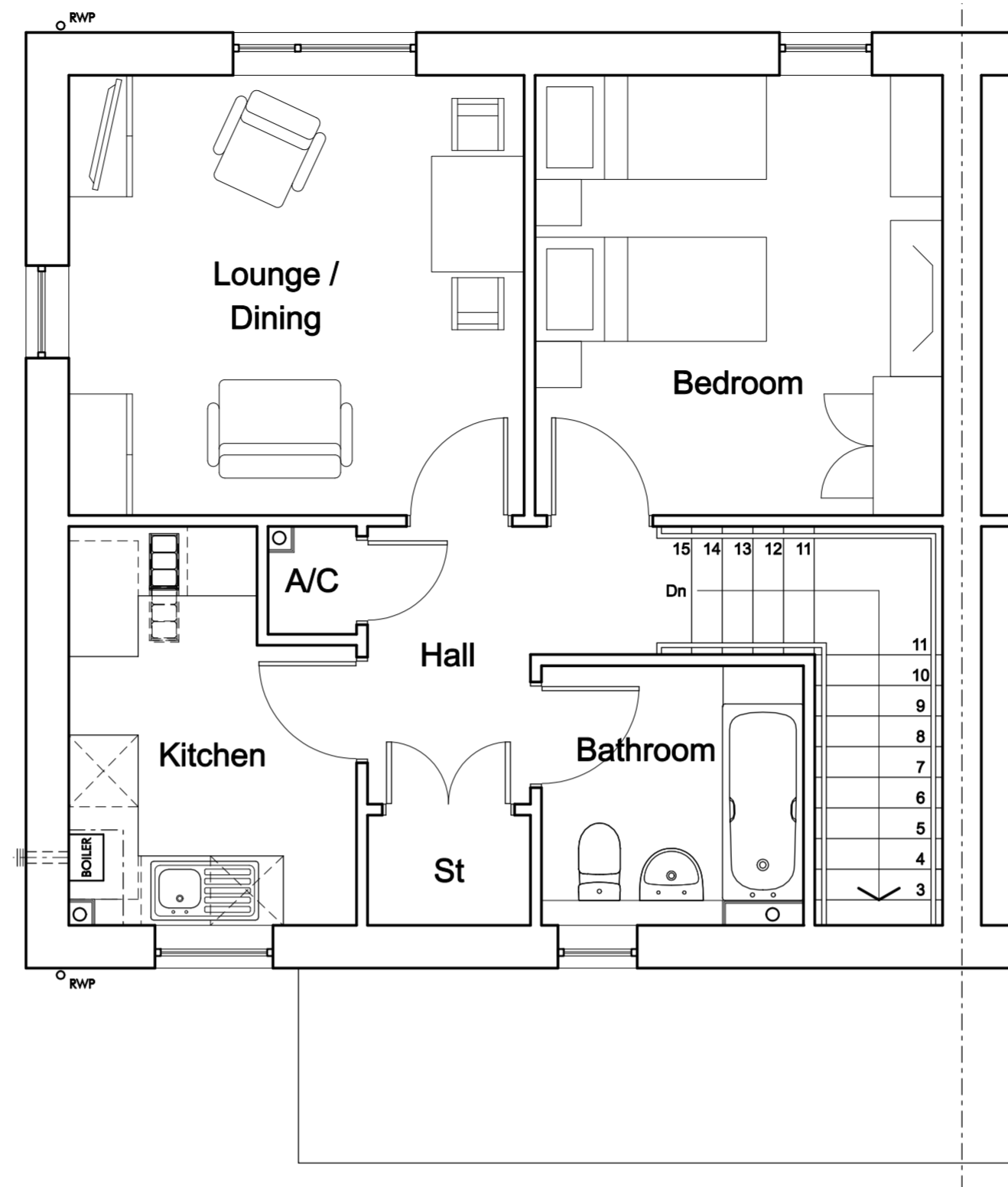
Rev.
A

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



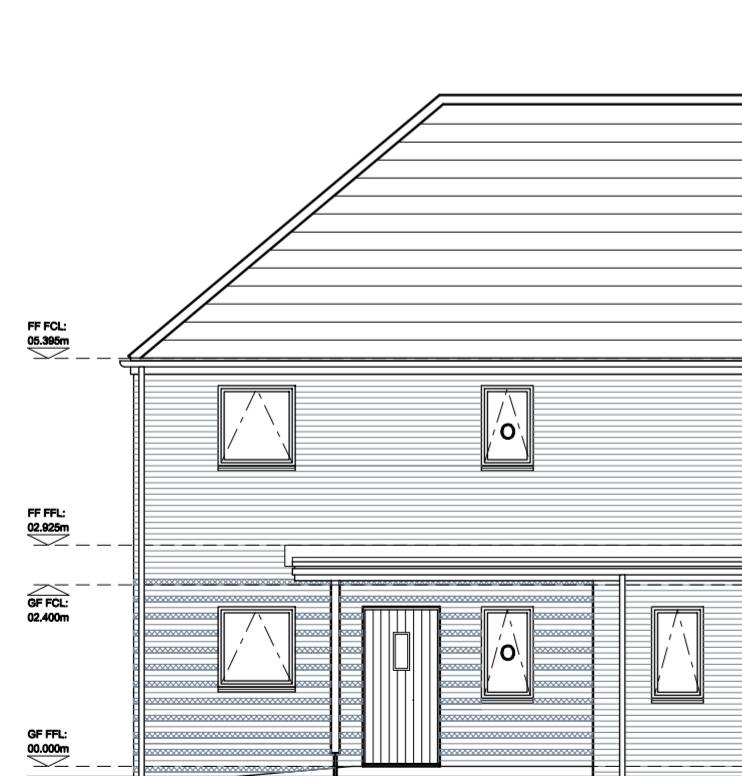
Ground Floor Plan

1:50



First Floor Plan

1:50



Front Elevation

1:100



Side Elevation

1:100



Rear Elevation

1:100

Finishes

Walls

Facing brickwork - Blended Red Multi Gilt Stock with Staffordshire smooth red banding, every 3rd course. Natural Mortar.

Mortar:

Remix Natural Light.

Pitched Roof

Marley Modern Duo 'Smooth Grey' interlocking concrete tile with mortar-bedded verges.

Windows and Doors

White PVCu. GRP entrance doors in 'blue' colour.

Window Sills:

65mm re-constituted stone sills with no stools in 'Portland Grey' Sills to front & side elevations only.

Fascias

White PVCu.

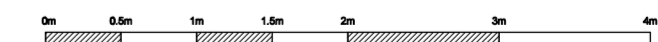
Canopies / Flat Roof

Timber post and beam structure with dark grey GRP canopy / flat roof.

Rainwater Goods

Black PVCu.

O Obscure glazing



GIA: 56.0m²

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Project
TY NEWYDD & HEOL TRENEWYDD, CAERAU

Client
WATES RESIDENTIAL

Drawing Title
**(APT. TYPES F14 & F15)
General Arrangement & Elevations**

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

Date
FEB '17

Scale
1:50 @ A2

Drawing No.
3514_PA_110

Rev.
A

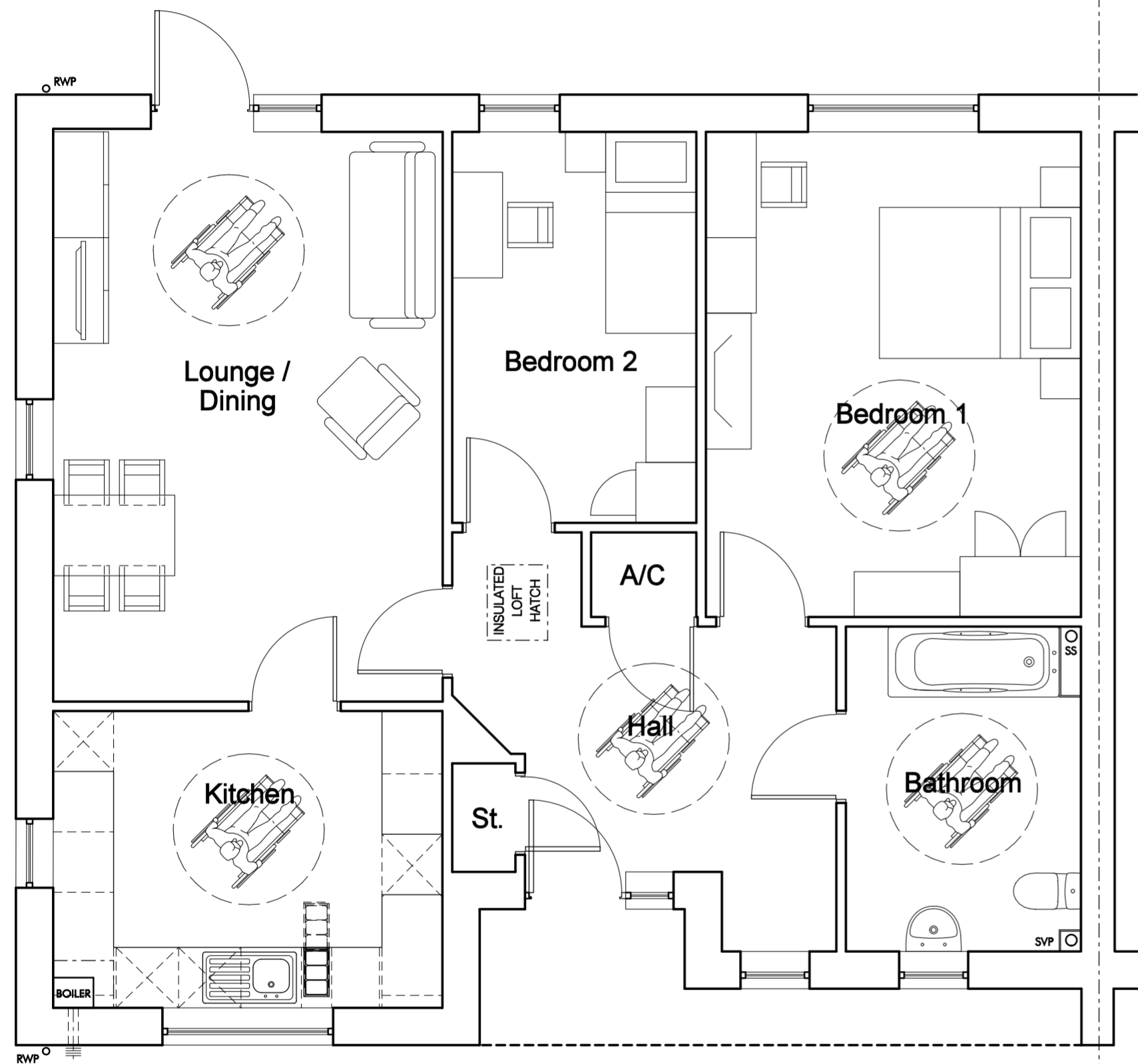
Revisions

A FINISHES KEY UPDATED

24 APR '17

B FLOOR PLAN HANDED & ELEVATIONS UPDATED TO SUIT.

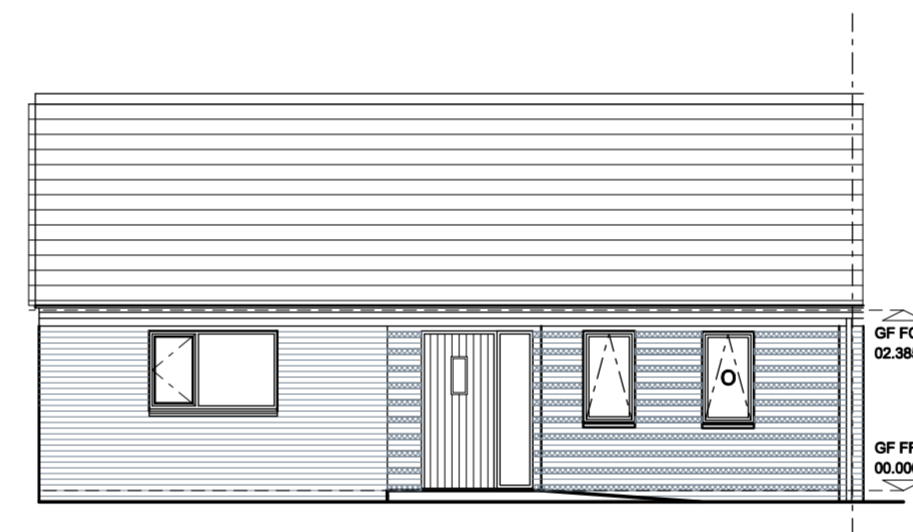
06 JUNE '17



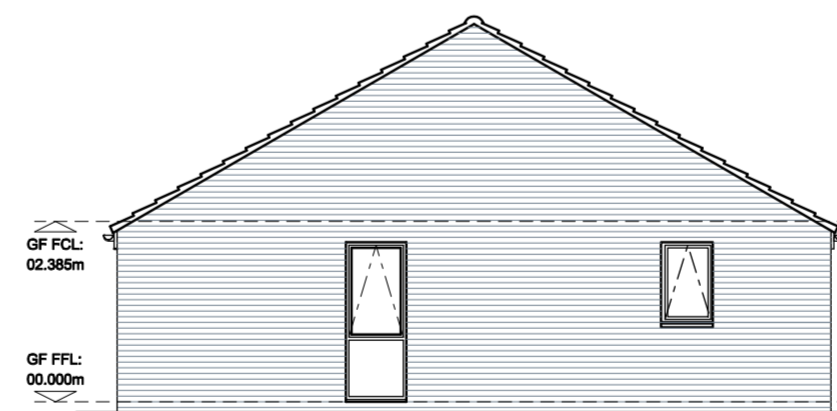
Ground Floor Plan
1:50



Rear Elevation
1:100



Front Elevation
1:100



Gable End Elevation
1:100

Finishes

Walls:
Facing Brickwork Blended Red Multi Gilt Stock with Staffordshire Smooth Red banding, every 3rd course.

Mortar:
Remix Natural Light

Pitched Roof:
Marley Modern Duo 'Smooth Grey' interlocking concrete tile with mortar-bedded verges.

Windows and Doors:
White PVCu. GRP entrance doors in 'blue' colour.

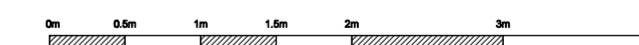
Window Sills
65mm re-constituted stone sills with no stools in 'Portland Grey'. Sills to front elevations only.

Fascias & Soffits
White PVCu.

Rainwater Goods
Black PVCu.

O Obscure glazing.

GIA: 83.0m²



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Project
TY NEWYDD & HEOL TRENEWYDD, CAERAU
Client
WATES RESIDENTIAL
Drawing Title

HOUSE TYPE L

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

Date
FEB' 17
Scale
1:50/1:100 @ A2
Drawing No.
3514_PA_100
Rev.
B

Revisions

A BUNGALOWS ROTATED 90 DEGREES & LANDSCAPING ADJUSTED.
04 AUG '17



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COMMITTEE DATE: 11/10/2017

APPLICATION No. **17/01291/MJR** APPLICATION DATE: 12/06/2017

ED: **CATHAYS**

APP: TYPE: Full Planning Permission

APPLICANT: Mr Lim

LOCATION: 38-48 CRWYS ROAD, CATHAYS, CARDIFF, CF24 4NN

PROPOSAL: CONVERSION AND EXTENSION OF THE EXISTING BUILDINGS FRONTING CRWYS ROAD TO FORM A 4 STOREY DEVELOPMENT FOR STUDENT ACCOMMODATION WITH THE RETENTION OF THE EXISTING RETAIL UNITS AND RESTAURANT. ERECTION OF 3 THREE-STOREY WITH ROOMS IN ROOF STUDENT RESIDENTIAL UNITS, WITHIN THE EXISTING CAR PARK TO THE REAR OF 38-48 CRWYS ROAD, WITH A CAR PARK AND A COMMUNAL GARDEN

RECOMMENDATION 1 : That, subject to relevant parties entering into a binding planning obligation, in agreement with the Council, or otherwise under **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 paragraph 8.9 of this report, planning permission be **GRANTED** subject to the following conditions:

1. C01 Statutory Time Limit
2. This consent relates to the following approved plans and documents:

Plans

- | | |
|--------------------|----------------------------|
| • G1373-P100 | Site Location Plan |
| • G1373-P01 | Existing Site Plan |
| • G1373-P02 rev. A | Proposed Site Plan |
| • G1373-P03 | Proposed Ground Floor Plan |
| • G1373-P04 | Proposed First Floor Plan |
| • G1373-P05 | Proposed Second Floor Plan |
| • G1373-P06 | Proposed Third Floor Plan |
| • G1373-P07 | Proposed Roof Plan |
| • G1373-P08 | Proposed Elevations_1 |
| • G1373-P09 | Proposed Elevations_2 |
| • G1373-P10 | Proposed Elevations_3 |
| • G1373-P11 | Proposed Elevations_4 |
| • G1373-P12 | Proposed Sections |
| • G1373-P13 | Existing Floor Plans |
| • G1373-P14 | Existing Elevations |

Documents

CWA Design & Access Statement

Asbri Section 2F Pre-Application Consultation Report dated May 2017

Acoustics Central Architectural Acoustics Report ref. 2017023-0 R2

dated 9th June 2017

CWA Emails dated 19 & 21 June 2017 relating to Refuse Storage and Collection

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

3. Notwithstanding the submitted plans, the external walls and roofs of any building shall be constructed and finished in accordance with a schedule of materials and finished which shall be submitted to and approved in writing by the local planning authority, prior to the commencement of development.

Reason: To ensure an acceptable standard of appearance is achieved.

4. No development shall take place 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

5. Notwithstanding the submitted plans, details of refuse storage facilities for both commercial and residential waste shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented prior to the beneficial occupation of the development and shall thereafter be retained and maintained.

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

6. No development shall take place until ground permeability tests have been undertaken to ascertain whether sustainable drainage techniques can be utilised and a drainage scheme submitted for the disposal of both surface water and foul sewage to the approval of the local planning authority.

Reason: To promote sustainable drainage and ensure the site and to provide appropriate site drainage.

7. No part of the development hereby permitted shall be occupied until a travel/parking/traffic/resident/letting management plan to include, but not limited to, the promotion of public transport and other alternatives to the private car; the management of traffic at the start and end of term; the control of vehicular access to the site; the exclusion and control of student resident car parking within the site and surrounding area, has been submitted to and approved by the Local Planning Authority.

Reason: in the interest of highway safety and to regulate the impact of

the development on use of the adjacent highway.

8. No part of the development hereby permitted shall be commenced until a scheme of construction management has been submitted to and approved by the Local Planning Authority, to include as required but not limited to details of site hoardings, site access and wheel washing facilities. Construction of the development shall be managed strictly in accordance with the scheme so approved.
Reason: In the interests of highway safety and public amenity.
9. Details of the facilities for the secure and covered parking of cycles, at a ratio of one stand for every two beds, shall be submitted to and approved in writing by the local planning authority. The approved facility shall be provided prior to the beneficial occupation of the development and shall thereafter be retained and maintained.
Reason: To ensure adequate provision for cyclists.
10. The car parking spaces shown on the approved plans shall be provided prior to the development being brought into beneficial use 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.
11. No part of the development hereby permitted shall be commenced until a scheme of environmental footway improvements to Lucas Street adjacent to the site has been submitted to and approval in writing by the LPA. The scheme should include as required, but not be limited to, the closure of redundant and construction of new crossovers to access the site/parking, the reconstruction/resurfacing and re-kerbing of the remaining footways adjacent to the site, including surfacing, kerbs, edging, channels; the provision/renewal/improvement of street lighting and other street furniture. The agreed scheme to be implemented to the satisfaction of the LPA prior to beneficial occupation of the site.
Reason: To ensure the comprehensive enhancement/improvement of the adjacent public highway in the interests of highway and pedestrian safety, and to facilitate access to the proposed development.
12. The development shall be implemented in accordance with the following acoustic recommendations/specifications as indicated in the approved Architectural Acoustic Report:

T6 – Sound reduction performance of façade elements used to calculate break-in calculations

	Minimum expected sound reduction index (dB) at octave band with Centre Frequency (Hz)						
	125	250	500	1000	2000	4000	R' _w
External Wall to Flats	35	40	45	50	55	60	49
External Wall to Houses	37	42	52	60	63	68	54

T7 – Sound reduction performance of façade elements used to calculate break-in calculations

	Minimum expected sound reduction index (dB) at octave band with Centre Frequency (Hz)						
	125	250	500	1000	2000	4000	R' _w
Typical Thermal Double Glazing	20	18	28	38	34	38	31

T8 – Sound reduction performance of façade elements used to calculate break-in calculations

	Minimum expected sound reduction index (dB) at octave band with Centre Frequency (Hz)						
	125	250	500	1000	2000	4000	R' _w
Trickle vent with Indirect Air Path	36	36	36	34	35	30	36

T10 – Sound Reduction Indices used in noise transfer assessment

	Minimum expected sound reduction index (dB) at octave band with Centre Frequency (Hz)								
	63	125	250	500	1000	2000	4000	8000	R _w
First Floor Construction (between commercial and residential)	35	38	45	47	52	60	64	70	52

T12 – Permissible internal noise levels from lifts

Room	Maximum noise level (dB L _{AMAX, F})
Bedroom	25
Living Room	30
Other Areas	35

Noise: These figures relate solely to lift noise levels and do not account for any other noise sources. These values include noise from the lifts irrespective of the transmission mechanism, i.e. they include both airborne and structure-borne noise.

Reason: To ensure the amenities of future occupiers are protected

13. The extraction of all fumes from the food preparation area of the retained restaurant shall be mechanically extracted to a point to be agreed in writing by the Local Planning Authority, and the extraction system shall be provided with a de-odorising filter. All equipment shall be so mounted and installed so as not to give rise to any noise nuisance. Details of the above equipment including the chimney shall be submitted to, and approved by, the Local Planning Authority in writing and the equipment installed prior to the commencement of use for the cooking of food. The equipment shall thereafter be maintained in accordance with the manufacturers' guidelines, such guidelines having previously been agreed by the Local Planning Authority in writing.

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

14. 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 in accordance with the requirements of condition 1 (above), and where remediation is necessary a remediation scheme and verification plan must be prepared in accordance with the requirements of condition 2 (above) 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 in accordance with condition 3 (above).

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.

15. 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 to 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.

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

16. 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 to 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, verification sampling of the material received at the development site is required to verify that the imported aggregate is free from contamination and shall be undertaken in accordance with a scheme agreed with in writing by the Local Planning Authority.

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

17. 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.

18. Notwithstanding the submitted plans details of the means of site enclosures and gates, including (but not limited to) the enclosure of the residential amenity space, shall be submitted to and approved in writing by the local planning authority. The approved enclosures shall be implemented prior to the beneficial occupation of the development and shall thereafter be retained and maintained.

Reason: To ensure the amenities of future occupiers are protected and to ensure an orderly form of development.

19. D4A Landscape Scheme

20. C4R Landscaping Implementation

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

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

that the responsibility for

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

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

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

RECOMMENDATION 4 : That the applicant be advised that the highway works condition and any other works to existing adopted public highway are to be subject to an agreement under Section 278 Highways Act 1980 between the developer and Local Highway Authority.

RECOMMENDATION 5 : That the applicant be advised that foul and surface water discharges shall be drained separately from the site and land drainage run-off shall not be permitted to discharge, either directly or indirectly, into the public sewerage system.

RECOMMENDATION 6 : 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.

1. **DESCRIPTION OF PROPOSED DEVELOPMENT**

- 1.1 A full application for the conversion and extension of an existing two storey mixed commercial building to accommodate a four-storey development

retaining the ground floor commercial uses and developing the upper floors and detached rear annexe for student accommodation. The upper floors of the building fronting Crwys Road contain 22 studio rooms, with self-contained facilities. The rear detached annexe building is 'split' into three units, accommodates 21 en-suite bedrooms to the upper floors, with shared living room/kitchen facilities to the ground floor.

- 1.2 The student accommodation is accessed via Lucas Street, with a central core staircase serving the Crwys Road element, and 3x independent front doors serving each of the units forming the detached annexe building.
- 1.3 The proposed Crwys Road building is of a flat roof design, with a recessed Mansard style roof, with small dormer windows. This element has a setback of approx. 1.6m from the front elevation (fronting Crwys Road). This set back is continued to the side elevations, with the inset increased to approx. 2.8m.

The rear annexe building is of a more traditional pitched roof design, with a split level ridge/eaves between the 2 units closest to the Crwys Road building and the final unit fronting the rear lane. The annexe building has projecting gables and bay windows to the Lucas Street frontage, with projecting gables to the rear (public house) boundary.

The taller (3.5 storey) units of the annexe have a ridge height of approx. 11.5m and an eaves height of approx. 8.3m. The smaller end unit (fronting the rear lane) has a ridge height of approx. 8.8m and an eaves height of approx. 5.7m. The end elevation of the annexe is approx. 3.4m off the rear land boundary.

- 1.4 The proposed development is to be finished in render, with grey/blue cladding to the third floor and relief sections to the Crwys Road building, and red facing brick, blue roof tiles and render to the annexe building.
- 1.5 The proposed plans show areas for refuse (commercial and residential) to the rear of the Crwys Road building and the annexe building, with an area for cycle storage adjacent. 8no. parking spaces that are retained. A communal garden space is proposed between the 'rear' elevation of the annexe building and the boundary to the adjacent pub (approx. 160sqm).
- 1.6 The proposals also include a small, single storey flat roof extension to the rear of the existing restaurant unit at 48 Crwys Road, and the completion of the rear elevation of the Crwys Road building as a result of the change to the previously approved scheme (detaching the annexe).

2. **DESCRIPTION OF SITE**

- 2.1 The site is approx. 1340sqm in area, accommodating a two storey pitched roof structure of brown facing brick construction. To the rear of the building is a large open yard area, used predominantly for off street parking. A rising arm barrier gives access to the yard off Lucas Street.
- 2.2 The adjacent public house is of a two storey construction, with a public area

(beer garden) to the rear. The dwellings to the rear of the site (fronting Lucas Street, Daniel Street and Woodville Road) are of two storey, pitched roof construction.

- 2.3 The buildings directly opposite the site (Crwys Road) are of mainly two storey construction and are in a mix of commercial and community uses.

3. **SITE HISTORY**

- 3.1 15/01137/MJR – Conversion & extension to provide 4 storey student accommodation and retention of existing commercial units (total 61 beds) – Approved

17/00873/MJR – Non-Material Amendment to reconfigure the block fronting Crwys Road to reduce the number of bedrooms from 37 to 22 - Approved

4. **POLICY FRAMEWORK**

- 4.1 The site is located within the Crwys Road District Centre as identified in the adopted Cardiff Local Development Plan 2006-2026.

- 4.2 The relevant Local Development Plan Policies are:

KP5 Good Quality and Sustainable Design
KP6 New Infrastructure
KP7 Planning Obligations
H3 Affordable Housing
H6 Change of Use or Redevelopment to Residential Use
R4 District Centres
T5 Managing Transport Impacts
W2 Provision for Waste Management Facilities in Development

- 4.3 The following Guidance was supplementary to the former Development Plan, now superseded by the Local Development Plan. However, it is considered consistent with adopted Local Development Plan policies and provides relevance to the consideration of this proposal to help and inform the assessment of relevant matters:

Access, Circulation and Parking Standards 2010
Infill Sites 2011

In addition to the above, the following Supplementary Planning Guidance is also relevant:

Locating Waste Management Facilities Jan. 2017
Planning Obligations Jan. 2017

5. **INTERNAL CONSULTEE RESPONSES**

- 5.1 The Transportation Manager has no objection, subject to conditions relating to

retention of the parking space, provision of cycle parking, provision of student management and construction management plans and highway improvements, making the following comments:

In accordance with my observations in connection with the previous application 15/1137/MJR, I would confirm that the above submission has been assessed and is considered to be acceptable, subject to conditions, the following comments and additional recommendation:

Additional Recommendation:

The highway works condition and any other works to existing adopted public highway are to be subject to an agreement under Section 278 Highways Act 1980 between the developer and Local Highway Authority.

S106:

Unless the contribution has been applied to and paid by the previous application; a financial contribution of **£10,600** is sought towards a scheme of junction and crossing improvements at the junctions of Lucas Street and Crwys Road, and Woodville Road and Crwys Road adjacent to the site. The improvements include junction pavement build-outs on all arms, narrowed crossing facilities and improved bus stops. The contribution will added to other S106 contributions and funding sources to facilitate the scheme. The improvements are required to accommodate the additional pedestrian movements in the area, in the interests of highway and pedestrian safety.

Comments:

The adopted Access, Circulation and Parking Standards SPG confirms that up to one car parking space per 25 beds may be provided for operational use and that there is no requirement for on-site resident car parking for the sui generis use of student accommodation. In addition, established practice is that one cycle parking space should be provided per two beds for the proposed type of development. I am therefore satisfied that the Student accommodation element of the application is compliant with adopted parking policy as submitted, subject to the requested conditions and provision of the cycle parking.

It is also noted that the four retained retail and one restaurant units fronting Crwys Road will be served by eight no. car parking spaces accessed from Lucas Street via a new crossover. In which respect, the SPG suggests small retail units should be provided with a minimum of one operational space per unit. I am therefore satisfied that the eight retained spaces are both policy compliant and appropriate to the redevelopment given its location.

With reference to location and wider development considerations, it is noted that the site is in a central location within an existing District Centre, with excellent access to local employment, leisure, shopping and the main university campus. The site is also within the 20mph zone, where cycling and walking are encouraged as viable daily transport alternatives to the car; along

with having good access to public transport services and Cardiff's cycle network. The site is therefore considered to be very sustainably located in transport terms and entirely appropriate for the proposed form of development.

I therefore have no objection to the application subject to conditions, S106 contribution and associated comments.

- 5.2 The Highways Drainage Manager has been consulted and no comments have been received. However, under application 15/1137/MJR conditions relating to the undertaking of sustainable drainage tests, and the submission of a drainage scheme were requested. In this case, given the short timescale and having regard for the lack of change in the site circumstances, it is considered prudent to recommend these conditions again.
- 5.3 The Waste Manager advises that the amended refuse storage, and additional management information are acceptable. Notwithstanding this, a condition is recommended that seeks to clarify the construction of the refuse storage facilities.
- 5.4 The Pollution Control Manager (Contaminated Land) has no objection, subject to conditions in respect of contaminated land issues, with further contaminated land advice.
- 5.5 The Pollution Control Manager (Noise & Air) has no objection subject to the imposition of a condition requiring the development to be implemented in accordance with recommendations and specifications indicated in the approved Acoustic Report, plant noise, and with further advice in respect of construction site noise.
- 5.6 The Regeneration Manager makes the following comments:

Request for Community Facilities

The Cardiff Planning Obligations SPG 2017 (Section 8 – Community Facilities) states that 'Growth in population arising from new development generates demand for and increases pressure on community facilities. To meet the needs of future residents, it may be necessary to meet this additional demand through:

The provision of new facilities,
The extension to, or upgrading of existing 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.

The formula in the SPG is based on the number of bedrooms and associated occupancy figures per dwelling, and is calculated as follows:

No. of bedrooms	Number of Dwellings	Contribution per dwelling	Totals
1	0	£720.51	£0.00
2	0	£997.63	£0.00
3	0	£1,385.60	£0.00
4	0	£1,718.14	£0.00
5+	0	£2,106.11	£0.00
Where number of bedrooms unknown	0	£1,291.38	£0.00
Single Student Bedroom	43	£554.24	£23,832.32
TOTALS:			£23,832.32

In summary, the following contribution is sought from the developer:

£23,832.32

Community Infrastructure Levy (CIL)

CIL Regulation 122(2) provides:

A planning obligation may only constitute a reason for granting planning permission for the development if the obligation is—

- (a) necessary to make the development acceptable in planning terms;*
- (b) directly related to the development; and*
- (c) fairly and reasonably related in scale and kind to the development.*

Comments in respect of the request for contributions towards community facilities are as follows:

a) Necessary to make the development acceptable in planning terms:

The Cardiff Planning Obligations SPG was formally adopted by Council on 26th January 2017. The SPG was adopted to help to ensure that developments contribute toward the provision of necessary infrastructure and measures required to mitigate their impact. Policy KP6 of the Cardiff Local Development Plan (adopted January 2016) supports the provision of community facilities as part of new residential developments.

It is also in accord with Planning Policy Wales which supports the negotiation of planning obligations and states “Contributions from developers may be used to offset negative consequences of development, to help meet local needs, or to secure benefits which will make development more sustainable”. A development proposing a significant increase in population, such as this, would create pressures on existing local facilities that need to be offset via onsite provision or a financial contribution. It would be unacceptable to grant planning

consent in the absence of such provision.

(b) Directly related to the development

Several community facilities are located within proximity to the site and are likely to experience an added pressure as a result of the new population. It is envisaged that a forthcoming community facilities contribution would be directed towards these facilities in the vicinity of the development.

(c) Fairly and reasonably related in scale and kind to the proposed development

Contributions towards community facilities are derived using a formula-based calculation which takes into account, amongst other things, the size of the residential development and the projected increase in population.

- 5.7 The Parks Manager has no objection, subject to a financial contribution towards the design, improvement and/or maintenance of public open space in the vicinity of the site, making the following comments:

Design Comments

I welcome the provision of the outdoor communal garden area at the back of the property. A detailed design showing planting species, sizes, specification and aftercare would be needed, along with details of hard landscape including any seating.

Open Space Provision

These comments relate to the current LDP (C5 Provision for Open Space, Outdoor Recreation, Children's Play and Sport; KP16 Green Infrastructure), and the 2017 Planning Obligations Supplementary Planning Guidance (SPG), supported by policies set out in the 2008 SPG for Open Space which set the Council's approach to open space provision.

The Council's LDP requires provision of a satisfactory level and standard of open space on all new housing/student developments, or an off-site contribution towards existing open space for smaller scale developments where new on-site provision is not applicable.

Based on the information provided on the number and type of units, I have calculated the additional population generated by the development to be **43**. This generates an open space requirement of **0.055 ha** of on-site open space based on the criteria set for **Housing accommodation**, or an off-site contribution of **£23,501**. I enclose a copy of the calculation

Although the scheme includes for some amenity space for residents on site, no public open space is being provided, and therefore the developers will be required to make a financial contribution towards the provision of new open space, or the design, improvement and/or maintenance of existing open space

in the locality

The use of S106 contribution from this development will need to satisfy CIL and the current distance requirements set out in the 2017 Planning Obligations SPG – play areas 600m (not applicable to student and sheltered accommodation), informal recreation 1000m, and formal recreation 1500mm, measured from edge of the site.

Notes relating to provision for student housing

The calculation for student accommodation applies a lower rate compared to the full amount required for general purpose housing. This takes into account omission of the play provision element which is not applicable and the resident's accessibility to student sports facilities

However students will still regularly use public open spaces and sporting facilities within Parks, and therefore the off-site contribution relates to increased use of local public open spaces, with a corresponding need for increased maintenance, more rapid upgrading and potential expansion of existing facilities.

In the event that the Council is minded to approve the application, I assume it will be necessary for the applicant and the Council to enter into a Section 106 Agreement to secure payment of the contribution.

Following previous Council and Ward Member discussions the identified use for the S106 contribution from this development is **£10,600 for improvements to Blackweir Changing Rooms** and **£12,901 for improvements to Maindy Park**.

- 5.8 The Housing Strategy Manager advises that as the proposals are for wholly student accommodation, no Affordable Housing contribution is required.
- 5.9 The Neighbourhood Regeneration Manager (Access) has been consulted and no comments have been received.

6. EXTERNAL CONSULTEE RESPONSES

- 6.1 Dwr Cymru/Welsh Water have no objection subject to conditions in respect of site drainage.
- 6.2 South Wales Police have no objection. Advice is offered in respect of crime prevention and 'secured by design'. These comments have been passed to the agent.
- 6.3 Western Power & Distribution have been consulted and no comments have been received.

7. **REPRESENTATIONS**

7.1 Adjacent occupiers have been consulted and the application has been advertised on site and in the press in accordance with adopted procedures.

7.2 Local Members have been consulted. Councillor Mackie made an enquiry by email dated 5th July 2017 requesting information on the process of determination for this application. A response was sent by email dated 6th July 2017. No further correspondence, or representations have been received from Local Members.

7.6 The occupiers of 3 Lucas Street, object to the proposals (as originally submitted) on the following grounds:

- *The four storey building and the annexe will directly overshadow our property which will impact on our privacy.*
- *The planning guidance shows inadequate cycle storage; the insinuation that all students will cycle rather than drive is totally misleading. The majority of students who live in Cardiff bring their cars into the city; 1 student house currently has a total of 5 cars parked in this street. Also it is interesting to note that most of the commercial sites especially the Chinese Restaurant prefer to park in Lucas Street rather than use the existing car park. In fact the home delivery driver prefers to park on double yellow lines and half on the pavement and half on the road till late at night.*
- *There are plans for 8 car parking spaces for commercial use only. Again there will be more cars trying to park in Lucas Street. We already suffer from high volume of cars parking in this street who totally ignore the resident parking area causing increased stress to residents who cannot park even though they have paid for parking permits.*
- *The assumption that students will be encouraged to use public transport is absolutely ludicrous; as stated earlier there will be a large percentage of students bringing cars into the city expecting to park in Lucas Street.*
- *The increased volume of traffic in and out of Lucas Street will impact on traffic in Crwys Road at peak times which already is highly congested during this period.*
- *Access in and out of Lucas Street will be severely compromised as the road is very narrow and a dead end. The opportunities for 3 point turns are impossible as my own vehicle is testament to; it has been damaged 4 times this year by people trying to park or turn.*
- *Increased noise pollution from extra residents in such a compact area will impact on our health. The position of the communal area is directly in line with the beer garden of the Crwys Public House. Our fear is the noise will increase and there is a danger of both parties trying to outdo each other with music and incidents of shouting will escalate into arguments and violence.*
- *Increased levels of waste and rubbish. The rubbish for students is at the rear of the lane with a collection point half way down the lane; it will be difficult for the rubbish collection vehicle to manoeuvre said lane. The arrangement for collection of the commercial rubbish i.e. leave the bins in Lucas Street is totally unacceptable. The bins will prevent pedestrians*

walking on the pavement and will no doubt be left on the road thus increasing on the access in and out of Lucas Street and the increase of the seagull population. There are currently huge problems with rubbish pollution in this street which is detrimental to the value of our properties and will impact on our health.

- *Finally is the applicant a suitable landlord as there has been no maintenance of the property for numerous years.*

8. **ANALYSIS**

- 8.1 A full application for the conversion and extension of an existing two storey mixed commercial building to accommodate a two & half to four storey development retaining the ground floor commercial uses and developing the upper floors and a detached rear annexe for student accommodation. The application provides for 43 bedrooms.

It is of note that the proposals under consideration here significantly reduce the level of student occupancy previously approved under application 15/01137/MJR from 61 beds to 43. The current scheme also amends the rear annexe situation, removing the previously approved flat roof attached annexe, to be replaced with a detached annexe, constructed so as to present as 3no. dwellings (1x 2.5 storey and 2x 3.5 storey).

- 8.2 The site falls within Crwys Road District Centre as defined by the Adopted Local Development Plan proposals map and should therefore be assessed against Policy R4 which aims to promote and protect the shopping role of district centres while supporting a mix of appropriate uses. Policy R4 aims to promote and protect the shopping role of district centres and favours retail, office, leisure and community facilities within District Centres. Paragraph 5.273 of the supporting text recognises that the provision of residential accommodation at upper floors within centres can support their vitality, attractiveness and viability.

The proposal includes the retention the existing ground floor retail units and therefore maintains the shopping role and character of the centre and the vitality and viability of the frontage. In addition the student accommodation will increase footfall which will benefit the vitality and viability of the district centre as a whole.

Assessed against this policy framework, the proposal raises no land use policy concerns.

- 8.3 The buildings along Crwys Road are broad ranging in terms their scale, form, massing and architectural detailing. While the existing site consists of a stretch of modest two storey buildings, given the evident variety in the built form along the street, scope to increase scale of the street frontage element of the building exists.
- 8.4 The proposals are considered to represent an acceptable and policy compliant form of development in terms of the visual context of the Crwys Road District Centre, which has a significant mixture of buildings in terms of their scale and

appearance in the street scene, and in terms of the favourable mixed use nature of the proposals, retaining the commercial frontage at ground floor. Notwithstanding this, it is considered appropriate to seek the highest quality materials, and conditions 2 & 3 are therefore recommended.

- 8.5 The rear annexe building differs from that previously approved in that it is a detached structure, and has a more traditional pitched roof design. The proposed annexe is broadly consistent with the previously approved annexe in terms of its scale and massing. However, it offers a considerably different approach in terms of its animation in the street scene, with projecting gable and bay windows, and presenting as three dwellings rather than the more utilitarian block approach.

It is considered that the alternative design and finish materials to the proposed annexe represent an improvement to the Lucas Street frontage when considered against the previously approved annexe.

- 8.6 It is considered that the proposals do not cause any significant harm to the amenity or privacy of existing adjacent occupiers. The dwellings fronting Daniel Street have windows to their rear elevations, facing towards the proposed rear annexe. These windows are set in an elevation that is approx. 21.m from the rear elevation of the proposed annexe, which has no windows to the lane elevation. In this case, there would be no concerns in respect for overlooking and loss of privacy. It is also considered that as a result of the degree of separation between the proposed annexe and these dwellings/gardens, and its 2 storey height at the closest point, there would be no adverse impact on the occupiers of those dwellings in terms of overbearing or dominance.

With regard to any impact on the properties on Lucas Street, the properties at no. 1 & 3 are some distance from the development (at the closest point approx. 23-25m), with both dwellings also set at an angle to the end of the proposed rear annexe. It cannot therefore be reasonably held that the proposals have any significant impact on the occupiers of these dwellings in terms of being overbearing, causing overshadowing, or impacting adversely on privacy. The infill dwelling at 11a Daniel Street has a number of windows to the side elevation, facing onto the lane at the rear of the application site. It is noted however that these are secondary windows, and that the proposed annexe is set in a position which is offset from these windows. Whilst it is acknowledged that there may be some impact on light to these windows earlier in the day, it is considered that the impact would not result in sufficient harm to sustain refusal of consent.

- 8.7 The premises directly to the south-east of the site is occupied by The Crwys Public House, with part of the rear area given over to a beer garden (directly adjacent to the site boundary).

The beer garden is sited to the east and slightly south of the proposed rear annexe, with a separation distance of approx. 7.9m from the shared boundary to the gable elevations and approx. 11.4m to the main 'rear' elevations of the proposed annexe. Whilst the proposed annexe may have an impact on the

degree of direct light into the beer garden in the afternoon/evenings, it is considered that the amount of natural light that will permeate into the area will still allow the beer garden to function, and the proposed annexe would not cause sufficient harm to warrant refusal of consent.

With regard to the privacy of the beer garden, it is a beer garden, and not private amenity space, with members of the public using the space to socialise, drink, eat and smoke. It cannot reasonably be argued therefore that the introduction of windows to the side elevation of the proposed annexe will cause a 'loss of privacy' that would cause sufficient harm to justify or sustain refusal of consent. (It is of note that in a similar consent for student accommodation over 5/6 floors adjacent to the Pen & Wig PH in Park Grove (14/3004/MJR), a similar conclusion was made).

8.8 With regard to the objections raised not discussed above, the following comments are made:

- The application has been considered by the Transportation Manager, who has not raised any concerns in respect of Highway safety, accessibility, or cycle parking. With regard for the issue of potential overspill parking in the vicinity of the site, whilst no objection is raised, a condition requiring the submission, approval and implementation of a 'Student Management Plan' is recommended (condition 6 above). In light of these comments, there would be no sustainable grounds to refuse consent in term of parking;
- There is no evidence that future occupiers would cause littering in the vicinity of the site;
- There is no evidence that future occupiers would cause unacceptable noise disturbance. However, should any such disturbance take place, the Council's Pollution Control (Noise & Air) Service have significant powers to take appropriate action;
- The proposals have been reviewed by the Waste Manager, who has not raised any objection in respect of the location of the refuse storage areas, or the indicated collection processes. In this case, there would be no sustainable grounds for refusal of consent;
- The 'suitability' of a landlord is not a material planning consideration.

8.9 S106 matters – The following contribution requests have been made, with reference made to the Community Infrastructure Levy tests:

Parks – A contribution of £23,501 is requested towards the maintenance/provision of open space in the vicinity of the site.

Regeneration – A contribution of £23,832.32 is requested towards the provision/maintenance of community facilities in the vicinity of the site.

Transportation – A contribution of £10,600 is requested towards junction/crossing improvements to Lucas St/Cr wys Rd and Woodville Rd/Cr wys Rd.

In addition to the above, it is recommended that the legal agreement restricts the residential elements of the development to be for term-time occupation by students, and no other occupiers.

The agent has confirmed that the above mentioned contributions are acceptable to the applicant.

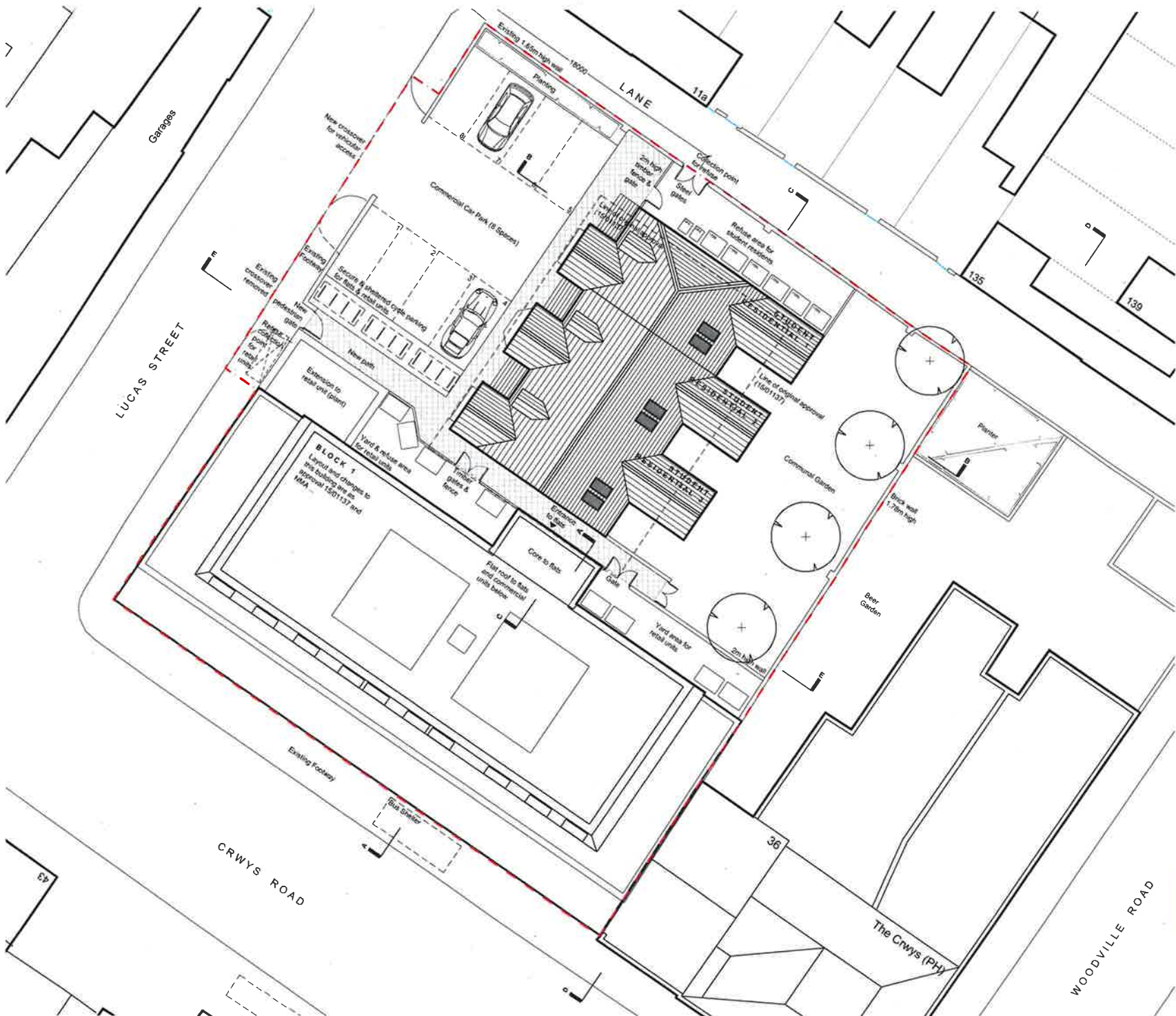
The above mentioned contributions are subject to review pending any payment that may be made in respect of planning permission 15/01137/MJR prior to completion of the new legal agreement to be attached to this application.

- 8.10 In light of the above, and having regard for adopted planning policy guidance it is recommended that planning permission be granted.



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Project Name : 38 - 48 Crwys Road, Cardiff		Project Ref : G1373	
Drawing Title :	Site Location Plan	Scale :	1:1250 @ A4
Drawing Number :	P100		
Revised :		Drawn by :	rb
		Date :	Sept 2010



BLOCK 1
 Layout and changes to this block are as approved 1501137 and HMA

REV A 19.06.17 - Refuse layout amended as per CCC's comments

 C. W. ARCHITECTS Ltd <small>Crusvener House, 8 Park Grove, Cardiff CF10 3BN Tel: +44 (0)2920 22320 Fax: +44 (0)2920 90907 E-Mail: cwa@cwaarchitects.co.uk</small>	Project Name : 38 - 48 Crwys Road, Cardiff Project Ref : G1373	
	Drawing Title : Proposed Site Plan Drawing Number : P02	Scale : 1:200 @ A3 Revision: A
Drawn by: rh		Date: Nov 2016



FRONT ELEVATION (CRWYS ROAD)

- MATERIALS KEY
- ① Colour coated windows with clear double glazing
 - ② Red facing brickwork
 - ③ Blue/black cement fibre roof tiles
 - ④ Colour coated barge boards, fascias, soffits & rainwater goods
 - ⑤ Render
 - ⑥ Recensified stone cills, heads and copings
 - ⑦ Lead dammer
 - ⑧ Velfux type rooflights
 - ⑨ Render 'bays'



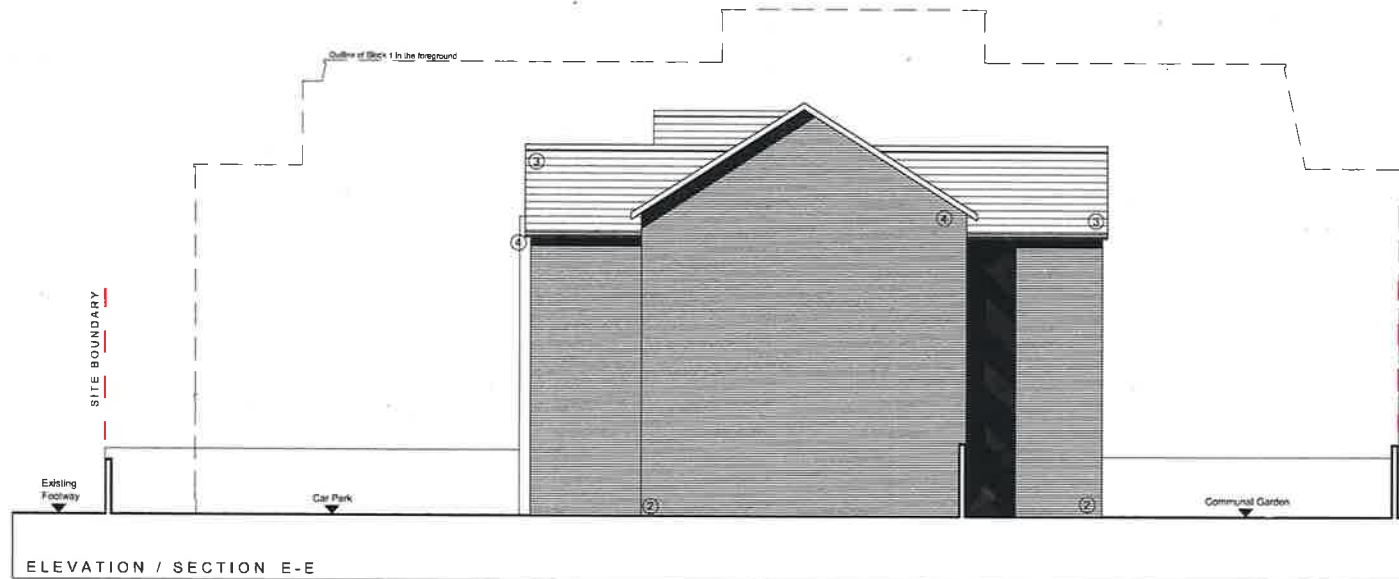
SIDE ELEVATION (LUCAS STREET)

MATERIALS KEY

- ① Colour coated windows with clear double glazing
- ② Red facing brickwork
- ③ Blue/black cement fibre roof tiles
- ④ Colour coated barge boards, fascias, soffits & rainwater goods
- ⑤ Render
- ⑥ Reconstituted stone cills, heads and copings
- ⑦ Lead dormer
- ⑧ Velux type rooflights
- ⑨ Render 'bays'



REAR ELEVATION OF BLOCK 1



ELEVATION / SECTION E-E

MATERIALS KEY

- ① Colour coated windows with clear double glazing
- ② Red facing brickwork
- ③ Blue/black cement fibre roof tiles
- ④ Colour coated barge boards, fascias, soffits & rainwater goods
- ⑤ Render
- ⑥ Reconstituted stone clifs, heads and copings
- ⑦ Lead dormer
- ⑧ Velux type rooflights
- ⑨ Render 'bays'



LOCAL MEMBERS OBJECTION

COMMITTEE DATE: 11/10/2017

APPLICATION No. 17/01438/MJR DATE RECEIVED: 19/06/2017

ED: **Caerau**

APP: TYPE: Full Planning Permission

APPLICANT: Cardiff Council

LOCATION: Land at former ATC Centre, Caldicot Road, Caerau, Cardiff

PROPOSAL: CONSTRUCTION OF 16 DWELLINGS, ACCESS AND
ASSOCIATED WORKS

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

1. C01- STL.
2. The development shall be carried out in accordance with the following approved plans:
 - Proposed Site Layout (SK) 001 rev. F;
 - Proposed Floor Plans- Block 1 (SK) 002 Rev. A;
 - Proposed Floor Plans- Block 2 (SK) 003 Rev A;
 - Proposed Floor Plans- Block 3 (SK) 004Rev. B;
 - Proposed Floor Plans- Block 4 (SK) 005 Rev. A;
 - Existing Site Survey (SK) 006;
 - Proposed Block 1-2 Elevations (SK) 007 Rev. B;
 - Proposed Block 3-4 Elevations (SK) 008 Rev. D;
 - Proposed Street Elevations (SK) 009 Rev. D.

Reason: For the avoidance of doubt.

3. No part of the development hereby permitted shall be commenced until a construction management scheme has been submitted to and approved in writing with the Local Planning Authority, the construction management scheme shall include but not limited to details of site hoardings, site access and wheel washing facilities. Construction of the development shall be managed strictly in accordance with the scheme so approved.

Reason: In the interests of highway safety and public amenity in accordance with Policy T5 of the adopted Cardiff Local Development Plan (2006-2026).

4. No part of the development hereby permitted shall be commenced until a scheme of public footway reinstatement works to Caldicot Road adjacent to the site has been submitted to and approved in writing by

the Local Planning Authority. The scheme to include the resurfacing/reinstatement of the footway as may be required as a consequence of implementation of the development; to include as required surfacing, kerbs, edging, drainage, lighting, lining, signing and street furniture as required as a consequence of the scheme. No part of the development shall be occupied until the approved scheme has been implemented.

Reason: To reinstate the footway and provide an improved pedestrian environment to facilitate safe commodious access to the proposed development in accordance with Policy T1 of the adopted Cardiff Local Development Plan (2006-2026).

5. Prior to development an Arboricultural Method Statement (AMS) shall be submitted and approved in writing with the Local Planning Authority, the AMS shall include but not limited to detailing the methods to be used to prevent loss of or damage to retained trees within and bounding the site, and existing structural planting or areas designated for new structural planting.

The AMS shall include details of site monitoring of tree protection and tree condition by a qualified arboriculturist, undertaken throughout the development and, after its completion, to monitor tree condition. This shall include the preparation of a chronological programme for site monitoring and production of site reports, to be sent to the Local Planning Authority during the different phases of development and demonstrating how the approved tree protection measures have been complied with.

And a Tree Protection Plan (TPP) in the form of a scale drawing showing the finalised layout and the tree and landscaping protection methods detailed in the AMS that can be shown graphically. Unless written consent is obtained from the Local Planning Authority, the development shall be carried out in full conformity with the approved AMS and TPP.

Reason: To enable the Local Planning Authority to assess the effects of the proposals on existing trees and landscape; the measures for their protection; to monitor compliance and to make good losses in accordance with Policy KP5 of the adopted Cardiff Local Development Plan (2006-2026)

6. No development shall take place until full details of hard and soft landscaping have been submitted to and approved in writing by the Local Planning Authority. These details shall include:
 - A landscaping implementation programme.
 - Scaled planting plans prepared by a qualified landscape architect.
 - Proposed finished levels.
 - Earthworks.

- Hard surfacing materials.
- Existing and proposed services and drainage above and below ground level.

Planting plans shall be supplemented by:

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

The submitted 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 and environmental value of the area, and to monitor compliance in accordance with Policy KP5 of the adopted Cardiff Local Development Plan (2006-2026)

7. Any newly planted trees, plants or hedgerows which, within a period of 5 years from the completion of the development, die, are removed, become seriously damaged or diseased, or in the opinion of the Local Planning Authority (LPA) otherwise defective, shall be replaced.

Replacement planting shall take place during the first available planting season, to the same specification approved in discharge of condition 6 , unless the Local Planning Authority gives written consent to any variation.

Reason: To maintain and improve the amenity and environmental value of the area in accordance with Policy KP5 of the adopted Cardiff Local Development Plan (2006-2026)

8. No development shall be undertaken until a Biodiversity Method Statement (BMS), in accordance with BS42020:2013 (Biodiversity - Code of Practice for planning and development) has been submitted

and approved in writing with the Local Planning Authority the BMS, shall include how the works on site will be undertaken with regard to the following:

- Reptiles, where suitable reptile habitat is disrupted
- Nesting birds, if vegetation clearance is required during the nesting season.
- Habitat enhancement.

Reason: To ensure the development does not impact upon protected species.

9. No development shall take place 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 in accordance with Policy KP5 of the adopted Cardiff Local Development Plan (2006-2026)

10. Prior to the commencement of development a scheme (Construction Environmental Management Plan) to minimise dust emissions arising from construction activities on the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of dust suppression measures and the methods to monitor emissions of dust arising from the development. The construction phase shall be implemented in accordance with the approved scheme, with the approved dust suppression measures being maintained in a fully functional condition for the duration of the construction phase.

Reason: To assess air quality and agree any mitigation measures that may be required to safeguard the amenity of nearby residents in the area in accordance with Policy EN13 of the adopted Cardiff Local Development Plan (2006-2026).

11. Any topsoil [natural or manufactured], subsoil ,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 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

RECOMMENDATION 2 : The applicant is advised that the development would require an internal transfer of funds (a) to the Parks Department for £29,570 towards the provision/improvement of off site open space in the locality, and (b) to the Transportation Department for £5,000 Traffic Regulation Orders (TRO).

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

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

- (i) determining the extent and effects of such constraints and;
- (ii) ensuring that any imported materials (including, topsoils, subsoils, aggregates and recycled or manufactured aggregates / soils) are chemically suitable for the proposed end use. Under no circumstances should controlled waste be imported. It is an offence under section 33 of the environmental Protection Act 1990 to deposit controlled waste on a site which does not benefit from an appropriate waste management 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 : 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.

1. **DESCRIPTION OF PROPOSED DEVELOPMENT**

- 1.1 Full planning permission is sought by the Council to develop the ex-cadet forces site off Caldicot Road into 16 properties, comprising 10 houses (seven two bedroom, two three bedroom and one four bedroom) and six flats (one bedroom).
- 1.2 The application is supplemented by a Design and Access Statement, Pre-Application Consultation Report, preliminary Ecological Appraisal Report, and Tree Constraints Plan
- 1.3 Since submission the plans have been amended to change the finish of the houses to facing brick, (flats retained in brick and render) and include for the omission of originally proposed hoop topped railing enclosures.
- 1.4 Four buildings are proposed on a NW/SE axis, comprising (2x) traditional two storey terraced buildings in facing brick under slate hipped roof; (1x) 2 ½ storey (room in roofspace) block of flats in GF facing brick with render above , again under hipped slate roof; and (1x) building comprising two hoses with gable ended presentations of traditional design.

Two storey dwellings would be no higher than 8 ½ ridge (5m eaves) The flat units would be no higher than 10m (7m eaves). [All measurements approximated].

2. **DESCRIPTION OF SITE**

- 2.1 The site is the former cadets unit. All buildings on the site have been removed with the site vacant and ready for development.
- 2.2 The site is formed by a vacant land parcel measuring 0.31ha in area, situated off Caldicot Road and to the south of Western Leisure Centre. The site was previously occupied by the Army Cadet Forces and Air Training Corps centres, which formed a number of timber cladded huts. The structures were demolished approximately 3 years ago.
- 2.3 The site is not located within a conservation area/flood risk zone. No Listed Buildings or protected trees are affected by this proposal.

3. **SITE HISTORY**

- 3.1 14/01489/DCO - Demolition of former cadet centre - consisting of 3no. timber clad "spooner" huts, 1no. timber/steel clad portacabin, 1no. masonry built 30m rifle range and 1no. masonry built obsolete electrical switch room – Prior approval granted.

4. **POLICY FRAMEWORK**

- 4.1 The site is located within an area of existing residential use.

- 4.2 The relevant Local Development Plan Policies are:

KP5 Good Quality and Sustainable Design
KP6 New Infrastructure
KP7 Planning Obligations
H3 Affordable Housing
H6 Change of Use or Redevelopment to Residential Use
T1 Walking and Cycling
T5 Managing Transport Impacts
C5 Provision for open space, outdoor recreation, children's play and sport
W2 Provision for Waste Management Facilities in Development

- 4.3 The following Guidance was supplementary to the Development Plan, now superseded by the Local Development Plan. However, it is considered consistent with adopted Local Development Plan policies and provides relevance to the consideration of this proposal to help and inform the assessment of relevant matters:

- Access, Circulation and Parking Standards 2010
- Infill Sites 2011

In addition to the above, the following new Supplementary Planning Guidance is also relevant:

- Locating Waste Management Facilities Jan 2017
- Planning Obligations Jan 2017

5. **INTERNAL CONSULTEE RESPONSES**

- 5.1 The **Transportation Manager** has no objection to the proposal, subject to conditions and contribution of £5,000 for traffic orders in the area.

- 5.2 The **Highways Drainage Manager** has been consulted and any comments will be reported to Committee.

- 5.3 The **Waste Manager** advises the following:

These properties will require the following for recycling and waste collections:

Houses

Each property will require the following for recycling and waste collections:

- 1 x 140 litre bin for general waste
- 1 x 240 litre bin for garden waste
- 1 x 25 litre kerbside caddy for food waste
- Green bags for mixed recycling (equivalent to 140 litres)
-

Apartment block

The block will require the following for waste and recycling collections:

- 1 x 1100L bin for general waste
- 1 x 1100L bin for recycling
- 1 x 240 litre bin for food waste
- 1 x 240 litre bin for garden waste

Provided in a manner confirmed in the Council's SPG

5.4 **The Pollution Control Manager** (Air and Contaminated Land) : No objection.

5.5 **The Parks Manager** has been consulted and has advised the following:

Open Space Provision

These comments relate to the current LDP (C5 Provision for Open Space, Outdoor Recreation, Children's Play and Sport; KP16 Green Infrastructure; EN8 Trees Woodlands and Hedgerows), supported by policies set out in the 2008 Supplementary Planning Guidance for Open Space which set the Council's approach to open space provision.

The Council's LDP requires provision of a satisfactory level and standard of open space on all new housing/student developments, or an off-site contribution towards existing open space for smaller scale developments where new on-site provision is not applicable.

Based on the information provided on the number and type of units, I have calculated the additional population generated by the development to be 17.92. This generates an open space requirement of 0.043 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 developer 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 **£29,570**.

5.6 **Tree Officer**: No objection subject to conditions.

5.7 **Ecology Officer**: has considered the Preliminary Ecological Appraisal Report provided by Wildwood Ecology.

'I agree with the view expressed in that report that there is little point in conducting species-specific surveys at this site as the areas of habitat available are so small. Instead, I agree that it can be assumed that the

surrounding trees and bushes will support nesting birds, and that the small patch of rough grassland on the site is likely to support slow-worms, a protected species of reptile.

Therefore, I support the view that the proposed mitigation measures set out in section 5 of that report should be summarised in a brief Biodiversity Method Statement (BMS), which should be required by planning condition and which should be implemented in full.

The BMS should include, but not be limited to:-

- Methods for avoiding harm to reptiles on the site, and for their translocation to a safe site nearby if necessary.
- Avoidance of harm to nesting birds, preferably by avoiding clearance of trees and bushes during the nesting season
- Maintaining gaps under fences to allow for the free movement of hedgehogs
- Incorporation of bat boxes, bricks and other access points, as well as bird boxes and other nesting features, into new building to enhance the habitat for these species'.

6. **EXTERNAL CONSULTEE RESPONSES**

- 6.1 **South Wales Police** have provided advice regarding crime prevention and 'Secured by Design'.

7. **REPRESENTATIONS**

- 7.1 **Neighbours** have been consulted and the application has been advertised on site in accordance with adopted procedures. Two representations have been received. The occupiers of 1 & 7 Chepstow Close both object on the following grounds:

- The development would result in more traffic which will result in children not being able to play on the street.
- The proposal will result in the loss of value to adjoining houses.
- Will result in the loss of value for the planning permission for a 3 bedroom house next to no. 1 Chepstow Close.
- The proposed flats would block out light and views from the property no. 1 Chepstow Close.
- A petition of 50 people will be submitted.
- Request why the council bought the land.
- There is no need for this development.

7.2 **Local Members** have been consulted and both members object on the following grounds:

- Before going into the traffic concern and the local opposition to such a scheme, we are concerned that the Wildlife Report has expressed concerns that there would be a loss of Habitat that could be used by protective species.
- These are grounds alone to reject this application. Indeed although classed as a brown field site this is a much loved area of green space for my constituents who have always wanted to use the land for community gardening. Instead we have an application that will destroy that dream and will dispose of protective species home.
- 16 dwelling flats will result in parking concerns. This is a small area on the edge of a small residential area. We already have issues with parking around this locality. There seems no plan on how to deal with this. This will also cause traffic concerns which is becoming more and more of an issue in Caerau.
- We hate the design also. Two storey flats are being built in Caerau on pockets of land right across the ward and they really haven't added anything to the local area.
- We would certainly expect a large Section 106 contribution and conditions placed to protect our residents interests on Chepstow Close and Caldicot Road.
- We are also formally asking for a site visit in the area so that the committee can see the issues first hand.

8. **ANALYSIS**

8.1 Land Use

The site is located in the settlement boundary as defined by the LDP proposals map. The site has no specific designation or allocation but falls within a residential area, in land use terms, the proposed use of the land for housing is acceptable, subject to design considerations.

8.2 Impact upon the character of the area

The area is dominated by a mixture of two storey houses interspersed with three/four storey blocks of flats.

The proposal has been amended to ensure that the houses are brick; this is welcomed by officers and would be in character with the established finish of the housing in the area. The removal of hooped railings is also supported as this would ensure that the frontage would not be at odds with the character of the area.

It is noted that the block of flats will remain as a mixture of render and brick finish and is sited at the entrance to the development. However, it is considered that the proposed scale, massing and finish of the block of flats would not undermine the character of the area as there are other blocks of flats within the area that are of a similar height and are also finished in a mixture of render and brick.

8.3 Impact upon neighbouring properties

Given the degree of separation it is considered that the proposal would not result in an overbearing or unneighbourly form of development upon the existing properties.

Having regard to privacy concerns, the Council's approved 'Residential Design Guide' SPG sets minimum privacy standards (10.5 metres between rear windows and adjoining gardens and 21 metres between habitable windows), this proposal meets those standards.

8.4 Impact upon future occupiers

It is considered that both the internal space and external amenity space would meet the minimum standards, as set within the Council's approved 'Residential Design Guide' SPG and would ensure that the future occupiers would enjoy an acceptable level of amenity.

8.5 Highways/ Parking provision

In total, 18 parking spaces would be provided. Each property would be allocated one parking space, except one of the three bedroom properties and the four bedroom property which would both have two parking spaces. The proposed parking provision accords with the Council's Access, Circulation and Parking Standards (Jan 2010).

Secure cycle storage would be provided in accordance with the Council's Access, Circulation and Parking Standards (Jan 2010). Each property would include a shed and the flat block would include a secure facility to park six cycles.

The Transportation officer's request for a payment to secure traffic orders and to undertake a parking review in the area is acknowledged and supported.

No objection to the development is raised on Highway safety grounds or in respect of proposed parking provision.

8.6 Ecology Matters

The site is a vacant development site surrounded by unprotected trees and overgrown bushes. The Council's Ecology Officer notes the submitted ecology report and agrees with its conclusions, and therefore raises no objection subject to a brief Biodiversity Method Statement (BMS).

8.7 Other matters

- 8.7.1 Para 3.1.4 of Planning Policy Wales (2016) states, factors to be taken into account in making planning decisions (material considerations) must be planning matters; that is, they must be relevant to the regulation of the development and use of land in the public interest, towards the goal of sustainability (see 4.2). The planning system does not exist to protect the private interests of one person against the activities of another. Proposals should be considered in terms of their effect on the amenity and existing use of land and buildings in the public interest. When determining planning applications local planning authorities must take into account any relevant view on planning matters expressed by neighbouring occupiers, local residents and any other third parties. While the substance of local views must be considered, the duty is to decide each case on its planning merits. Therefore, the perceived loss of house value or value of land with planning permission is not a material consideration.
- 8.7.2 The Council's land buying strategy, is not a matter the planning system can consider.
- 8.7.3 In terms of housing need, the Council's Housing Strategy (Enabling) have provided the following information:

The top bands on the common waiting list for Caerau show the following housing need:

1 bed – **472**
2 bed – **343**
3 bed – **157**
4 bed – **73**
1 bed non family - **348**
1 bed non family (50+) – **124**
2 bed household with child aged 8-16 – **265**
2 bed household with child aged under 8 - **19**
2 bed household non-family - **47**
2 bed household non-family (50+) - **12**

Given the above it is clear that there is a housing need within the ward for a mixture of housing for which this scheme would help to meet.

8.8 Other Legal considerations:

Crime and Disorder Act 1998 – Section 17(1) of the Crime and Disorder Act 1998 imposes a duty on the Local Authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. This duty has been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable increase in crime and disorder as a result of the proposed decision.

8.8.1 *Equality Act 2010* – The Equality Act 2010 identifies a number of ‘protected characteristics’, namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; marriage and civil partnership. The Council’s duty under the above Act has been given due consideration in the determination of this application. It is considered that the proposed development does not have any significant implications for, or effect on, persons who share a protected characteristic.

8.8.2 *Well-Being of Future Generations Act 2016* – Section 3 of this Act imposes a duty on public bodies to carry out sustainable development in accordance with the sustainable development principle to act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs (Section 5). This duty has been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the recommended decision.

9. **Section 106 matters**

Financial Contributions

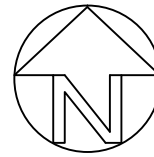
The Council as applicant cannot enter into legal agreement with itself.

The financial requests from the Parks and Transportation Departments. Are acknowledged and consent is therefore recommended on the internal transfer of funds to meet policy compliance. The applicant’s agent has not sought to resist the requests made.

10. **CONCLUSION**

Having regard to material matters raised and considerations outlined above, the proposal for affordable housing on this site is recommended for approval.

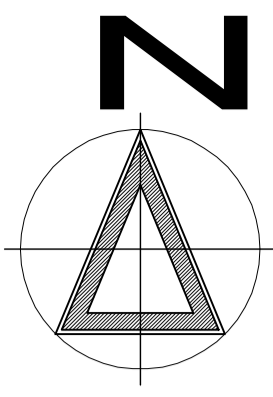
Sheet SITE LOCATION PLAN	Sheet No/Revision (90)001	Client CARDIFF COUNCIL
Date APR 2017	Scale 1:1250	Drawn/Checked WM/DD
		Job PROPOSED RESIDENTIAL DEVELOPMENT AT CALDICOT ROAD, CAERAU, CARDIFF.



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Site Location Plan





notes

THIS DRAWING SHALL BE READ IN CONJUNCTION WITH THE FOLLOWING ARCHITECTS DRAWINGS:

- (90)001 SITE LOCATION PLAN
- (SK)001 PROPOSED SITE LAYOUT
- (SK)002 PROPOSED FLOOR PLANS - BLOCK 1
- (SK)003 PROPOSED FLOOR PLANS - BLOCK 2
- (SK)004 PROPOSED FLOOR PLANS - BLOCK 3
- (SK)005 PROPOSED FLOOR PLANS - BLOCK 4
- (SK)006 EXISTING SITE SURVEY
- (SK)007 PROPOSED BLOCK ELEVATIONS
- (SK)008 PROPOSED BLOCK ELEVATIONS
- (SK)009 PROPOSED STREET ELEVATIONS

SCHEDULE OF ACCOMMODATION

HOUSE TYPE 'A'	4P2B	7 No.
HOUSE TYPE 'B'	5P3B	1 No.
HOUSE TYPE 'BB'	5P3B	1 No.
HOUSE TYPE 'C'	6P4B	1 No.
COMMUNAL FLATS TYPE 'D'	2P1B	6 No.
TOTAL No. OF UNITS		16 No.

EXTERNAL WORKS

- DENOTES EXTENT OF NEW TARMACADAM ACCESS ROAD 5.5m WIDE TO CARDIFF COUNTY BOROUGH COUNCIL ADOPTABLE STANDARD WITH 1.8m TARMACADAM FOOTWAYS TO BOTH SIDES. VEHICULAR CROSS OVERS SHALL BE PROVIDED AS NECESSARY TO ADOPTABLE STANDARD.
- DENOTES COMMUNAL PATHWAYS TO BE FINISHED WITH 600x600mm P.C.C PAVING SLABS AND HOUSE PATHWAYS OF 450x450mm P.C.C PAVING SLABS, WITH TEXTURED NON-SLIP FINISH. PATHS TO BE MIN 900mm WIDE UNLESS INDICATED OTHERWISE. PATHS TO BE EDGED WITH 200X50mm P.C.C KERBS. PATIOS AT REAR TO BE MIN 3X3m WITH 200X50mm P.C.C EDGING KERBS. PATH ADJACENT TO CARPARKING BAYS TO BE EDGED WITH BRICK ON EDGE LAID FLUSH.
- ALL CAR PARKING BAYS TO BE IN TARMACADAM WITH P.C.C. KERBS. ALL BAYS 2.4m WIDEX 4.8m DEEP.

WALLING + FENCING

- DENOTES CLOSE BOARDED S.W. FENCE TO B.S. 1722, PART 5 WITH TIMBER POSTS AND RAILS. HEIGHT 2.1m.
- DENOTES 1.8m HIGH CLOSE BOARDED S.W. FENCE TO B.S. 1722, PART 5 WITH TIMBER POSTS AND RAILS.
- DENOTES ROTARY CLOTHES LINE. DRYING AREA TO BE INSITU CONCRETE WITH NONSLIP FINISH.

- DENOTES TIMBER GARDEN SHED ON CONCRETE BASE. EACH SHED TO BE PROVIDED WITH 2 No. GALV. M.S CYCLE STANDS CAST INTO CONCRETE AND EXTERNAL STORAGE AREA OF 1.0m².

LANDSCAPING

- EXISTING TREES TO BE RETAINED.
- EXISTING TREES TO BE REMOVED.
- NEW PLANTING SHRUBS, TREES, FENCING AND MAINTENANCE ALL TO BE AS NBS SPECIFICATION Q30.
- DENOTES AREAS TO BE TOP SOILED AND TURFED.
- DENOTES NEW TREES. FOR STAKING ETC REFER TO SPECIFICATION Q30.
- HEDGEROW PLANTINGS. BUXUS SEMPERVIRENS 'SUFFRUTICOSA' 3 LITRE POT SIZE.

BIN STORE

- 1100 LITRE BIN FOR GENERAL WASTE
- 660 LITRE BIN FOR COMPOST WASTE.
- 1100 LITRE BIN FOR RECYCLABLE WASTE.

BICYCLE STORE

- 6 No LOCKABLE SECURE WALLMOUNTED BICYCLE RACKS.

Notes

This drawing is copyright. All dimensions are to be checked prior to construction or manufacture. Drawings are to be read in conjunction with the following architects drawings. Do not scale the drawing. Work to figured dimension only.

Specification

This drawing must be read in conjunction with 'Drawing Specification Notes' Bill of Materials. Material quantities must be read in conjunction with all related Architects' consultants' and specialist's drawings. See drawings for details.

Rev	Description	Date
A	REVISED SITE LAYOUT FOLLOWING RECEIPT OF TOPO SURVEY + TREE SURVEY	20/10/16
B	REVISED BLOCK PLANS	07/04/2017
C	REVISED SITE LAYOUT FOLLOWING RECEIPT OF PLANNING DEPARTMENT COMMENTS	31/03/2017
D	MINOR AMENDMENTS TO SITE LAYOUT	04/07/2017
F	RAILINGS REMOVED IN FRONT OF HOUSES AND FLATS	04/07/2017

Rev	Description	Date
1	PROPOSED SITE LAYOUT	JULY 2017

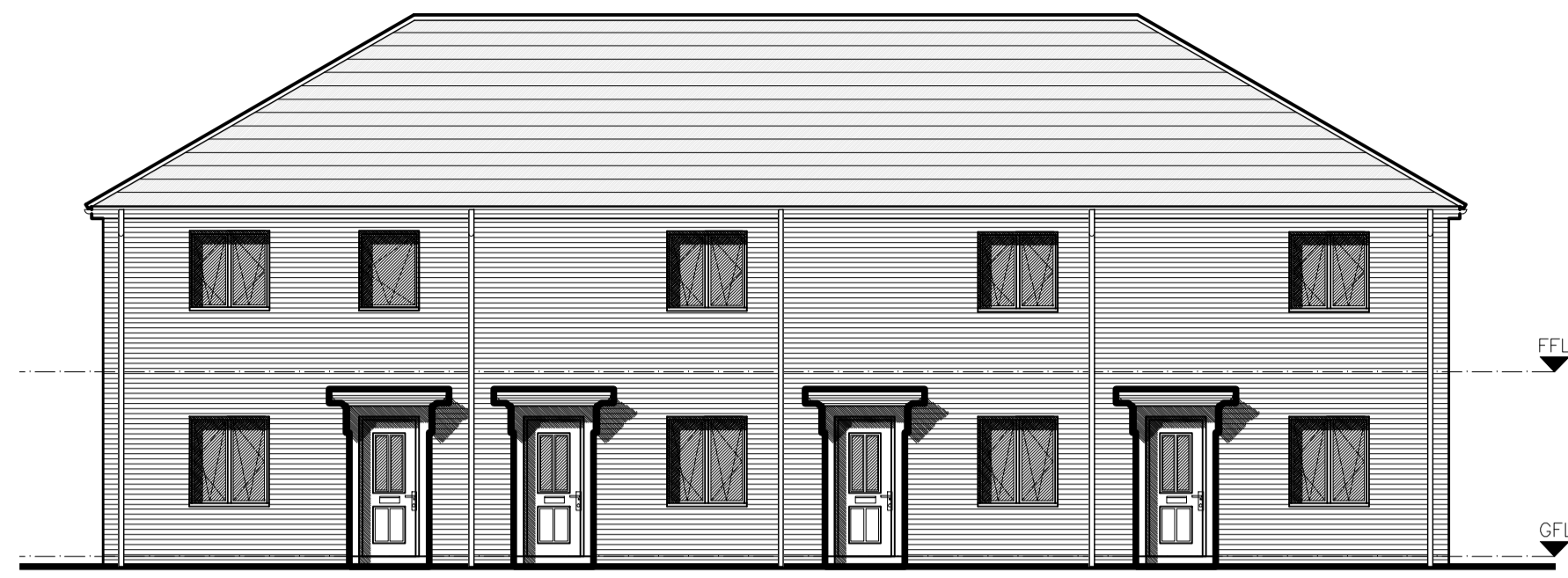
Scale	Job No.	Drawn/Checked	Rev
1:200@A1	---	NP/DD	1

Client: **CARDIFF COUNCIL**
 PROPOSED RESIDENTIAL DEVELOPMENT AT
CALDICOT ROAD, CAERAU.

davies llwelyn and jones
 Chartered Architects
 The Millers, East Fyndall Street, Cardiff Bay, Cardiff, CF24 5BZ, Tel: (029) 2066 4433 Fax: (029) 2066 4345

PROPOSED SITE LAYOUT

Sheet No./Revision
(SK)001F



Proposed Front Elevation
BLOCK 1



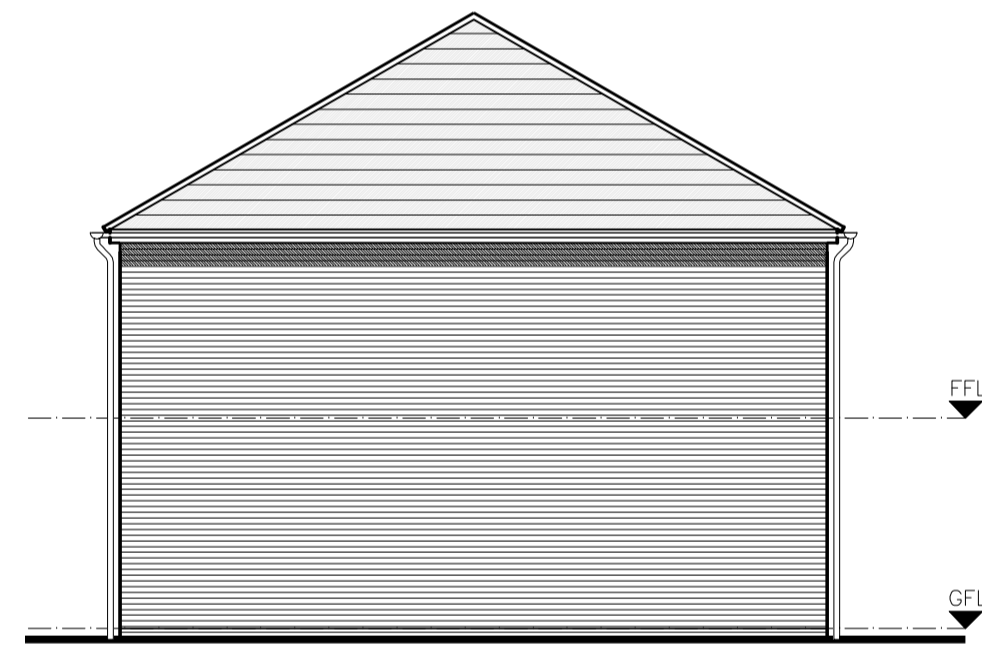
Proposed Front Elevation
BLOCK 2



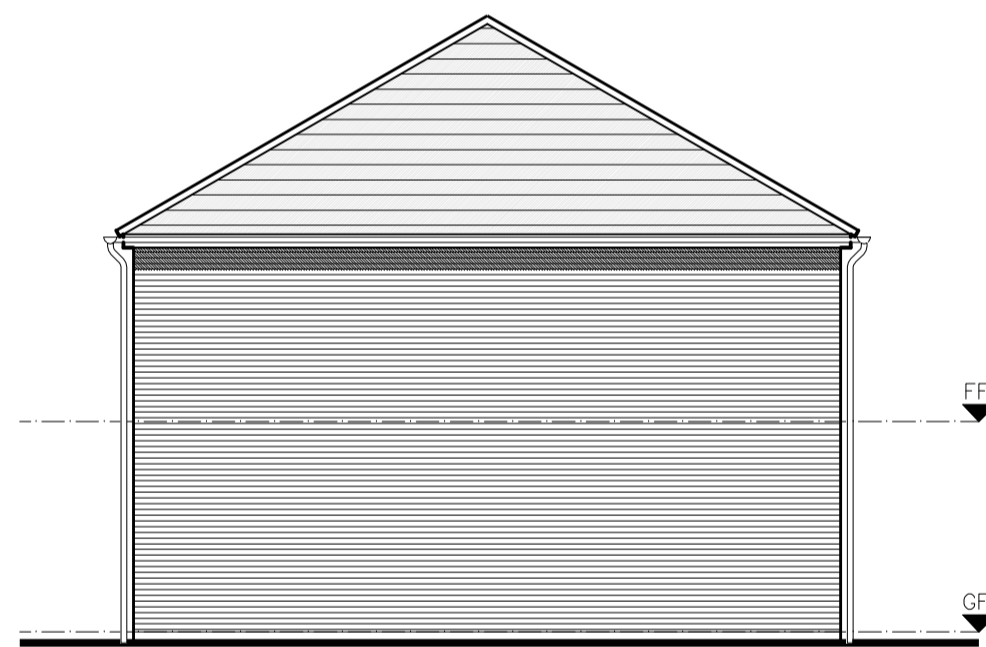
Proposed Rear Elevation
BLOCK 1



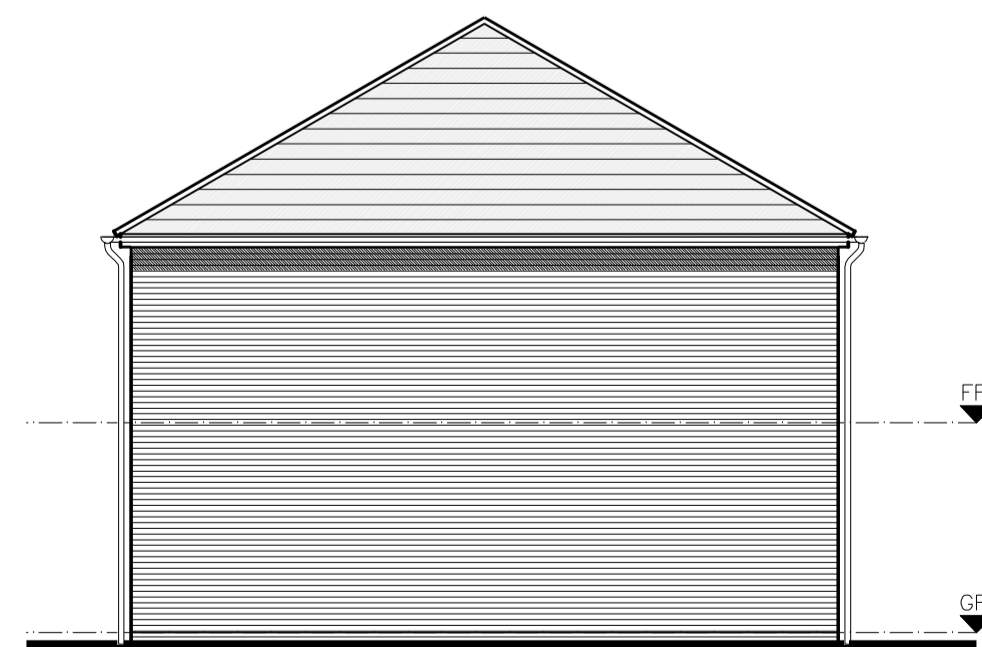
Proposed Rear Elevation
BLOCK 2



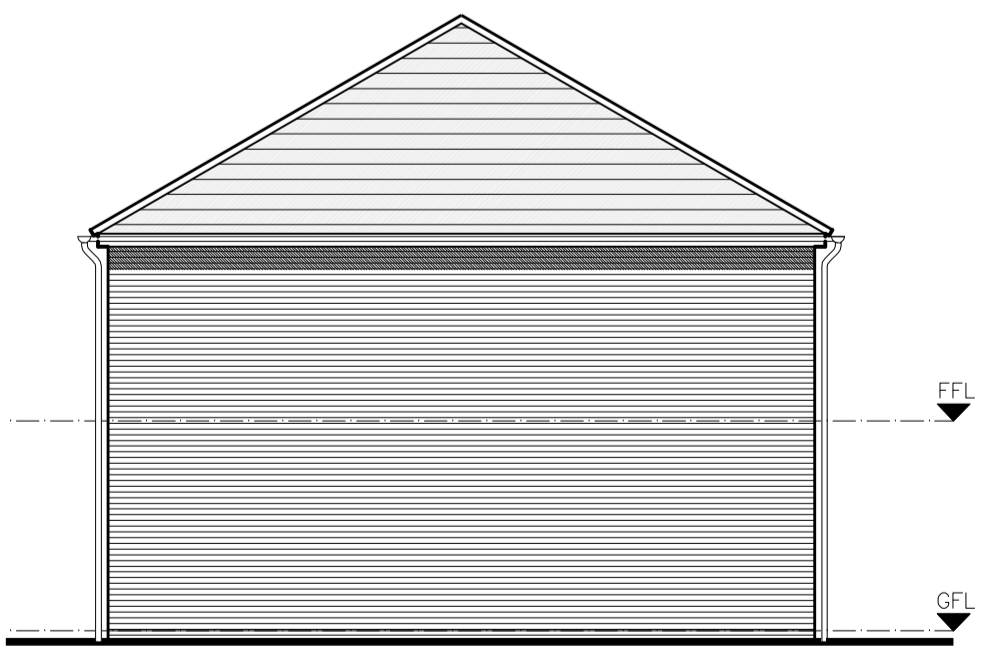
Proposed Side Elevation
BLOCK 1



Proposed Side Elevation
BLOCK 2



Proposed Side Elevation
BLOCK 1



Proposed Side Elevation
BLOCK 2

notes

THIS DRAWING SHALL BE READ IN CONJUNCTION WITH THE FOLLOWING ARCHITECTS DRAWINGS:

- (90)001 SITE LOCATION PLAN
- (SK)001 PROPOSED SITE LAYOUT
- (SK)002 PROPOSED FLOOR PLANS - BLOCK 1
- (SK)003 PROPOSED FLOOR PLANS - BLOCK 2
- (SK)004 PROPOSED FLOOR PLANS - BLOCK 3
- (SK)005 PROPOSED FLOOR PLANS - BLOCK 4
- (SK)006 EXISTING SITE SURVEY
- (SK)007 PROPOSED BLOCK ELEVATIONS
- (SK)008 PROPOSED BLOCK ELEVATIONS
- (SK)009 PROPOSED STREET ELEVATIONS

SCHEDULE OF ACCOMMODATION

HOUSE TYPE 'A'	4P2B	7 No.
HOUSE TYPE 'B'	5P3B	1 No.
HOUSE TYPE 'BB'	5P3B	1 No.
HOUSE TYPE 'C'	6P4B	1 No.
COMMUNAL FLATS TYPE 'D'	2P1B	6 No.
TOTAL No. OF UNITS		16 No.

SCHEDULE OF MATERIALS

WALLS
RENDER - THROUGH COLOURED RENDER, COLOUR : TO BE CONFIRMED.
FACING BRICK COLOUR TO BE AGREED

ROOF
BLUE/BLACK IMITATION SLATES.

WINDOWS
GREY PVC-U.

WINDOW SURROUNDS AND CILLS
RECONSTITUTED STONE.

FASCIAS / SOFFITS
PVC-U. COLOUR: GREY.

R.W GUTTERS + DOWNPIPES
PVC-U. COLOUR : GREY.

ENTRANCE CANOPIES TO BUNGALOW TYPE 'B'
GRP PREFABRICATED PORCH BY STORMKING. COLOUR : GREY.

Notes

This drawing is copyright.
All dimensions are to be checked prior to construction or manufacture.
Do not scale the drawing. Work to figured dimension only.

This drawing must be read in conjunction with 'Drawing Specification' sheet 'Bill of quantities'.
These drawings must be read in conjunction with all related Architects' consultants' and specialist's drawings and specifications.

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Rev	Date	Description
1	20/06/17	Issue for tender
2	31/07/2017	Issue for construction

Sheet No./Revision	Job No.	Drawn/Checked
PROPOSED BLOCK ELEVATIONS BLOCK 1-2	---	NP/DD
(SK)007B		

Client	Job
CARDIFF COUNCIL	PROPOSED RESIDENTIAL DEVELOPMENT AT CALDICOT ROAD, CAERAU.

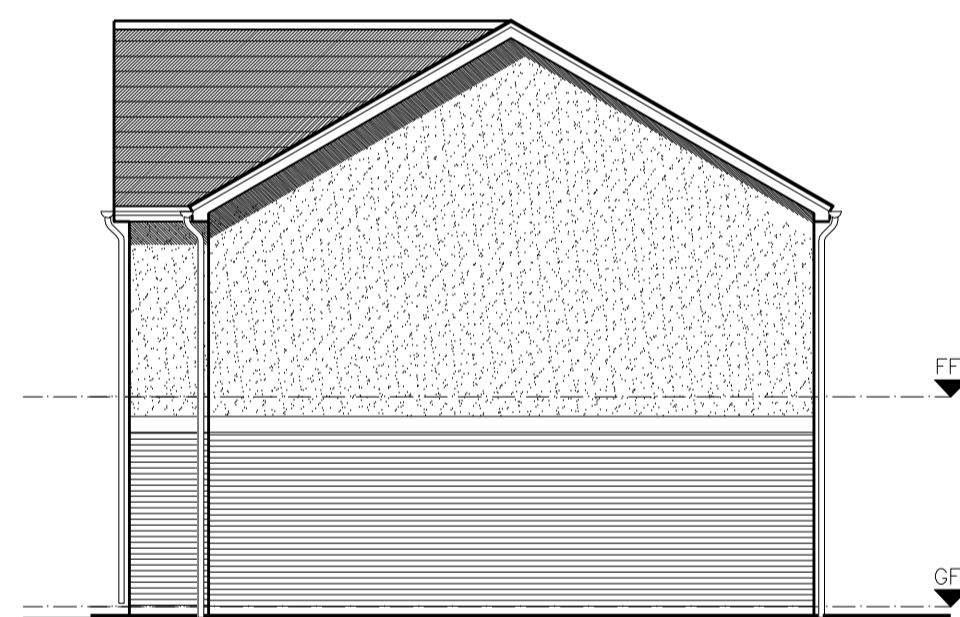
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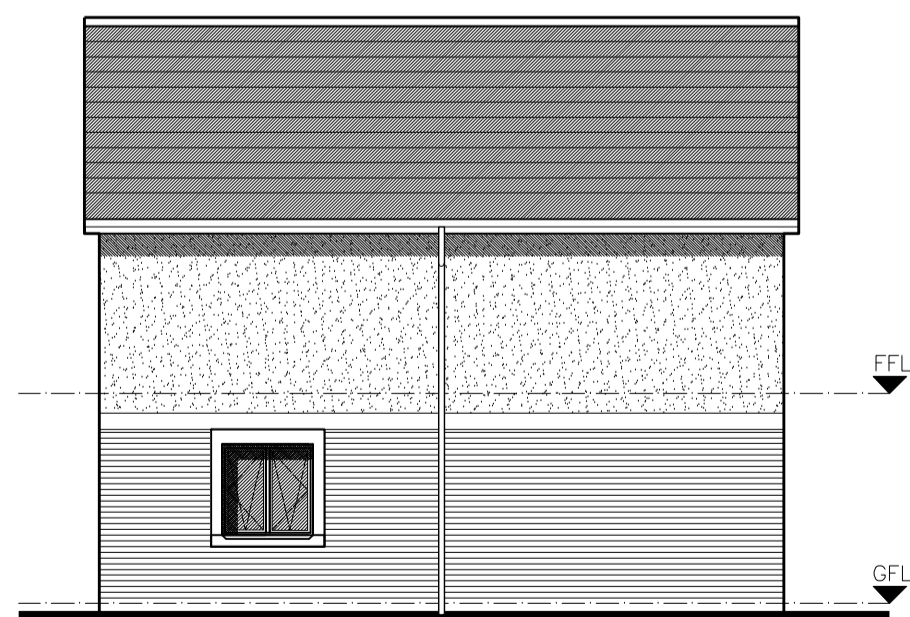
Proposed Front Elevation
BLOCK 3



Proposed Rear Elevation
BLOCK 3



Proposed Side Elevation
BLOCK 3



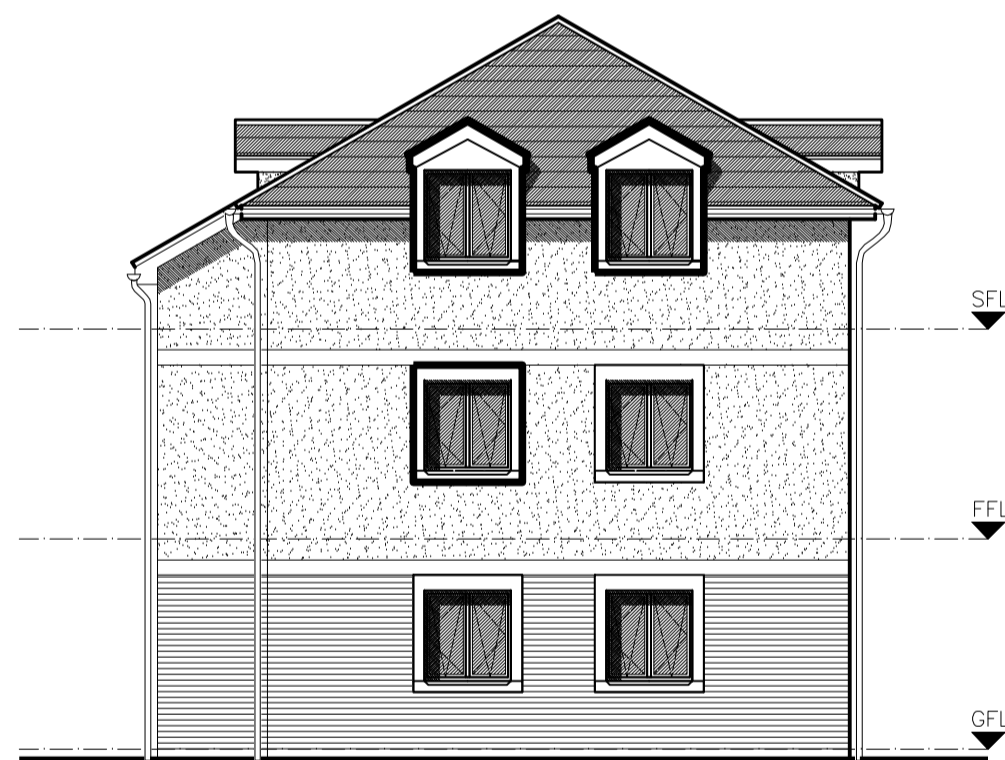
Proposed Side Elevation
BLOCK 3



Proposed Front Elevation
BLOCK 4



Proposed Rear Elevation
BLOCK 4



Proposed Side Elevation
BLOCK 4



Proposed Side Elevation
BLOCK 4

notes

THIS DRAWING SHALL BE READ IN CONJUNCTION WITH THE FOLLOWING ARCHITECTS DRAWINGS:

- (90)001 SITE LOCATION PLAN
- (SK)001 PROPOSED SITE LAYOUT
- (SK)002 PROPOSED FLOOR PLANS - BLOCK 1
- (SK)003 PROPOSED FLOOR PLANS - BLOCK 2
- (SK)004 PROPOSED FLOOR PLANS - BLOCK 3
- (SK)005 PROPOSED FLOOR PLANS - BLOCK 4
- (SK)006 EXISTING SITE SURVEY
- (SK)007 PROPOSED BLOCK ELEVATIONS

SCHEDULE OF ACCOMMODATION

HOUSE TYPE 'A'	4P2B	7 No.
HOUSE TYPE 'B'	5P3B	1 No.
HOUSE TYPE 'BB'	5P3B	1 No.
HOUSE TYPE 'C'	6P4B	1 No.
COMMUNAL FLATS TYPE 'D'	2P1B	6 No.

TOTAL No. OF UNITS 16 No.

SCHEDULE OF MATERIALS

WALLS
RENDER : THROUGH COLOURED RENDER, COLOUR : TO BE CONFIRMED.
FACING BRICK COLOUR TO BE AGREED

ROOF
BLUE/BLACK IMITATION SLATES.

WINDOWS
GREY PVC-U.

WINDOW SURROUNDS AND CILLS
RECONSTITUTED STONE.

FASCIAS / SOFFITS
PVC-U. COLOUR: GREY.

R.W GUTTERS + DOWNPIPES
PVC-U. COLOUR :GREY.

ENTRANCE CANOPIES TO BUNGALOW TYPE 'B'
GRP PREFABRICATED PORCH BY STORMKING. COLOUR : GREY.

Notes
This drawing is copyright.
All dimensions are to be checked prior to construction or manufacture.
Do not scale the drawing. Work to figured dimension only.

Specification
This drawing must be read in conjunction with 'Drawing Specification Notes' Bill of quantities.
Items drawn separately.
Items drawn must be read in conjunction with all related Architects consultants' and specialist's drawings and specifications.

Rev	Date	Description
1	20/06/17	Issue for approval
2	20/06/2017	Issue for approval
3	04/07/2017	Issue for approval

Sheet No./Revision	(SK)008B
Project Name	PROPOSED BLOCK ELEVATIONS BLOCK 3-4
Date	JULY 2017
Scale	1:100@A1
Job No.	--/--
Drawn/Checked	NP/DD

Client	CARDIFF COUNCIL
Job	PROPOSED RESIDENTIAL DEVELOPMENT AT CALDICOT ROAD, CAERAU.

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notes

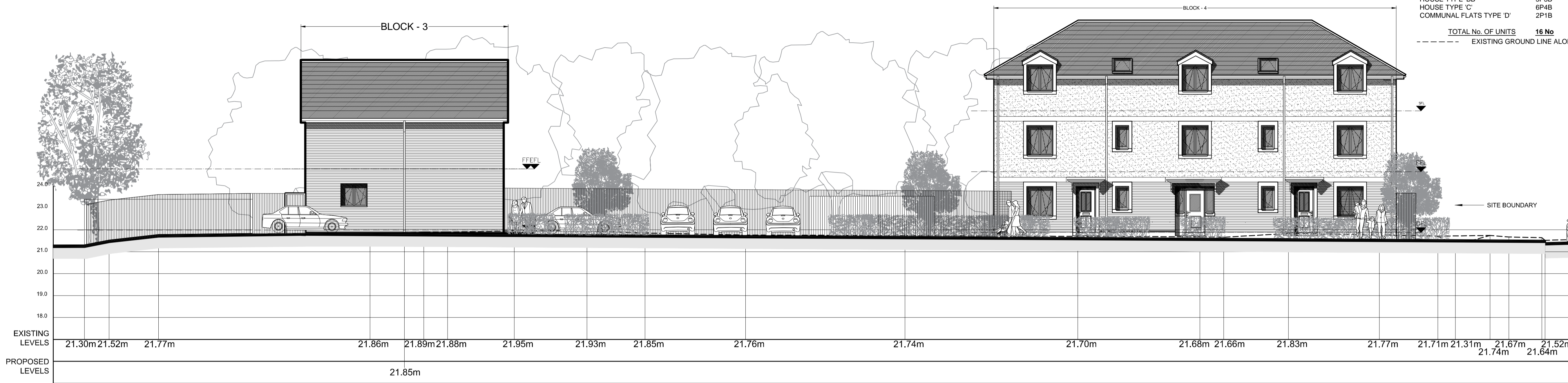
THIS DRAWING SHALL BE READ IN CONJUNCTION WITH THE FOLLOWING ARCHITECTS DRAWINGS:

- (S)0001 SITE LOCATION PLAN
- (SK)001 PROPOSED SITE LAYOUT
- (SK)002 PROPOSED FLOOR PLANS - BLOCK 1
- (SK)003 PROPOSED FLOOR PLANS - BLOCK 2
- (SK)004 PROPOSED FLOOR PLANS - BLOCK 3
- (SK)005 PROPOSED FLOOR PLANS - BLOCK 4
- (SK)006 EXISTING SITE SURVEY
- (SK)007 PROPOSED BLOCK ELEVATIONS
- (SK)008 PROPOSED BLOCK ELEVATIONS
- (SK)009 PROPOSED STREET ELEVATIONS

SCHEDULE OF ACCOMMODATION

HOUSE TYPE 'A'	4P2B	7 No.
HOUSE TYPE 'B'	5P3B	1 No.
HOUSE TYPE 'BB'	5P3B	1 No.
HOUSE TYPE 'C'	6P4B	1 No.
COMMUNAL FLATS TYPE 'D'	2P1B	6 No.

TOTAL No. OF UNITS **16 No**
 --- EXISTING GROUND LINE ALONG ELEVATION



Proposed Street Elevation B-B

SCHEDULE OF MATERIALS

- WALLS**
 RENDER : THROUGH COLOURED RENDER, COLOUR : TO BE CONFIRMED.
 FACING BRICK COLOUR TO BE AGREED
- ROOF**
 BLUE/BLACK IMITATION SLATES.
- WINDOWS**
 WHITE PVC-U.
- WINDOW SURROUNDS AND CILLS**
 RECONSTITUTED STONE.
- FASCIAS / SOFFITS**
 PVC -U. COLOUR: WHITE.
- R.W GUTTERS + DOWNPIPES**
 PVC-U. COLOUR : WHITE.
- ENTRANCE CANOPIES TO BUNGALOW TYPE 'B'**
 GRP PREFABRICATED PORCH BY ALUMASC, REF HATFIELD. COLOUR : WHITE.



Proposed Street Elevation A-A

Notes
 This drawing is copyright. All dimensions are to be checked prior to construction or manufacture. Do not scale the drawing. Work to figured dimensions only.

Specification
 This drawing must be read in conjunction with 'Drawing Specification Notes' Bill of Materials. Items drawn must be read in conjunction with all related Architects' consultants' and specialist's drawings and specifications.

Notes
 Date: 20/06/2017
 Date: 20/06/2017
 Date: 04/07/2017
 Date: 09/07/2017

Sheet No./Revision
 PROPOSED STREET ELEVATIONS (SK)009D
 Date: JULY 2017 Scale: 1:100@A1 Job No: ---/--- Drawn/Checked: NP/DD

Client: CARDIFF COUNCIL
Job: PROPOSED RESIDENTIAL DEVELOPMENT AT CALDICOT ROAD, CAERAU.

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 davis lewelyn and jones
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LOCAL MEMBER OBJECTION

COMMITTEE DATE: 11/10/2017

APPLICATION No. **17/01490/MJR** APPLICATION DATE: 27/06/2017

ED: **HEATH**

APP: TYPE: Full Planning Permission

APPLICANT: ALDI Stores Ltd

LOCATION: PART OF FORMER PHOENIX ESTATE, CAERPHILLY ROAD,
BIRCHGROVE, CARDIFF, CF14 4QF

PROPOSAL: THE DEMOLITION OF EXISTING BUILDINGS AND
ERECTION OF A CLASS A1 FOODSTORE (1,717SQM
GROSS FLOOR AREA) WITH ASSOCIATED ACCESS, CAR
PARKING AND LANDSCAPING

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

1. C01 Statutory Time Limit
2. The development shall be carried out in accordance with the following approved plans and documents:

Plans:

- (i) Site Location Plan (P(1)01)
- (ii) Existing Site Plan (P(1)02A)
- (iii) Proposed Site Plan (P(1)103F)
- (iv) Proposed Floor Plan (P(1)04B)
- (v) Proposed Roof Plan (P(1)05B)
- (vi) Existing Street Sections (P(1)08)
- (vii) Proposed Elevations (P(1)105B)
- (viii) Proposed Street Elevations (P(1)106B)
- (ix) Proposed Street Sections (P(1)107B)
- (x) External Lighting (B2340-MJA-P105-4549)
- (xi)

Documents:

- (i) Arboricultural Impact Assessment and Tree Protection Plan, Bosky Trees, 21 June 2017
- (ii) Planning and Retail Statement, Planning Potential, June 2017
- (iii) Pre-Application Consultation Report, Remarkable Engagement, June 2017
- (iv) Transport Assessment, Entran, June 2017.

- (v) Drainage Strategy and Calculations, Craddys, 16 June 2017
- (vi) Preliminary Ecological Appraisal, Waterman, March 2017
- (vii) Protected Species Assessment, Tyler Grange
- (viii) Geo-Environmental Report and Detailed Quantitative Risk Assessment Specification, Brownfield Solutions Ltd, May 2015

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

3. No development shall commence, including any works of demolition, until a Construction Method Statement (CMS) has been submitted to and approved in writing by the Local Planning Authority. The approved CMS shall be adhered to throughout the demolition and construction period. The CMS 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 on constructing the development; (iv) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate; (v) Details of highways/footway closures; (vi) Wheel washing facilities; (vii) Measures to monitor and control the emission of dust and dirt during demolition and construction; and (viii) A scheme for the recycling/disposing of waste resulting from demolition and construction works.

Reason: In the interests of highway safety and public amenity.

4. 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 demonstrate how the site will be effectively drained, the means of disposal of surface water and indicate how foul flows will communicate to the existing public sewerage system. Thereafter, the scheme shall be implemented in accordance with the approved details prior to the occupation of the building and no further surface water 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.

5. The net retail floorspace hereby approved shall not exceed 1,254 square metres either by internal or external alterations and shall only be used for the sale of convenience goods, except for a maximum of 251sq m (net) which may be used for the sale of non-convenience goods, and for no other purpose including those set out in Class A1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking, amending or re-enacting that Order with or without notification. (For the avoidance of doubt convenience goods shall be taken to mean: Food, drink, tobacco, household cleaning products, newspapers and magazines). None of this floorspace shall be subdivided.

Reason: To ensure that changes to the type, format and scale of development do not compromise the retail strategy of the development

plan and/or national planning guidance.

6. Prior to their installation samples of the external finishing materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
Reason: To ensure that the finished appearance of the development is in keeping with the area.
7. Prior to their installation details of all boundary enclosures, including the acoustic fencing shown on the 'Proposed Site Plan' (drawing no. P(1)103F), shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained thereafter.
Reason: To ensure that the finished appearance of the development is in keeping with the area.
8. Prior to beneficial use of the development hereby approved, details of facilities for the storage of refuse containers shall be submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be provided before the development is brought into beneficial use and shall be retained thereafter.
Reason: To secure an orderly form of development and to protect the amenities of the area.
9. Prior to beneficial use details of external seating to the public realm area on the Proposed Site Plan (drawing no. P(1)103F) shall be submitted to and approved in writing by the Local Planning Authority. The external seating shall be constructed in accordance with the approved details and retained thereafter.
Reason: To make satisfactory provision for future users of the development.
10. No part of the development hereby permitted shall be commenced until a scheme of environmental improvements to Caerphilly Road and Phoenix Way (adjacent to the site) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include, but not be limited to, the creation of the new vehicle access off Caerphilly Road, new pedestrian accesses, new pedestrian crossing point on Caerphilly Road, carriageway amendments on Caerphilly Road to accommodate a new right turn facility, the existing two carriageways, bus lane, and bus stop, and the removal of on-street parking on Caerphilly Road. The scheme shall also include the resurfacing/reinstatement of the footway/carriageway as may be required as consequence of implementation of the development and shall include surfacing, kerbs, edging, tactile paving, drainage, lighting, road marking and lining, signing and street furniture. The approved scheme shall be implemented prior to beneficial use of the development hereby approved.
Reason: To amend and reinstate the carriageway and footway to

provide an improved environment to facilitate safe commodious access to and from the proposed development.

11. Prior to their installation details showing the provision of facilities for the secure storage of cycles shall be 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 and they shall be retained in perpetuity.
Reason: To ensure that adequate provision is made for the secure parking of cycles.
12. Prior to the beneficial use of the development hereby approved, the car parking and manoeuvring areas shall be laid out in accordance with the details shown on the 'Proposed Site Plan' (drawing no. P(1)103F) and shall thereafter be kept available for such purposes in perpetuity.
Reason: to make provision for the parking of vehicles clear of the roads so as not to prejudice the safety, convenience and free flow of traffic.
13. The employee Travel Plan hereby approved shall be implemented in accordance with the timetable set out in the Plan, unless otherwise agreed in writing with the Local Planning Authority. Reports demonstrating progress in promoting sustainable transport measures detailed in the Travel Plan shall be submitted annually to the Local Planning Authority, commencing from the first anniversary of beneficial occupation of the development and continuing for five consecutive years thereafter.
Reason: To accord with section 5.0 of the Council's Supplementary Planning Guidance 'Access, Circulation & Parking' and to promote the use of more sustainable transport modes.
14. No equipment, plant or materials shall be brought onto the site for the purpose of development until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include proposed finished levels, earthworks, hard surfacing materials, proposed and existing services above and below ground level, planting plans (including schedules of plant species, sizes, numbers or densities, and in the case of trees, planting, staking, mulching, protection, soil protection and after care methods) and an implementation programme. The details shall be consistent with other plans submitted in support of the application and the landscaping shall be carried out in accordance with the approved design and implementation programme.
Reason: To enable the Local Planning Authority, to determine that the proposals will maintain and improve the amenity of the area, and to monitor compliance.
15. Any trees, plants, or hedgerows which within a period of five years from the completion of the development die, are removed, become seriously damaged or diseased, or become (in the opinion of the Local Planning Authority) otherwise defective, shall be replaced in the current planting

season or the first two months of the next planting season, whichever is the sooner, unless the Local Planning Authority gives written consent to any variation.

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

16. No demolition of buildings, felling of trees or clearance of structural vegetation shall 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 building/tree/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.

17. Members of the public shall only be admitted to or allowed to remain on the premises between the hours of 08:00 and 22:00 Monday to Saturday and 10:00 and 17:00 on Sundays.

Reason: To ensure that the use of the premises does not prejudice the amenities of the area.

18. Deliveries shall only be taken at or dispatched from the site between the hours of 07:30 and 22:00 Monday to Saturday and 09:00 and 17:00 on Sundays. No refrigerated vehicles with refrigeration units running shall be parked on the site between the hours of 22:00 and 07:30.

Reason: To ensure that deliveries, loading and unloading do not cause unreasonable nuisance to neighbours.

19. Prior to its installation, details of the fixed plant and machinery serving the development, and any mitigation measures, shall be submitted to and approved in writing by the Local Planning Authority. The rating level of the sound emitted from the site shall not exceed 40dB(A) between 07:00 and 23:00 hours and 35dB(A) at all other times. The rating levels shall be determined by the objective acoustic feature methodology of BS4142:2014 and calculated to the nearest noise sensitive premises.

Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected.

20. Prior to its installation on site a scheme of external lighting shall be submitted to and approved in writing by the Local Planning Authority. All external lighting shall be designed to avoid light spill into neighbouring residential properties. All external lighting shall be installed in accordance with the approved details.

Reason: In the interests of residential amenity.

21. The lighting scheme approved under Condition 20 shall only be illuminated between the hours of 08:00 and 22:00 Monday to Saturday and 10:00 to 17:00 on Sundays.

Reason: To ensure that the use of the premises does not prejudice the

amenities of the area.

22. If at any time the use of the premises is to involve the preparation and cooking of hot food the extraction of all fumes from the food preparation areas shall be mechanically extracted to a point which shall be agreed in writing with the Local Planning Authority, and the extraction system shall be provided with a de-odorising filter. Details of the above equipment shall be submitted to and approved in writing by the Local Planning Authority and the equipment shall be installed prior to the commencement of use for the cooking of food. The equipment shall thereafter be maintained in accordance with the manufacturer's guidelines.

Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected.

23. Prior to the commencement of any development works and following completion of the monitoring scheme, the proposed details of appropriate gas protection measures 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 by the Local Planning Authority. If no protection measures are required than no further actions will be required.

All required gas protection measures shall be installed and appropriately verified before occupation of any part of the development hereby approved. 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.

* 'Gases' include landfill gases, vapours from contaminated land sites, and naturally occurring methane and carbon dioxide, but does not include radon gas. Gas Monitoring programmes should be designed in line with current best practice as detailed in CIRIA 665 and or BS8485 year 2007 Code of Practice for the Characterization and Remediation from Ground Gas in Affected Developments.

Reason: To ensure that the safety of future occupiers is not prejudiced in accordance with Local Development Plan Policy EN13 (Air, Noise, Light Pollution and Land Contamination).

24. 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 shall 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 2012), unless the Local Planning Authority agrees to any variation in writing.

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 Local Development Plan Policy EN13 (Air, Noise, Light Pollution and Land Contamination).

25. The remediation scheme approved by Condition 24 shall 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 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 must be submitted to and approved in writing by the Local Planning Authority.

All work and submissions carried out for the purposes of this condition must 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 2012), unless the Local Planning Authority agrees to any variation in writing.

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 Local Development Plan Policy EN13 (Air, Noise, Light Pollution and Land Contamination).

26. 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 approved in writing by the Local Planning Authority

until a scheme to deal with the contamination found has been approved. An investigation and risk assessment shall be undertaken and where remediation is necessary a remediation scheme and verification plan shall be submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report shall be submitted to and approved in writing by the Local Planning Authority. The timescale for the above actions shall be approved in writing by the Local Planning Authority within 2 weeks of the discovery of any unsuspected contamination.

Reason: To ensure that any unacceptable risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Local Development Plan Policy EN13 (Air, Noise, Light Pollution and Land Contamination).

27. 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 approved in writing by the Local Planning Authority.

Reason: To ensure that the safety of future occupiers is not prejudiced in accordance with Local Development Plan Policy EN13 (Air, Noise, Light Pollution and Land Contamination).

28. 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 approved in writing by the Local Planning Authority.

Reason: To ensure that the safety of future occupiers is not prejudiced in accordance with Local Development Plan Policy EN13 (Air, Noise, Light

Pollution and Land Contamination).

29. 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 Local Development Plan Policy EN13 (Air, Noise, Light Pollution and Land Contamination).
30. Notwithstanding the provisions of the Town and Country Planning General Development Order 1995 (or any Order amending, revoking or re-enacting that Order) the windows of the shopfront on the front (east) elevation shall allow an open and unrestricted view of window displays or the trading areas within the premises and the windows shall not be painted, covered over or otherwise obscured without the prior written permission of the Local Planning Authority. Reason: In the interests of visual amenity.

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

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

- (i) determining the extent and effects of such constraints and;
- (ii) ensuring that any imported materials (including, topsoils, subsoils, aggregates and recycled or manufactured aggregates / soils) are chemically suitable for the proposed end use. Under no circumstances should controlled waste be imported. It is an offence under section 33 of the environmental Protection Act 1990 to deposit controlled waste on a site which does not benefit from an appropriate waste management 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 4 : That the Applicant/Developer be advised of the South Wales Police Designing Out Crime Officer's advice regarding community safety and crime prevention set out in their letter of 24 July 2017, forwarded to the Agents acting on behalf of the Applicant.

RECOMMENDATION 5 : That the Applicant/Developer be advised of Dwr Cymru Welsh Water's advice regarding public sewer connections set out in their letter of 21 July 2017 forwarded to the Agents acting on behalf of the Applicant.

RECOMMENDATION 6 : That the Applicant/Developer be advised of the South Wales Fire and Rescue Service's advice regarding provision for fire fighting and emergency access set out in their letter of 12 July 2017 forwarded to the Agents acting on behalf of the Applicant.

RECOMMENDATION 7 : That the Applicant/Developer be advised to have regard to the precautionary mitigation advice concerning bats set out in Sections 5.5 and 5.6 of the Protected Species Assessment by Tyler Grange received on 22 September 2017.

RECOMMENDATION 8 : That the applicant /developer be advised that the highway works proposed to the existing adopted public highway, to be undertaken by the developer, will need to be subject to agreement(s) under Section 278 of the Highways Act 1980 between the developer and Council.

RECOMMENDATION 9 : Prior to the commencement of development, the developer be advised to notify the Local Planning Authority of the commencement of development, and 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.

1. **DESCRIPTION OF PROPOSED DEVELOPMENT**

- 1.1 Full permission is sought for the demolition of existing buildings and erection of a Class A1 Foodstore (1,717 square metres gross floor area) with associated access, car parking and landscaping on part of the former Phoenix Estate, Caerphilly Road, Birchgrove.
- 1.2 The single-storey building would create a frontage onto Caerphilly Road, and would be positioned towards the north of the site near the northern site boundary. The net sales area is 1254 square metres, plus warehousing and staff welfare facilities.
- 1.3 The building has a mono-pitch roof design to a maximum height of 7.8 metres and a minimum height to eaves of approximately 5.5 metres. Curtain wall glazing would be installed to the east elevation overlooking a new area of public realm outside the store. The building would be finished in red brick, render, metallic silver cladding, and composite roof panels.
- 1.4 A new access/egress would be created onto Caerphilly Road, north of the retained electricity substation with both left and right egress for vehicles. A new pedestrian footpath would be created along the southern boundary of the site, with a pedestrian entrance into the site.
- 1.5 New tree planting is proposed in a new public realm area at the store frontage, together with other tree and soft landscaping areas to the site frontage, rear boundary and within the car parking area.
- 1.6 123 no. car parking spaces would be provided within the site, including 10 no. parent/child and 8 no. disabled spaces. 8 no. cycle stands would be provided to the site frontage.
- 1.7 Proposed opening hours would be 08:00 – 22:00 Monday to Saturday and 10:00 – 17:00 on Sundays.
- 1.8 The applicant undertook a formal pre-application consultation in May/June 2017 in accordance with The Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016. A pre-application report summarising the outcomes has been submitted with the application (Remarkable Engagement, June 2017).

2. **DESCRIPTION OF SITE**

- 2.1 This brownfield site extends to approximately 0.7 hectares and is generally flat and level with a frontage onto Caerphilly Road measuring approximately 84 metres. It is partly a cleared site which formerly accommodated a petrol filling station. Some derelict industrial buildings would be demolished, with other derelict buildings to the rear of the site being retained.
- 2.2 The site is bounded to the north and south by two and three storey residential development respectively. Two storey residential development is also opposite

the site on Caerphilly Road, with some commercial uses.

- 2.3 Part of the site, together with the remaining derelict buildings to the rear, are allocated for residential development in the Local Development Plan. It is estimated that the site could accommodate 20 units (Policy H1.8).
- 2.4 Caerphilly Road is well served by public transport. Birchgrove train station is approximately 380 metres north of the site.
- 2.5 Birchgrove Local Centre is approximately 600 metres due south.

3. **SITE HISTORY**

- 3.1 06/01441/E: Permission granted in February 2008 for demolition of existing petrol station and erect four town houses and twelve residential flats.
- 3.2 04/01763/E: Permission granted in November 2004 for deletion of Condition 17 (Footpath/Cycleway Connection) of Planning Permission 02/02542/N.
- 3.3 04/00107/N: Permission granted in April 2004 for installation of New LPG 3x1 tonne vessels compound, dispenser and associated works.
- 3.4 02/02542/N: Permission granted in August 2003 for mixed use scheme comprising residential development, sheltered housing, doctor's surgery with ancillary pharmacy and associated highway works.

4. **POLICY FRAMEWORK**

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

- 4.1 Sustainable Development
- 4.2 Planning for Sustainability

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

4.2.4 Legislation secures a presumption in favour of development in accordance with the development plan for the area unless material considerations indicate otherwise.

- 4.3 The Sustainable Development Principles

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

- *putting people, and their quality of life now and in the future, at the centre of decision-making;*

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

4.4 Objectives

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

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

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

- *Ensure that all local communities – both urban and rural – have sufficient good quality housing for their needs, including affordable housing for local needs and for special needs where appropriate, in safe neighbourhoods.*
- *Promote access to employment, shopping, education, health, community, leisure and sports facilities and open and green space, maximising opportunities for community development and social welfare.*
- *Foster improvements to transport facilities and services which maintain or improve accessibility to services and facilities, secure employment, economic and environmental objectives, and improve safety and amenity.*
- *Foster social inclusion by ensuring that full advantage is taken of the opportunities to secure a more accessible environment for everyone that the development of land and buildings provides. This includes helping to ensure that development is accessible by means other than the private car.*

4.5 Planning for Climate Change

4.6 Priorities for Urban and Rural Areas

4.9 Preference for the Re-Use of Land

4.11 Promoting Sustainability Through Good Design

4.12 Planning for Sustainable Buildings

8.2 Promoting Walking and Cycling

8.3 Supporting Public Transport

8.4 Managing Traffic and Parking

8.7 Development Management and Transport

9.3 Development Management and Housing

10.2 Principles of Retail and Commercial Centre Development

10.4 Development management and retail and commercial centres

13.5 Dealing with unstable and contaminated land

13.7 Development management and contaminated land

13.9 Development management and unstable land

13.12 Development management and improving the quality of water and air

13.13 Reducing noise and light pollution

13.15 Development management and noise and lighting

4.2 Technical Advice Notes (TANs):

4 Retail and Commercial Development (2016)

11 Noise

12 Design

18 Transport

4.3 Local Development Plan (January 2016):

KP4 Masterplanning Approach

KP5 Good Quality and Sustainable Design

KP6 New Infrastructure

KP7 Planning Obligations

KP8 Sustainable Transport
 KP12 Waste
 KP13 Responding to Evidenced Social Needs
 KP14 Healthy Living
 KP15 Climate Change
 KP18 Natural Resources
 H1 Non-Strategic Housing Sites
 EN8 Trees, Woodlands and Hedgerows
 EN10 Water Sensitive Design
 EN12 Renewable Energy and Low Carbon Technologies
 EN13 Air, Noise, Light Pollution and Land Contamination
 T1 Walking and Cycling
 T2 Strategic Rapid Transit and Bus Corridor Enhancement
 T5 Managing Transport Impacts
 T6 Impact on Transport Networks and Services
 R1 Retail Hierarchy
 R6 Retail Development (Out of Centre)
 C3 Community Safety/Creating Safe Environments
 C6 Health
 W2 Provision for Waste Management Facilities in Development

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

Access, Circulation and Parking Standards (January 2010)
Trees and Development (March 2007)

- 4.5 Supplementary Planning Guidance:

Waste Collection and Storage Facilities (October 2016)
 Planning Obligations (January 2017)

5. **INTERNAL CONSULTEES RESPONSES**

- 5.1 The Operational Manager, Transportation considers the application to be acceptable in principle subject to the comments, conditions and financial requirements detailed below.

- (i) The store would employ up to 40 staff and operate between the hours of 8am to 10pm, Monday to Saturday and 10am to 4pm on Sunday. All delivery operations to the store will be undertaken with the assistance of a banksman from the store's staff. It was agreed with the transport consultant in discussions that deliveries would take place during the operational hours of the store given the residential nature of the location.
- (ii) Vehicle access to the store will be taken from a new junction off the Caerphilly Road. The proposed junction will maintain the existing northbound bus lane, all-be-it that the lane will need to be broken to

facilitate access to the site. The bus stop will remain at the same location, although the bus shelter will be relocated to the back of the footway (to preserve sight-lines). The bus lane and southbound carriageway will need to slew to accommodate a right turn lane at the new junction.

- (iii) Six short-stay on-street parking places directly adjacent to the site will be removed to accommodate the new access junction. No on-street parking directly outside any residential property (to the north or opposite) on Caerphilly Road will be removed.
- (iv) The proposed car park will include 123 car parking spaces, including eight disabled spaces, in accordance with the SPG – Access, Circulation and Parking Requirements (2010). The car park will be controlled between the hours of 8am to 8pm Monday to Saturday and 8am to 4pm on Sunday. Outside of these hours Aldi have indicated that the car park will not be monitored so would be available for residents to use outside of these hours. This would alleviate any inconvenience caused to residents by the removal of 6 on-street parking bays on Caerphilly Road.
- (v) Pedestrians will have an access, through the car park, from Waun Ddyfal /Phoenix Way. Secure covered cycle parking for 16 cycles is to be provided.
- (vi) A transport implementation strategy is outlined in the transport statement indicating a targeted staff modal split. The implementation strategy relies on a staff travel plan to reduce an anticipated 80% car borne modal split on opening to 65% (car borne) within 5 years. ALDI propose to employ a travel plan co-ordinator to ensure that the travel plan (draft provided with the transport statement) objectives and actions are undertaken, monitored and achieved. The draft Travel Plan, including proposals and targets to encourage staff to use alternative modes of transport and sustainable journeys, including review mechanisms to revisit the proposals/targets has been provided as part of the application process.
- (vii) The main walking routes to the store would be via the local highway network and making use of existing footways and crossings. Pedestrians will have an access, through the car park, from Waun Ddyfal /Phoenix Way. A new pedestrian crossing facility will be provided linking the existing footpath (from Milestone Close) across Caerphilly Road and to the store.
- (viii) The store would be expected to receive up to two large deliveries a day (articulated lorries) and a number of smaller deliveries. All vehicles will use the dedicated delivery docking facility at the rear of the building. The TS indicated that the delivery function has been a “one-man function”, although in subsequent discussions ALDI’s representatives it has been confirmed that deliveries received at the store would be supported by a

banksman (a member of store staff) to reduce potential conflicts between the delivery vehicle and car park users. ALDI have also verbally confirmed that no deliveries will take place outside of the hours of 6am to 10pm, Monday to Saturday and 8am to 4pm on Sunday.

- (ix) The number of vehicular trips (customer visits) generated by the proposed store have been estimated using appropriate TRICS data and taking account of the potential for pass-by trips visiting the store. The anticipated number of generated trips was reduced by 30% to take account of pass-by trips. Pass-by trips comprise existing trips (vehicles already using Caerphilly Road for another purpose) which stop to use the proposed facility, rather than being a newly generated trip. The agreed traffic generation numbers are shown below;

	Total generated trips			30% of new trips			Total new trips		
	Arrivals	Depart	Trips	Arrivals	Depart	Trips	Arrivals	Depart	Trips
AM peak	19	13	32	6	4	10	13	9	22
PM peak	62	74	136	19	22	41	43	52	95
All day	756	761	1517	227	228	455	529	533	1062

- (x) The extant traffic generation was presented in the TS, but it has been agreed with the applicant's traffic consultant that considering the previous uses closed in 2008 that these should be disregarded when considering the impact of the proposed store.
- (xi) The junction modelling exercise, using the ALDI generated traffic and existing background traffic flows, indicated that the proposed junction layout, incorporating a right turn lane would adequately cater for the generated traffic.
- (xii) An amended plan (Plan 120334 P(1)103F) provided by the applicant outlines the agreed road layout outside and in the immediate vicinity of the proposed store required to accommodate a new junction and access road to the store from the Caerphilly Road. The junction will be accordance with the approved plan (120334 P(1)103F) and incorporate a northbound bus lane, a northbound carriageway, a southbound carriageway, a southbound right-turn lane into the site, a pedestrian crossing and safety island facility. The existing bus shelter (abutting Waun Ddyfal) will be relocated to the rear of the footway. The applicant will apply to implement no waiting at any time traffic regulation orders to protect the access junction.
- (xiii) Internally, within the proposed car park, the applicant will provide disabled parking places (eight spaces) in accordance with the council's Access, Circulation & Parking Standards (Jan 2010). An internal footpath will be provided to allow pedestrian/cycle access to the site from Waun Ddyfal (Phoenix Way).

- (xiv) It is concluded that the proposed development is acceptable in transport terms, subject to the listed conditions and financial contribution, and that any objection on traffic or parking grounds would therefore be unsustainable. A Section 106 contribution of £3,000 is sought in respect of amending any traffic regulation orders associated with the removal of limited waiting parking places and the extent of waiting restrictions required to accommodate the installation of the new access arrangements.

5.2 The **Operational Manager, Environment (Contaminated Land)**, considers that the geo-environmental assessment carried out by Brownfield Solution Ltd, provides a contamination assessment and partial ground gas assessment (ongoing at the time the report was written). He advises that a complete set of gas monitoring results and robust assessment of the risks from ground gas is required. The detailed Quantitative Risk Assessment & Remediation Specification does not include:

- (i) details of the proposed sampling regime for soils used to form the proposed cover system (frequency of testing and contaminant screening values); or
- (ii) details of the proposed verification method for validating the cover system (frequency of validation trial pits).

An amended remediation strategy is required incorporating the above information plus any appropriate amendments in relation to ground gas monitoring results. He therefore 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:

5.3 The Council's **Tree Officer** has no adverse observations with regard to the amended proposals. His original comments regarding tree species, tree pits and soils remain applicable as follows:

- (i) He advises that 16 no. new trees should be provided;
- (ii) Lighting columns should be located to avoid conflict with proposed tree positions, and either the position of the columns or trees should be adjusted to maximise clearances.
- (iii) Recommended tree species are *Gleditsia triacanthos* 'Imperial' or 'Draves Street Keeper' (15-25m³ pits), *Liquidambar styraciflua* 'Slender Silhouette' (20m³ pits) *Malus baccata* 'Street Parade' (10m³ pits). Potential alternatives to the *Gleditsia*, in the bed south of the sub-station, are *Tilia tomentosa* 'Brabant' and *Tilia cordata* 'Streetwise'. Potential alternatives to the *Liquidambar*, are *Acer lobelii* and *Ginkgo biloba* 'Princeton Sentry'.

All planting soils will need to be imported and emplaced in accordance with an agreed specification. The assumed profile for the pits is 300mm topsoil over 700mm subsoil, with provision for drainage as required. As a default, tree pit soils should meet the sandy loam textural range and be of neutral to slightly acid pH, though the *Tilia cordata* will tolerate relatively high alkalinity, and the *Malus*, *Gleditsia* and *Liquidambar* will tolerate heavier soil textures. For the trees in hard landscape to the east of the store, secondary rooting will need to be provided via soil crates such as 'Silva Cells' or 'Root Space', with full, site

specific specifications drawn up in conjunction with the product supplier, and for each 5m³ soil, an aeration inlet will be required (e.g. 'Arborvent'). Root-barriers will be required to line car-parking edges/wall foundation edges etc., and should be specified accordingly, but to maximise, not minimise root available soil volumes.

- 5.4 He looks forward to receipt of full landscaping details comprising scaled planting plan, plant schedule, tree pit section and plan views, planting methodology and aftercare methodology.
- 5.5 The **Operational Manager, Waste Management**, advises that a commercial contract is required for the collection and disposal of all commercial waste. By law (Environmental Protection Act, 1990, section 34) all commercial premises have a duty of care to ensure that their waste is transferred to and disposed of by a registered waste carrier. The Council can make arrangements to collect and dispose of commercial waste upon request. Litter bins will need to be provided around the site. She refers to the Waste Collection and Storage Facilities Supplementary Planning Guidance for further relevant information.
- 5.6 The Council's **Ecologist** notes the conclusions of the R01a Protected Species Assessment (undated) which is effectively a bat flight survey. He supports the precautionary mitigation advice set out in sections 5.4 and 5.6 of this document, which should be attached as an advisory note to any consent granted.

In relation to nesting birds he supports the measures set out in sections 5.14 and 5.1 of the Preliminary Ecological Appraisal dated March 2017. These measures should also be included in an advisory note.

- 5.7 The **Air Pollution Officer** having reviewed comments, confirms that an air quality assessment is not required to determination this application. The applicant is required to examine the potential impacts from dust emissions generated during the construction phase of the development. Due to the close proximity of residential dwellings to the proposed development it is considered best practise to adopt the principles stipulated in IAQM "Guidance on the assessment of dust from demolition and construction." The guidance provides a risk based approach based on the potential dust emission magnitude of the site (small, medium or large) and the sensitivity of the area to dust effects. The importance of professional judgment is noted throughout the guidance. The guidance recommends that once the risk class of the site has identified, the appropriate level of mitigation measures are implemented to ensure that the construction activities have no significant impacts. In accordance with the guidance, Chapter 6, Step 1, Box 1 highlights certain screening criteria which needs to be considered and if a development qualifies for an assessment. The document states "An assessment will normally be required where there is: a 'human receptor' within: - 350 m of the boundary of the site; or- 50 m of the route(s) used by construction vehicles on the public highway, up to 500 m from the site entrance(s)." It is apparent that there are residential dwellings located in close proximity to the proposed site (<25m), therefore satisfying the 'human receptor' criteria stipulated in the cited guidance and the need for a detailed

dust assessment to be produced. He recommends a condition regarding dust control.

5.8 The Council's **Access Officer** has been consulted and any comments will be reported to Committee.

5.9 The **Noise Pollution Officer** considers that the fixed plant noise can be adequately controlled by the inclusion of a condition, which includes an amendment to that recommended in the noise report:

No fixed plant and/or machinery shall come into operation until details of the fixed plant and machinery serving the development hereby permitted, and any mitigation measures to achieve this condition, are submitted to and approved in writing by the local planning authority. The rating level of the sound emitted from the site shall not exceed 40dB(A) between 07:00 and 23:00 hours and 35dB(A) at all other times. The rating levels shall be determined by the objective acoustic feature methodology of BS4142:2014 and calculated to the nearest noise sensitive premises.

5.10 He is satisfied with the suggested store opening times of 08:00 – 22:00 Monday to Saturday and 10:00 – 17:00 Sundays.

5.11 In relation to the delivery times, he has concerns that the noise report highlights that the noise sensitive premises at Philip Close will experience an unacceptable level of noise during normal working hours. The applicant's report has not suggested mitigation to render the noise impact acceptable. He therefore recommends that the fixed plant condition be amended to make it suitable for deliveries as follows:

No deliveries shall be made to the store until details of the deliveries serving the development hereby permitted, and any mitigation measures to achieve this condition, are submitted to and approved in writing by the local planning authority. The rating level of the sound emitted from the site shall not exceed 40dB(A) between 07:00 and 23:00 hours and 35dB(A) at all other times. The rating levels shall be determined by the objective acoustic feature methodology of BS4142:2014 and calculated to the nearest noise sensitive premises.

5.12 The **Operational Manager, Drainage Division**, has been consulted and any comments received will be reported to Committee.

6. **EXTERNAL CONSULTEES RESPONSES**

6.1 **Dwr Cymru Welsh Water** has reviewed the drainage strategy accompanying the application and notes the applicant's intention to explore sustainable means of disposal of surface water, albeit that initial soakaway test results have proved they are unviable. Their understanding is that some of the existing drainage on site will be reused and some abandoned, they assume therefore that there will be no new connections required to the brick work public sewer in Caerphilly Road. However, before they can fully support this proposal they recommend that a CCTV/connectivity survey is undertaken to confirm how the existing site

drains off site, where it connects to the existing public sewerage system and ensure that any proposed drains to be abandoned do not serve any other customers.

- 6.2 Whilst they acknowledge that there are no sustainable alternative other than for surface water flows to communicate to the public sewer, their preference would be for flows to connect to the 450mm public surface water sewer at manhole reference ST16806405 located in Phoenix Way. This will convey flows away from site and discharge to a culverted watercourse a short distance away. They therefore welcome dialogue with the applicant to progress the drainage strategy and recommend that a condition be attached to any permission granted.
- 6.3 The **South Wales Police Designing Out Crime Advisor** notes that the surrounding area is mainly residential with a small number of small commercial units nearby. The main vehicle access is to be off Caerphilly Road with a pedestrian route along the southern boundary linking Caerphilly Road with Waun Ddyfal. The southern and eastern sides of the food store are partly glazed which allows for some surveillance over the car park and cycle stands area. He makes various recommendations to reduce crime covering aspects such as boundaries, lighting, landscaping, and building security.
- 6.4 The **South Wales Fire and Rescue Service** advises that the developer should consider the need for the provision of adequate water supplies on the site for firefighting purposes and access for emergency firefighting appliances.
- 6.5 **Cardiff Bus** have been consulted on the application and any comments received will be reported to Committee.

7. **REPRESENTATIONS**

- 7.1 **Councillor Fenella Bowden** objects to the application for the following reasons:
- (i) No traffic assessments appear to have been undertaken at the junction of Caerphilly Road with Maes-y-Coed Road & Ty-Wern Road. With the generation of an estimated 600 trips in and out of Aldi per day, this will have a significant impact on the junction;
 - (ii) The proposed entrance/exit for the development will create additional strain on an already complicated road lay-out at this location. The stacking of cars trying to enter the site from the north will be a significant issue, as will vehicles exiting to go south along Caerphilly Road. To create an entrance/exit within a matter of metres from Phoenix Way will create additional road pressure in the location;
 - (iii) She would have liked to have seen surveys undertaken at the exit/entrance to Phoenix Way. She understands that Council officers have not asked Aldi to provide these;
 - (iv) Having just sorted out parking provision for residents in this part of Caerphilly Road, up to 8 spaces will be lost under this proposed development & there is no Council highways provision elsewhere to

- replace them;
- (v) The layout to accommodate the introduction of a 5th lane on Caerphilly Road for cars wishing to enter the site means another adjustment to the road layout for the bus lane. She would be interested to see Cardiff Bus' views on this;
 - (vi) She notes the moving of the bus stop to accommodate the development. As it is proposed to be sited on Aldi's land, she queries who will be responsible for its maintenance;
 - (vii) She notes note that there are a significant number of comments in support of the development, but only a very small minority of people who have responded actually live anywhere near the site;
 - (viii) She believes that this development could have a negative impact on the quality of life for residents in Caerphilly Road & surrounding roads given the increase in noise; traffic movements; loss of parking provision; & light pollution.
- 7.2 The application was publicised in the press and by site notices on 13 July 2017 as major development and a departure from the Local Development Plan under Article 12 of The Town and Country Planning (Development Management Procedure) (Wales) Order 2012.
- 7.3 **74 no. representations in support** of the application have been received from residents of Heath, Rhiwbina, Whitchurch and Llanishen, plus one unaddressed comment. They are in support of healthy competition and customer choice for supermarkets in the area, job creation/employment opportunities, visual improvement to Caerphilly Road through the re-development of a derelict site, and the site is accessible for pedestrians.
- 7.4 **2 no. general comments** have been received. The occupier of 58 Phoenix Way supports the application overall however they raise the following concerns:
- (i) The development only covers the area nearest to Caerphilly Road and provides no facility of access for any future development of the rear of the site. Essentially the ALDI store and car park would occupy the entire width of the currently disused industrial area and does not provide vehicle access to the area that ALDI are not developing on
 - (ii) The rear half is for "residential development by others". No indication has been made if this will ever be done, and as such the current problems with the disused buildings will continue.
 - (iii) If development of the rear is done in the future, access would have to be provided by the small roundabout on Phoenix Way. Unfortunately this is already a very busy junction off Caerphilly Road, with the road itself constantly occupied on both sides by parked cars likely using the Birchgrove GP surgery. As such, a new development of housing would not be able to be serviced from the existing road infrastructure.
 - (iv) They therefore propose that ALDI revise their plans and when constructing the new junction for the store provide vehicular access to the rear for future use. They would also suggest that a condition would include clearance of the abandoned warehouses at the rear, which

although not part of the ALDI site cannot be left in their current condition. If no future development occurs the land could be used as a public park.

7.5 Another general comment has been received from the occupier of 6 Philip Close who requests an increase in disabled parking bays from 6 to 8 no. spaces and the provision of sitting areas for those with mobility difficulties while they await transport with their shopping.

7.6 **10 no. representations objecting** to the application have been received from residents of Tasker Square, Nant-Fawr Road, Threipland Drive, Philip Close, and one unaddressed email. Their reasons for opposing the application are summarised as follows:

- (i) Residents have already had to endure disruption from construction works on Caerphilly Road;
- (ii) There are plenty of supermarkets in the area already;
- (iii) Road accident data needs to be examined in more detail;
- (iv) The site visit for traffic matters was carried out on a Wednesday lunchtime which is inadequate and will not provide a good indication of issues;
- (v) The infrastructure is insufficient to accommodate more traffic and footfall. Traffic is already a problem and congestion will get worse;
- (vi) Uncertainty remains regarding the rear of the site; A comprehensive scheme is required, not piecemeal development.
- (vii) The application will impact upon the design and amenity of the rear of the site;
- (viii) 8-10 disabled parking spaces should be provided rather than the 6-8 spaces currently shown;
- (ix) Seating at store entrance should be provided for elderly and the disabled;
- (x) The Transport Assessment (TA) does not confirm that the scope of the junctions assessed has been agreed with Cardiff Council. As a result, the capacity analysis only examines the proposed site entrance junction and not the impact of the proposed development on the signalised junction at Caerphilly Road/Maes-y-Coed Road/Ty-Wern Road.
- (xi) A significant increase in traffic on Caerphilly Road will result which has not been assessed in full with regards to the signalised junction at Caerphilly Road/Maes-y-Coed Road/Ty-Wern Road.
- (xii) The location of the proposed site entrance conflicts with the location of an existing bus stop, existing bus lane and existing shared use footway/cycleway.
- (xiii) There are no safe crossing facilities on Caerphilly Road for pedestrians at the location of the site entrance increasing the likelihood of an increase in the number of personal injury accidents in the vicinity of the site.
- (xiv) The proposed site plan shows a bus stop relocated within the red line of the application site which means that it will be located on land owned by Aldi, raising concerns regarding the future installation and maintenance.
- (xv) The TA states that the proposed trip generation would be less than the last known use of the site. Whilst this is technically correct, the last

known use ended in *approximately 2008*. Therefore, the 144 extant trips in the AM peak, the 141 extant trips in the PM peak and the 1926 extant daily trips are not currently on the local highway network and haven't been for 9 years. It is unjust to state that the proposed development will generate 125 less trips in the AM peak, 59 less trips in the PM peak and 1016 trips daily compared to the existing development as the existing development is currently generating 0 trips in the AM peak, 0 trips in the PM peak and 0 daily trips.

- (xvi) No details of the waste management plan for the proposed development once it is operational has been made available.
- (xvii) The Geo-Environmental Assessment Report identifies additional work that is required to report asbestos quantification results upon receipt; further sampling and delineation of asbestos within made ground if required; produce remedial specification for the site; confirmation of remedial recommendations with Local Authority & EA (this should actually be NRW); completion of ground gas assessment; complete tank decommissioning and removal; 'demolition' asbestos survey of buildings; demolition and site clearance; and watching brief during demolition and construction but no further details have been provided despite this report being dated 2015;
- (xviii) The consultation documents should include a Noise Survey so the noise emitted from any fixed plant and equipment can be assessed in relation to nearby residential properties and the increase in dBA on habitable rooms; they should also include information regarding the existing levels of air pollution and the proposed levels of air pollution due to the increase in the traffic movements on Caerphilly Road as a result of the proposed development because the current site has been vacant for 9 years; and the proposed development is likely to generate a significant amount of light pollution compared to the existing site which will affect nearby residents but no assessment of this has been undertaken either.
- (xix) A suitably worded planning condition should be attached to any permission restricting the hours of operation for the store and associated deliveries in order to minimise the impact of the additional traffic including HGVs on local residents in the form of unreasonable nuisance. The car park should also include a barrier preventing any access to the site overnight to ensure that the use of the premises does not prejudice the amenities of the area by becoming a place for people to gather resulting in anti-social behaviour.
- (xx) No details have been provided regarding the sign which is shown on the proposed site plan.

7.7 Following the re-consultation process on amended plans and additional information, 3 no. further objections have been received from occupiers on Philip Close and Caerphilly Road, plus one unaddressed email. Their objections can be summarised as follows:

- (i) There is no need for a supermarket on the site;
- (ii) Numerous planning and traffic issues need addressing before any decision is made;
- (iii) The applicant is 'cherry picking' the front of the application site. The

whole site should be developed to its maximum potential to the benefit of all; it is inappropriate to leave a disused building on site;

- (iv) Construction traffic disruption;
- (v) Caerphilly Road residents have had to endure disruption through bus lanes, parking bays, and associated gas/electric/water services disruption;
- (vi) Concern that some representations from Caerphilly Road have not been listed online (approximately 12+);
- (vii) Caerphilly Road is operating above its capacity;
- (viii) Has received verbal assurances from the applicant that any HGV deliveries will always and planning conditions will suffice.
- (ix) A park and playground with some parking facilities would be a better use of the site;
- (x) If the development does proceed provision of more disabled spaces and in-store seating for the elderly and disabled;
- (xi) The location of the bus stop within the application site;
- (xii) The capacity of the signals at the junction north of the site;
- (xiii) Likely trip generation in the Transport Assessment not addressed;
- (xiv) Waste, contaminated land, and air/light pollution issues have not been resolved and further comments should be provided.

7.8 **Julie Morgan AM** confirms that she has been contacted by several constituents about this application and is also aware that many people have written in support of it as they welcome the opportunity to shop at a local Aldi store. However she notes that there are also some concerns about a number of issues, principally parking and traffic:

- (i) The recent creation of a bus lane along Caerphilly Road has caused considerable disruption for the residents of the area, as well as loss of many parking spaces and an increase in the amount of traffic in the other lanes. The arrival of an Aldi store will only add to the volume of traffic in an already very busy area. There have already been complaints about the difficulties faced by drivers having to cross a bus lane (or at least a gap in a bus lane) in order to turn off Caerphilly Road. Access to Aldi's store is to be from Caerphilly Road and there are therefore some concerns about drivers having to cross a bus lane to enter the store car park. She hopes that consideration can be given to mitigating those problems.
- (ii) She welcomes the plan to move the bus stop from its current location to further up Caerphilly Road, as long as it is moved far enough to prevent any obstruction to the entrance to the store car park or to the sight lines of passing drivers.
- (iii) There are considerable concerns about the question of parking in the area and the need for the customers of other local businesses to be able to park near those businesses. As mentioned above, the creation of the bus lane led to the loss of many parking spaces on the road and the plan for development of the Aldi store will lead to the loss of another 6 spaces on Caerphilly Road. Immediately opposite the site are several

businesses, including Nahin Spice Centre. This is open in the evenings and needs to have parking spaces available for their customers, who often pre-order a takeaway by phone and then want to spend as little time as possible collecting their hot food. She is aware of discussions between the business owner, the Council and Aldi and that it has been suggested that Aldi would agree to allow people to use their car park and to remain for up to 90 minutes during Aldi's opening hours while they access other local businesses. It has also been suggested that they would allow people accessing other businesses to use their car park at any time when the store is closed and this would significantly help to resolve parking issues. She supports those suggestions and feels that these arrangements need to be formally included as planning conditions enforceable via s.106 agreement.

7.9 An objection has been received by the Pegasus Group on behalf of the Co-Operative Group Limited, whose comments are summarised as follows:

- (i) The local and district centres listed in the Retail Statement are not the only centres in this area of Cardiff. The Cooperative stores are all in local or district centres that are identified in the Local Plan, with the exception of Cyncoed Road which is not a designated local centre but is part of a group of local shops that include an adjacent parade and together serve as a neighbourhood centre;
- (ii) applications will be contrary to *Planning Policy Wales (PPW) Chapter 10, Retail and Commercial Development* if they cannot satisfy the 'town centres first' principle of co-locating retailing and related uses in established centres by applying the tests of retail need, the sequential test and where appropriate retail impact assessment, as interpreted in more detail in *Technical Advice Note 4, Retail and Commercial Development* (November 2016).
- (iii) concerns about trading impacts focus particularly on the local centres of Birchgrove and Rhiwbina Village and the district centre of Merthyr Road, Whitchurch. The Co-operative Group has forecast trade diversions of 10% or more from its own stores, which will also lead to secondary impacts on other local traders. These impacts also need to be seen in the context of cumulative impacts on local and district centres from other out-of-centre food stores that have been developed in recent years, including the Lidl stores on Station Road, Llandaff North and Caerphilly Road.
- (iv) PPW paragraph 10.4.4 states: *'For smaller retail planning applications or site allocations, local planning authorities will need to determine whether an assessment is necessary, for example when a smaller proposal may have a significant impact on a centre. Requests for retail impact assessments by local planning authorities on smaller developments should be proportionate to potential impacts.'*
- (v) PPW paragraph 10.4.15 states: *'Planning applications for retail development should not normally be permitted on land designated for other uses. This advice applies especially to land allocated for industry, employment and housing, where retail development can be shown to have the effect of limiting the range and quality of sites that would be*

available for such uses.'

- (vi) They have no reason to disagree with the conclusion in paragraph 5.69 of the Planning and Retail Statement that *'there are no alternative sequentially preferable sites within the town centre or in edge-of-centre locations elsewhere within the primary catchment area.'* That is, of course, only a gateway test and does not, by itself, constitute a case in favour of the proposed development.
- (vii) They have strong reservations about the methodology of the need and impact assessments and the evidence on shopping patterns on which they are based:
 - The survey data is now more than 9 years' old and does not account for a significant number of stores that have opened subsequently or other general changes in shopping behaviour that have been documented elsewhere.
 - The survey was designed to provide forecasts of retail expenditure and capacity at a zonal level to inform the Local Development Plan. It was not designed to produce reliable estimates of market shares and turnovers for individual stores and local or district centres. The sizes of the sub-samples of responses relating to small stores and centres are not statistically significant or reliable.
 - There are no recorded responses for small stores and local centres in the household survey, as is shown by Appendix 1D of Collier's' Retail Capacity Study Update (*Market Share by Centre and Zone*).
- (viii) Figures for market shares and store turnovers for Local Centres in Zones 1 and 3 that are quoted in the PRS (Appendix 4, Tables 2 and 3) are invented. Footnote 2 to Table 2 states: *"Local Shops' and 'Other' market shares redistributed to local centres in Zones 1 & 3'*. The basis on which the market shares for local and 'other' shops have been *'redistributed'* is not explained. There is no empirical evidence to support this procedure.
- (ix) The figures shown in Tables 2 and 3, which purport to show market shares and store turnovers for Local Centres such as Birchgrove, Rhiwbina and Station Road, Llanishen have been invented in the PRS. The estimated turnover of each local centre is £3.4m. These estimates cannot be regarded as a reliable basis for assessing retail need or trading impacts of the proposed Aldi store.
- (x) There is also no empirical basis for the trade diversions to recently developed stores (Lidl and Morrisons on Caerphilly Road or Lidl on Station Road in Llandaff North) in Appendix 4, Table 4. These are also subjective judgments that have been placed on top of the *'redistribution'* of market shares to local centres in Table 2.
- (xi) Forecasts of trade diversion from local centres to the proposed Aldi store in Appendix 4, Table 5 (£100,000 p.a. from Birchgrove and nothing from the other local centres) are also purely judgmental and have no empirical basis. The Cooperative Group's modelling of retail sales has forecast trade diversions of 10% or more from its own stores on Caerphilly Road and Merthyr Road, which will also lead to secondary impacts on other local traders in those local centres because of the anchor role of food stores, as described in paragraph 7.20 of Colliers' Retail Capacity Study

Update of March 2011

- (xii) Paragraph 6.21 of the PRS states that the Primary Catchment Area of the proposed Aldi store (PCA), for the purposes of the retail need and impact assessments, *'reflects that used within previous assessments and adopts a primary catchment area based on Zones 1 and 3 from the Cardiff retail evidence base.'* The PCA is, in fact, a very wide area. It is not the same as the area used for the sequential test in spite of the statement in paragraph 5.20 of the PRS that it was *'consistent with the impact assessment study area'*
- (xiii) The PRS estimate of population in Zones 1 and 3 is likely to be an over-estimate as the Retail Capacity Study used data from Cardiff Council for Zones 1 and 3 (and the rest of the City area). However, the main concern is the relevance of taking such a wide area as the PCA for the proposed Aldi store. The likely effects of taking such a wide area are an over estimate of trade diversion from more distant stores and an under estimate of trade diversion from nearby local centres.
- (xiv) the PRS has given far too much weight to store size and too little weight to distance from the proposed store. 77.5% of the turnover of the proposed Aldi store is forecast to be diverted from just 4 stores, with a further 14% from outside the study area and only 1% from the nearby Birchgrove Local Centre. These are not realistic judgements, when the distribution of food stores in the wider area is taken into consideration. The Co-operative Group's assessment is that the impact on Birchgrove and Merthyr Road will be at least 10%, which will also have consequences for smaller shops that get spin-off trade from the anchor food retailers.
- (xv) The *'survey-derived'* turnover figures and the *'benchmark'* turnover figures are unreliable;
- (xvi) The application proposals are clearly contrary to national and local planning policies. They do not satisfy the policy tests of capacity/need and impact, although they may satisfy the sequential test. In relation to Policy R6 of the Local Development Plan, there is no need for the proposed floorspace; the proposal would cause unacceptable harm to the vitality, attractiveness or viability of nearby local centres; and the proposal is partly on land allocated for housing.

8. **ANALYSIS**

- 8.1 The key considerations for this application are the principle of retail development on this out-of-centre location, the Local Development Plan (LDP) designation of the site for housing development, the design and appearance of the proposed building and its associated relationship with Caerphilly Road together with site layout, transportation considerations, matters related to residential amenity, and issues arising from the public consultation process.

Principle of Development

Retail Policy Considerations

- 8.2 The application site is located within the settlement boundary defined in the

LDP and part of the site (0.34.hectares) is shown as a non-strategic housing allocation on the LDP Proposals Map and is allocated under Policy H1.8: Electrocoin Automatics Ltd for 20 dwellings on a 0.61 hectare site.

- 8.3 The application site is in an out-of-centre location in terms of retail policy. Planning Policy Wales Edition 9 (PPW9) is clear that planning applications for retail developments, including redevelopment and extensions in out-of-centre locations should be assessed against the following tests:-
- (i) Compatibility with a Community or up-to-date Development Plan Strategy;
 - (ii) Consideration of need;
 - (iii) The sequential approach to site selection; and
 - (iv) the impact on existing centres.
- 8.4 LDP Policy R6 provides the development plan policy framework. This Policy only allows for retail development outside the Central Shopping Area, District and Local Centres identified on the Proposals Map if the proposal would meet the following criteria:
- (i) There is a need for the proposed floorspace (with precedence accorded to establishing quantitative need);
 - (ii) That need cannot satisfactorily be accommodated within or adjacent to the Central Shopping Area, within a District or Local Centre;
 - (iii) The proposal would not cause unacceptable harm to the vitality, attractiveness or viability of the Central Shopping Area, a District or Local Centre or a proposal or strategy including the Community Strategy, for the protection or enhancement of these centres;
 - (iv) The site is accessible by a choice of means of transport; and
 - (v) The proposal is not on land allocated for other uses. This especially applies to land designated for employment and housing, where retail development can be shown to limit the range and quality of sites for such use.
- 8.5 The agent has submitted a Planning and Retail Statement that provides an assessment of the proposed development in respect of retail planning policy in relation to the need for the proposal, the sequential approach to site selection and the potential retail impact on the vitality and viability of nearby district/local centres. The agent's findings are outlined below.

Need

- 8.5 The agent has undertaken an assessment of need for the additional retail convenience goods floorspace which shows that there is both a quantitative and qualitative need for the additional floorspace. In addition, they demonstrate that the quantitative need for floorspace is significantly above that required to support the proposed development and additional capacity exists to support further provision in both 2017 and in the future.

Sequential Test

- 8.6 In assessing whether there are units or sites suitable in an existing retail centre for the proposed development the applicant has undertaken a broad search focusing on the Central Shopping Area, together with Merthyr Road, Whitchurch District Centre, Birchgrove Local Centre, Rhiwbina Local Centre

and Station Road Llanishen Local Centre. In terms of the Central Shopping Area the applicant concludes that the configuration of the centre does not yield any vacant units nor is there scope to amalgamate any vacant units to accommodate a foodstore of the nature proposed, even when applying an appropriate degree of flexibility. In terms of the District and Local Centres the agent has demonstrated that there are no alternative sequentially preferable sites within these centres and the proposed development is, therefore considered to represent the only site that is suitable, viable and available for the type of development proposed.

Impact

- 8.7 The proposals relate to 1,717 square metres which is below the PPW9 and TAN4 floorspace threshold (2,500 square metres) where a retail impact assessment should be undertaken. However the Council has requested a proportionate assessment be undertaken to ensure the impact of the proposal is fully considered. In this respect, the agent has considered the implications of the retail development being proposed and has demonstrated that impacts associated with the proposal are low and represent no threat to the vitality and viability of the existing centres.

Conclusions

- 8.8 Taking into account the agent's conclusion in relation to need, sequential test and impact the proposal is considered acceptable, notwithstanding the objections received on behalf of the Co-Operative Group Limited.
- 8.9 The application therefore raises no retail policy concerns. However, a condition should be attached to the grant of any planning permission in order to prevent future changes to the scale and nature of the foodstore which could adversely impact on the retail strategy of the development plan.

Local Development Plan Allocation

- 8.10 In terms of the allocation of part of the site as a non-strategic housing site the agent states that the area of the site which will be lost could accommodate 11 of the total 20 units resulting in transfer of half of the housing allocation to retail use.
- 8.11 In response to this the agent states that:
- The shape of the designation does not promote ease of development. The site is a 'zig-zag' shape and is narrow in places (approx.19m wide at its narrowest point) which would limit the type, size, and amenity of residential development.
 - Access to the site would be relatively convoluted given the shape of the designation, and there is only being one potential access point which would be via Waun Ddyfal.
 - The loss of 11 units would not result in a significant reduction in potential residential units in the Cardiff area and the proposed development on the site would encourage residential development on the rear section of the site, and could give rise to a larger residential development area with better access options, and various possibilities for residential development type and size.

- Locating the Aldi foodstore at the front of the site would create a buffer between any potential residential scheme and Caerphilly Road, thus reducing traffic noise and disruption on the residential site.
- 8.12 LDP paragraph 5.2 states that the estimated number of units is indicative only and may be subject to change depending on details of a planning application for the site. Part of the non-strategic housing site will remain available to accommodate housing and the development of the foodstore represents an opportunity to provide an improved and more attractive development parcel making the site more attractive to potential housebuilders and helping the site come forward for development. Given this the proposal raises no land use policy concerns.

Design and Appearance

- 8.13 The amended proposals have been submitted in response to negotiations with officers where it was agreed that the development could be improved with some alterations. The application itself was submitted following a lengthy pre-application enquiry where various aspects of the development were discussed.
- 8.14 An important amendment has been the siting of the building closer towards the back edge of the footway on Caerphilly Road. The building now has an increased presence along this part of Caerphilly Road and the installation of full height glazing along this entire frontage, together with the public realm area, will encourage activity on this part of the street.
- 8.15 The height and scale of the building is considered to be appropriate for the site. Two and three-storey residential buildings adjoin either side of the site and the building will compliment the scale of existing neighbouring development. The site has a wide frontage onto Caerphilly Road (c. 84 metres) which provides ample scope for a well-designed building of a suitable scale.
- 8.16 The building would be finished in a mixture of render, red brick and composite cladding, with render and brick being used on the front elevation and return around the store entrance. The use of these materials to the site frontage is welcomed and will ensure the creation of a good quality well-designed building that compliments the existing built form along Caerphilly Road and is consistent with the aims of LDP Policy KP5 (Good Quality and Sustainable Design). A relevant condition is attached to agree finished materials.
- 8.17 The new area of public realm to the site frontage will allow for ease of movement for pedestrians and will help create a distinctive space that will enhance the building's presence on this section of Caerphilly Road. Good quality hard and soft landscaping is essential for this environment and the initial designs showing 3 no. new trees, together with cycle parking is welcomed. Full landscaping details and the provision of external seating to this area are conditioned.

- 8.18 A pedestrian access into the site from the south has been created via Waun Ddydfal to improve accessibility for existing residents. This route will also be beneficial for future occupiers of the remainder of the housing land allocation to the west, creating safe and convenient access routes for pedestrians.

Access and Parking

- 8.19 A key consideration during the processing of this application has been whether necessary alterations to Caerphilly Road could be accommodated without compromising the Council's recent works to introduce a dedicated bus lane on this key arterial route in the north of the city. Following lengthy discussions, an amended highways arrangement has been agreed and is supported by Council Highways Officers.
- 8.20 This arrangement retains the northbound bus lane on Caerphilly Road along the site frontage, introduces a dedicated right turn southbound, creates a pedestrian crossing linking with an existing footpath to the east, re-positions the existing bus stop to the back edge of the footway and allows for the creation of dedicated left and right turns for vehicles exiting the site. The details would be confirmed through a Section 278 Agreement however a relevant condition is also attached to secure full details.
- 8.21 Concerning the impact upon the junction with Maes-y-Coed Road, north of the application site, the Highways Officer advises:
- (i) The anticipated number of new trips (in and out of the site) on the network would be in the region of 530 per day. The busiest period of activity generated by the site would be during the evening peak (between 5pm and 6pm) when between 40 and 50 new trips would be undertaken. The total number of anticipated trips (to and from) generated by the shop has been established using a national database (TRICS or the Trip Rate Information Computer System) of traffic surveys undertaken at new developments by landuse. The TRICS estimate has been reduced by some 30% (230 trips per day) to account for the number of visits to the shop by people already driving past the site on Caerphilly Road. It is considered to be an appropriate estimate of the "drive-by" visits associates with a new shop.
 - (ii) The new traffic on the road would, on average, equate to less than one additional vehicle per minute using Caerphilly Road. If the additional trips are then allocated to the road there would be a split in the number of vehicles going north and south. The split could be assumed to mirror the existing traffic flows, which indicate that 47% of traffic (equating to some 19 to 24 vehicles) during the evening peak period (5pm to 6pm) would be travelling north and 53% (equating to some 21 to 26 vehicles) travelling south. It is therefore considered that the additional traffic generated would not impact detrimentally upon the operation of the junction.
- 8.22 In respect of the concerns expressed regarding the new access onto Caerphilly Road, he advises:

- (i) There would be an additional traffic impact on the local transport network caused by the new shop and its access. In order to assist the movement of traffic along Caerphilly Road the council required the applicant to amend the access to/from the car park to provide north and south turning lanes leaving the car park to avoid internal queuing which may cause congestion within the car park (which might have delayed vehicles accessing the car park). The council has also required the developer to retain the existing carriageways north and south for general traffic and to retain the existing bus lane.
- (ii) The access to the car park would be free flow so there should be a limited tailback of vehicles attempting the access the car park. For vehicles travelling south a right turn facility has been proposed, so that vehicles would be taken out of the general traffic lane. The right turn facility would accommodate up to three cars. Modelling work provided by the applicant indicates that the queue generated by the proposed junction should not exceed one vehicle at a time. A similar right turn facility is provided for vehicles turning right into Phoenix Way, allowing for the main flow of traffic to continue whilst vehicles make the right turn movement.

8.23 The provision of 123 no. car parking spaces, including 8 no. disabled spaces, is at the upper end of the recommended range for retail development outside the central area in the Access, Circulation and Parking Standards Supplementary Planning Guidance (SPG). This provision is welcomed by officers. It is noted that the applicant is willing to allow the car park to be used out of store opening hours, mindful of the car parking pressures in the vicinity of the site. This would not be subject to a planning condition, rather it would be an informal arrangement by the applicant.

8.24 The provision of 8 no. cycle stands (16 no. spaces) is also welcomed and is in accordance with the guidelines for provision in the SPG.

Residential Amenity

8.25 The neighbouring residential properties closest to the development are those backing onto the site on Fairfax Road. The building at this point would be approximately 5.5 metres to eaves and would be sited approximately 2 metres from the shared boundary. Whilst the building would be sited due south of these neighbours, the resulting relationship is considered to be satisfactory and would not result in an overbearing impact upon these neighbours.

8.26 The proposed site plan also shows that plant and the delivery entrance would be located at the rear (northwest) corner of the site. It is considered that the amenities of neighbouring occupiers could be satisfactorily safeguarded through imposing conditions on any permission to control plant noise levels, delivery times, and external lighting.

8.27 A condition is also recommended to require a Construction Method Statement to be approved before development commences. This would include a

requirement for the developer to monitor and control dust during demolition and construction.

- 8.28 It is noted that the Council's Air and Noise Pollution Officers have no objections to the development, subject to relevant conditions. A relevant condition is attached to control plant noise. Notwithstanding the comments of the Noise Pollution Officer, it is considered that restricting deliveries to during store opening hours will adequately safeguard residential amenity.

Third Party Representations

- 8.29 In respect of other representations received during the consultation process, which have not already been addressed in this report:
- (i) The Council will retain maintenance responsibilities for the bus stop in the southeast corner of the site;
 - (ii) The remaining land at the rear of the site could be accessed via Phoenix Way;
 - (iii) The applicant has no control over land to the rear of the application site;
 - (iv) It is acknowledged that residents may experience some disruption in the event that development proceeds. However, an advisory note reminds any developer of the permitted hours of construction, which are enforced under Environmental Health legislation;
 - (v) The Local Planning Authority has a duty to determine each application on its planning merits, rather than promote alternative uses e.g. a park and playground;
 - (vi) A relevant condition is attached to ensure for satisfactory management of waste;
 - (vii) The Council's Contaminated Land Team are satisfied with the submitted Geo-Environmental Assessment Report and recommend relevant conditions to ensure any contamination on the site is removed appropriately;
 - (viii) The advertisement signs indicated on the plans would require separate advertisement consent under the 1992 Control of Advertisement Regulations.

Other Considerations

- 8.30 *Crime and Disorder Act 1998* – Section 17(1) of the Crime and Disorder Act 1998 imposes a duty on the Local Authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. This duty has been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable increase in crime and disorder as a result of the proposed decision.
- 8.31 *Equality Act 2010* – The Equality Act 2010 identifies a number of 'protected characteristics', namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; marriage and civil partnership. The Council's duty under the above Act has been given due

consideration in the determination of this application. It is considered that the proposed development does not have any significant implications for, or effect on, persons who share a protected characteristic

- 8.32 *Well-Being of Future Generations Act 2016* – Section 3 of this Act imposes a duty on public bodies to carry out sustainable development in accordance with the sustainable development principle to act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs (Section 5). This duty has been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the recommended decision.

9. **SECTION 106 AGREEMENT**

- 9.1 An obligation of £3,000 has been agreed to amend traffic regulation orders to remove limited waiting parking places and waiting restrictions in order to accommodate the new access arrangements. This contribution is considered to be essential to provide the necessary infrastructure of the proposed development. It therefore meets the requirements of LDP policies KP6 (New Infrastructure) and KP7 (Planning Obligations).
- 9.3 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. **CONCLUSIONS**

- 10.1 The application seeks to re-use a derelict brownfield site which is well-served by public transport on a key arterial route in the north of the city. The application is accompanied by a retail impact assessment which raises no retail policy concerns. Although allocated for housing development in the LDP, it is possible that a major housing development could still be brought forward on the remainder of the allocation, and adjoining industrial land to the rear.
- 10.2 The development will include necessary highways improvements on Caerphilly Road which will guarantee the retention of the north bound bus lane and the creation of a right filter lane southbound to ensure that the traffic impacts can be managed without having an unacceptable impact upon the highway network. Improvements to pedestrian facilities, including a new crossing are will also be provided.
- 10.3 The amended building design and site layout is of good quality and, together with a landscaped public space at the site frontage, will create a distinctive place on this section of Caerphilly Road, consistent with relevant LDP Policies.
- 10.4 It is therefore recommended that permission be granted, subject to relevant conditions, and the completion of a Section 106 Agreement to secure the financial contribution detailed in Section 9.

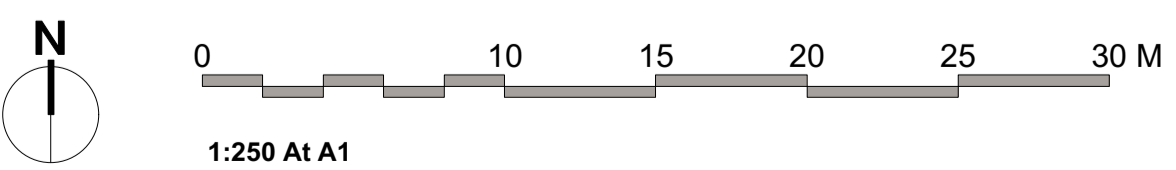


Dashed blue line indicates acoustic enclosure to external plant

Low level soft landscaping
Existing wall

126 PARKING SPACES
Typical 2.5m x 5m

Electric Sub Station



KEY:

- Application Area
- TM Tarmac Surfacing to Car Park
- TM Parking Bays Tarmac Surface
- ET 200sq ARGELTH FEINSTEINZUG R12 External Tiles under canopy. Colour 'Dark Grey'
- CS Concrete Slabs
- SL Surface finish with soft landscaping
- C/C Concrete Surface
- Proposed Bus Stop
- BD Stainless steel bollard
- HDB Heavy duty bollard
- LC Lighting Column
- Proposed/Retained Tree / green
- Removed Trees
- TR Trolley Rails
- CYS Cycle Spaces
- TM Tarmac
- CBF Close Boarded Fence (1.8m high)
- TKR Timber Knee Rail Fence
- Existing Brick Wall
- Proposed red brick wall approx 1.8m high
- Proposed low level red brick wall approx 450mm high

SERVICES KEY

- Existing surface water sewer
- Existing water mains
- Existing foul water sewer, with 3M easement
- Existing fire hydrants

- Bus shelter relocated
- New paved public realm area with low-level walls, trees and benching to the store frontage
- Site access and right turn lane
- Fire hydrant location (approximate)
- Existing foul water sewer
- Aldi 6M double pole sign
- Landscaping to street frontage
- Retained sub station
- Existing bus shelter removed
- Blue line indicates water main - Easement required
- Proposed pedestrian footpath
- Proposed pedestrian access

C 22/6/17 BH NR Addition of lighting columns
 B 20/6/17 BH NR Various amendments following Public Consultation:
 Highways amended, soft landscaping amended, site parking amended, notes added.
 A 13/6/17 BH NR Addition of a red brick boundary wall around the eastern boundary. Addition of bollards along the southern boundary. Alterations to the trolley bay and other minor alterations and notes amended.

Rev Date By Ap Note

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Chartered Building Surveyors
Interior Designers
CDM Services

Project Aldi Stores, Caerphilly Road, Cardiff Proposed Site Plan

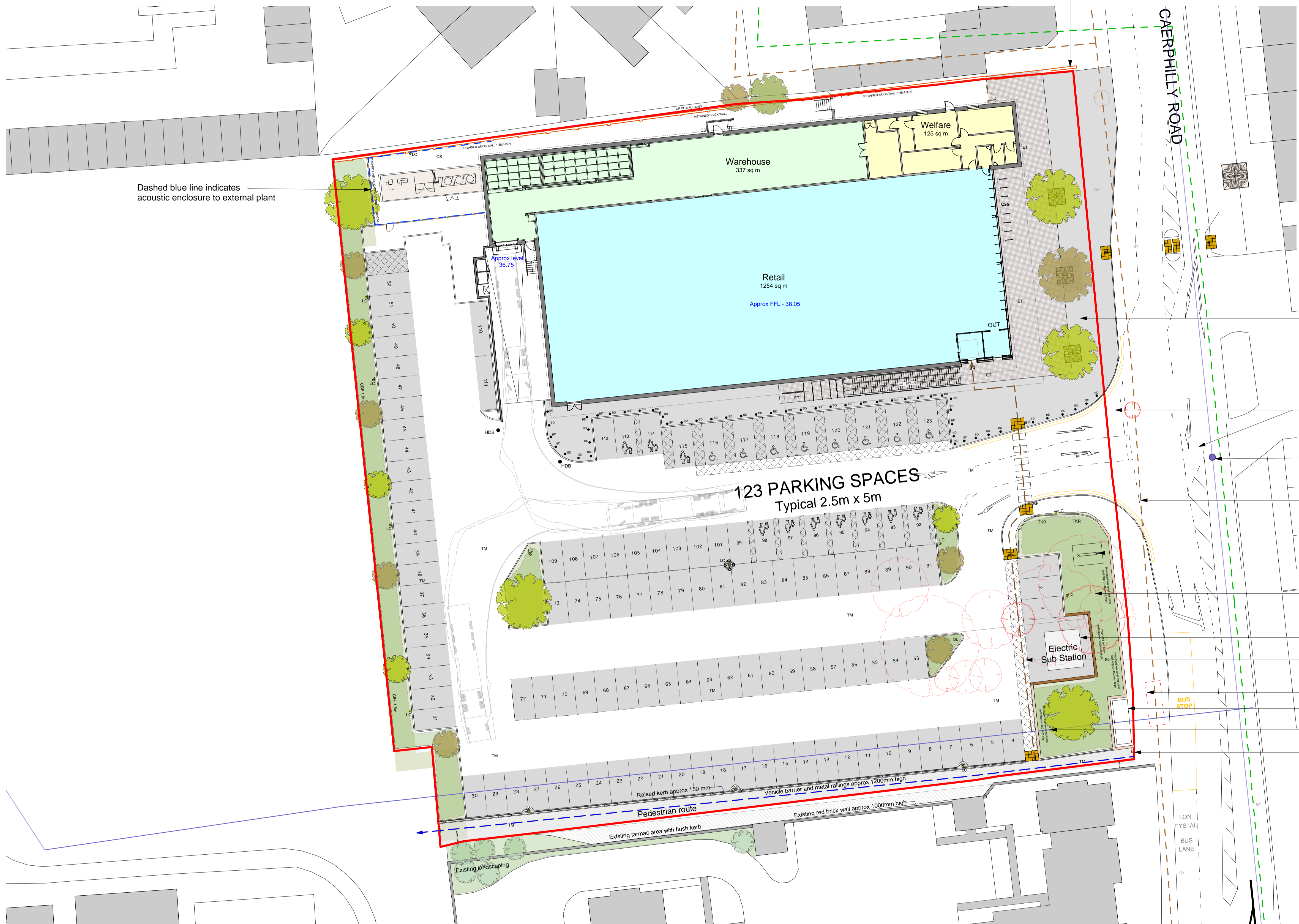
Client ALDI Stores Ltd Project Number 120334 P(1)103 C

Glentworth Court, Lime Kiln Close
Stoke Gifford, Bristol BS34 6SR
+44 (0)117 931 2062
www.kendallkingscott.co.uk

Scale	Paper Size	Filename	Date	Drawn	Checked	Status
1:250	A1	120334 SITE MASTER.vwx	11/5/17	HB	NR	PLANNING



Do not scale this drawing. Check all dimensions and levels on site. The production of amended or updated information from the last design information by the user is entirely the responsibility of the user and Kendall Kingscott Ltd. shall have no responsibility in respect thereof.



- KEY:**
- Application Area
 - TM Tamacadam Surfacing to Car Park
 - TM Parking Bays Tamacadam Surface
 - ET 200sq ARGELTH FEINSTEINZEUG R12 External Tiles under canopy. Colour Dark Grey
 - CS Concrete Slabs
 - SL Surface finish with soft landscaping
 - C/C Concrete Surface
 - SS Stainless steel bollard
 - HDB Heavy duty bollard
 - LC Lighting Column
 - Proposed/Retained Tree / green
 - Removed Trees
 - TR Trolley Rails
 - CYS Cycle Spaces
 - TM Tamac
 - CBF Close Boarded Fence (1.8m high)
 - TKR Timber Knee Rail Fence
 - Existing Brick Wall
 - Proposed red brick wall approx 1.8m high
 - Proposed low level red brick wall approx 450mm high
- SERVICES KEY**
- Existing surface water sewer
 - Existing water mains
 - Existing foul water sewer, with 3M easement
 - Existing fire hydrants

Dashed blue line indicates acoustic enclosure to external plant

Existing wall

CAERPHILLY ROAD

123 PARKING SPACES
Typical 2.5m x 5m

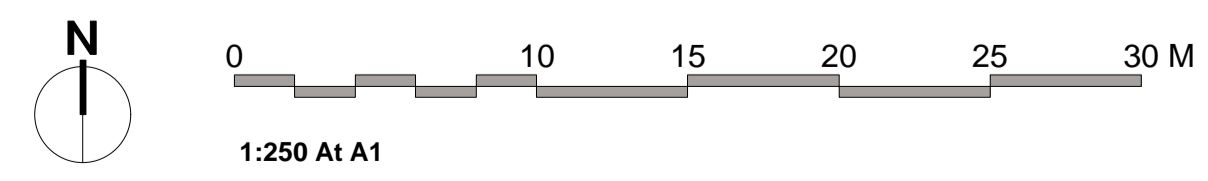
Electric Sub Station

Pedestrian route

BUS STOP

LON
FYS IAL
BUS LANE

- New paved public realm area
- Site access and right turn lane
- Fire hydrant location (approximate)
- Existing foul water sewer
- Aldi 6M double pole sign
- Landscaping to street frontage
- Retained sub station
- Proposed pedestrian access
- Existing bus shelter repositioned
- Proposed repositioning of bus shelter
- Blue line indicates water main - Easement required
- Proposed pedestrian footpath



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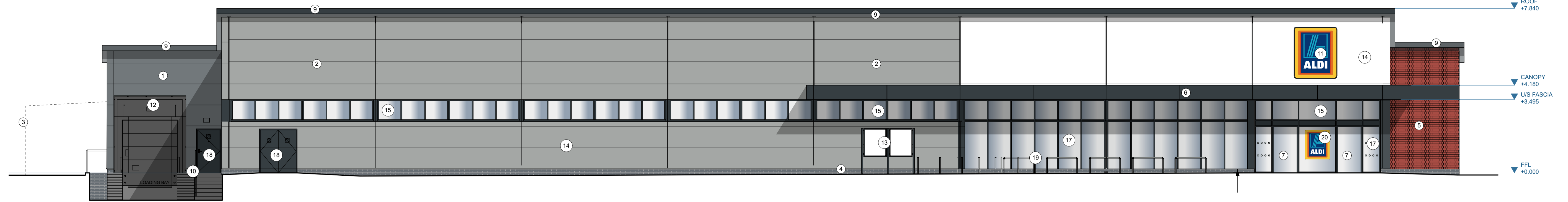
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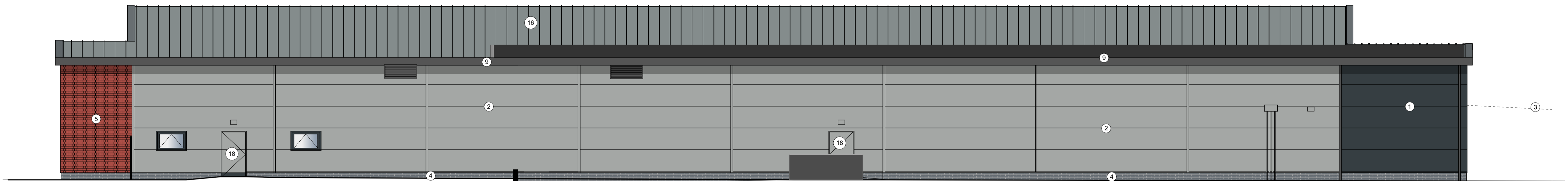
Project	Aldi Stores, Caerphilly Road, Cardiff	Drawing Title	Proposed Site Plan
Client	ALDI Stores Ltd	Project Number	120334 P(1)103 F
Scale	1:250	Paper Size	A1
Filename	120334 SITE MASTER.vwx	Date	11/5/17
Drawn	HB	Checked	NR
Status	PLANNING	By	
Note		Ap	

- F 24/8/17 HB NR Pedestrian crossing to site entrances moved further within the site
- E 18/8/17 BH NR Removal of the low brick wall and the low level soft landscaping to the east of the proposed store. Existing bus shelter repositioned to be included within the Aldi demise.
- D 28/7/17 MW BH Revision based on planners comments received 26/07/17. Alterations to the southern boundary to include a metal fence and a crash barrier. The pedestrian footpath to the west of the site has been repositioned to the eastern side of the car park. minor alterat

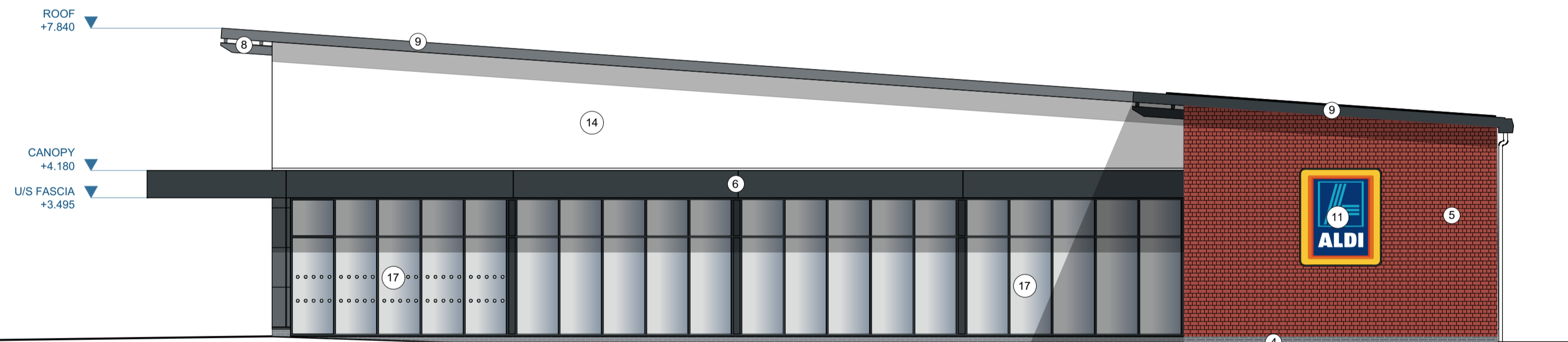
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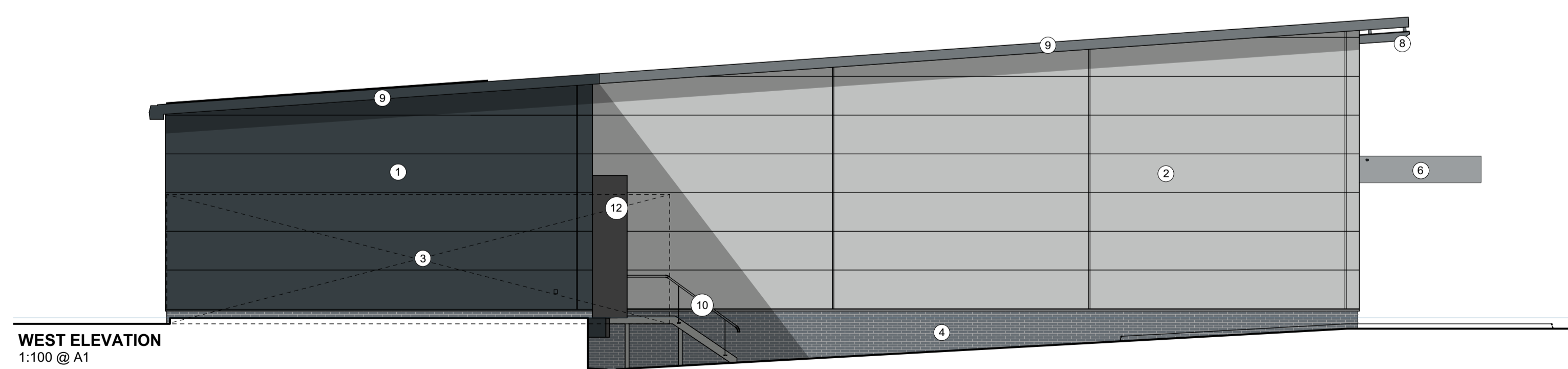
SOUTH ELEVATION
1:100 @ A1



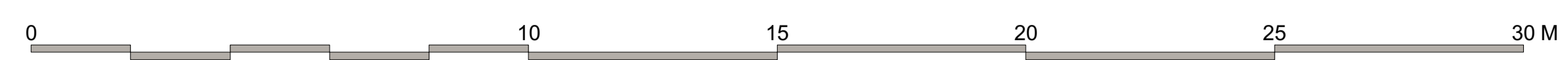
NORTH ELEVATION
1:100 @ A1



EAST ELEVATION
1:100 @ A1



WEST ELEVATION
1:100 @ A1



SCALE 1:100 @ A1

Notes

1. Kingspan ks1000mr anthracite grey cladding RAL 7016
2. Kingspan ks1000mr metallic silver cladding RAL9006
3. Galvanised mesh enclosure to refrigeration plant equipment with a lockable door
4. Low level plinth below DPC - Blockleys Brick Ltd Smooth Black with tarmac Y14 (black) coloured mortar.
5. Red facing brick to welfare, plinth and low level boundary walls
6. Canopy fascia, 3mm thick Aluminium panels with polyester powder coated finish, colour Anthracite RAL 7016
7. Entrance - polyester powder coated aluminium RAL 7016 anthracite
8. All exposed steelwork to be painted Steelguard Z44 finish coat to be gloss finish RAL 7016
9. Fascia. Powder coated aluminium to BS6496, colour anthracite grey RAL7016
10. Handrails - galvanised tubular steel
11. Wall mounted internally illuminated logo sign - subject to separate advertisement consent application
12. Sectional overhead door - pvf coated steel RAL 7016
13. Aldi poster frame RAL 7016 anthracite grey - subject to separate advertisement consent application
14. Walls - Through coloured rendered wall panels, colour 0500N (White)
15. Window - High level fixed lights. Frame colour RAL 7016
16. Roof: Kingspan KS1000 RW 80mm thick trapezoidal composite roof panels on purlins, all to anthracite grey RAL 7016
17. Shopfronts - polyester powder coated aluminium RAL 7016
18. Steel escape doors - polyester powder coated colour grey (RAL 7016) (frame colour RAL 7016)
19. Trolley bay rails - satin finish stainless steel
20. Vinyl Aldi logo sign applied to glazing - subject to separate advertisement consent application

NOTE: ALL FINISHES AND COLOURS ARE SUBJECT TO THE APPROVAL OF THE LPA



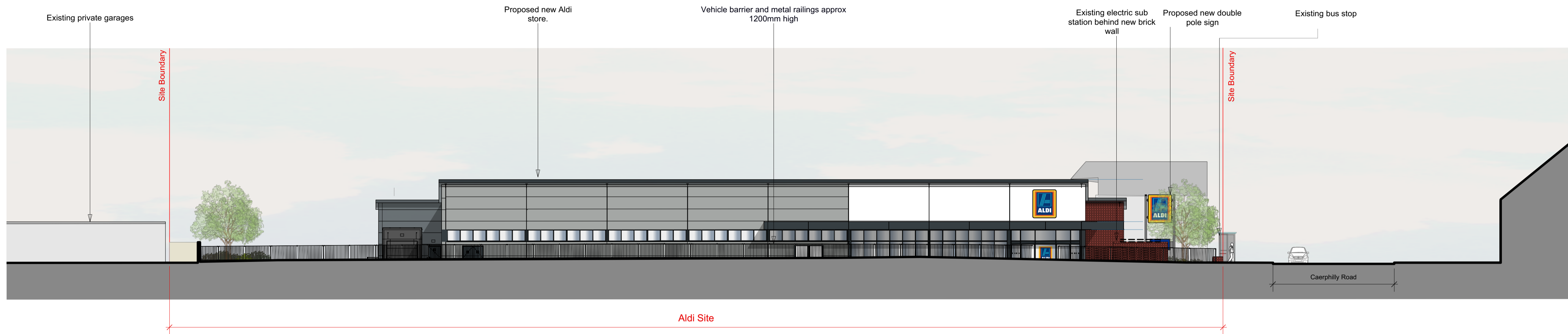
Kendall Kingscott
Chartered Architects
Chartered Building Surveyors
Interior Designers
CDM Services

Project
Aldi Stores, Caerphilly Road, Cardiff
Client
ALDI Stores Ltd
Glentworth Court, Lime Kiln Close
Stoke Gifford, Bristol BS34 6SR
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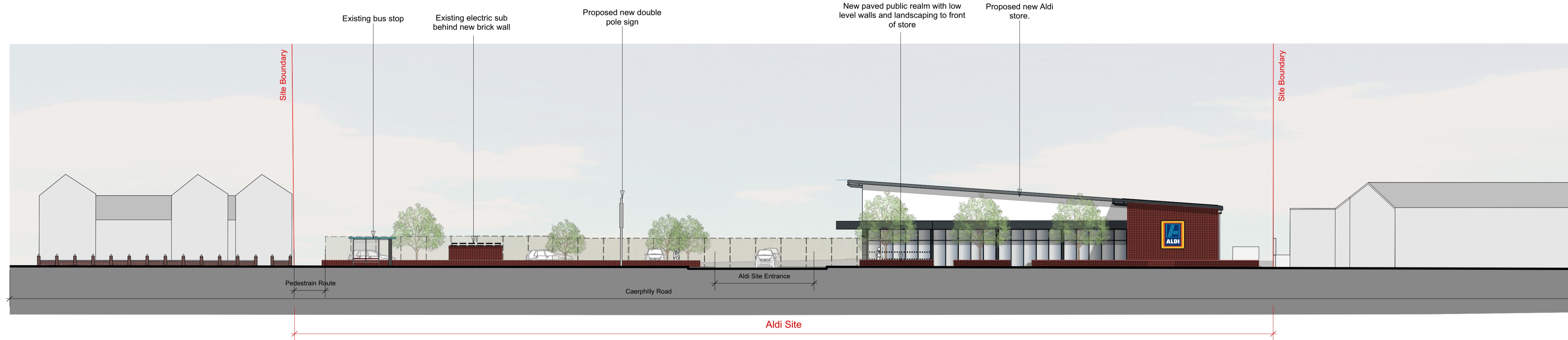
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Project Number			Drawing Number - Revision			
120334			120334 P(1)105 B			
Check all dimensions and levels on site						

B 08/08/17 BH MH Additional render to south elevation, following further comments from the LPA.
A 13/6/17 BH NR Blue brick on welfare block altered to red brick and minor notes amended.
Rev Date By Ap Note

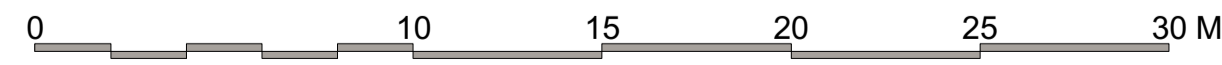
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ELEVATION FROM WAUN DDYFAL
1:200 @ A1



ELEVATION FROM CAERPHILLY ROAD
1:200 @ A1



SCALE 1:200 @ A1



Kendall Kingscott
Chartered Architects
Chartered Building Surveyors
Interior Designers
CDM Services

Client: Aldi Stores Ltd
Glentworth Court, Lime Kiln Close
Stoke Gifford, Bristol BS34 8SR
+44 (0)117 931 2062
www.kendallkingscott.co.uk

Project:	Aldi Stores, Caerphilly Road, Cardiff	Project Number:	120334 P(1)106 B
Client:	Aldi Stores Ltd	Date:	16/5/17
Scale:	1:200	Drawn:	BH
Paper Size:	A1	Checked:	NR
Filename:	120334 ELEVATION MASTER	Status:	PLANNING
Copyright:	Do not scale this drawing		

B 8/8/17 NR BH Addition of metal railings to the Waun Ddyfal elevation, and bus stop retained in existing location.
A 13/6/17 BH NR Addition of red brick boundary wall and updated building elevation.
Rev Date By Ap Note

Drawing Title: Proposed Street Elevations

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COMMITTEE DATE: 11/10/2017

APPLICATION No. **17/01532/MNR** APPLICATION DATE: 29/06/2017

ED: **RIVERSIDE**

APP: TYPE: Full Planning Permission

APPLICANT: Mr PROTHERO

LOCATION: 49 DESPENSER STREET, RIVERSIDE, CARDIFF, CF11 6AG

PROPOSAL: PROPOSED TWO STOREY REAR EXTENSION AND
CONVERSION OF PROPERTY TO FORM 5 SELF
CONTAINED APARTMENTS WITH ON SITE REFUSE AND
CYCLE STORAGE FACILITIES

RECOMMENDATION 1 : That subject to the relevant parties entering into a binding planning obligation in agreement with the Council under **SECTION 106** of the Town & Country Planning Act 1990, in respect of matters detailed in para. 5.1 of this report, planning permission be **GRANTED** subject to the following conditions:

1. C01 Statutory Time Limit
2. The development shall be carried out in accordance with the following approved plans:
 - AL(00)03 – Proposed Floor Plans & Elevations
 - AL(90)02 – Proposed Site Plan & Location Plan
 - AL(90)03 – Flood Evacuation Route

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

3. Prior to the beneficial use of the development hereby approved the refuse storage area shown on dwg. no. AL(90)03 shall be provided at the rear of the property.

Reason: To ensure there is adequate provision for the storage of waste in the interests of the amenity of the area in accordance with Policies KP5, H5 and W2 of the Cardiff Local Development Plan 2006-2026.

4. Prior to beneficial use development hereby approved undercover and secure cycle storage spaces, not exceeding 2m in height, shall be provided in the location shown on dwg. no. AL(90)03.

Reason: To promote sustainable modes of transport in accordance with Policy T5 of the Cardiff Local Development Plan 2006-2026.

RECOMMENDATION 2: Bats often roost in houses and other buildings, and work on these buildings may disturb a bat roost. All bats and their roosts are

protected against disturbance under UK and European legislation. If works are planned on a building in which bats are roosting, Natural Resources Wales must be contacted for advice.

If work has already commenced and bats are found, or if any evidence that bats are using the site as a roost is found, work should cease and NRW should be contacted immediately.

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

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

NRW can be contacted at:-

Natural Resources Wales, Tŷ Cambria, 29 Newport Road, Cardiff CF24 0TP, 0300 065 3000

Bat Conservation Trust can be contacted at:-

5th Floor, Quadrant House, 250 Kennington Lane, London, SE11 5DR, 0845 1300228

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

RECOMMENDATION 4: The developer is advised that a public sewer crosses the application site and Welsh Water should be contacted prior to the commencement of development.

1. DESCRIPTION OF THE SITE

- 1.1 The application site consists of a large terraced property currently utilised as a single residential dwelling in an area characterised by properties predominantly in residential use in close proximity to the City Centre.

2. DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1 Planning permission is sought for the provision of an extension and conversion of the property to five flats.

- 2.2 A two storey extension is proposed to the rear of the property which would extend the existing two storey annex by approximately 4.7m at first floor level. A single storey lean to would be provided beyond the first floor extension extending the property by approximately 3.6m at ground floor level. The extension would be finished in materials to match the existing annex.
- 2.3 The five flats would be provided over three floors with two flats on each of the ground and first floor with a single flat at second floor level. Each flat would be provided with accommodation consisting of a kitchen/living area, bathroom and single bedroom and have a minimum area of 30m².
- 2.4 Refuse and Cycle storage facilities would be provided within the rear garden.

3. PLANNING HISTORY

- 3.1 There is no pertinent planning history relating to the application site.

4. POLICY FRAMEWORK

- 4.1 National Planning Policy
- Planning Policy Wales (8th Ed, 2015)
 - Technical Advice Note 12: Design (July 2014)
- 4.2 Cardiff Local Development Plan 2006-2026
- Policy KP3(B) (Settlement Boundaries)
 - Policy KP5 (Good Quality and Sustainable Design)
 - Policy H3 (Affordable Housing)
 - Policy H4 (Sub-division or Conversion of Residential Properties)
 - Policy EN7 (Priority Habitats and Species)
 - Policy EN10 (Water Sensitive Design)
 - Policy EN11 (Protection of Water Resources)
 - Policy EN13 (Air, Noise, Light Pollution and Land Contamination)
 - Policy EN14 (Flood Risk)
 - Policy T5 (Managing Transport Impacts)
 - Policy W2 (Provision for Waste Management Facilities in Development)
- 4.3 Supplementary Planning Guidance
- Access, Circulation & Parking Standards (January 2010)
 - Affordable Housing (March 2007)
 - Waste Collection & Storage Facilities (October 2016)

NB. Some SPGs were approved as supplementary guidance to the City of Cardiff Local Plan (1996). Although the City of Cardiff Local Plan (1996) has recently been superseded by the Cardiff Local Development Plan (2016), the advice contained within the SPGs is pertinent to the assessment of the proposal and remains consistent with the aims of both LDP Policies KP5/T5/EN8/EN13/W2 and guidance in Planning Policy Wales and are

afforded significant weight

5. INTERNAL CONSULTEE RESPONSES

- 5.1 The Operational Manager (Housing Development) advises, in line with Policy H3 of the LDP, that an affordable housing contribution of 20% of the five residential units is required in respect of this brown-field site. Whilst the priority would be to deliver on-site affordable housing given the proposed design of the scheme the practicality of managing and maintaining affordable housing on-site could be unsustainable. Therefore, in lieu of on-site affordable housing a financial contribution of £62,640, calculated in accordance with the formula in the Affordable Housing SPG, should be sought.
- 5.2 The Operational Manager (Traffic and Transportation) raises no objection to the proposal noting that the site is within a sustainable location in close proximity to public transport routes and walking distance of local facilities. The provision of cycle storage facilities would encourage the use of this sustainable mode of transport by future occupants.
- 5.3 The Operational Manager (Waste Management) advises that the proposed facilities for the storage of waste are considered acceptable.
- 5.4 The Operational Manger (Shared Regulatory Services) raises no objection to the proposal, however, requests an advisory note relating to construction site noise.

6. EXTERNAL CONSULTEE RESPONSES

- 6.1 Welsh Water raise no objection to the proposal, an advisory note relating to a public sewer is requested.
- 6.2 South Wales Police advise they have no observations to make in respect of the application and note that the application has given consideration to community safety matters.
- 6.3 Natural Resources Wales advise that whilst the proposal seeks to introduce highly vulnerable development within a flood zone on the basis of the content of the submitted FCA no objection is raised.

7. REPRESENTATIONS

- 7.1 The application was advertised by way of neighbour consultation letters, no representations have been received.

8. ANALYSIS

8.1 Introduction

- 8.1.1 The application site lies within the defined settlement boundary within a predominantly residential area. Accordingly it is considered that the principle of

the proposed development is acceptable subject to the consideration of other material factors.

8.1.2 The principal matters for consideration are:

- the effect of the proposal upon the character of the area;
- the effect of the proposal upon the amenity of the area and neighbouring occupiers;
- the effect of the proposal upon the amenity of future occupiers;
- the proposals Transport Impact;
- affordable housing provision.

8.2 Impact Upon the Character of the Area

8.2.1 Policy KP5 requires that all proposed development is of a high quality and sustainable design which responds *'to the local character and context of the build and landscape setting so that layout, scale, form, massing, height, density, colour, materials, detailing, and impact upon the built and natural heritage are all addressed within development proposals'*. Policy H5 details such proposals will be permitted where the cumulative impact of such conversions does not adversely affect the character of an area.

8.2.2 The proposed extension has regard for the local character. The design and scale of the proposal has due regard to the built context and would be finished in materials to match the existing building.

8.2.3 The proposed additional residential units would be characteristic of the area.

8.2.4 Accordingly it is not considered that the proposal would have any detrimental impact upon the character of the area and accords with Policies KP5 and H5.

8.3 Amenity of the Area and Neighbouring Occupiers

8.3.1 Policy KP5 of LDP seeks to ensure that *'no undue effect on the amenity of neighbouring occupiers'* results from development and Policy H5 supports such conversions where no material harm to the amenity of existing nearby residents by virtue of general disturbance, noise or overlooking occurs.

8.3.2 The proposed extensions would extend less than 2.5m beyond the neighbouring building to the west and be set off the boundary with the neighbouring property to the east. It is considered that the extension in terms of its scale is acceptable and would not have any overbearing impact upon neighbouring occupiers, result in overshadowing given its scale and orientation or be generally un-neighbourly.

8.4.1 The proposed development makes generous use of the land available providing five residential units in place of a single residential use. It is considered that development at such density is appropriate and adequate facilities are provided such that the proposal would not have any detrimental impact upon the amenity of the area.

- 8.4.2 Sufficient space is provided within the curtilage to facilitate the storage of waste such that there would be no impact upon the amenity of the area in this regard.
- 8.4.3 Given the context of the proposal and area it is not considered that the proposal would have any detrimental impact in respect of noise.
- 8.4.4 In regards to privacy current guidance details that a minimum of 21.5m should be retained between habitable room windows and 10.5m between habitable room windows and neighbouring boundaries. However, each application for planning permission must be considered upon its own merits with due regard to local context. A rear first floor window would fall marginally below this recommended guideline, however, given the context of this built up area this is not considered unacceptable. Side facing first floor windows would remain at the same number but would be reconfigured, however, given the existing arrangement there would be no detriment to privacy that could not already exist.
- 8.4.5 Accordingly it is not considered that the proposal would have any undue impact upon the amenity or privacy of neighbouring occupiers and, therefore, accords with the principles of Policy KP5, H5 and W2.

8.4 Amenity of Future Occupiers

- 8.4.1 Policy H5 supports the conversion of residential properties to flats where the property is of a size to facilitate such a conversion to provide an adequate level of amenity for future occupiers.
- 8.4.2 The proposed level of internal accommodation to be provided for future occupiers is considered to be of a high quality in terms of its size and layout and an outlook would be provided from each unit's living space. A reasonable level of external amenity space is provided, by means of a communal area, given the inner city location.
- 8.4.3 Accordingly it is considered that the proposed development would provide good quality sustainable accommodation for future occupiers in accord with the principles of Policy H5.

8.5 Transport Impact

- 8.5.1 Policy T5 seeks to ensure that *'all new developments properly address the demand for travel and its impacts, contributes to reducing reliance on the private car and avoids unacceptable harm to safe and efficient operation of the road, public transport and other movement network and routes.'*
- 8.5.2 The proposal does not include any car parking provision, however, is located in an accessible location being in close proximity to public transport and local facilities. Furthermore, the proposal provides bicycle storage facilities for the proposed residential units that would further promote sustainable modes of transport.
- 8.5.3 It is considered the proposal by virtue of its siting within a sustainable location is

not reliant upon the private car as a mode of transport, therefore, would have minimal impact upon the road network and accords with the principles of Policy T5.

8.6 Affordable Housing

8.6.1 Policy H3 details that where development proposals contain 5 or more dwellings 20% affordable housing, on brownfield sites, will be sought to be delivered on-site in all instances. In this instance, however, for the reasons detailed at para. 5.1 it is considered that in lieu of the provision of on-site affordable housing a financial contribution should be sought.

8.7 Conclusion

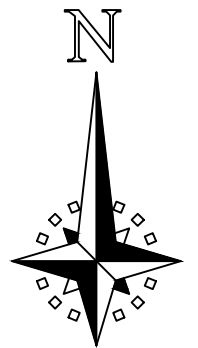
8.7.1 Having regard to the policy context at Sec. 4, the proposal is considered acceptable and it is recommended that, subject to conditions, planning permission be granted following the signing of a legal agreement to secure a financial contribution of £62,640 towards off-site affordable housing.



SITE PLAN
1:250



LOCATION PLAN
1:1250



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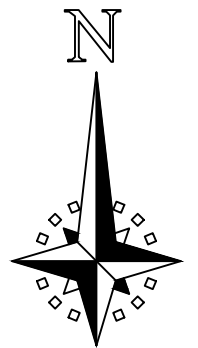
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Title Existing Site Plan & Location Plan		Dwg No. Rev. AL(90)01
Date 05/12/2016	Drawn GWL	Scale 1:250/1250 @ A3
 C² Architects		Town planners Environmental & Urban design
<small>Unit 1A, Compass Business Park, Pacific Road, Cardiff, CF24 6HL</small>		<small>www.c2architects.co.uk tel: 029 20452100</small>




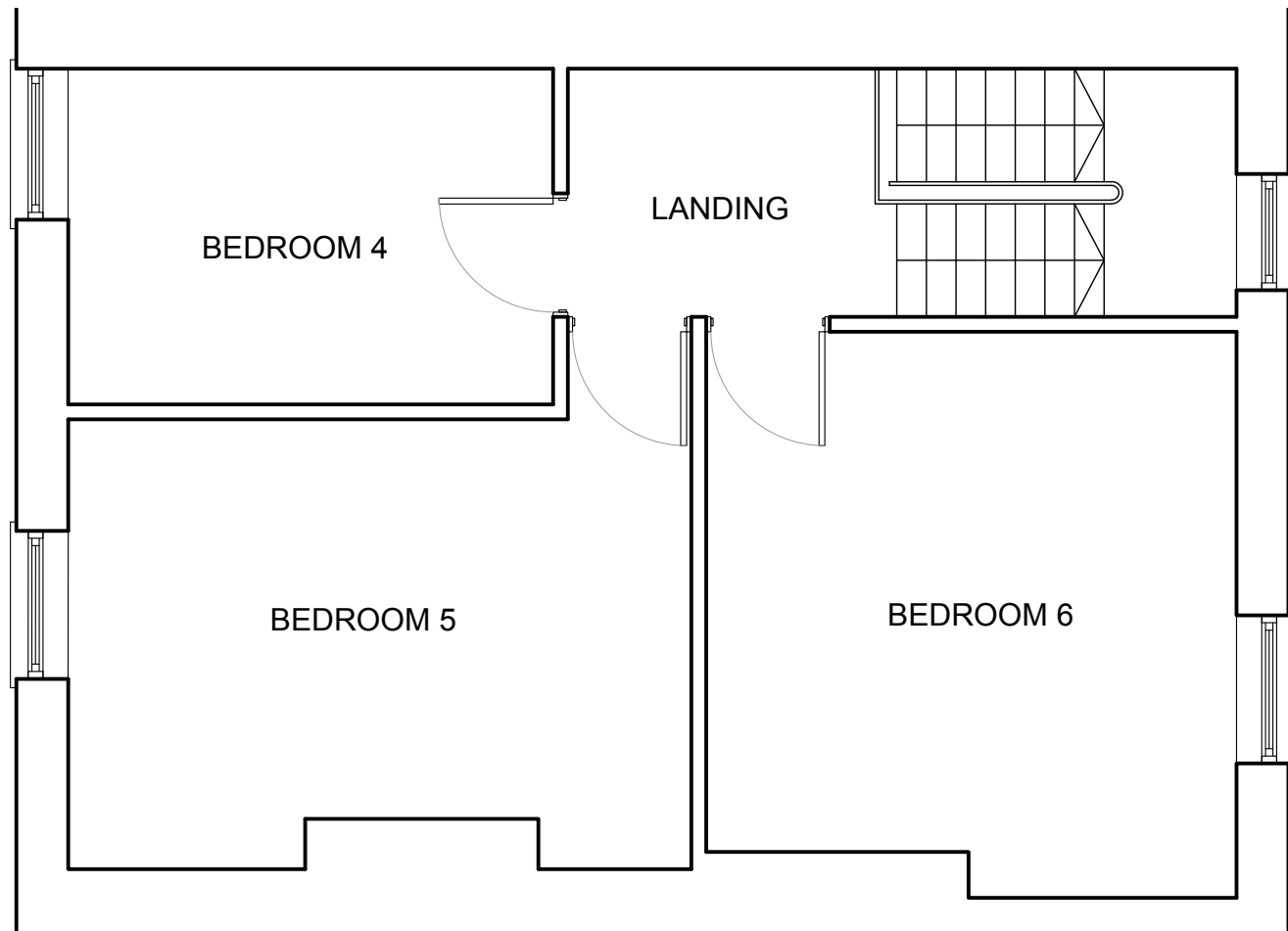
SITE PLAN
1:250



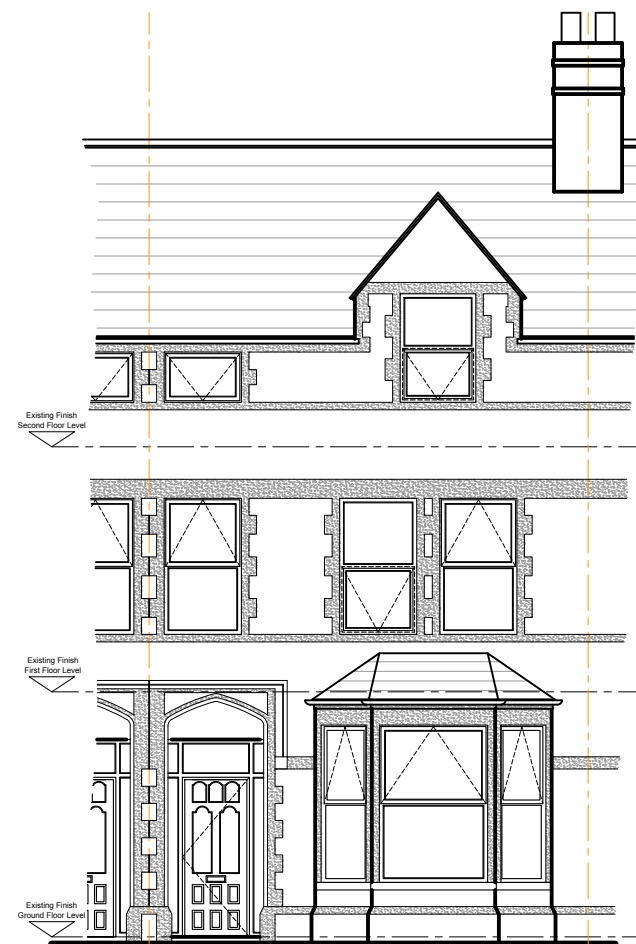
LOCATION PLAN
1:1250



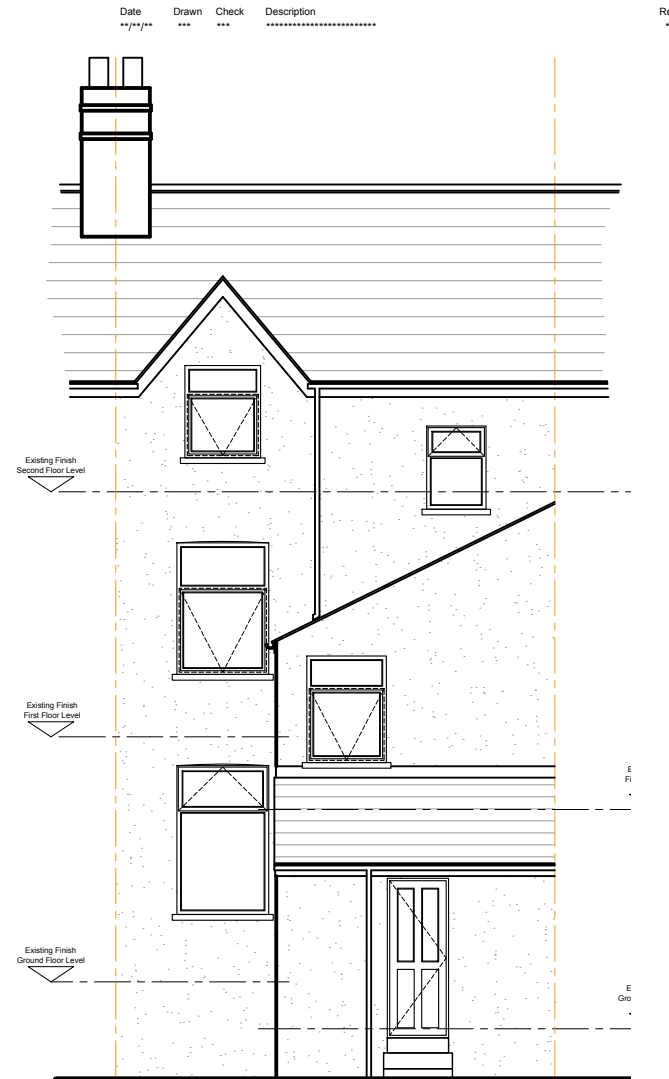
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Title Proposed Site Plan & Location Plan		Dwg No. Rev. AL(90)02
Date 05/12/2016	Drawn GWL	Scale 1:250/1250 @ A3
 C² Architects		Town planners Environmental & Urban design
<small>Unit 1A, Compass Business Park, Pacific Road, Cardiff, CF24 6HL</small>		<small>www.c2architects.co.uk tel: 029 20452100</small>



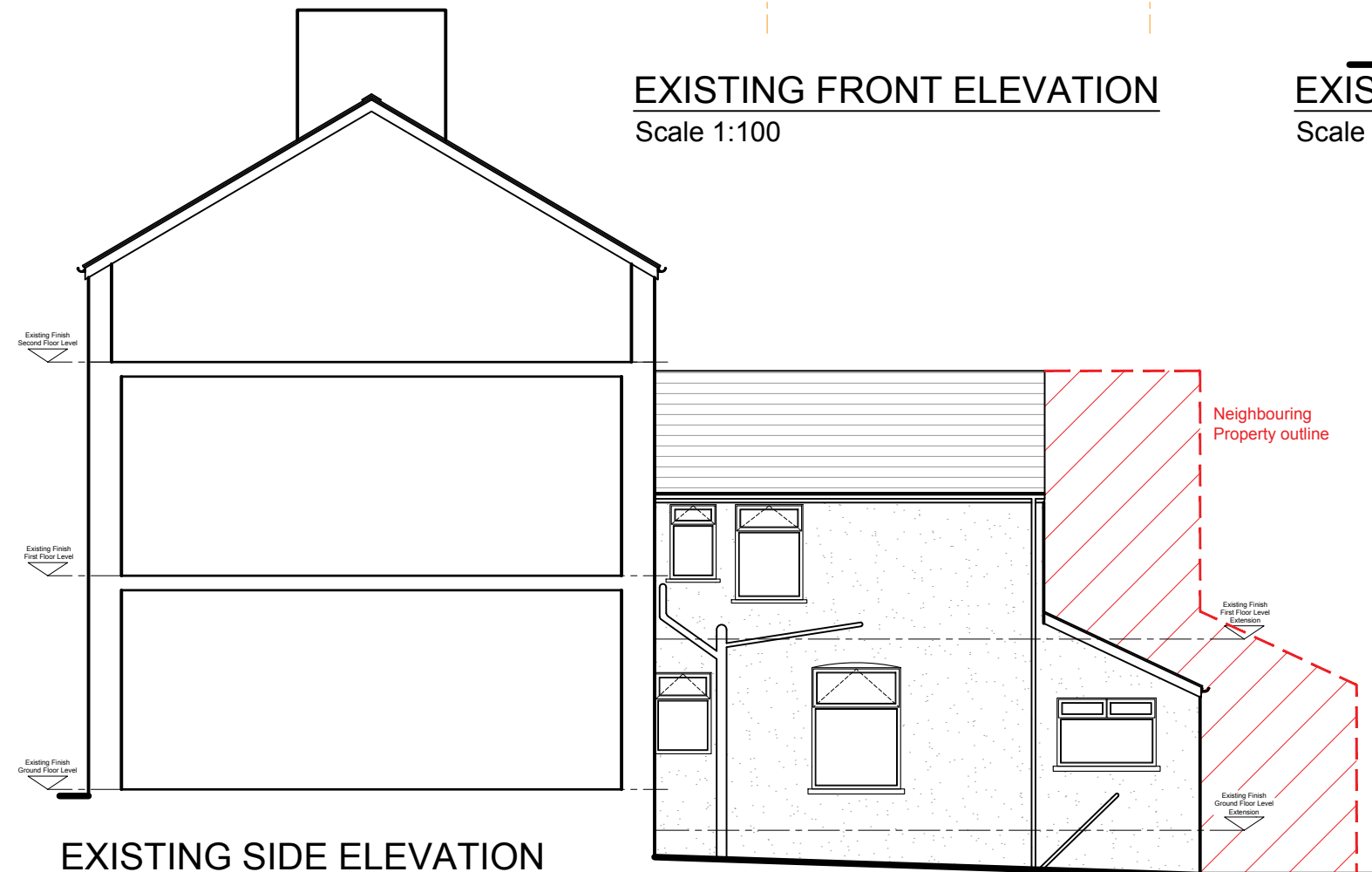
EXISTING SECOND FLOOR PLAN
Scale 1:50



EXISTING FRONT ELEVATION
Scale 1:100




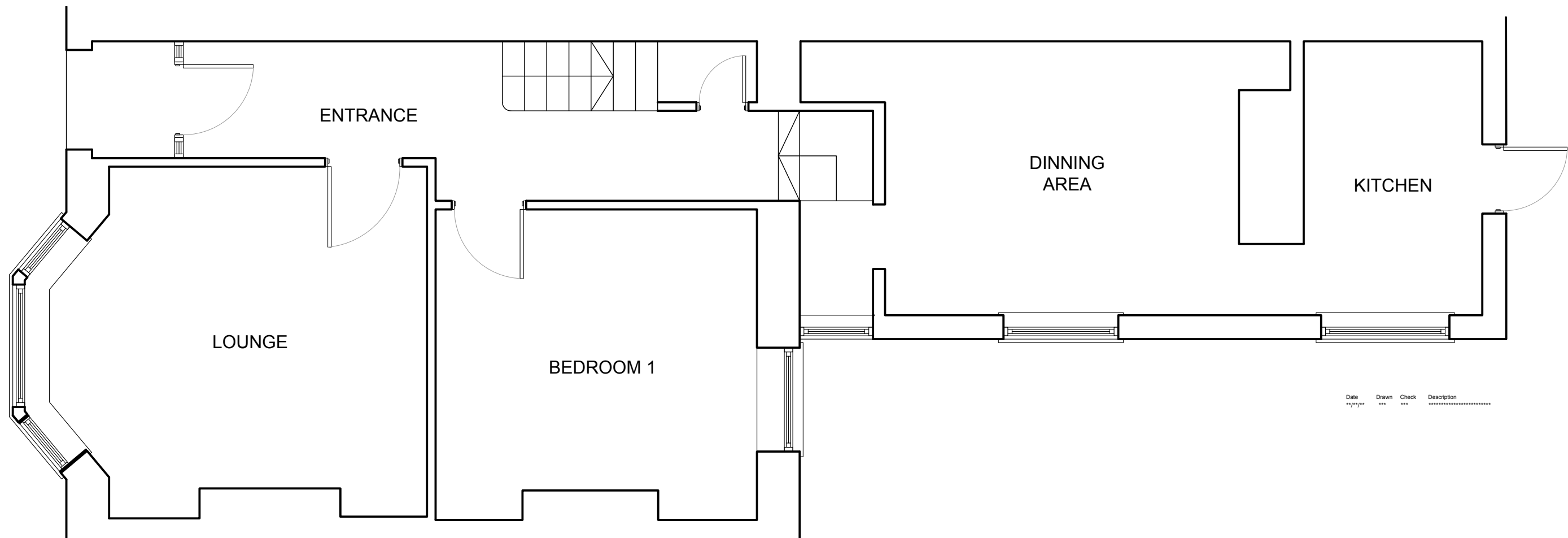
EXISTING REAR ELEVATION
Scale 1:100



EXISTING SIDE ELEVATION
Scale 1:100

Date	Drawn	Check	Description	Rev.
22/11/16	GWL			

Proposed Works @ 49 Dispenser Street Cardiff		Job No. 16_083	Rev.
Title Existing Floor Plans & Elevations		Dwg No. AL(00)02	
Date 22/11/2016	Drawn GWL	Scale 1:50 / 1:100 @ A3	
 Architects · Town planners Environmental & Urban design		<small>Unit 1A, Compass Business Park, Pacific Road, Cardiff, CF24 6HL</small> <small>www.cjarchitects.co.uk tel: 029 20452100</small>	

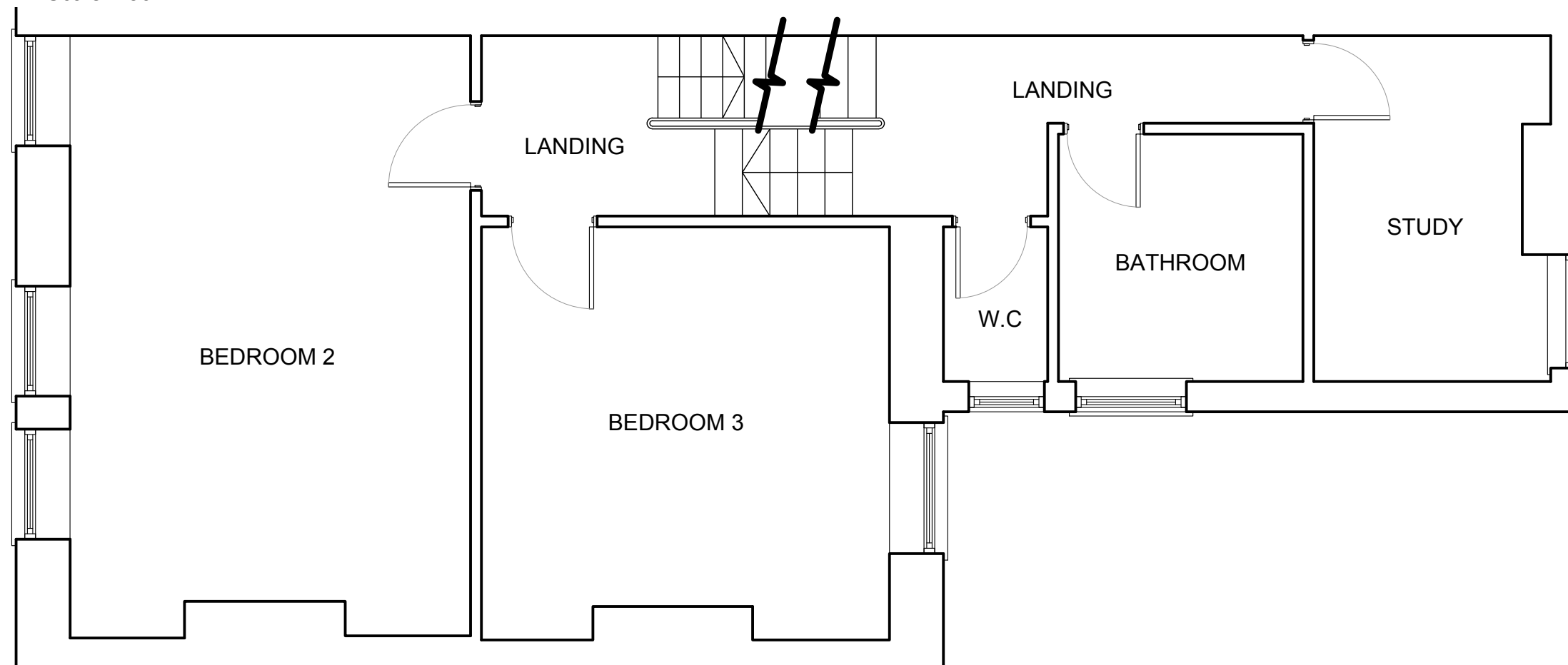


Date	Drawn	Check	Description
22/11/16	GWL		Existing Floor Plans

Rev.


EXISTING GROUND FLOOR PLAN

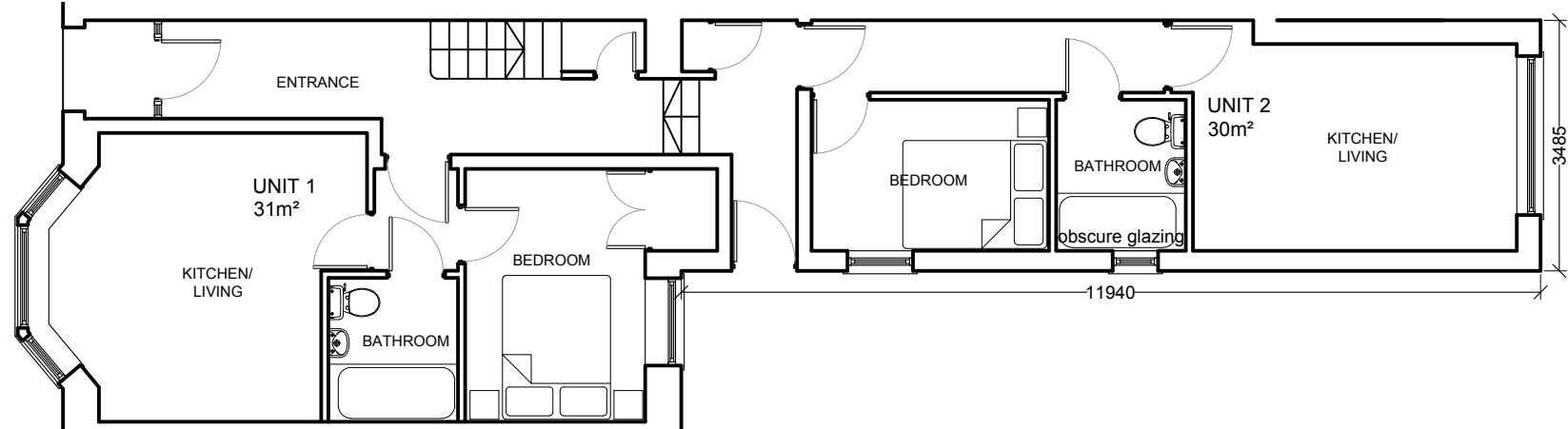
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EXISTING GROUND FIRST PLAN

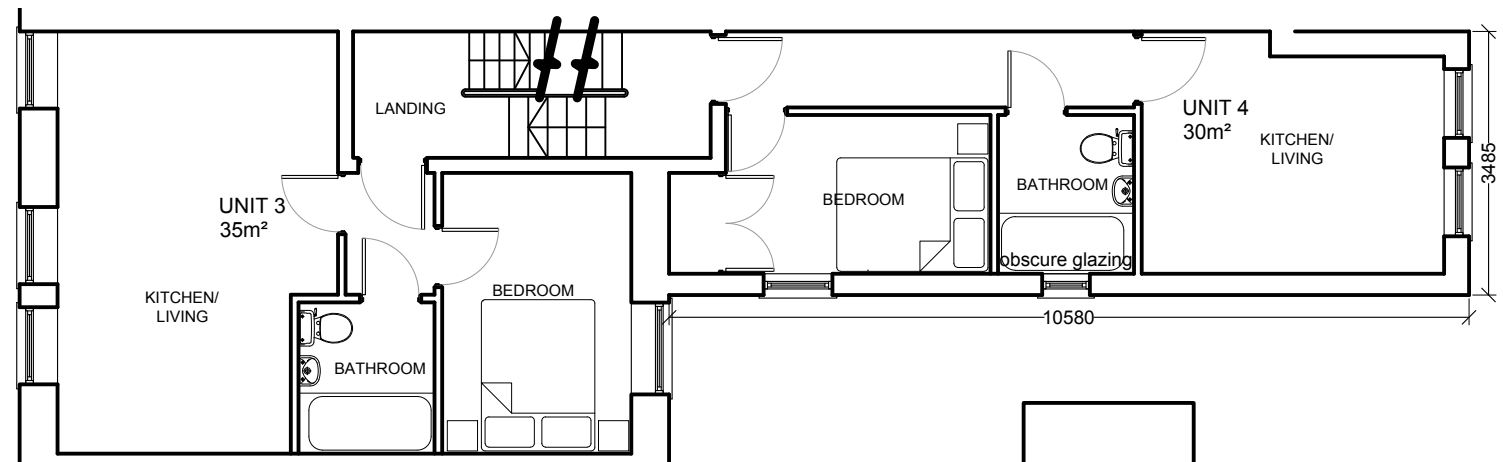
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Proposed Works @ 49 Despenser Street Cardiff		Job No. 16_083	Rev.
Existing Floor Plans		Dwg No. AL(00)01	
Date 22/11/2016	Drawn GWL	Scale 1:50 @ A3	
 Architects		Town planners Environmental & Urban design	
<small>Unit 1A, Compass Business Park, Pacific Road, Cardiff, CF24 6HL</small>		<small>www.c2architects.co.uk tel: 029 20452100</small>	



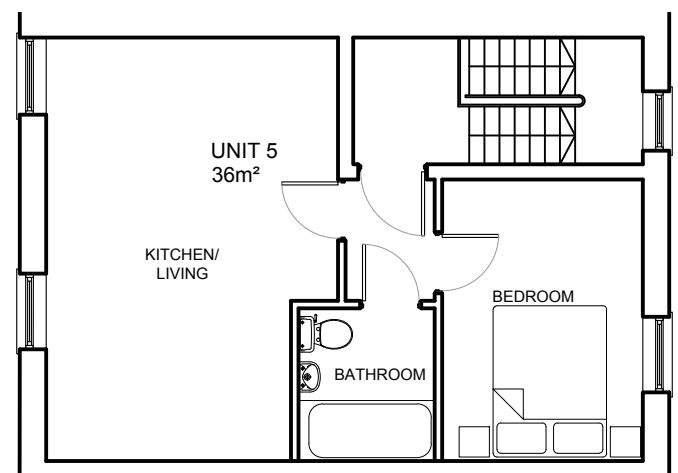
PROPOSED GROUND FLOOR PLAN

Scale 1:100



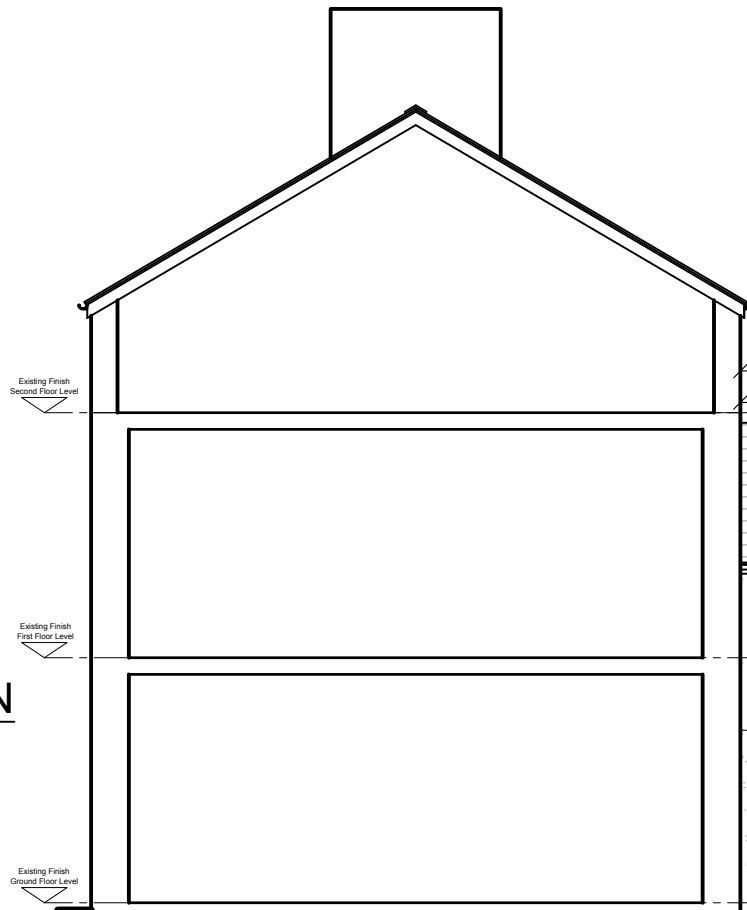
PROPOSED FIRST FLOOR PLAN

Scale 1:100



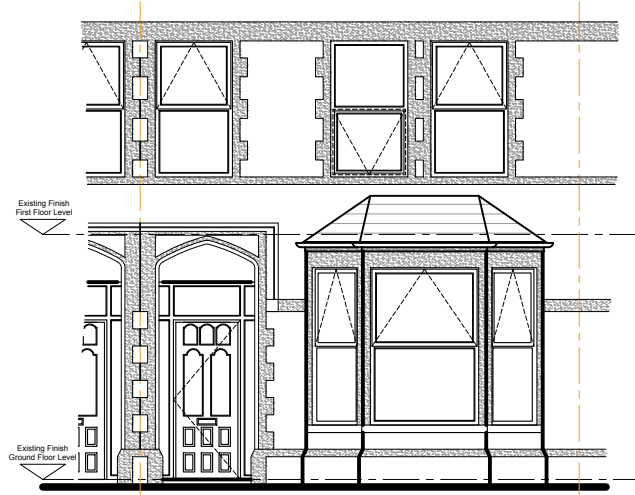
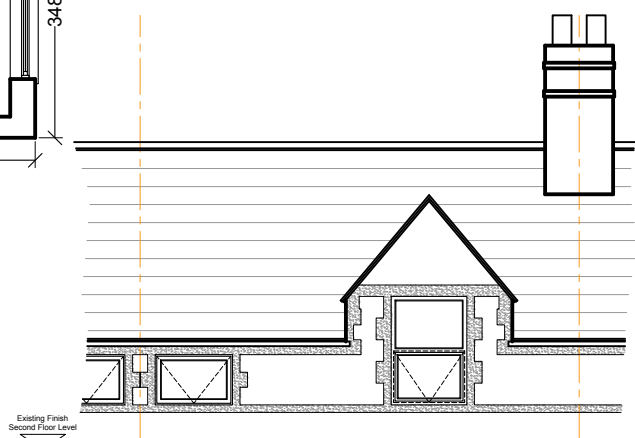
PROPOSED SECOND FLOOR PLAN

Scale 1:100



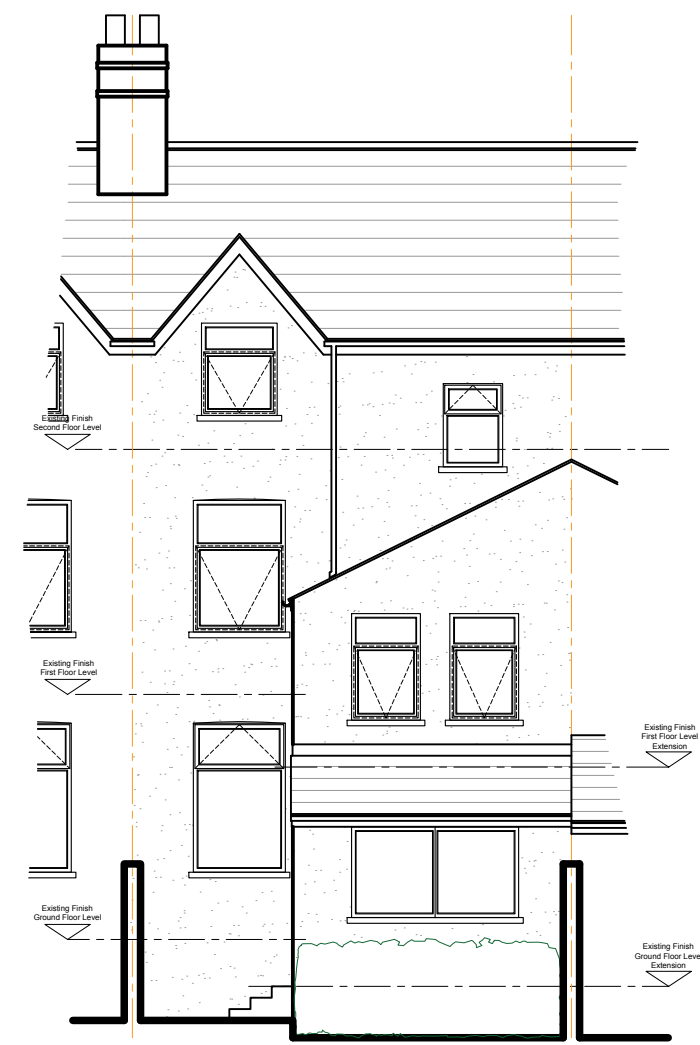
PROPOSED SIDE ELEVATION

Scale 1:100



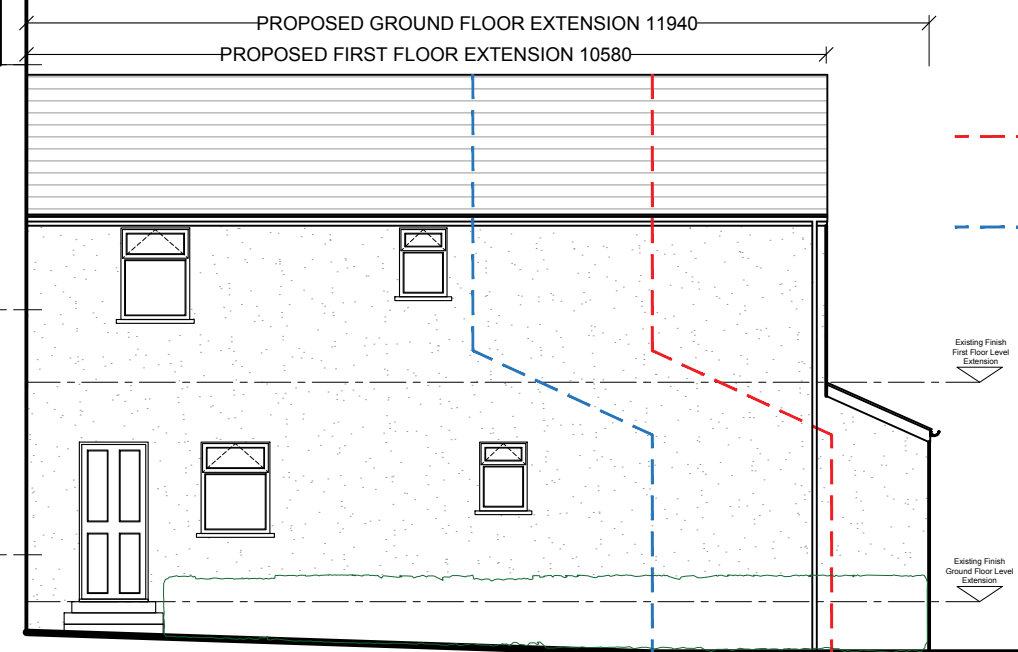
PROPOSED FRONT ELEVATION

Scale 1:100



PROPOSED REAR ELEVATION

Scale 1:100



Proposed Works @ 49 Despenser Street Cardiff		Job No. 16_083
Title Proposed Floor Plans & Elevations		Dwg No. Rev. AL(00)03
Date 05/12/2016	Drawn GWL	Scale 1:100 @ A3
Architects · Town planners Environmental & Urban design		www.cjarchitects.co.uk tel: 029 20452100
Unit 1A, Compass Business Park, Pacific Road, Cardiff, CF24 6HL		

COMMITTEE DATE: 11/10/2017

APPLICATION No. **17/01691/MJR** APPLICATION DATE: 07/07/2017

ED: **GABALFA**

APP: TYPE: Full Planning Permission

APPLICANT: Wates Residential

LOCATION: BRIARDENE, NORTH ROAD, GABALFA, CARDIFF, CF14 3BL
 PROPOSAL: DEVELOPMENT OF 30 X TWO BEDROOM APARTMENTS FOR OPEN MARKET SALES AND 9 X AFFORDABLE APARTMENTS (5 X ONE BEDROOM DWELLINGS - 2 OF WHICH WILL BE ACCESSIBLE GROUND FLOOR UNITS, AND 4 X TWO BEDROOM DWELLINGS), WITH ASSOCIATED LANDSCAPING, ACCESS, DRAINAGE AND HIGHWAYS WORKS

RECOMMENDATION 1 : That planning permission be **GRANTED** subject to the applicant submitting within six months to a **SECTION 106** Agreement comprising a contribution of £5k for Traffic Orders for on-street parking or waiting restrictions and £36K to prepare design and implement a scheme to accommodate the requirements of the safety audit including the cost to amend the access and install a physical barrier to deter people from accessing the site direct from the flyover, provide Block A for affordable housing and create a footpath through Maitland Park and the following conditions:

1. C01 Statutory Time Limit
2. This approval is in respect of the following plans and documents, unless otherwise amended by any other condition attached to this consent:
 - 3515_PA_001 Site Location Plan
 - 3515_PA_003F Site Layout Plan
 - 3515_PA_004D Coloured Site Layout Plan
 - 3515_PA_005D Management Plan
 - 3515_PA_010A Apartment Block A General Arrangements
 - 3515_PA_011A Apartment Block B General Arrangements
 - 3515_PA_012B Apartment Block C General Arrangements
 - 3515_PA_020A Apartment Block A Elevations
 - 3515_PA_021A Apartment Block B Elevations
 - 3515_PA_022B Apartment Block C Elevations
 - 3515_PA_025A Street Elevations 1
 - 3515_PA_026A Street Elevations 2
 - 3515_PA_030A View from North Road 1
 - 3515_PA_031A View from North Road 2
 - 3515_PA_032A View from Block B
 - 3515_PA_035B Boundary Details

- 3515_PA_040 Schedule of Accommodation
- Design and Access Statement Rev A, dated July 2017
- Pre-Application Consultation Report, dated July 2017
- CC1586 CAM 00 00 GA C 0101 - DRAINAGE LAYOUT-1
- CC1586-100-Rep01-A-FCA & Drainage Strategy
- CC1586-Briardene TA-Rep02-B Transport Assessment
- CC1586-RSA STAGE 1 DR01 Briardene - Designers Response
- CC1586 CAM 00 00 GA C SK200 P2 Vehicle Tracking
- CIT 1603-01-02 Construction Details of BODPAVE
- RSA Stage1 Minor Works Report for Briardene
- Briardene - Arboricultural Impact Assessment (TDA.2049.03(A))
- Briardene - Arboricultural Method Statement(A)
- Briardene - Detailed Soft Landscape Proposals (TDA.2049.05(B)) received on 19/09/2017
- Briardene - Pre-Development Tree Survey & Assessment
- Briardene - Tree Constraints Plan
- 16-5232-2-LHJ -Briardene Cardiff - Soil Resource Survey Report - July 2016
- Extended Phase 1 Habitat and Species Assessment
- Just Mammals update letter dated 15th August 2016
- CA10910 – Bat License - Cardiff
- Air Quality Assessment
- Noise Assessment Report
- 13492 geotechnical and geoenvironmental site investigation report

Reason : To avoid doubt and confusion as to the approved plans.

3. No building shall be occupied until the drainage system for the site has been completed in accordance with the approved details shown on drawing CC1586 CAM OO OO GA C 0101. Thereafter surface water shall be allowed to connect to the public sewerage system at a rate not exceeding 5l/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.

4. No removal of trees, branches, bushes or shrubs to take place between 1st February and 15th August.
Reason: To avoid disturbance to nesting birds which are protected under the Wildlife and Countryside Act 1981: Part 1, 1(1)(b), it is an offence to intentionally take, damage or destroy the nest of any wild bird while that nest is in use or being built.

5. Prior to the commencement of any development works the proposed details of appropriate gas protection measures 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 Local Planning

Authority. If no protection measures are required then no further actions will be required.

All required gas protection measures shall be installed 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.

6. 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. 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

7. 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 shall 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 2012).

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

8. The remediation scheme approved by condition 7 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 2012).

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.

9. 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 must stop, and no further development shall take place unless otherwise agreed in writing until a scheme to deal with the contamination found has been approved. An investigation and risk assessment shall be undertaken and where remediation is necessary a remediation scheme and verification plan 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 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 workers, neighbours and other offsite.
10. 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.
11. 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.

12. 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.
13. Prior to beneficial use details of the chosen glazing specification shall be submitted in writing to the Local Planning Authority for approval and then installed as approved.
Reason: In the interests of the amenities of future occupiers.
14. Prior to beneficial use the chosen mechanical ventilation scheme shall be submitted in writing for approval by the Local Planning Authority.
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.
Reason: In the interests of the amenities of future occupiers.
15. Prior to the commencement of development a scheme (Construction Environmental Management Plan) to minimise dust emissions and minimise the impact on the highway arising from construction activities on site during the construction period shall be submitted in writing for approval by the Local Planning Authority. The scheme shall include (but not be limited to) details of site hoardings, site access and wheel washing facilities, a strategy for the delivery of plant and materials, construction staff parking, traffic management proposals and details of dust suppression measures and the methods to monitor emissions of dust arising from the development. The construction phase shall be implemented in accordance with the approved scheme, with the approved dust suppression measures being maintained in a fully functional condition for the duration of the construction phase.
Reason: To safeguard the amenity of nearby residents in the area and highway safety
16. A residential travel plan shall be incorporated into a welcome pack provided to all new residents to encourage sustainable transport.
Reason: In the interests of sustainable transport.
18. Prior to any part of the development being brought into beneficial use a

lighting scheme for road/pavement/parking areas shall be submitted to the Local Planning Authority for approval and then implemented as approved prior to the development being brought into beneficial use.

Reason: In the interests of safety and the amenities of future occupants.

19. Prior to any development commencing a lighting scheme to ensure that the retained bat boxes and surrounding vegetation will not be lit shall be submitted to the Local Planning Authority for approval and then be implemented as approved prior to the development being brought into beneficial use.

Reason: To safeguard the habitat of a protected species.

20. Only those trees which have been identified to have low potential to support bats roosts shall be felled and during the felling of any trees the bat boxes on trees T30 and T35 shall be protected in accordance with a scheme to be submitted to the Local Planning Authority for approval and then implemented as approved prior to the felling of any tree.

Reason: To safeguard the habitat of a protected species.

21. D4B Preservation of Trees Marked on Plan

22. No development shall be commenced until the trees marked for retention on the application plan are protected by the erection of a temporary, cleft chestnut pale fence, such fence to be of a height of at least 1.2m and to have supporting posts at intervals of not more than 2 metres. The fence shall be positioned along the outer edge of the tree canopy spread or in such other position as the local planning authority may agree in writing. No soil or other materials shall be deposited in the area between the fence and the retained trees.

Reason: The trees are of value in the local environment and should be protected and maintained in the interests of visual amenity.

23. Prior to development commencing on site a plan showing the position of drainage and services shall be submitted for the approval of the Local Planning Authority and then be implemented in accordance with the approved plan .

Reason: To demonstrate that drainage and services will not adversely affect retained trees.

24. Within 4 weeks of the removal of trees identified on drawing 3515-PA-003E a report on the retention or removal of T32 shall be submitted for the approval of the Local Planning Authority.

Reason: To assess whether this tree can be appropriately retained/pruned in the interests of visual amenities

25. Notwithstanding the submitted plans and prior to development commencing on site the applicant shall submit an arboriculturist report for the approval of the Local Planning Authority as to whether any trees should be removed from the area occupied by T13 and G2 and if so

which trees.

Reason: To identify which trees at the entrance of the site can be appropriately retained in the interests of visual amenities.

26. Details of the lockable gate between Maitland Park and the development shall be submitted to the Local Planning Authority for approval and then implemented as approved prior to the development being brought into beneficial use.

Reason: To restrict uncontrolled access to the park in the interests of safety and visual amenities.

27. No development works shall take place on the apartment buildings until samples of the external finishing materials for the walls of the apartments 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.

28. Prior to the development being brought into beneficial use the front boundary wall shall be repaired and reinstated in accordance with details to be submitted to and approved by the Local Planning Authority.

Reason: In the interest of visual amenities.

29. Details of the bin and cycle stores shall be submitted for the approval of the Local Planning Authority and then implemented as approved prior to the development being brought into beneficial use.

Reason: In the interests of visual amenities.

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

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

- (i) determining the extent and effects of such constraints;
- (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 4 : The developer shall have regard to the consultation responses received during the processing of this application.

RECOMMENDATION 5 : 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 6 : The developer should ensure that prospective purchasers are made aware of the proximity of trees to the rear Block B, the Management Company and maintenance arrangement they will undertake to the landscaping within and overhanging the site and the growth characteristics of the trees close to the eastern boundary of the site.

1. **DESCRIPTION OF DEVELOPMENT**

- 1.1 The proposal is to create 3 apartment blocks. Each block would be 3 storeys high with pitched roofs of grey tiles with buff brick walls with banding to the ground floors.
- 1.2 The first block at the front of the site would be L shaped with 3 one bedroom units on the ground floor (2 of which would be accessible). The first and second floors would each contain 2 two bedroom units and 1 one bedroom unit. All the units in this block will be affordable.
- 1.3 The second block would also be L shaped but longer than the first block. Each floor would contain 4 two bedroom units on each floor. 8 small balconies would be provided for the first and second floor apartments. Three of the ground floor

units would have private garden areas.

- 1.4 The third block would approximate a C shape in rectangular form. This block would accommodate 6 two bedroom apartments on each floor. 14 small balconies would be provided for the first and second floor apartments. Two of the ground floor units would have private garden areas.
- 1.5 The second and third block will be for the open market.
- 1.6 There would be one car parking space and one cycle space per dwelling. There would be 2 communal bin stores. Apart from the 5 private garden areas and balconies the incidental amenity space would be available on a communal basis. The site immediately adjoins Maitland Park and residents will obtain direct pedestrian access through a lockable gate.
- 1.7 The proposal will necessitate the removal of 29 trees. One of the trees (an acer) is identified as good the others to be removed are graded fair, fair/poor and poor. Trees to be retained along the boundary with Park are described as moderate and high quality and value. The proposal is to plant 16 new trees. There are 4 trees close to the north western boundary that lie within the ownership of another party. There are other trees close to the southern boundary that also fall within the ownership of another party.
- 1.8 Approximately 450 sq m of the site will be transferred from the application site into the adjoining park. This parcel of land includes a row of mature quality trees. A footpath will be laid out within the park.
- 1.9 Vehicular access will be from the same point as the existing access into the site. Vehicular access is from North Road on the southern side of Gabalfa fly over. Vehicular access will be from the north and egress will be to the south in view of the nature of the road system in front of the site.
- 1.10 A small substation is proposed in the north east corner of the site.
- 1.11 In terms of viability the applicant says that this site will provide 23% affordable housing as well as the same energy performance, high quality design and community benefits we are achieving on the whole of the HPP. However, the site is challenging due poor ground conditions, existing drainage issues and the need for offsite improvements. The development does not deliver value for money, and therefore is unable to make any monetary s106 contribution. The applicant recognises that it is essential that offsite highway safety works are undertaken and will fund this. Part of the site is to be transferred to enable Maitland Park to be expanded and a footpath created.

2. **DESCRIPTION OF SITE**

- 2.1 Until relatively recently the site was occupied by a safety centre. The buildings on this site have been demolished and the site cleared of buildings.
- 2.2 The site is 0.52ha in area. The site is relatively level. There are a row of quality

trees along the eastern boundary that help screen most of the site from Maitland Park. There are a number of trees within the site.

- 2.3 The site is adjoined by 4 storey residential development to the north west, and associated parking area to the north, a church to the south, North Road to the west.

3. **PLANNING HISTORY**

- 3.1 09/00161 Outline Residential Development was approved on 15/9/2011. The outline consent was subject to conditions one of which limited the maximum number of dwellings to 48. The supporting documents indicated 36 car parking spaces, however, the parking to be provided was the subject of a planning condition.

- 3.2 15/00201/MNR Demolition of building on site approved 11/3/2015.

4. **PLANNING POLICY**

- 4.1 It is considered that the following LDP policies are relevant to this application:- KP5, KP7, KP13, KP16, H3, EN6, EN7, EN8, EN13, T1, T6, C5 and W2

5. **INTERNAL CONSULTEE RESPONSES**

- 5.1 The Ecologist states: Mitigation for the loss of bat roosts in the original buildings is already in place I understand, in the form of bat boxes attached to retained trees.

I note that the tree which supports the back boxes is to be retained. I agree with NRW that the proposed soft felling and precautionary mitigation measures set out by the Ecological Consultants should be conditioned. I also agree that a lighting condition should be required.

The trees on site are likely to support nesting birds, so we should attach our standard condition.

- 5.2 (a)The Tree Officer's original comments have in part been superseded by amendments submitted by the applicant. The Tree Officer's comments include the following:-

He has reservations about the retention of T32 in the context of the proposed development (he does not question its arboricultural value). Sycamores are vigorous trees with large, dark leaves that are slippery when wet and that attract huge numbers of aphids, whose feeding results in vaporised, sticky honeydew covering large areas during the growing season. These problems may seem trivial, but having visited many properties where such problems apply, it isn't. He would like to see greater space afforded between this tree (and the Sequoia sempervirens nearby) and the development, though he understands that the Parks Officer is advocating an approach whereby there is a site assessment following initial tree clearance, and decisions are made at

that stage regarding the appropriateness of retention/remedial pruning requirements. He is happy to attend such a visit, though of course it places the trees in a position of potential weakness, rather than the development being designed with regard to their current and likely future growth.

The footpath section details are welcomed and give comfort on fitness for purpose close to retained trees.

The applicant has advised that it is proposed to retain T13 & G2 as removing one may cause issues for the remaining two. In addition to this, due to the positive comments from neighbouring residents on their retention, the applicant has made a balanced decision. The Tree Officer is not clear, as the plan shows x2 not x3 trees, and no evidence has been presented by an arboriculturist to demonstrate that removing the central tree will or will not have significant knock on impacts on those that remain.

The Tree Officer appreciates the qualities of the Hippophae and has no objections to its planting, though he remains of the view that there was an opportunity here to provide a large, uniform bed to support the growth of a significant tree, rather than having a palette restricted to trees with upright habits, more suited to constrained, hard landscape streets than soft beds in residential developments.

The Tree Officer has no objections to a woodland mix subject to no harm resulting to retained trees.

The Tree Officer's principal concern is that the design of development does not give adequate respect to the current and likely future growth requirements of this tree, and it will undoubtedly be implicated in perceived nuisance problems down the line, particularly as it is close to two retained Sequoia sempervirens, one of the tallest trees in the world, and evergreen. He appreciates the importance of these trees as individuals and collectively as a screen, but remain of the view that the layout design is not giving them adequate respect in terms of their current and likely future growth requirements, and liveability for residents. Targeting trees for retention purely on screening value is a mistake. There must also be consideration of their long-term status in the context of the liveability of the proposed development. There comes a point where there must be a reduction in footprints or numbers of units, so that important trees or green infrastructure can be not only retained, but protected and enhanced.

(b) The applicant has amended his scheme by re-siting Block B further from the row of trees. The Tree Officer states:-

I welcome the increased clearance from the tree line.

5.3 The Waste Management Officer states:

The refuse storage areas have been noted. The storage areas should be enclosed in a secure, purpose built enclosure, undercover and screened from the view of the main street. Doors to this enclosure should open outwards and be wide enough to easily accommodate the bins on their route to their collection point.

For the 39 flats please ensure the refuse storage areas are large enough to accommodate the following recommended provisions split between the 3 blocks:

Dry Recyclables:	5 x 1100 litre bulk bins
Food waste:	3 x 240 litre bins
General waste:	5 x 1100 litre bulk bins
Compost:	3 x 240 litre bins

The developer is advised; as bulk containers are specified for this development, access paths to the kerbside for collection should be at least 1.5 metres wide, clear of obstruction, of a smooth surface with no steps. Dropped kerbs should also be provided to ensure safe handling of bulk bins to the collection vehicle

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.

Waste Management will not carry keys or access codes for bin storage areas; so waste must either be presented at the entrance to the development for collection, or the access doors to the bin store must be left open. The collection point should be shown on site plans, where possible refuse collectors should not have to travel more than 25m from the bin store to the collection vehicle. If the distance is greater than this an alternate collection point should be shown closer to the highway. If it is intended for the bins to be presented then a method statement would also have to be submitted detailing who would be responsible for the transportation of the bins back and from the refuse area.

Vehicle tracking will need to be submitted in order to show that the Council's RCVs (Olympus 6x2RS 19N) will be able to reach within 25m of these storage areas. The RCV must be able to enter and exit the road in a forward gear (it is not permitted to reverse down any roads). The vehicle tracking diagram must be able to show this. Suitable foundations and surfaces need to withstand the maximum payload of the vehicle (30 tonnes).

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

Please refer the agent/architect to the Waste Collection and Storage Facilities Supplementary Planning Guidance for further relevant information.

5.4 The Transportation Officer states

(a) There are no in principle objections to the proposed development, however there are a number of queries which require resolution.

There is some concern that access from North Road may lead to conflicts.

The access would be available for south bound vehicles only due to the central reservation. It is not currently prohibited for vehicles to make a left turn into the site from the mainline of North Road (A470) crossing the slip road onto the A470 from Gabalfa roundabout.

As indicated in the stage 1 road safety audit (RSA) (and designer's response) the design and overall layout of the access junction must be reviewed in accordance with the recommendation of the RSA detail prior to approval of the scheme.

Please provide tracking drawings to confirm that refuse vehicles can adequately manoeuvre (to turn around) within the site.

Similar drawings should be provided to confirm that delivery vehicles (home deliveries) can access and turn around within the courtyards to service the different flats.

Cycle parking; Please confirm that the number of secure cycle parking facilities for residents is in line with the council's current SPG (January 2010).

Please confirm that adequate, currently detailed in SPG (January 2010), visitor cycle parking is proposed within the site.

Details of the street lighting within the development will be required.

There is a shared cycle/footway facility running across the access junction. The design of the adjacent footways and junction must accommodate this facility. Appropriate tactile paving should be provided and low level kerbing to help the visually impaired identify the junction but also allow cycles to cross the junction without disruption.

Three conditions have been suggested in respect of CMS, Travel Plan and reinstating frontage footpath and a contribution (in the region of some £5k) might be anticipated for Traffic Orders for on-street parking or waiting restrictions may be required to ensure the access is protected and any inappropriate parking can be managed.

(b) To prepare design and implement a scheme to accommodate the requirements of the safety audit. The cost to amend the access and install a physical barrier (most likely bollards) to deter people from accessing the site direct from the flyover would be £36K.

A more comprehensive layout could be prepared for some £75k. This would include physical construction rather than any hatching and bollards. It would also incorporate a section of bus lane on the slip road outside the shops.

- 5.5 The Education Officer does not require a contribution in this case.
- 5.6 Shared Regulatory Services requests the inclusion of conditions and informative statements 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.

5.7 Noise and Team recommends three conditions in respect of noise, ventilation and dust.

The Air Quality Assessment (AQA) has been undertaken to a high standard and the very conservative approach adopted by the model is deemed best practise allowing worst-case scenarios to be portrayed. Based on the sufficient evidence and outcomes of the AQA, on the grounds of air quality I do not have any objections to the proposed development.

The main outcomes to be drawn from the report are:

1. The risk of dust soiling effects is classed as medium for earthworks and construction, and low for demolition trackout. The risk of human health effects is classed as low for earthworks and construction, and negligible for demolition and trackout.
2. The predicted results indicate the pollutant concentrations will be well below the Air Quality Objectives and no specific site mitigation will need to be applied to the building to safeguard future occupants from harmful pollutant concentrations.

Due to an element of risk associated with the construction phase of the development, it is therefore considered essential that a suitable Construction Environmental Management Plan outlining a detailed Dust Management Plan with appropriate measures be submitted and approved prior to the development proceeding.

5.8 Regeneration

Initially a S106 contribution was sought but following the receipt of viability information the following response was received:

I can confirm that on the basis of the viability issues presented, and other benefits to the council deriving from the site such as the levels of affordable housing to be provided, in this instance we are content not to pursue our request for a financial contribution towards community facilities.

5.9 The Parks Officer says that:

Parks have been involved in a number of design discussions with the applicant/designers. These have led to satisfactory resolution of a number of issues, as set out below.

Line of trees along edge of new development, adjacent to Maitland Park.

- The existing line of trees, although valuable in terms of arboricultural, ecological and visual impact, contained a number of trees in poor condition. This was highlighted by the arboricultural report and a satisfactory plan is now in place for removal of poor quality trees, along with suitable pruning of retained trees. This will need to be overseen and

carried out by a suitably qualified arboriculturist / arboricultural contractor. Revisions to the arboricultural plan may be required depending on the form of the retained trees once the main removal has taken place. The impact of the retained trees on the new housing will also need to be assessed, with pruning undertaken as required.

- Following discussions and a site meeting with Councillors Ashley Wood and Rhys Taylor with regard to transfer of the trees into the Park rather than forming part of the housing area, it was agreed that this was feasible without impacting significantly on the proposed housing. Therefore the existing fence-line will be removed and a new fence (vertical bar – to be confirmed by designers) installed in accordance with the revised plans. I would suggest that the final alignment of this fence is set out on site once tree clearance has taken place in order to achieve the best alignment for properties and the trees, although I wouldn't see this as being of significant difference to alignment shown.
- Following discussions with Housing the area containing the trees will remain under Housing land and will be managed through a service level agreement, probably with Parks.

Footpath

- The new development includes a footpath link into Maitland Park to provide access for residents and others in Gabalfa, thereby making the park more accessible. Within the park an additional footpath will be constructed (using no dig construction to avoid damage to the tree roots). This is designed to link with the play area and a well-used access route to Whitchurch Road and Heath Hospital.
- Constructing the link path through the woodland area presents some technical difficulties due to levels of ground around the trees, but these will need to be resolved once the main tree clearance has taken place and ground levels / root systems can be assessed more easily.
- The exact location of the path within the Park will also need to be determined on site to achieve the best alignment. It is possible that 1-2 moderate quality cherry trees may need removal to allow the path to be placed in the optimum position.
- One concern is that the footpath through the development may become very well used, particularly by those commuting to Heath Hospital, which could result in nuisance to residents. This would need to be monitored and if necessary people encouraged to use nearby Laytonia Avenue.

Proposed Housing Layout

- The original layout at pre-application stage impacted on the trees along the edge of Maitland Park, due to road and parking space construction. The layout has since been modified and Parks support the current proposals.

Planting

- Three new trees are shown in the NE corner to enhance the woodland edge. I concur with Ed Baker's comments that three is too many, particularly as one is placed within the garden of one of the properties. I suggest that 1 *Acer campestre* is planted centrally in the space and a

second beyond the boundary into the park. An overlap of canopies long term isn't necessarily a problem in this instance as it forms part of a woodland but there is little benefit in planting trees too close together as happened with the existing woodland strip.

- Use of a woodland seed mix beneath the woodland tree canopy seems reasonable and should result in a relatively low maintenance area that provides biodiversity and benefits the park visually. It's success in establishing and best way to sow without risking damage to trees will again be easier to see once the tree works have been carried out. Cultivation will need to take place without damaging root systems of the existing trees.

Open Space Provision

An area of land is being transferred from the Housing site to the adjacent Maitland Park POS, size 380m², along with provision of a new footpath providing new connections into and within the open space. In addition the developer/Council have now provided written evidence that the development would not be viable with inclusion of off-site contributions and having assessed these figures I am happy not to proceed with a request for a contribution on this scheme.

5.10 The Drainage Officer states:

This design proposal is not acceptable in its current format. I require full G.I. in order to justify no consideration for infiltration and noting the proximity to a main river, any potential of connecting to river gravels. Furthermore, the Authority does not adopt highways constructed with permeable paving, a full MDX digital sim file is required in order to check the attenuation figures (not a printed/scanned copy) and an explanation as to why no effort has been made to use the proposed landscaped areas to remove pollutants from the drained highway areas. If DCWW have an issue with this, then please state as such and we can then speak to them accordingly.

In terms of the drainage drawing, there is no clarity on either the location of the proposed permeable paving, or the 1in100 attenuation storage.

In conclusion, it is recognised that the site has limits in terms of SUDS design, but we do not yet have enough justification to accept the proposals.

6. **EXTERNAL CONSULTEE RESPONSES**

6.1 (a) Welsh Water initially stated:-

We have reviewed the information submitted as part of this application and note that insufficient information has been submitted. We acknowledge that the applicant will submit further details which relate specifically to the application site and amend those currently provided.

In light of the above we are not in a position to comment on the proposal and therefore request that we be re-consulted once further details are provided

(b) Following the submission of revised drainage details Welsh Water stated:- We have agreed that the proposed connection point can be used.

Welsh Water has specified a condition which is incorporated into the recommendation.

- 6.2 South Wales Police have had discussions with the developer and are happy with design and layout and have no objections from a community safety perspective.

The only comment is that as the development includes social housing the ground floor windows and main entrance/exit doors will need to be PAS24 compliant in order to comply with Welsh Housing quality standards.

The Police want these comments passed onto the developer.

- 6.3 GGAT states:

We have consulted the regional Historic Environment Record and note that the application area is located immediately to the east of Roman Road RR621 (Castell Collen to Cardiff). A Bronze Age axe (also referred to as a palstave) was found approximately 50 metres to the south east of the proposed development (PRN00125s).

A review of the historic Ordnance Survey mapping indicates that the proposed development area contains several structures with a house and garden which is present on the 1st to 3rd editions (1880 to 1920). The historic mapping also depicts a structure called Briar Dene which is present on the 3rd edition (1920) and 4th edition (1942). The house and garden that is present on the 1st to 3rd edition historic maps are not depicted on the 4th edition (1942).

The development area appears to have undergone extensive development and refurbishment and it is likely that any surviving archaeology has already been disturbed or destroyed.

As a result, there is unlikely to be an archaeological restraint to this proposed development and consequently, as the archaeological advisors to your Members, we have no objections to the positive determination of this application. The record is not definitive, however, and features may be disturbed during the course of the work. In this event, please contact this division of the Trust.

- 6.4 NRW states:

Thank you for referring additional information regarding the above planning application consultation.

We recommend that you should only grant planning permission if you attach the following conditions. These conditions would address significant concerns that we have identified and we would not object provided you attach them to the

planning permission.

We welcome the letter entitled 'Briardene – Preliminary Ground Level Roost Assessment for Bats' dated 8/9/17 from Wardell Armstrong. There is some discrepancy between the letter and the Drawing (TDA.2049.03) entitled Arboricultural Impact Assessment (by TDA dated April 2017) as to which tree supports the mitigation bat boxes (T30 or T35). However, either way, both are proposed to be retained.

In consideration of the information submitted, we ask that conditions are now imposed on any planning permission granted, to ensure adequate protection of bats. Details of the required conditions are given below:

Condition 1

The proposed soft felling of the trees which have been identified to have low potential to support bats roosts should be secured through the use of an appropriately worded planning condition.

Condition 2

We advise that a condition is attached requiring a lighting scheme to be approved in writing by the LPA, prior to any works commencing on site, to ensure that the retained bat boxes and surrounding vegetation will not be lit.

NRW also said that foul water is to be disposed of to a public foul drain and the developer is referred to their document "Approach to groundwater protection" in respect of controlled waters.

7. **REPRESENTATIONS**

- 7.1 Local Members have been notified. Councillor Taylor has queried when the development will commence and whether adjoining residents will be compensated for construction noise and increased traffic.
- 7.2 Councillor Taylor and Wood also state: As Local Members for the Gabalfa ward we would like to make the following comments on the planning application 17/01691/MJR for the Briardene site.

We note the responses given to our submission as part of the pre-consultation (Pre-consultation Report Part 2, Appendix 6) and would like the following points to be considered by the planning Committee:

- The protection of the tree line adjacent to Maitland Park and commitment to prune existing trees on the site is welcomed.
- The expansion of Maitland Park would provide a tangible benefit to the local community. This has been a long-held position and was noted previously by the planning committee in 2009. This expansion can be achieved by relocation of the proposed boundary fence to incorporate the tree line along the boundary into the park. We understand agreement has been reached between the developer and Cardiff Council Parks Department to accommodate this request. Should this not

be a part of the final plans for consideration, this submission should be considered an objection by local members.

- The safety of the junction between the access road and North Road (given the speed of traffic and merging traffic between the flyover). A suggested solution (Stage 1 Minor Works Road Safety Audit Report) is to delay the merging of traffic by extending the barrier between the Gabalfa flyover and North Road, beyond the entrance to the site. We would like this to be a condition for planning .
- Concern remains over the roof pitch (increasing overall building height) and impact this will have on daylight for some residents in Meridian Court.

In addition, the provision of parking is a concern. A bay is provided for each flat but there is no parking allocation for visitors. It is noted in the Design and Access statement (part 2) that this decision was taken to discourage individuals parking cars at the site to take advantage of local transport links. Whilst this exceeds the minimum values given in the SPG there is concern that visitors will use non-permit parking in the local vicinity adding to already saturated demand. This is expected to impact on businesses on North Road, which are dependent on the availability of parking for their customers. Further to this, there appears to be no provision that the future owners/tenants will be prevented or discouraged from owning multiple vehicles that will also be parked on the highway in the local vicinity, further exacerbating these concerns.

7.3 The application has been advertised on site and in the press.

7.4 Adjoining occupiers have been notified. Three businesses and a person who uses the local shops in North Road have expressed concern for the following reasons:-

Insufficient parking. The plans set out 39 flats with only 39 parking spaces. There are no plans for guest or overflow parking. Extremely concerned how this will effect local businesses. Currently rely on the small strip of parking alongside the fly over for customers. This parking is already stretched to full capacity and people often cannot park as it is. All of the surrounding streets are permit parking only so will not be able to accommodate the extra cars. It is inevitable that people will use this area of unrestricted parking for their second vehicle or visitors which will have a catastrophic effect on the local businesses.

7.5 A representation from a resident of the adjoining apartments to the Pre Application Consultation that the applicant undertook has been submitted to the Planning Department. The neighbour states:-

I am pleased to note the developer has agreed to the pruning of the larger trees on the boundary of Maitland Park.

Please can I also be assured that this will be regularly done and that the height of the trees will be lower than the final height of the pitch of the new buildings; the “aesthetics” of which, in my view, does little for the overall look of a poorly designed development?

Regarding the developers view that the footpath along the boundary of Meridian Court would require the loss of a few “mature” * trees, may I remind them that trees can be moved (which would not be a great distance).*These trees are not mature. Trees of this height can be bought and planted in easily.

I am utterly appalled the architects for Cardiff Living have failed to consider the existing loss of light to my flat, which faces mainly east; with my 2 main rooms (lounge and bedroom) only receiving a small amount of filtered light through the trees within our own boundary; the branches of which now extend to within 150cm from the windows.

For the most part, to save electricity, I need to live in my kitchen during the day to get the Northern light. Do the developers consider it would also be neighbourly to prune the trees on our side of the boundary?

When the architect visited Meridian Court to meet us and discussed the issues myself and other residents raised, he came to my flat and played down the reduction of light to my rooms, and, dismissed my comments with the statement that the height of the buildings would have a “negligible effect” on this reduction of light.

I agree, on plan, these buildings appear to be a “fair” distance away, but I would very much like a second professional opinion to evaluate the real amount of light lost to my flat; the foreshortening effect of which can be clearly seen from the rear of Meridian Court.

Finally, these are tall buildings being submitted for planning permission, and bearing that in mind, I would seriously like Councillor’s to see that the “distances” involved between our two buildings cut out a great deal of light in real measurable terms (particularly from tall buildings); not, I would like to add improved by cloudy and overcast days .

We are not talking about your average 2 storey suburban dwellings here.

8. **ANALYSIS**

- 8.1 The proposed development is on a site where the principle of residential development was established in 2011 for a larger number of dwellings. The indicative layout showed 48 dwellings in a 50/50 split of one and two bedroom units with 39 car parking spaces.
- 8.2 The development adjoins a four storey apartment development, the grounds of a church, the edge of Gabalfa flyover and Maitland Park to the rear. The scale of the development reflects that within the vicinity on the neighbouring site.
- 8.3 The disposition of buildings on the site, the protection of quality trees and replacement trees is considered to be generally satisfactory.
- 8.4 The gables fronting North Road will provide a pleasant vista into the scheme,

whilst the planting will maintain a green character along the immediate frontage. The frontage boundary wall is to be repaired and retained. The overall appearance of the development is well considered, however, most of the development would be screened from the highway by the frontage unit and the adjoining apartments at Meridian Court.

- 8.5 Vehicle and cycle parking is well arranged with good surveillance, and there is a separate path of pedestrian access. The SPG on parking provision specifies minimum, maximum and visitor parking standards for residential development. Minimum standards require 0.5 spaces for both one and two bedroom units with 0.25 spaces for visitors. Minimum affordable housing provision is 0.25 spaces. Minimum car parking requirement for this development, including visitors would therefore be 27 spaces. The development provides almost 50% more parking spaces than the minimum required outside the central parking area.
- 8.6 The Authority is aiming to achieve a 50/50 modal split. There is a bus stop south bound within 120m of the site and several bus stops on the western side of North Road. There is a regular and frequent bus service into and out of the city centre. An underpass adjoins the entrance to the site providing a safe pedestrian link to the western side of North Road. In this case the site is not in a peripheral location and is well served by public transport. It would not be appropriate to seek maximum parking provision in this case. Nor is it considered appropriate to only require minimum parking standards provision. The Transportation Officer has raised no objection to the parking provision detailed in this scheme.
- 8.7 It should also be noted that 21 cycle stands for 42 cycles are proposed to promote sustainable transport use. The SPG on parking requires one cycle space per dwelling.
- 8.8 The concerns of local businesses have been brought to the applicant's attention. The applicant says that Wates will be providing a level of parking for the development that is far in excess of the minimum required by Local Planning Policy for developments of this kind. The proposal is for apartments rather than houses which generally have lower levels of car ownership. The site is also in a highly sustainable location with excellent public transport links, so Wates do not believe parking will be a significant issue. One of the options Wates are considering for the improvement to the slip lane to North Road also includes the creation of some additional parking. These spaces will help to ease existing pressure in the area.
- 8.9 The parking area on North Road north of Laytonia Avenue is limited to 2 hour with no return within 2 hours between 8.00-18.30 hours. 50% of Laytonia Avenue is residents parking only. The parking on North Road south of Laytonia Avenue is not subject to parking control.
- 8.10 There is provision of communal courtyards and gardens, which are fine, with a good provision of patios for ground floor flats onto their spaces. Rear garden privacy to public realm is provided by masonry walls, as are prominent bin

stores. The amenity area surrounding the apartments significantly exceeds the standards identified in the SPG on Residential Development. In addition the development has access to the adjoining park and several of the units have balconies.

- 8.11 The lockable route to Maitland Park/Whitchurch Road is welcome as it provides ease of access for future residents to the park whilst providing security. This is a key urban design feature allowing comfortable walking to nearby amenities. The new path within the park to be created in conjunction with this development improves access to the play area from the application site. It is not envisaged that there would be any significant numbers of commuters to the Heath hospital using the Park, as it would not be a direct or shorter route. Wates has confirmed that following the agreement reached between CCC Housing and CCC Parks, they will be extending the usable area of Maitland Park to include the tree line.
- 8.12 The applicant states that “The 45-degree roof pitches are an important part of the apartment blocks’ aesthetic, designed to be proportionally better and avoiding the low-pitched, council-block style of roof which was once commonplace. The closest of the proposed apartment blocks is 27m away from Meridian Court. A reduction in the roof pitch of these apartments by 10 degrees would see the ridge reduced by 1.2m, which over this distance, would have a negligible effect. We believe that daylighting levels in the Meridian Court apartments would be better improved by pruning the existing trees within the Meridian Court site.” I concur with the applicant’s assessment of this matter, as the required 25 degree angle is exceeded.
- 8.13 The Transportation Officer has no highway safety objection to the use of and alterations of the existing access to the site. Wates has advised that “It has been agreed with Cardiff CCC Highways that the developer will make a financial contribution to cover the cost of improving the safety of the slip lane onto North Road, but the council will undertake the work. This will be secured by a Section 106 agreement rather than by a planning condition.” The Transportation Officer considers a £36K contribution is required for the necessary off site highway works.
- 8.14 A vehicle tracking refuse and delivery vehicle plan was submitted on 30/08/2017. Transportation was re-consulted and submitted no further comments.
- 8.15 In terms of ecology the applicant submitted a revised bat report and NRW and the Council’s ecologist were re-consulted. NRW were originally unhappy as to the lack of information but now have no objection subject to two conditions.
- 8.16 Councillor Taylor has been advised that the applicant wishes to start development by autumn 2018 and that adjoining residents are not compensated through the planning process for increased noise and traffic. It is inevitable that there will be some noise and disturbance to nearby residents during the temporary construction period.
- 8.19 The Tree Officer’s concerns have been identified above in section 5.2 which

has taken account of a response from the applicant. Some of his concerns can be addressed by conditions and an advisory note is recommended. In response to the Tree Officer's concerns the applicant in summary states:

The proposed fence line between the development and Maitland Park will delineate landscaping maintenance responsibilities and will demonstrate that the tree line falls within the development boundary. As such, the landscaped areas throughout the development are to be conveyed to a management company and as such, maintenance will be secured through this process. The current layout will continue to give the tree population adequate respect, through a scheduled planting and maintenance regime.

- 8.20 The trees along the southern boundary and within the neighbouring church site will have a limited affect on the outlook/amenities of future occupiers of those units facing them, as some of these units will be between 2-6m from the canopy spread of those trees. However, the lounge windows of such units include double patio doors with floor to ceiling windows on either side. The trunks of such trees vary between 8-9m distant. The trees to the south have significant gaps between them so the impact from any overshadowing is markedly reduced. The affordable units that would be affected have secondary windows facing south and the principal windows facing west.
- 8.21 The quality trees along the eastern boundary need to be retained and create a positive setting along the western boundary of Maitland Park. The trunks of these trees are 9-11m distant and the canopies would be some 3-8m distant from the rear wall of Block B. The Tree Officer has highlighted good reasons for maintaining sufficient distance between existing trees and new development. The developer was able to amend his scheme by increasing the separation distance by 1m but is unable to further increase these distances. In this case prospective purchasers of the 9 market apartments facing these trees will have to make a balanced judgement on any decision to purchase by weighing the advantages of an outlook onto quality trees with a park behind compared to the light reduction impacts of those trees during the morning. When such individual purchasers' decisions are made it should be known whether T32 is to be retained or not in view of condition 25. Should T32 be removed there would be a significant increase in light to the rear of Block B.
- 8.22 The quality trees along the rear boundary are visible from Maitland Park but were previously partially obscured from the highway by the existing apartments and a row of conifers along the frontage of the application site. The new development will continue to restrict views of the quality trees from North Road.
- 8.23 Whist no objections have been submitted to this application from residents of the adjoining apartment block one of the residents did make a submission to the applicant's pre application consultation which the Department received. The nearest part of the proposed apartments to the south and east facing the existing apartments is 28m. In view of the distance involved and the height of the new development it is not considered that this would significantly affect the amenities of existing residents. The existing apartments and their trees would overshadow part of the application site during the afternoon but this would

principally be over parking spaces and a length of road. Trees within the rear of Meridian Court do reduce light to existing residents but this is a separate issue from the consideration of this application.

- 8.24 Welsh Water is satisfied with the amended drainage details subject to a condition and the applicant has provided the following response to the Drainage Officer's comments:-

"An SI has been carried out and it has been confirmed that soakaways are not suitable for the site; this has been submitted as part of the application.

Permeable paving is limited to private courtyards; please see the proposed adoption and maintenance plan.

A detailed MDX file has not been created as this is for planning. A storage estimate calculation has been done to ascertain areas. Pre Planning consultations have been held (with Drainage) and it has been agreed that above ground attenuation is not suitable for this site.

I refer to the drawing, which shows the attenuation split and location of the permeable sub base. If additional information is required, perhaps a notation colour coded to the permeable area would suffice?

The scheme in its current format was agreed in principle at pre application meetings (with Drainage). A SUDS analysis has been undertaken for the development and the current design provides the best strategy given the constraints. Additionally, Welsh Water are content with the proposals and have accepted the scheme."

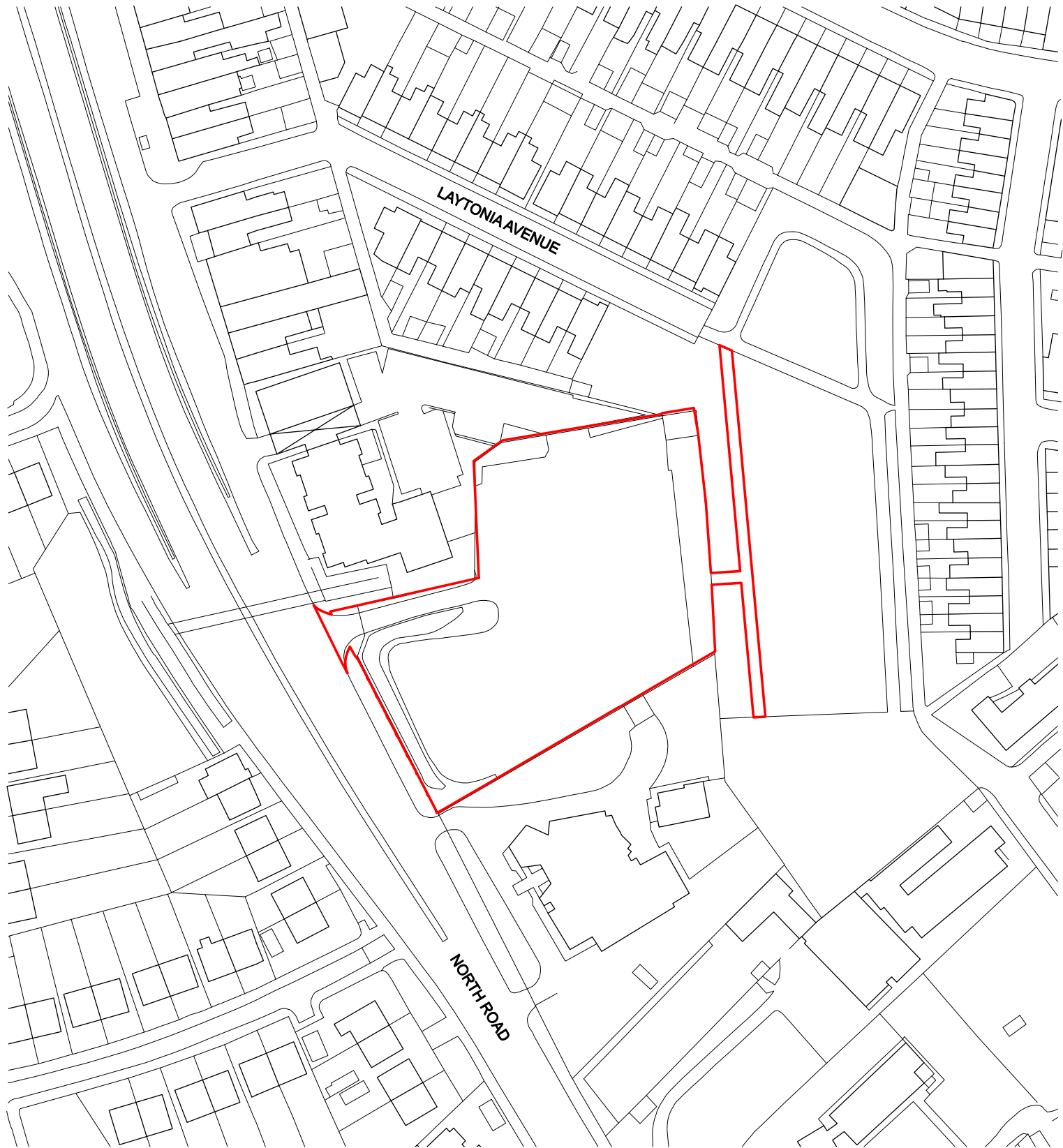
- 8.25 The applicant's response has been shared with the Drainage Officer and he has submitted no further comments.

- 8.26 There are no objections from other consultees. Consultee responses have been forwarded to the applicant.

- 8.27 Well-Being of Future Generations Act 2016 - Section 3 of this Act imposes a duty on public bodies to carry out sustainable development in accordance with the sustainable development principle to act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs (Section 5). This duty has been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the recommended decision.

- 8.28 It is considered that the development is in accordance with the policies of the Local Development Plan. The enlargement of Maitland Park is welcome. It is considered that planning permission can be granted subject to a Section 106 Agreement requiring units 1-9 to be affordable units, the provision of a financial contribution to cover the cost of improving the safety of the slip lane onto North Road, to be undertaken by the Council, and for the associated Traffic Orders at

a total cost of £41,000, and the creation of a path through Maitland Park.



NORTH



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Project
BRIARDENE, GABALFA

Client
WATES RESIDENTIAL

Drawing Title

SITE LOCATION PLAN

Date
MAR '17

Scale
1:1250 @ A4

Drawing No.
3 5 1 5 _ P A _ 0 0 1

Rev.
-

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

- Revisions
- A Re-constituted stone capping added to existing wall to North Road. Adopted footpath amended. Block paving finishes and new bench added. Boundary types heights amended. 10 Apr '17
 - B New 2.1m fence to boundary with Meridian Court. Balcony structure to south of plot 28 removed. New path surface in Maitland Park. Tree adjacent to Block A entrance removed. Flat roof to Block C bin store. 07 Jul '17
 - C Fence line to Maitland Park repositioned. Two new trees adjacent to Block C removed. T13 removed. Trees added near park boundary. 24 Aug '17
 - D Block B and car parking space repositioned. Substation removed. 18 Sep '17



KEY	TENURE	APARTMENT TYPE	AREA	NO. (AFF.)	NO. (OMS)	TOTAL
F1*	AFFORDABLE	2 BED 3 PERSON	62m ²	4	0	4
F1*	AFFORDABLE	1 BED 2 PERSON	62m ²	2	-	2
F2	OPEN MARKET SALE	2 BED 3 PERSON	60m ²	-	30	30
F3*	AFFORDABLE	1 BED 2 PERSON	53m ²	3	-	3
				9	30	39

- BOUNDARY TYPES**
- Site boundary.
 - 2.1m brickwork wall boundary to public open spaces (1.8m between bin store and courtyard).
 - 2.1m close boarded fencing (1.8m between gardens and to bin stores).
 - 1.8m close boarded fence above post and board retaining wall.
 - 1.8mm proprietary metal railings with black ppc finish.
 - Large profile, rough sawn Redwood horizontal boards fixed to existing wall. Height to match existing.
- LANDSCAPING MATERIALS**
- Block Paving - Buff.
 - Block Paving - Natural.
 - Flag Paving - Natural.
 - Tarmac footpath / road.
 - Grassed area.
 - Chippings.
 - Stone dust footpath.
 - Low maintenance, ground cover planting.
 - Proposed hedge planting.
- SYMBOLS**
- (14, 20, 26) Plot numbers (GF, FF, SF).
 - F1* Dwelling Types (* - affordable).
 - 5 Car parking space allocation.
 - Rotary dryer.
 - Bench seat.
 - Proposed small tree.
 - Proposed medium tree.
 - Tree to be removed.
 - Existing tree to be retained. Dotted line indicates root protection zone.

North

0m 2m 4m 6m 8m 12m 16m

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Project: BRIARDENE, GABALFA
Client: WATES RESIDENTIAL
Drawing Title: COLOURED SITE LAYOUT PLAN

Date: JAN '17
Scale: 1:200 @ A1
Drawing No.: 3515_PA_004
Rev: D

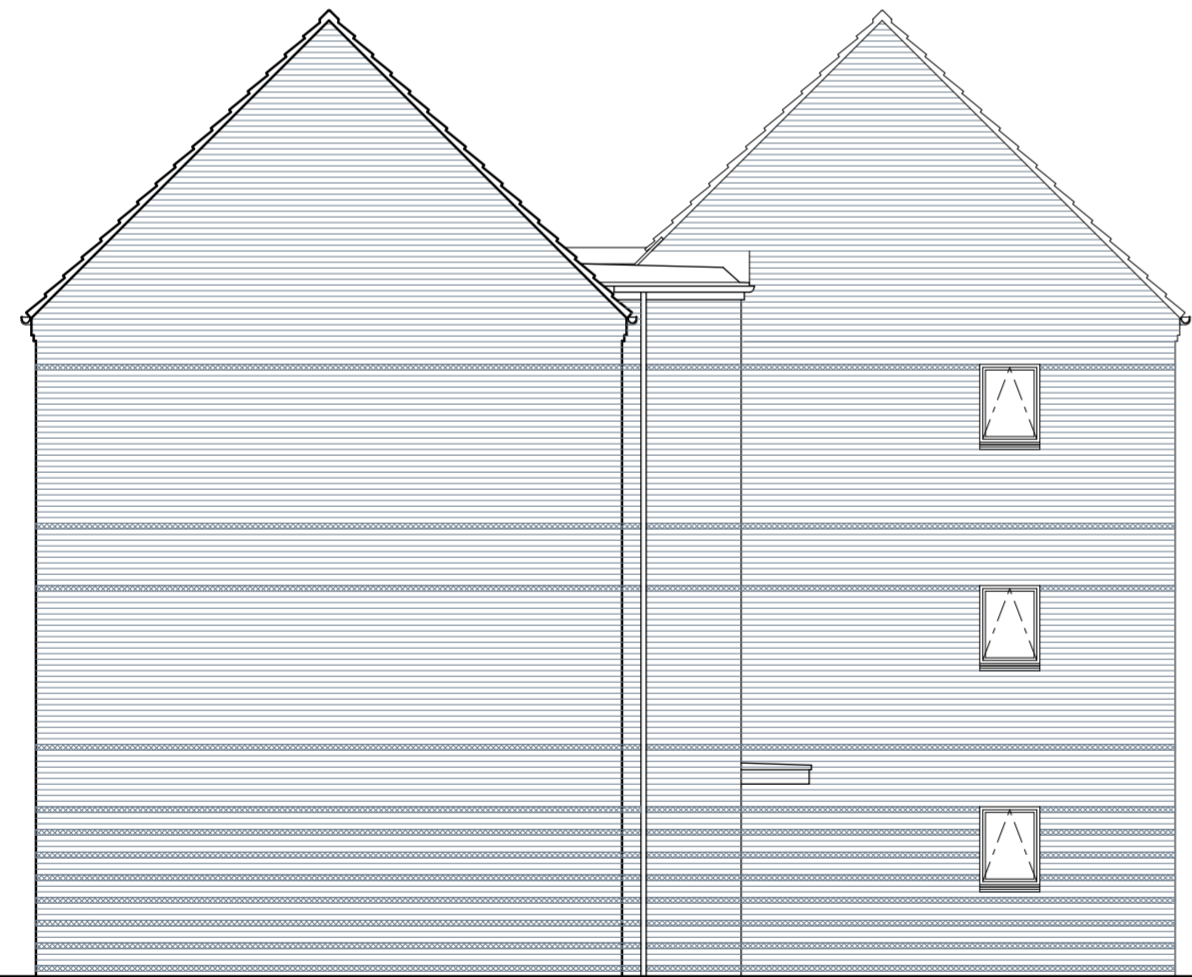
NOTES: Do not scale. All dimensions are in millimetres unless stated otherwise



West Elevation



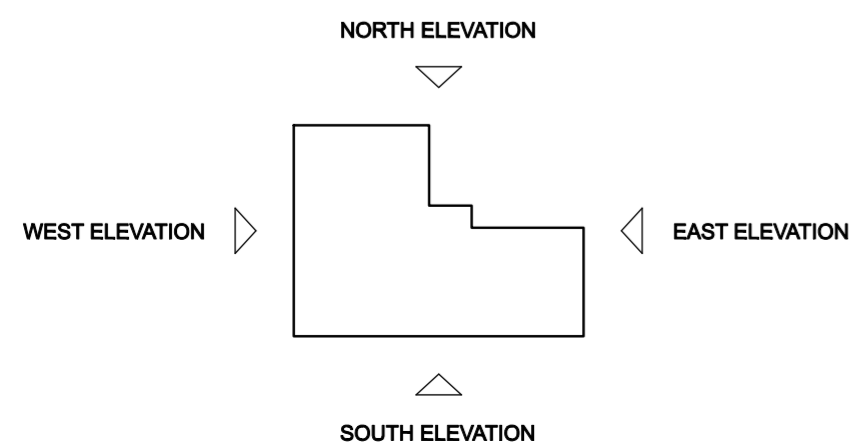
South Elevation



East Elevation



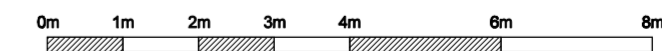
North Elevation



Finishes:

- Facing brickwork:**
Mid-tone buff generally with light buff banding (as indicated with grey hatching on elevations). Blue/grey brick TBC (as indicated with black hatching at corner windows on elevations).
- Mortar:**
Natural.
- Facing brickwork Detailing:**
Brick corbelling to ends of eaves.
- Pitched roofs:**
Marley Modern Duo 'Smooth Grey' interlocking concrete tile with mortar bedded verges.
- Flat roofs:**
Dark grey GRP.
- Windows and doors:**
Dark grey PVCu (RAL 7016). Dark grey steel-faced entrance doors.

- o** Denotes opaque glazing.
- Window sills:**
65mm re-constituted stone sills with no stools in 'Portland Grey'.
- Fascias:**
Dark grey PVCu (RAL 7016).
- Rainwater goods:**
Black PVCu generally. Black aluminium hopper and downpipe to west elevation.
- Canopies:**
Dark grey GRP.
- N.B.** Location of all service inlet/extract terminals & boiler flues to be confirmed, following design by specialist manufacturer.



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Project
BRIARDENE, GABALFA

Client
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Drawing Title
**APARTMENT BLOCK A
ELEVATIONS**

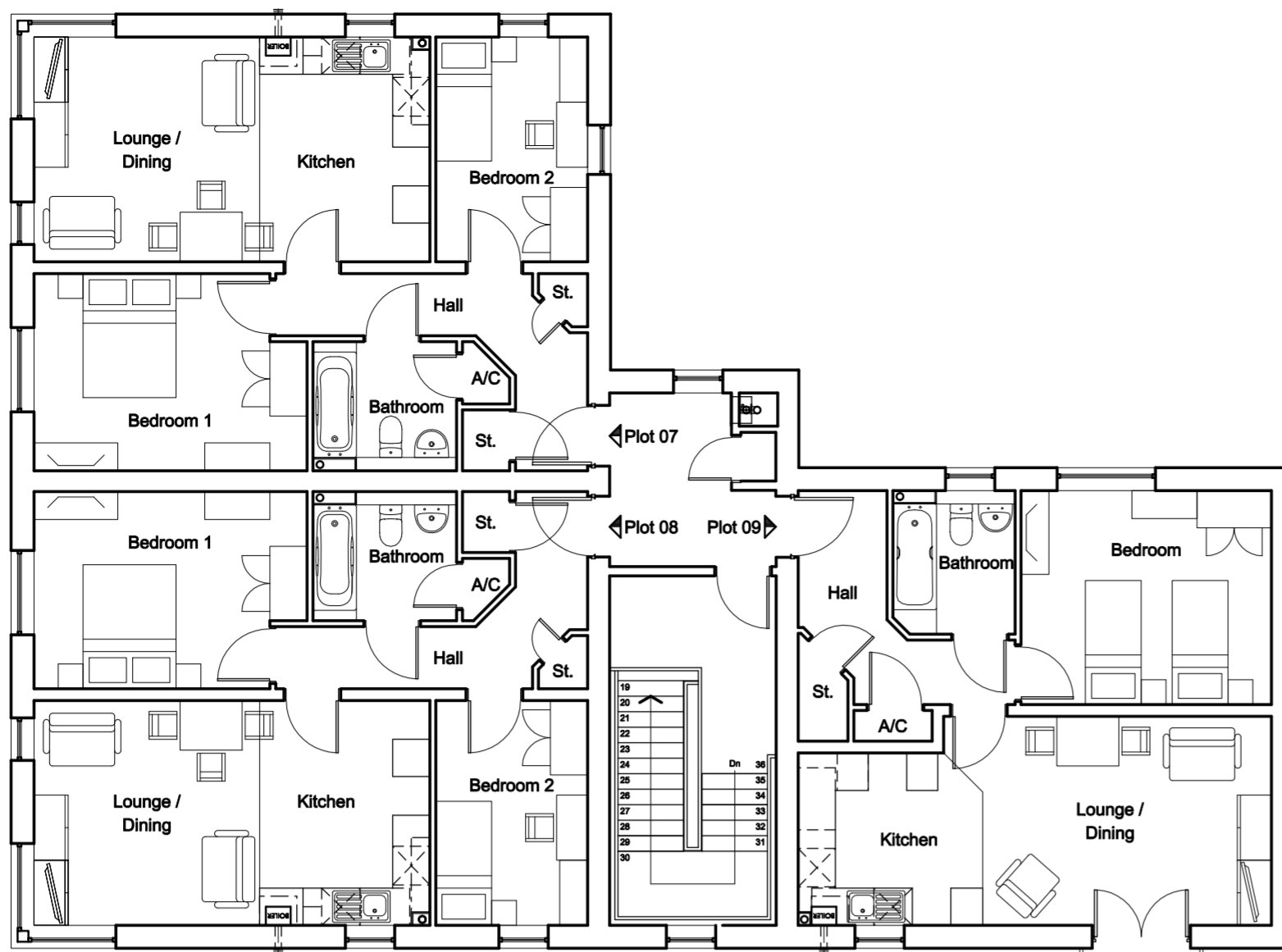
Date
FEB '17

Scale
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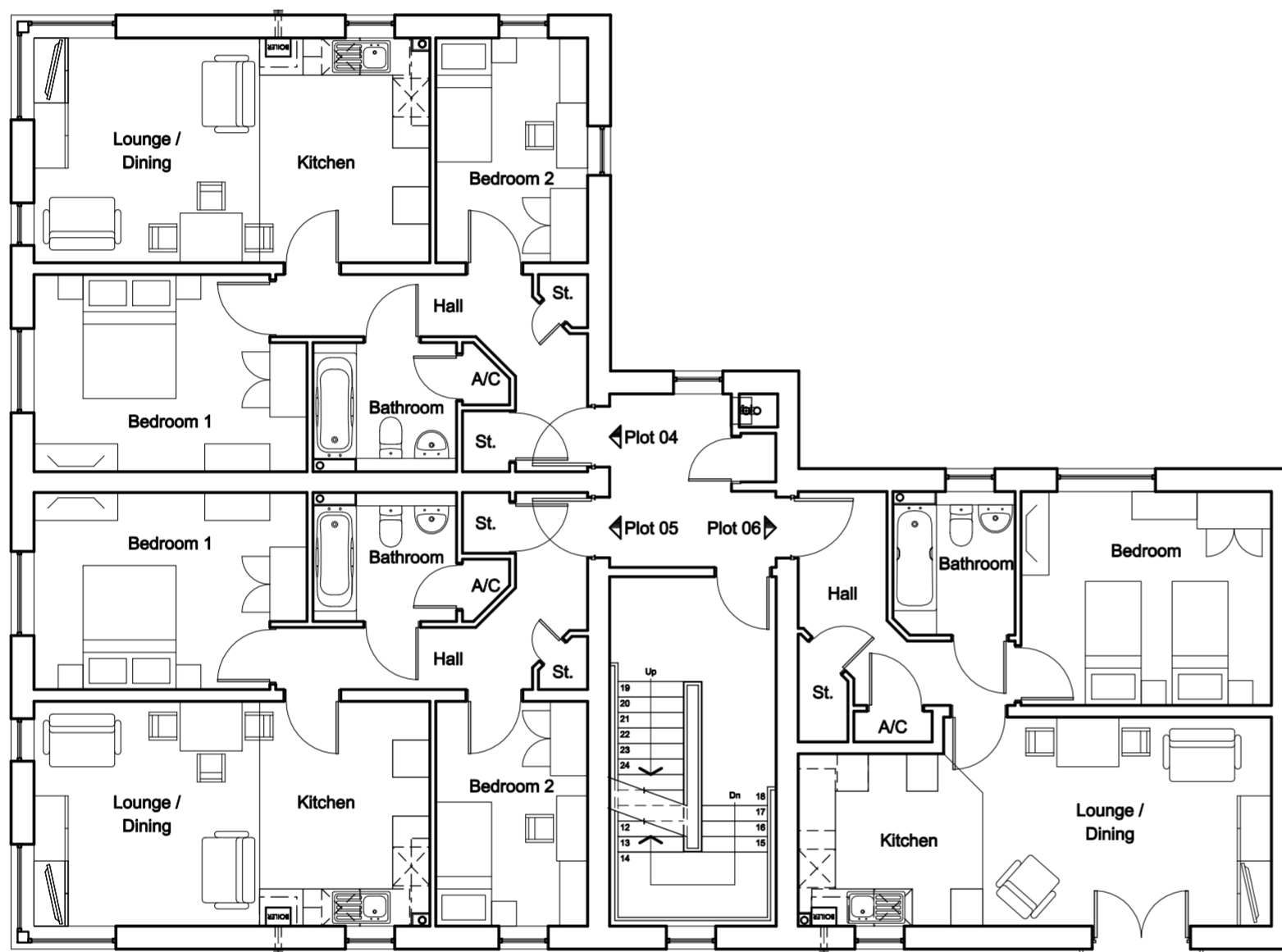
Drawing No.
3515_PA_020

Rev.
A

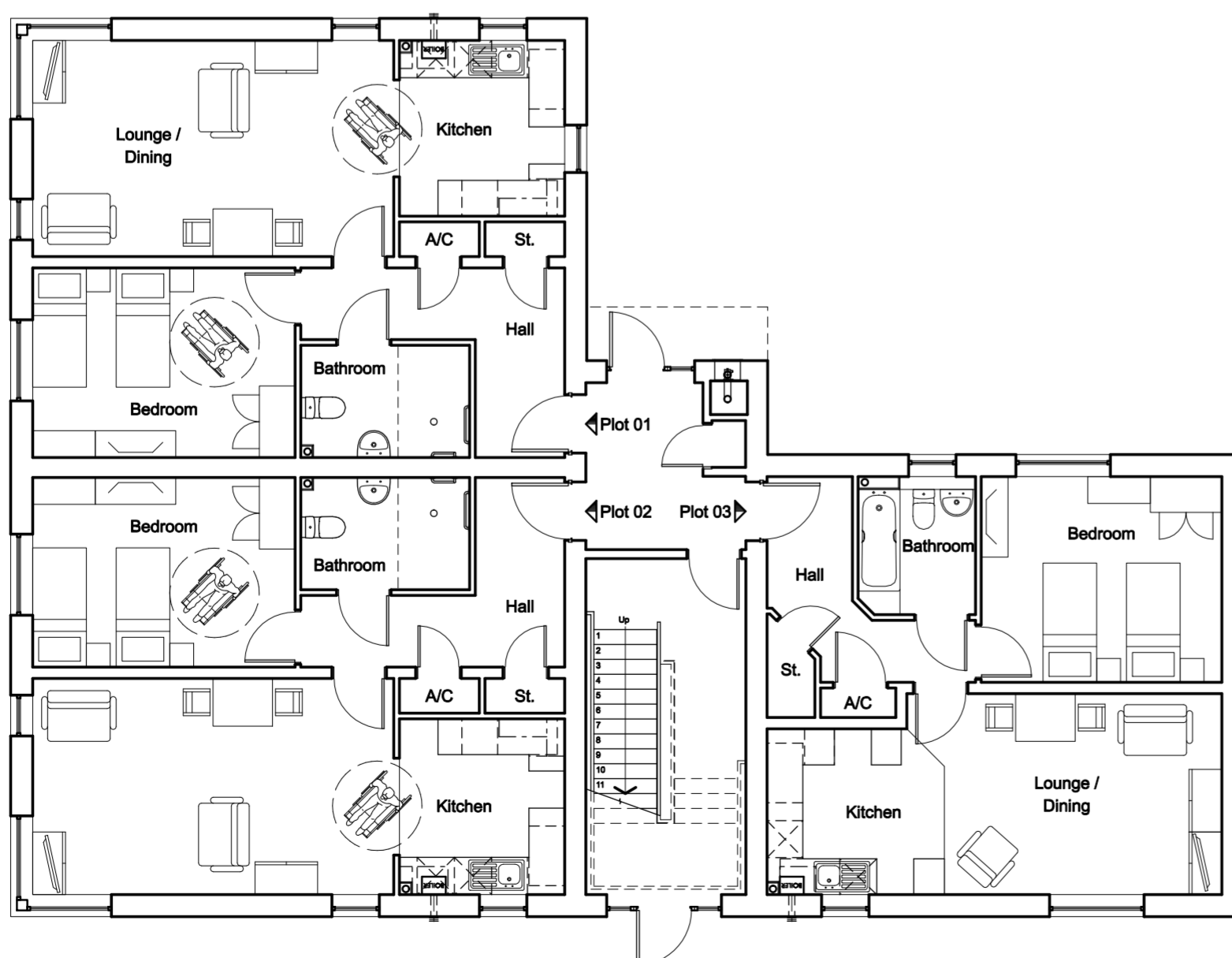
NOTES. Do not scale. All dimensions are in millimetres unless stated otherwise



Second Floor Plan

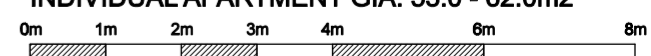


First Floor Plan



Ground Floor Plan

INDIVIDUAL APARTMENT GIA: 53.0 - 62.0m²



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Project
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Client
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Drawing Title

**APARTMENT BLOCK A
GENERAL ARRANGEMENTS**

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

Date
FEB '17

Scale
1:100 @ A2

Drawing No.
3515_PA_010

Rev.
A



North Elevation



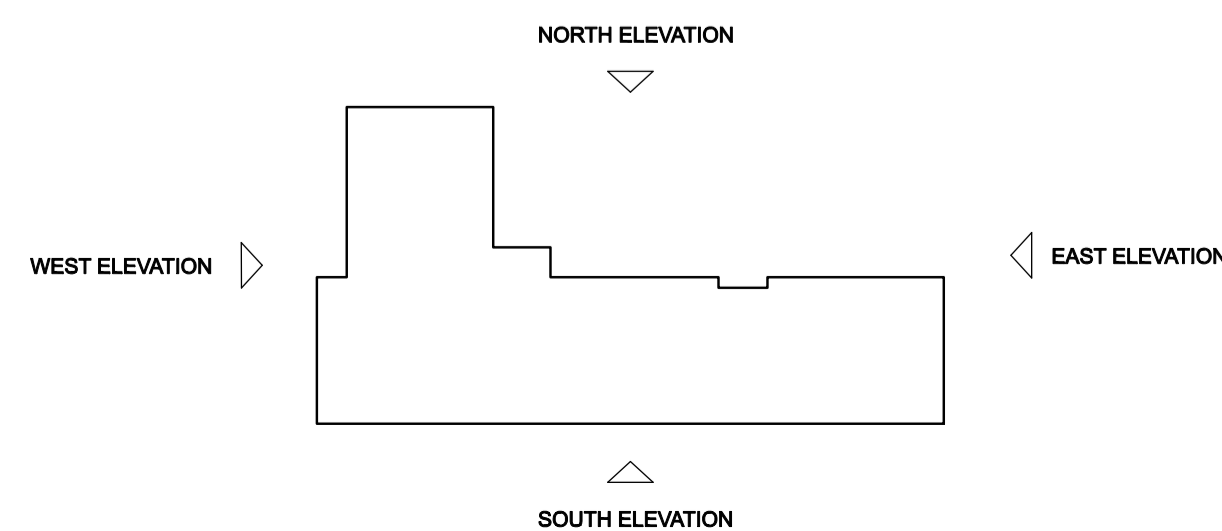
East Elevation



South Elevation



West Elevation



Finishes:
 Facing brickwork: Mid-stone buff generally with light buff banding (as indicated with grey hatching on elevations).
 Mortar: Natural.
 Facing brickwork Detailing: Brick corbelling to ends of eaves.
 Pitched roofs: Marley Modern Duo 'Smooth Grey' interlocking concrete tile with mortar bedded verges.
 Flat roofs: Dark grey GRP.
 Windows and doors: Dark grey PVCu (RAL 7016). Dark grey steel-faced entrance doors.

Window sills: 65mm re-constituted stone sills with no stools in 'Portland Grey'.
Fascias: Dark grey PVCu (RAL 7016).
Rainwater goods: Black PVCu generally.
Canopies: Dark grey GRP.
Balconies: Balcony framework to be galvanised steel frame painted black. Balustrades/handrails to be black P.P.C. galvanised steel.
 N.B. Location of all service inlet/extract terminals & boiler flues to be confirmed, following design by specialist manufacturer.

Denotes opaque glazing.



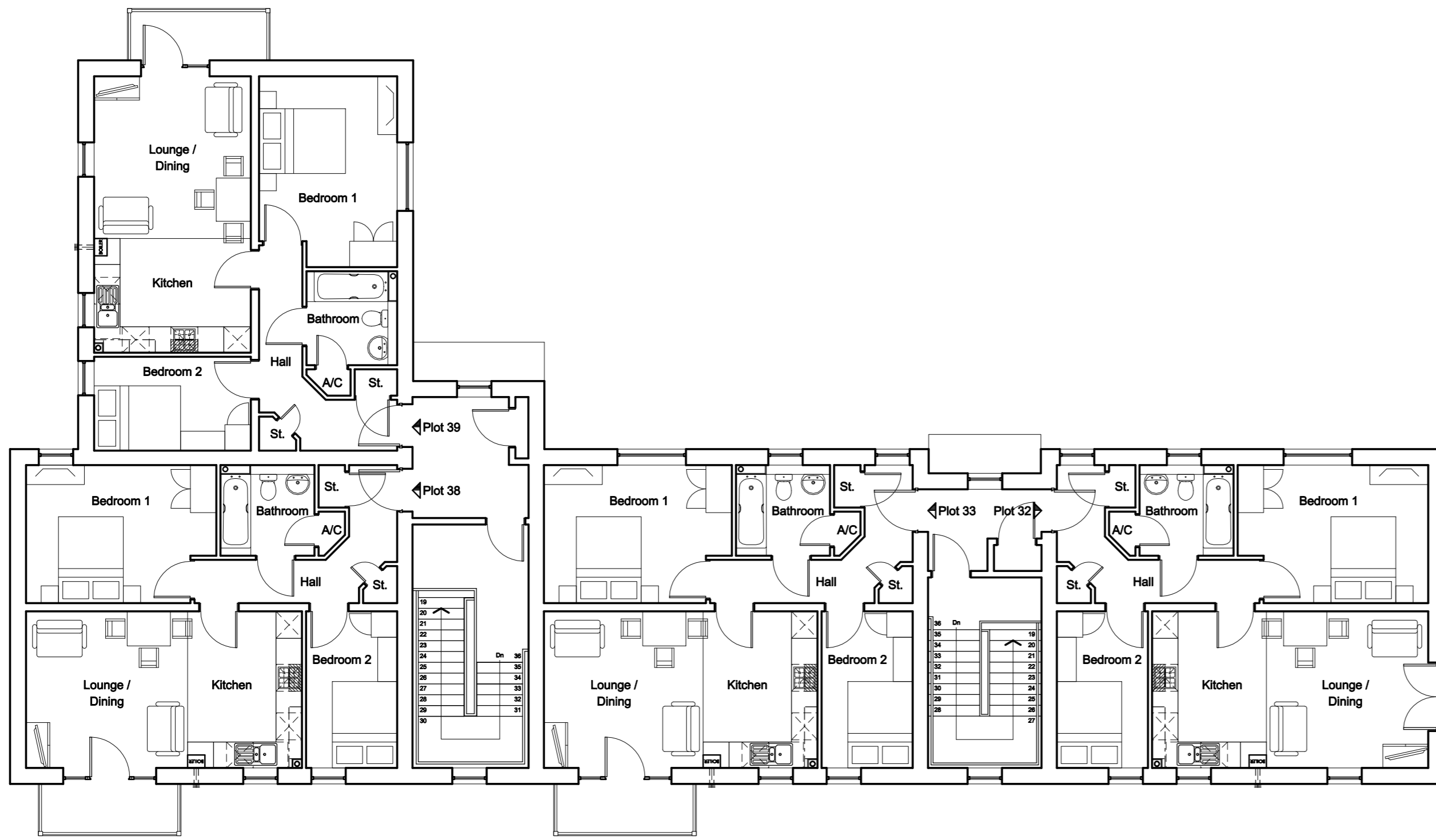
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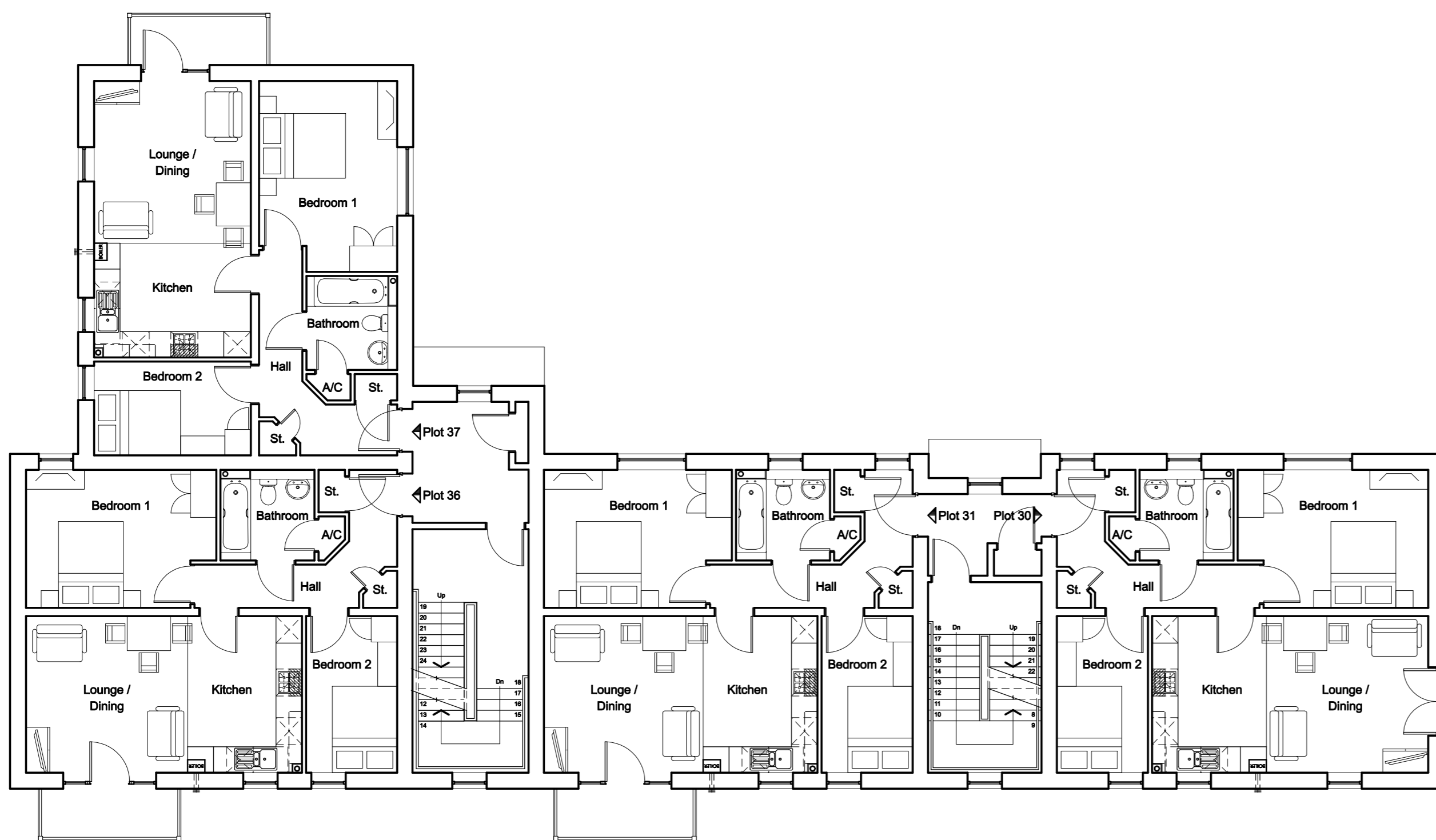
Project
BRIARDENE, GABALFA
Client
WATES RESIDENTIAL
Drawing Title
**APARTMENT BLOCK C
ELEVATIONS**

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

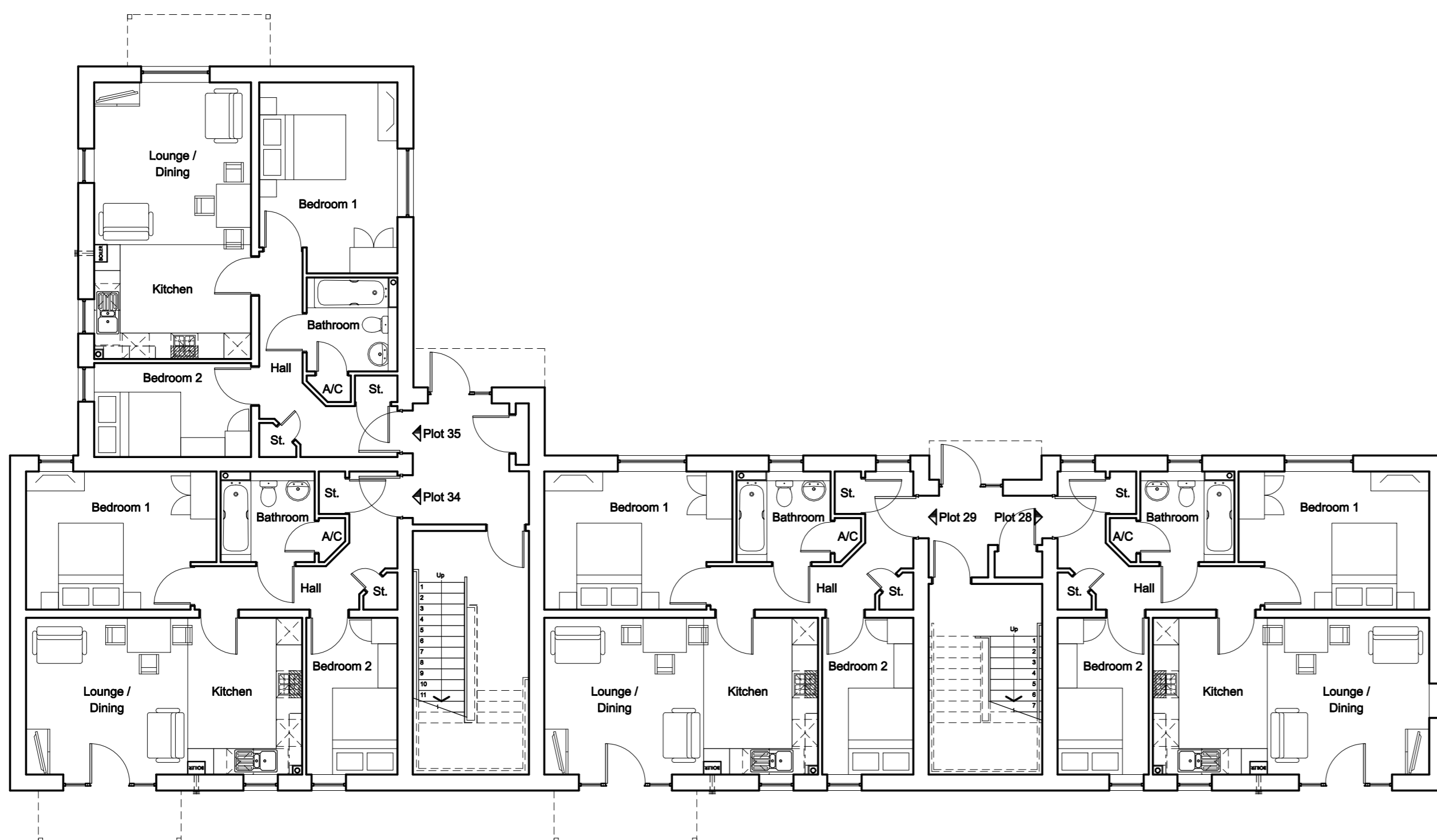
Date
FEB '17
Scale
1:100 @ A1
Drawing No.
3515_PA_022
Rev.
B



Second Floor Plan

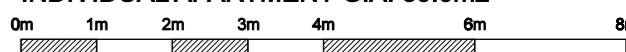


First Floor Plan



Ground Floor Plan

INDIVIDUAL APARTMENT GIA: 60.0m2



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Project
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Client
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Drawing Title
APARTMENT BLOCK C
GENERAL ARRANGEMENTS

Date
FEB '17

Scale
1:100 @ A1

Drawing No.
3515_PA_012

Rev.
A

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



West Elevation



North Elevation



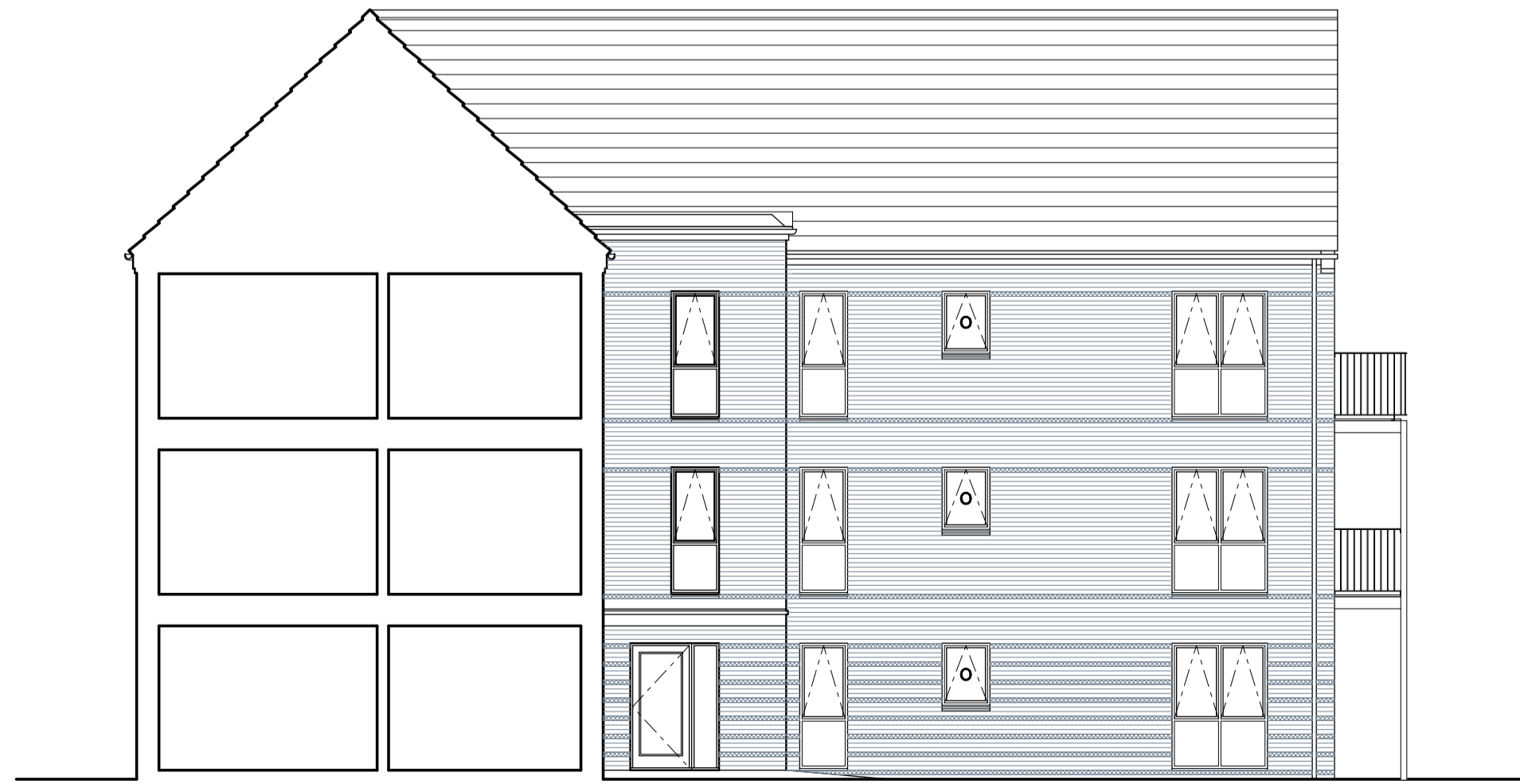
East Elevation



South Elevation



Section 1

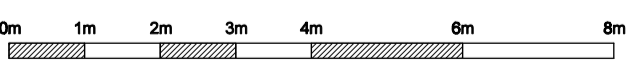
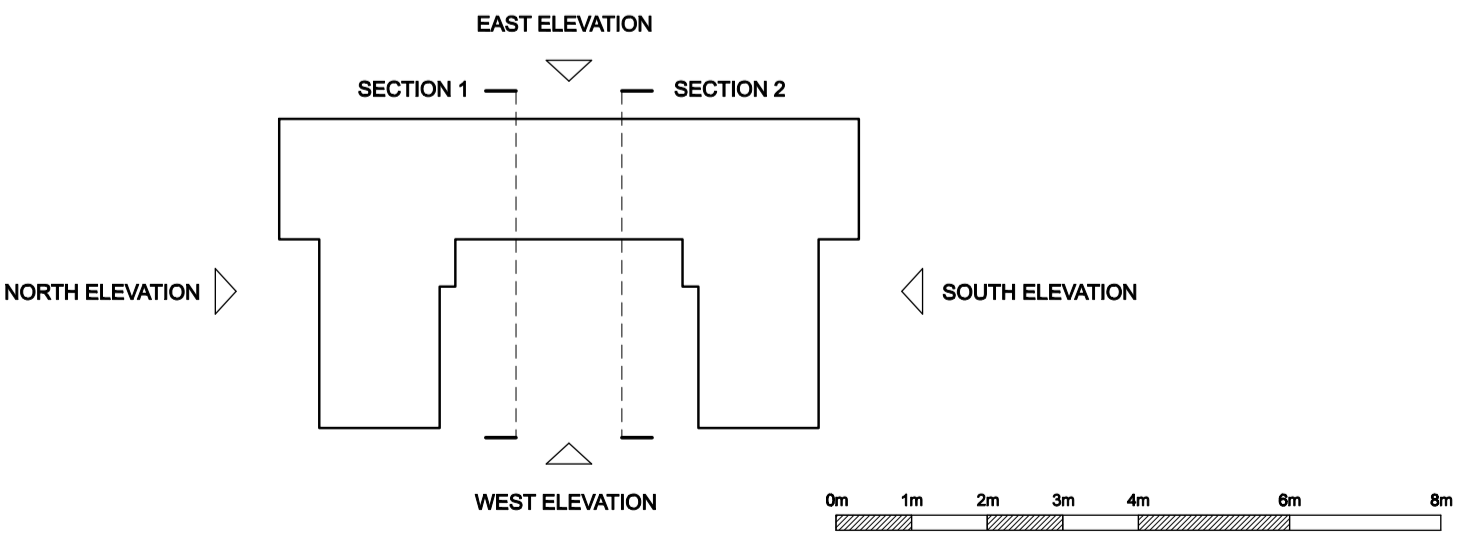


Section 2

Finishes:
 Facing brickwork: Mid-tone buff generally with light buff banding (as indicated with grey hatching on elevations).
 Mortar: Natural.
 Facing brickwork Detailing: Brick corbelling to ends of eaves.
 Pitched roofs: Marley Modern Duo 'Smooth Grey' interlocking concrete tile with mortar bedded verges.
 Flat roofs: Dark grey GRP.
 Windows and doors: Dark grey PVCu (RAL 7016). Dark grey steel-faced entrance doors.

Window sills: 65mm re-constituted stone sills with no stools in 'Portland Grey'.
Fascias: Dark grey PVCu (RAL 7016).
Rainwater goods: Black PVCu generally.
Canopies: Dark grey GRP.
Balconies: Balcony framework to be galvanised steel frame painted black. Balustrades/handrails to be black P.P.C. galvanised steel.
 N.B. Location of all service inlet/extract terminals & boiler flues to be confirmed, following design by specialist manufacturer.

○ Denotes opaque glazing.



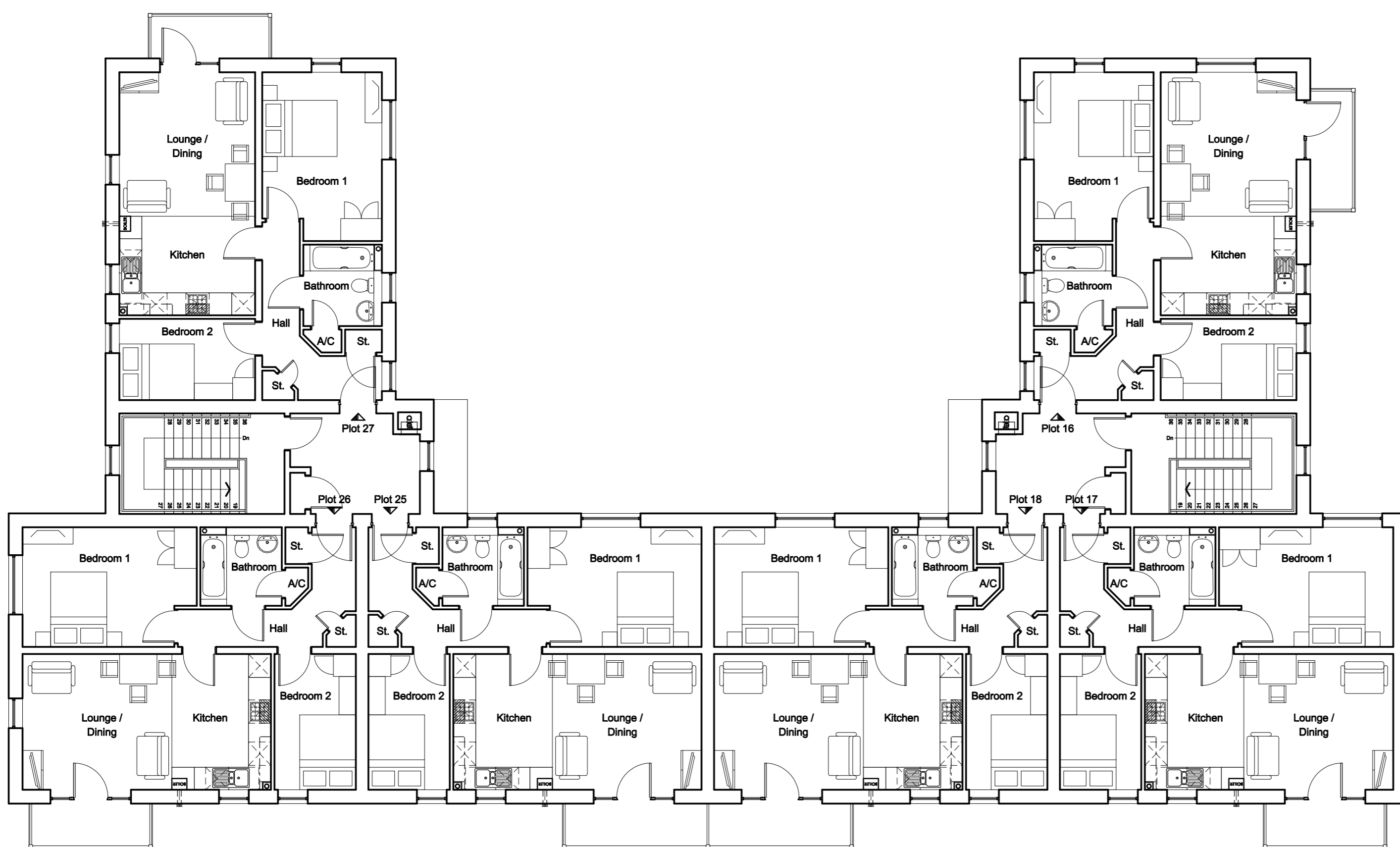
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Project: BRIARDENE, GABALFA
 Client: WATES RESIDENTIAL
 Drawing Title: APARTMENT BLOCK B ELEVATIONS

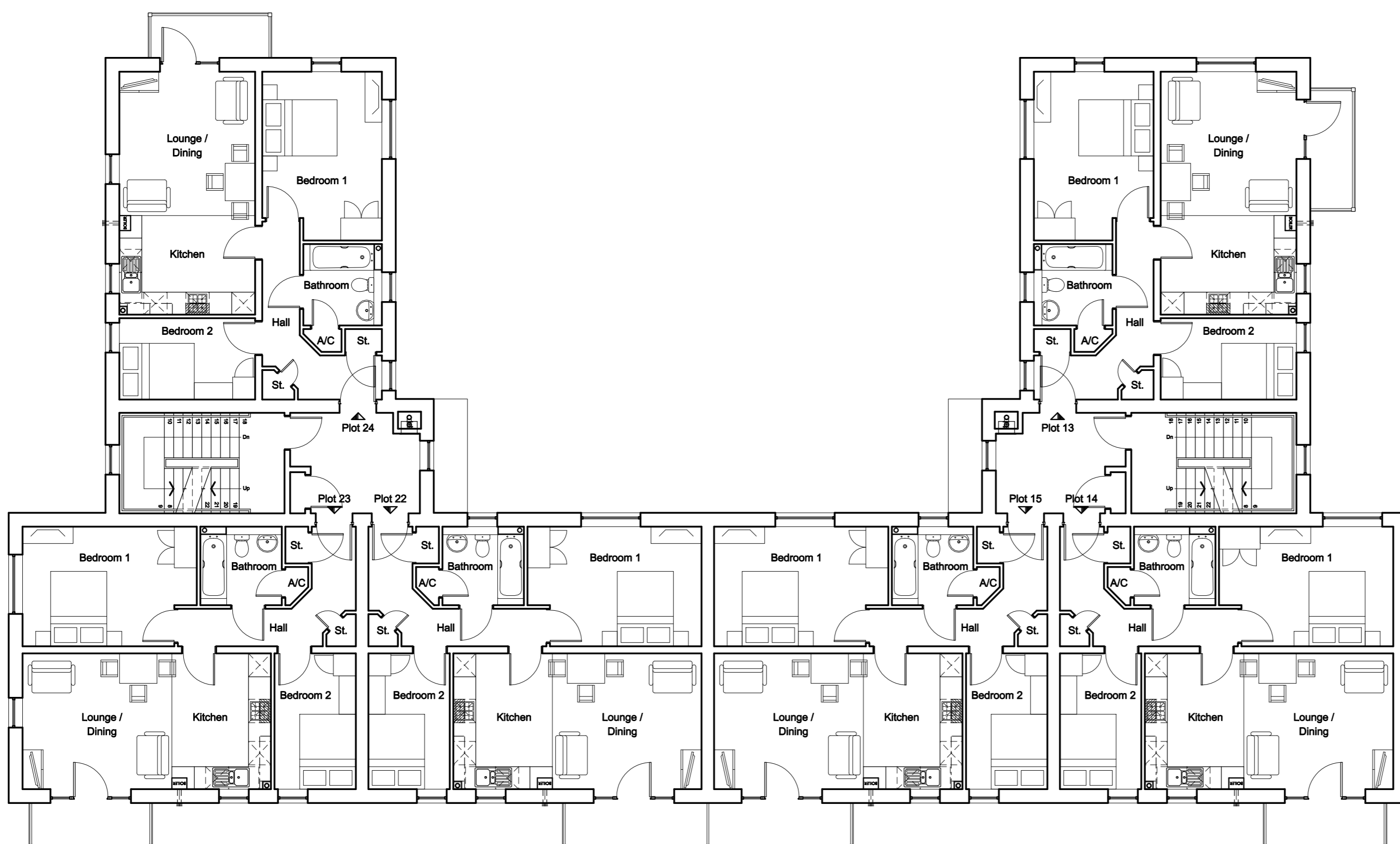
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Date: FEB '17
 Scale: 1:100 @ A1
 Drawing No.: 3515_PA_021
 Rev.: A

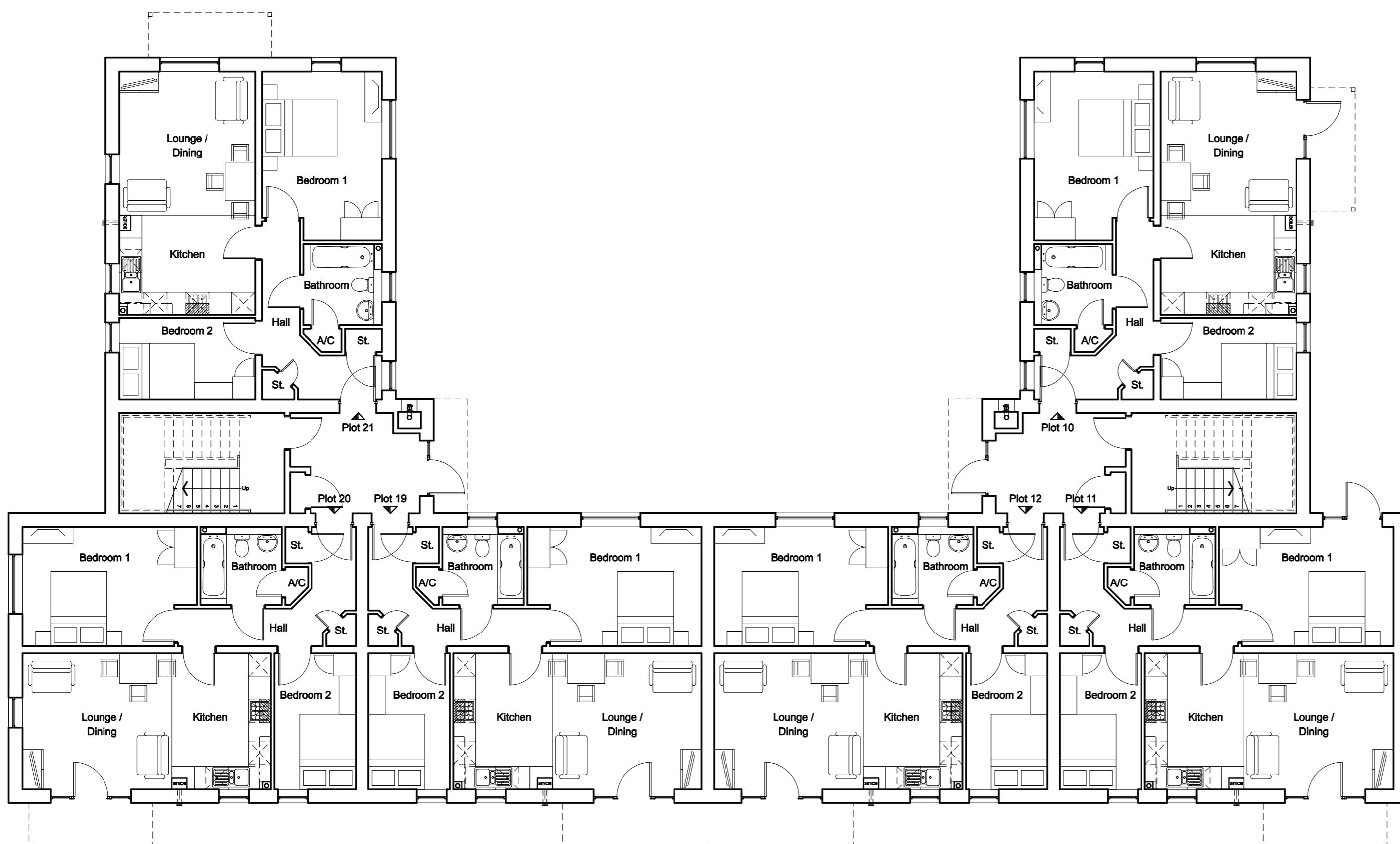
NOTES: Do not scale. All dimensions are in millimetres unless stated otherwise



Second Floor Plan



First Floor Plan



Ground Floor Plan

INDIVIDUAL APARTMENT GIA: 60.0m2
 0m 1m 2m 3m 4m 5m 6m 8m

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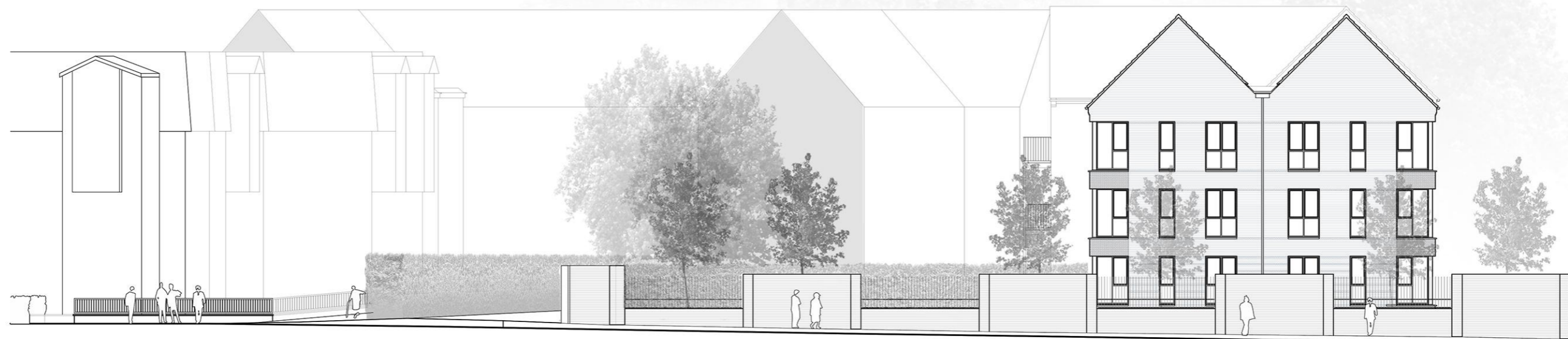
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Project
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Client
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Drawing Title

APARTMENT BLOCK B
GENERAL ARRANGEMENTS

Date
FEB '17
Scale
1:100 @ A1
Drawing No.
3515_PA_011
Rev.
A

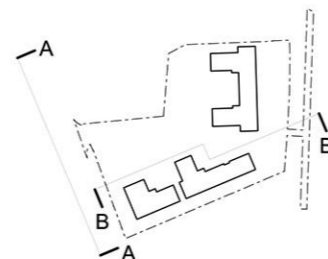
NOTES: Do not scale. All dimensions are in millimetres unless stated otherwise



ELEVATION AA



ELEVATION BB



Refer to drawings no. 3510_PA_020 -022 for elevation materials.

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Project BRIARDENE, GABALFA

Client WATES RESIDENTIAL

Drawing Title

STREET ELEVATIONS 1

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

Date MAR '16

Scale 1:200 @ A3

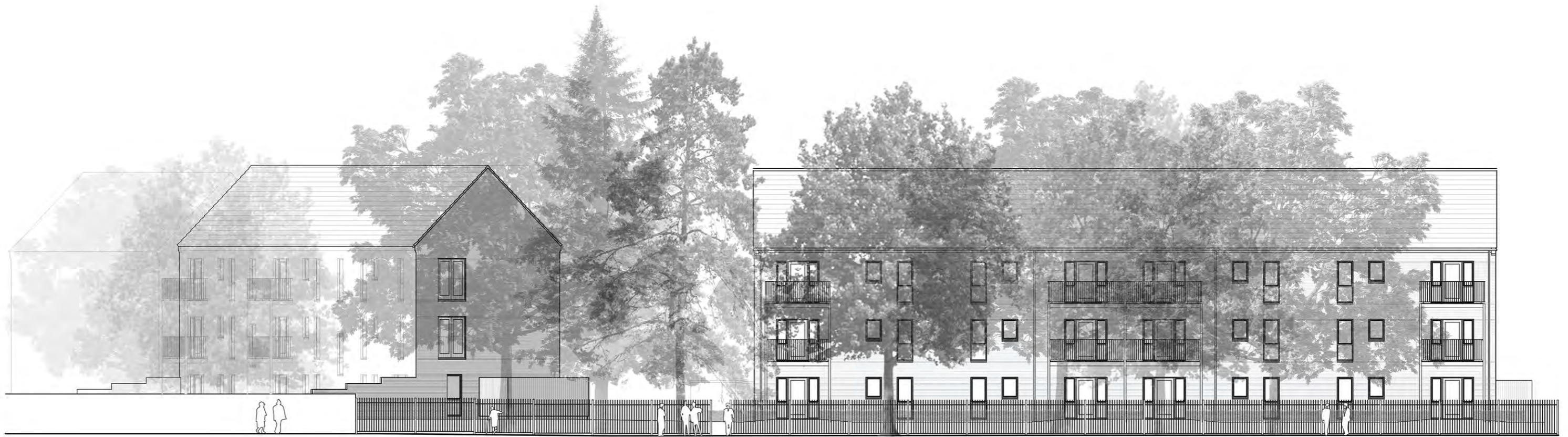
Drawing No. 3510_PA_025

Rev. A

Revisions

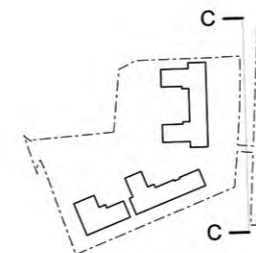
A Windows and balconies on corner of block C amended

07 JUL '17



ELEVATION CC

Refer to drawings no. 3510_PA_020 -022 for elevation materials.



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Project
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Drawing Title

STREET ELEVATIONS 2

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

Date
MAR '16

Scale
1:200 @ A3

Drawing No.
3510_PA_026

Rev.
A

Revisions

A Re-constituted stone coping added to North Road boundary wall.
10 APR '17



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Project
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Drawing Title

VIEW FROM NORTH ROAD 1

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

Date
MAR '17

Scale
1:20 @ A3

Drawing No.
3515_PA_030

Rev.
A



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Project
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Drawing Title

VIEW FROM BLOCK B

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

Date
MAR '17

Scale
1:20 @ A3

Drawing No.
3515_PA_032

Rev.
A

COMMITTEE DATE: 11/10/2017

APPLICATION No. **17/01824/MJR** APPLICATION DATE: 31/07/2017

ED: **SPLOTT**

APP: TYPE: Full Planning Permission

APPLICANT: Dogs Trust

LOCATION: LAND AT NETTLEFOLD ROAD, SPLOTT

PROPOSAL: REDEVELOPMENT TO PROVIDE A DOGS TRUST RE-HOMING CENTRE INCLUDING VARIOUS BUILDINGS, ASSOCIATED CAR PARKING, INTERNAL ROADS AND PATHS, EXERCISE RUNS, FENCES, SEWAGE TREATMENT PLANT, BOUNDARY TREATMENTS AND LANDSCAPING

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

1. C01 Statutory Time Limit
2. The development approved is that indicated on the following drawing references/technical submissions:

- DT_(05)500_A Boundary Treatments
- GA_(05)101_A Title Plan
- GA_(05)102_A Location Plan
- GA_(05)105_A Existing Constraints Plan
- GA_(05)106_A Existing Site Sections
- GA_(05)501_A Proposed Site Sections
- GA_(05)900_H Proposed Site Plan
- GA_(05)100_C Intake - Booked Kennel GA Plans
- GA_(05)101_B Intake - Kennel- Elevations
- GA_(05)100_F Main Building Ground Floor Plan
- GA_(05)101_F Main Building First Floor Plan
- GA_(05)200_D Main Building Elevation
- GA_(05)100_D Maintenance Shed GA Plans & Elevations
- GA_(05)100_D Plant - Bin Store GA Plans & Elevations
- GA_(05)100_C Stray Reclaim Ground & First Floor Plans
- GA_(05)200_A Stray Reclaim Elevations
- SK003 _C SUDS Concept Layout
- 1566302/P/GA/002 Strategic Soft Landscaping Plan
- 1566302/P/GA/001 _A Strategic Hard Landscaping Plan

Reason: For the avoidance of doubt

3. The entire site shall be secured by means of fencing and gates, the design of which having first been submitted to and approved in writing by the Local Planning Authority, and the enclosure shall be provided prior to beneficial use of the development and thereafter be maintained.

Reason : In the interests of site and public security.

4. Prior to the commencement of any development the proposed details of appropriate gas protection measures for residential and commercial purposes, 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. If no protection measures are required than no further actions will be required.

All required gas protection measures shall be installed 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.

* 'Gases' include landfill gases, vapours from contaminated land sites, and naturally occurring methane and carbon dioxide, but does not include radon gas. Gas Monitoring programmes should be designed in line with current best practice as detailed in CIRIA 665 and or BS8485 year 2007 Code of Practice for the Characterization and Remediation from Ground Gas in Affected Developments.

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

5. 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.

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) not required
- (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 must 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), unless the Local Planning Authority agrees to any variation.

* A 'suitably qualified competent person' would normally be expected to be a chartered member of an appropriate professional body (such as the Institution of Civil Engineers, Geological Society of London, Royal Institution of Chartered Surveyors, Institution of Environmental Management) and also have relevant experience of investigating contaminated sites.

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.

All work and submissions carried out for the purposes of this condition must 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 2012), unless the Local Planning Authority agrees to any variation.

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.

All work and submissions carried out for the purposes of this condition must 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 2012), unless the Local Planning Authority agrees to any variation.

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.

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.

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.

12. Prior to the commencement of the development approved by this planning permission (or such other date or stage in the development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1. A preliminary risk assessment which has identified:

- all previous uses;
- potential contaminants associated with those uses;
- a conceptual model of the site indicating sources, pathways and receptors;
- potentially unacceptable risks arising from contamination at the site.

2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be

affected, including those off site.

3. The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.
Reason : The site has been subject to previous industrial use including as a steel works, foundry, railway yards, etc. resulting in land contamination. Therefore there is the risk of pollution of controlled waters that occur beneath the site in the Secondary A/b aquifers. Solvent contamination in soils and groundwater has been detected in initial site investigations.

13. Prior to occupation of any part of the permitted development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority.

The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the Local Planning Authority.

Reason : To demonstrate that the remediation criteria relating to controlled waters have been met, and (if necessary) to secure longer-term monitoring of groundwater quality. This will ensure that there are no longer remaining unacceptable risks to controlled waters following remediation of the site.

14. Reports on monitoring, maintenance and any contingency action carried out in accordance with a long-term monitoring and maintenance plan shall be submitted to the local planning authority as set out in that plan. On completion of the monitoring programme a final report demonstrating that all long-term site remediation criteria have been met and documenting the decision to cease monitoring shall be submitted to and approved in writing by the local planning authority.

Reason : As further site investigation and risk assessment is to take

place it is possible that long term site monitoring may be required depending on the outcomes from this further work.

15. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted, and obtained written approval from the local planning authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved.
Reason : Site investigations are never able to fully characterise contamination at a site. Therefore unsuspected contamination may be discovered during development works.
16. No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.
Reason : Infiltration through contaminated soils may lead to the production of a contaminated leachate that may pollute groundwater at depth.
17. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.
Reason : Inappropriate piling solutions can cause contamination of groundwater beneath a site.
18. All imported or site won soils used for soft landscaping purposes must be verified as fit for purpose by an accredited landscape architect for the specific planting proposals approved.
Reason: To ensure for the greatest likelihood of new planting becoming established and maturing over the lifespan of the development.
19. Notwithstanding the submitted landscaping proposals;
 - All trees indicated for retention must be protected in accordance with an Arboricultural Method Statement and Tree Protection Plan which shall have been submitted to and approved by the local planning authority prior to any ground works commencing on site.
 - The development will be landscaped in accordance with a detailed landscaping specification including a finalised planting plan, plant schedule, tree pit section and plan views for different situations demonstrating how access will be provided for

adequate and appropriate root available soils for the species in question, topsoil and subsoil specification, planting methodology and aftercare methodology.

- All planting, seeding, and turf-laying shown on the approved landscape plans shall be carried out in the first planting and seeding season following the first beneficial use of the building or the completion of the development, whichever is the sooner.
- Any retained or planted trees or plants which die, are removed, become seriously damaged or diseased, or (in the opinion of the Local Planning Authority) otherwise defective within the lifespan of the development, 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: The landscaping proposals are fundamental to the acceptability of the development in terms of necessary visual screening, acoustic buffering and hydrology of the site; and to ensure for landscaping proposals which will have the best chance of establishment and maturity in an otherwise hostile environment.

20. Prior to the commencement of development a written scheme of sound insulation for the walls and ceilings of; sleeping kennels, kennel run areas and all other internal dog areas, shall be submitted and approved by the authority in writing; and the walls and ceilings of; sleeping kennels, kennel run areas and all other internal dog areas, shall thereafter be constructed in accordance with the approved scheme and thereafter be so maintained.

Reason: To mitigate against the potential for noise nuisance to neighbouring properties.

21. The doors and windows to all the kennels / dog areas shall only be open between the hours of 08:00hrs – 18.00hrs Monday to Saturday and 09:00hrs to 16:00hrs on Sundays.

Alternative mechanical ventilation should be sought if required to maintain suitable internal temperatures.

Reason: To mitigate against the potential for noise nuisance to neighbouring properties.

22. Dogs shall only be allowed in the external areas between the hours of 08.00hrs – 19.30hrs Monday to Saturday and 09:00 – 16:00hrs on Sundays with exception to those arriving or leaving the facility via the car park or brought to the centre as strays or found animals.

Reason: To mitigate against the potential for noise nuisance to neighbouring properties.

23. No fixed plant or equipment on the site, including but not limited to compressors, air conditioning, heating or fume extraction plant shall

realise a noise level exceeding background noise level -10dB at the nearest noise sensitive premises [including for the avoidance of doubt adjacent office and laboratory uses] when measured and corrected in accordance with BS 4142: 2014 (or any British Standard amending or superseding that standard).

Reason: To ensure that the working environment of persons in nearby premises or occupiers of any residential accommodation are protected against unreasonable plant noise.

24. If at any time the use of the premises is to involve the preparation and cooking of hot food the extraction of all fumes from the food preparation areas shall be mechanically extracted to a point to be agreed with the Local Planning Authority, and the extraction system shall be provided with a de-odorising filter. Details of the above equipment shall be submitted to, and approved by, the Local Planning Authority in writing and the equipment installed prior to the commencement of use for the cooking of food. The equipment shall thereafter be maintained in accordance with the manufacturers' guidelines, such guidelines having previously been agreed by the Local Planning Authority in writing.

Reason: To ensure that the working environment of persons in nearby premises or occupiers of any residential accommodation are protected against olfactory nuisance.

25. No clearance of trees or woody vegetation shall take place between 1st February and 31st August unless otherwise specifically 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 the trees/woody 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.

26. Prior to first beneficial use (or in such other timeframe as may be agreed with the Local Planning Authority) The development shall be provided with a scheme of artificial lighting; the design of which shall balance needs of public safety and security; wayfinding; and accommodation/management of protected in accordance with a scheme of detail which shall first have been submitted to and approved by the Local Planning Authority in writing.

Reason: To ensure that the scheme will be designed to accommodate the needs of staff and visitor safety as well as having appropriate regard to nature conservation interests.

27. Prior to works commencing to the SE corner of the site, a translocation strategy for the movement of reptiles from the marginal scrub/ruderal habitats on the site to alternative suitable habitat, and for their future exclusion from the site during the course of construction shall be submitted to and approved by the local planning authority in writing. The strategy shall include for a timeframe of implementation and shall

thereafter be implemented in accordance with the approved details.
Reason: To mitigate against the potential for harm to reptiles during the course of construction.

28. Should any variation to the schedule of submitted finishing materials be required the development shall be finished in accordance with a palette of materials, the detail and samples of which having first been submitted to, or made available for inspection by the Local Planning Authority and approved by them in writing.
Reason: To ensure for a satisfactory finished appearance to the development.
29. Notwithstanding the approved layout and hard landscaping plans, Prior to first beneficial use of the rehoming centre hereby approved, the development shall be provided with 13 secure and covered cycle stands capable of accommodating a minimum of 26 cycles, to be of a design and located throughout the site in accordance with a scheme of detail which shall first have been submitted to and approved in writing by the Local Planning Authority, and thereafter be provided and be so maintained for such purposes for the lifetime of the development.
Reason: To ensure that adequate provision is made for staff and visitors wishing to travel by sustainable transport modes.
30. Notwithstanding the approved layout and hard landscaping plans, Prior to first beneficial use of the rehoming centre hereby approved, the development shall be provided with a 150 car parking spaces to include for a minimum of 7 disabled spaces for use by the mobility impaired in accordance with a scheme of detail which shall first have been submitted to and approved in writing by the Local Planning Authority and thereafter be provided and be so maintained for car parking purposes for the lifetime of the development.
Reason: To ensure for an appropriate and reasonable balance of on site parking provision sufficient to meet operational needs whilst fostering sustainable transport planning for the City.
31. The facility shall be provided with a scheme of CCTV capable of evidential quality recording.
Reason: To deter any persons who may contemplate anti-social or criminal behaviour and to assist the Applicant and Police in being able to identify such offenders.
32. Domestic foul flows only shall connect to the public sewer network. Any non domestic waste produced on site shall be disposed appropriately
Reason: To protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.
33. 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.

RECOMMENDATION 2 : If the development will give rise to a new discharge (or alter an existing discharge) of trade effluent, directly or indirectly to the public sewerage system, then a Discharge Consent under Section 118 of the Water Industry Act 1991 is required from Dwr Cymru / Welsh Water. Please note that the issuing of a Discharge Consent is independent of the planning process.

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

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

- (i) determining the extent and effects of such constraints and;
- (ii) ensuring that any imported materials (including, topsoils, subsoils, aggregates and recycled or manufactured aggregates / soils) are chemically suitable for the proposed end use. Under no circumstances should controlled waste be imported. It is an offence under section 33 of the environmental Protection Act 1990 to deposit controlled waste on a site which does not benefit from an appropriate waste management 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 : In respect of condition 30, The applicant is invited to periodically record and review uptake of the car parking spaces within the first year of operations; and if at the end of this time, the applicant can evidence, to the satisfaction of the Local Planning Authority, that there is a deficiency in available on site car parking to the detriment of the operation of the facility / surrounding highway network, then the Local Planning Authority will consider the review of this condition by means of an application under S73 of the Town and Country Planning Act 1990 or such subsequent provision.

1. **DESCRIPTION OF DEVELOPMENT**

- 1.1 Full planning permission is sought for development of 3.24 hectares of land which is currently partly vacant / partly used for open steel storage to the south of Nettleford Road, on Ocean Park in Splott to provide a 'Dogs Trust' rehoming centre.
- 1.2 The development would comprise four principal buildings comprising a main building of two storey design [78m x 26m x 8.7m high], a 'Stray/Reclaim' building of partly two storey design [68m x 16m x 7.1m high] and two other single storey buildings 7m x 14m x 4.7. high] proposed within a landscape setting.
- 1.3 The buildings would be of flat roofed design, in combinations of brickwork, various coloured (predominantly white and grey but including elements of corporate yellow) rain screen panel, vertical timber boarding, and with dark grey aluminium fenestration and doors.
- 1.4 The development also includes for associated car parking, internal roads and paths, exercise runs, walling and various fence enclosures, a sewage treatment plant, and various boundary treatments and landscaping to provide a park like environment with secure training and exercise facilities.
- 1.5 The kennel accommodation would be strategically positioned and orientated on the site, generally set centrally off perimeter boundaries and with different buildings being located with respect to the need for public access, welfare of dogs being kennelled, and relationship with surrounding developments.
- 1.6 Discussions with the Local Authority are ongoing in respect of the potential for the Council to fulfil its statutory responsibilities in respect of stray and lost dog

reclaim from one of the buildings.

1.7 Overall the site would provide for up to

30x Stray/Reclaim Kennels with a likely occupancy of up to 45 dogs
22x Intake Kennels with a likely occupancy of up to 33 dogs
20x Rehoming Kennels with a likely occupancy of up to 30 dogs
22x Booked Dogs Kennels with a likely occupancy of up to 33 dogs
4x Puppy/whelping Kennels with a likely occupancy of up to 16 puppies

A Total of 98 Kennels with a likely occupancy of 141 dogs and 16 puppies

1.8 The facility would provide jobs for around 50 equivalent full time posts (In practice a greater number of mixed full time and part time employees)

1.9 The application is supported by the following Reports/ Documents/Technical appraisals:

- Drawing Package
- Operator Statement
- Planning Statement
- Design and Access Statement
- Pre application consultation 'PAC' Report
- Landscaping Scheme
- Ecology Statement
- Drainage and Flooding
- Access, Parking and Highways
- Noise Assessment
- Noise Assessment Addendum
- Site Investigation

2. **DESCRIPTION OF THE SITE**

2.1 The site is a predominantly rectangular shaped piece of land measuring approximately 400m x 85m with longer edge on a NW/SE axis. The site is accessed from the north via Nettleford Road, part of the Ocean Park estate road network providing access to and from Ocean Way. The site is however otherwise landlocked.

2.2 The site covers some 3.24 hectares. The land is made up ground (principally compressed hardcore) and is reasonably level other than having embanked edges and some unmanaged tree planting to north and east perimeter boundaries.

2.3 The site is bounded by Nettleford Road to the north with nearest neighbours (other than open storage areas) being the relatively newly constructed Regents Court Office complex and similarly recently constructed Peoples Dispensary for Sick Animals (PDSA) facility. To the west are offices occupied by Celsa, and a 'conference centre' providing office accommodation within older two storey red

brick buildings. These are accessed from East Moors Road to the west. The Celsa railway line and the new Eastern Bay Link Road (EBL) are located to the south. A site access road divides the site from various freight and building materials distributors, and a bio research laboratory to the east and the Viridor incinerator plant.

Further to the west, the central link road dual carriageway divides the Castle Works from Bute East Dock. To the north and east are further industrial and commercial uses. To the south, Roath Dock.

- 2.4 The immediate surroundings are therefore characteristically mixed heavy and light industry, science and technology /office accommodation and storage and distribution uses.
- 2.5 The nearest residential accommodation (Adventurers Quay) is sited some 325 metres to the south west beyond the EBL dual carriageway and gyratory roundabouts, dockside aggregate storage land and temporary lorry park.

3. **SITE HISTORY**

- 3.1 The Design and Access statement submitted with the application suggests that former steel works buildings on the land were demolished in the 1980s. The site comprises filled, contaminated land, parts of which having been used for open steel storage on a lease hold basis for a number of years.
- 3.2 This application follows the withdrawal of planning application 15/03023 for a larger rehoming centre on a greater area of land which was not progressed. This application essentially omits an area of land from the previous application site to enable its continued use for open steel storage by Celsa.

4. **POLICY FRAMEWORK**

Planning Policy Wales Edition 9, November 2016

Chapter 4 - Planning for Sustainability

Chapter 7 - Economic Development

Chapter 8 - Transport

Chapter 12 - Infrastructure and Services

Chapter 13 - Minimising and Managing Environmental Risks and Pollution

WG Technical Advice Notes

TAN 11: Noise (1997)

TAN 12: Design (2016)

TAN 15: Development and Flood Risk (2015)

TAN 18: Transport (2007)

TAN 21: Waste (2014)

TAN 23 Economic Development (2014)

Welsh Office Circular

11/99: Environmental Impact Assessment 30/06/99
16/94: Planning Out Crime 25/02/94

Cardiff Local Development Plan 2006-2026 (Adopted January 2016)

KP5: GOOD QUALITY AND SUSTAINABLE DESIGN
KP8: SUSTAINABLE TRANSPORT
EC1: EXISTING EMPLOYMENT LAND
EC3: ALTERNATIVE USE OF EMPLOYMENT LAND AND PREMISES
EN13: AIR, NOISE, LIGHT POLLUTION AND LAND CONTAMINATION
EN14: FLOOD RISK
T1: WALKING AND CYCLING
T6: IMPACT ON TRANSPORT NETWORKS AND SERVICES
W2: PROVISION FOR WASTE MANAGEMENT FACILITIES IN DEVELOPMENT

Other Material Considerations

Section 149 Equality Act 2010

Adopted Supplementary Planning Guidance
Waste Collection & Storage Facilities Oct 2016

Supplementary Planning Guidance [Supplementary to previous development plans but remaining a material consideration]

Access, Circulation and Parking Standards Jan 2010
Safeguarding Land for Business and Industry Jun 2006

5. **INTERNAL CONSULTEE RESPONSES**

5.1 **Pollution Control (Noise and Air)**

A written scheme of sound insulation for the walls and ceilings of; sleeping kennels, kennel run areas and all other internal dog areas, shall be submitted and approved by the authority prior to the commencement of the development.

Doors and windows to all the kennels / dog areas shall only be open between the hours of 08:00hrs – 18:00hrs Monday to Saturday and 09:00hrs to 16:00hrs Sunday. Alternative mechanical ventilation should be sought if required to maintain suitable internal temperatures.

Dogs shall only be allowed in the external areas between the hours of 08.00hrs – 18:00hrs Monday to Saturday and 09:00 – 16:00hrs Sunday with exception to those arriving or leaving the facility via the car park.

PC5 OPENING HOURS

No member of the public shall be admitted to or allowed to remain on the premises between the hours of 21:00hrs and 07:00hrs on any day.

Reason: To ensure the amenity of occupiers of other premises in the vicinity are protected.

PC6 DELIVERY TIMES

There shall be no arrival, departure, loading or unloading of delivery vehicles between the hours of 21:00hrs and 07:00hrs on any day.

Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected.

PLANT NOISE (2015)

Prior to implementation a noise assessment shall be carried out and submitted to the Local Planning Authority to ensure the noise emitted from fixed plant and equipment on the site achieves a rating noise level of background -10dB at the nearest noise sensitive premises when measured and corrected in accordance with BS 4142: 2014 (or any British Standard amending or superseding that standard).

Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected.

PC9b FUTURE KITCHEN EXTRACTION

If at any time the use of the premises is to involve the preparation and cooking of hot food the extraction of all fumes from the food preparation areas shall be mechanically extracted to a point to be agreed with the Local Planning Authority, and the extraction system shall be provided with a de-odorising filter. Details of the above equipment shall be submitted to, and approved by, the Local Planning Authority in writing and the equipment installed prior to the commencement of use for the cooking of food. The equipment shall thereafter be maintained in accordance with the manufacturers' guidelines, such guidelines having previously been agreed by the Local Planning Authority in writing.

Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected.

R1 CONSTRUCTION SITE 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

5.2 **Pollution Control (Contaminated Land)**

The following information has been submitted as part of the application and has been considered when determining the recommendations for planning conditions:-

Capita, June 2017; Phase 1 Geo-Environmental Desk Study
Capita, July 2017; Phase 2 Ground Investigation & Assessment

The above identifies the need for further investigation in relation to creosote contamination and proposals for an appropriate remediation strategy. The contamination and remediation conditions are therefore required in relation to this supplementary assessment.

The ground gas assessment included in the above report identifies a 'Characteristic Situation 3' for the development and outlines general proposals for commercial purposes. However the application includes 'around the clock' human occupation in part of the development. The ground gas protection measures must therefore include appropriate provision for residential accommodation to reflect this.

The above information also identifies the need to import clean topsoil/subsoil to support plant growth in new soft landscaped areas, as a consequence of phytotoxic made ground. Conditions are required in relation to this.

Shared Regulatory Services therefore requests the inclusion of the following conditions and informative statements 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:

GROUND GAS PROTECTION (amended)
CONTAMINATED LAND MEASURES – ASSESSMENT (amended)
CONTAMINATED LAND MEASURES – REMEDIATION & VERIFICATION
PLAN
CONTAMINATED LAND MEASURES - REMEDIATION & VERIFICATION
CONTAMINATED LAND MEASURES – UNFORESEEN CONTAMINATION
IMPORTED SOIL
IMPORTED AGGREGATES
USE OF SITE WON MATERIALS

Together with

R4 CONTAMINATION AND UNSTABLE LAND ADVISORY NOTICE

5.3 **Transportation**

The proposals have been reviewed and found acceptable in principle subject to the following unique conditions.

- Secure Cycle Parking 26 No. spaces

Notwithstanding the approved layout and hard landscaping plans, Prior to first beneficial use of the rehoming centre hereby approved, the development shall be provided with 13 secure and covered cycle stands capable of accommodating a minimum of 26 cycles, to be of a design and located throughout the site in accordance with a scheme of detail which shall first

have been submitted to and approved in writing by the Local Planning Authority, and thereafter be provided and be so maintained for such purposes for the lifetime of the development.

Reason: To ensure that adequate provision is made for staff and visitors wishing to travel by sustainable transport modes.

- Maximum provision of 150 car parking spaces at first beneficial use to be reviewed after 12 months of operations if necessary.

Notwithstanding the approved layout and hard landscaping plans, Prior to first beneficial use of the rehoming centre hereby approved, the development shall be provided with a 150 car parking spaces to include for a minimum of 7 disabled spaces for use by the mobility impaired in accordance with a scheme of detail which shall first have been submitted to and approved in writing by the Local Planning Authority and thereafter be provided and be so maintained for car parking purposes for the lifetime of the development.

Reason: To ensure for an appropriate and reasonable balance of on site parking provision sufficient to meet operational needs whilst fostering sustainable transport planning for the City.

Together with the following additional recommendation/advisory notification

- *In respect of condition X, The applicant is invited to periodically record and review uptake of the car parking spaces within the first year of operations; and if at the end of this time, the applicant can evidence, to the satisfaction of the Local Planning Authority, that there is a deficiency in available on site car parking to the detriment of the operation of the facility / surrounding highway network, then the Local Planning Authority will consider the review of this condition by means of an application under S73 of the Town and Country Planning Act 1990 or such subsequent provision.*

Notes:

The application form confirms proposals for 184 car parking spaces; 7 Disabled spaces and 22 motorcycle spaces. Reference to the Councils Access and Parking Guidelines would indicate that the amount of car parking provision is excessive if based on a ratio of one space per 50m², and that cycle and Disabled allocations are slightly below approved ratios.

The submitted Transport statement suggests that the number of car parking spaces is based on experience from other Dogs Trust sites, however there would still appear an excess of car parking provision based on projected staff and visitor numbers provided in the TS (2000 per month and 50 equivalent FT staff). On this basis I would suggest a maximum capacity of 150 car parking spaces is trialled for an initial period of 1 year, to be reviewed at a future date if necessary when actual demand can be assessed.

Generally I observe that the site is easily accessible by a variety of modes, that the use will not generate concentrations of flows at peak hours to an extent that

would compromise the efficiency of the local highway network and that a modest departure from the adopted parking guidelines is acceptable in this instance given the likely regional pull and destination characteristics of the use and given the practicalities of transporting newly rehomed dogs.

On this basis I conclude that the access and parking provisions are acceptable and also welcomed in terms of the accommodation of sustainable travel options; and subject to the conditions indicated above. I raise no objection to the proposals.

5.4 Waste Management

Current site plans indicating the bin storage area is acceptable.

A commercial contract is required for the collection and disposal of all commercial waste. By law (Environmental Protection Act, 1990, section 34) all commercial premises have a duty of care to ensure that their waste is transferred to and disposed of by a registered waste carrier. Owners or developers of commercial developments/properties who require Cardiff County Council to collect and dispose of their waste can contact the commercial services department on 02920717500.

Please refer the agent/architect to the Waste Collection and Storage Facilities Supplementary Planning Guidance for further relevant information.

5.6 Council's Ecologist

The submitted preliminary ecological appraisal confirms the land of low ecological value. A small area of scrubland to the SE corner of the site may provide a habitat for slow worms and common reptiles. This area is shown to be retained in the proposed plans. The marginal scrub and trees on the site may provide suitable habitat for nesting birds and any proposed clearance of woody species should be undertaken out of bird nesting season if possible, and only with the specific agreement of the local authority if not, allowing for individual nesting bird assessment if necessary. This can be secured by condition. Any lighting scheme should be developed to minimise impact on the flight patterns of bats.

5.7 Trees and Landscaping

The Tree Officer notes the detail of the submitted landscape scheme and will liaise with the applicant regarding an appropriate planting schedule. He comments that the most important aspect of landscaping will be to ensure that necessarily imported soils for landscaping, including tree pit specifications and soils will be fit for purpose and specific to the schedule of planting proposed to maximise the potential for new landscaping to establish and mature.

He confirms that retained trees will need to be protected in accordance with an approved Arboricultural Method Statement and Tree Protection Plan.

Landscaping details are 'strategic' currently, and whilst I have no 'in principle' objections, there are points of detail requiring consideration as follows: -

- Tree planting will need to be designed in conjunction with services, including drainage. It is noted that possible conflicts may arise between tree planting and permeable paving construction in the car-park, and an 'infiltration blanket'.
- The non-native *Alnus incana* is included within the native boundary woodland scrub mix, and should be substituted by the native *A. glutinosa*.
- *Betula pubescens* should be introduced into native mixes in addition to *B. pendula*, or instead of *B. pendula*, where soil textures are likely to be heavy.
- *Fagus sylvatica* should not be used in the woodland walk as it requires a very large air-space and prefers climax woodland, largely composed of it alone, rather than early successional woodland. It is also vulnerable to drought stress in the context of climate change. *Quercus petraea* would be a better option, being more upswept and drought tolerant.
- The 'feature trees' are described as having '3 stems'. Multi-stemmed trees can be effective when used sparingly, but to excess they can be problematic due to structural weaknesses, excessive spread and mutual suppression. Using multi-stemmed forms of nominally fastigiated trees such as *Acer campestre* 'Streetwise' and *Carpinus betulus* 'Frans Fontaine' defeats the purpose of the cultivar.

The tree officer would therefore seek clarification on the use of multi-stemmed trees but would specify that they be used sparingly and where they have space to grow to their full potential.

- Amongst the feature trees, *Liquidambar styraciflua* is listed. This should only be used where there is access to 30m³+ root available moist, acidic, loamy soil in soft landscape, and with unconstrained air-space. It is ultimately a very spreading tree with disruptive roots and potential nuisance fruits. The forms 'Slender Silhouette' and 'Lane Roberts' are better for confined spaces.
- Tree planting should be appropriately spaced in recognition of the likely ultimate spread of trees.
- In the car-park where permeable paving is proposed, there appears to be an opportunity to use trees as part of the SUDS design. An appropriate tree in this context would be *Gleditsia triacanthos* 'Draves Street Keeper', having a relatively light, upswept crown and excellent tolerance of both wet and dry soils.

It is not clear currently how trees here will access adequate root available soil. A detailed landscaping specification will be required at the earliest opportunity, comprising finalised planting plan, plant schedule, tree pit section and plan views for different situations demonstrating how access will be provided for adequate root available soil for the species in question, topsoil and subsoil specification, planting methodology and aftercare methodology.

5.8 Operational Manager responsible for Cardiff Dogs Home

Would like to provide the following comments in response to the proposed Dogs Trust Development on land at Nettlefold Road, Splott, Cardiff. These comments reference to some of the points raised in the Operator Statement provided by the Dogs Trust and are provided from Cardiff Dogs Home. Cardiff Dogs Home is operated and run by Cardiff Council and ensures that the Council's statutory obligations with regards to stray dog provision is met. It is a

very well respected and widely utilised facility.

Cardiff Dogs Home Does Not Incorporate Friends of the Dogs Wales

In the submitted statement the Dogs Trust refer at point 13 to Cardiff Dogs Home (incorporating Friends of the Dogs Wales) Penarth Road Cardiff, acting as the stray contract 'Pound' for Cardiff Council.

This statement is incorrect. Cardiff Dogs Home does not 'incorporate' Friends of the Dogs Wales. Although they provide invaluable support to the Dogs Home they are a charity with a wider remit than working with just Cardiff Dogs Home. Cardiff Dogs Home is owned and run by the City of Cardiff Council and is not the provider of a 'stray contract'. Cardiff Dogs Home is an internal public service that discharges the statutory obligations of the Council in relation to stray dogs.

Dealing with Stray Dogs and Unknown Entity for Dogs Trust

Cardiff Council have worked with the Dogs Trust for many years promoting responsible dog ownership as well as benefitting from the Dogs Trust neutering scheme for the dogs that are re-homed and dogs at risk. We fully acknowledge the great work that they do around dog re-homing, behaviour and training and responsible dog ownership. However it is known that that discharging the statutory duties of a Local Authority in dealing with stray dogs would be new territory for the Dogs Trust and is as yet untested by them as an organisation.

No Agreement is in place for Dogs Trust to Deliver this Service on behalf of the Authority

Although the Operator Statement refers to active dialogue with Councillor Officers and the Cabinet Member for Environment no agreement has been reached about how a possible partnership arrangement can be achieved. There are a number of concerns around how the current services as well as future plans the Council has for the Stray Dog service could be achieved from the proposed stray/reclaim section of the Dogs Trust facility. Any formal agreement would require Council approval and be subject to potentially lengthy negotiations/processes to ensure legal and procurement rules can be met and no contract could be simply handed to the Dogs Trust or indeed any other organisation. The current position is that a letter has been sent to the Dogs Trust stating that Cardiff Council does not wish to enter into a partnership arrangement with the Dogs Trust in respect of it discharging its statutory duties connected with dealing with the City's stray and abandoned dogs.

Lack of Evidence based Data around need for Provision of an additional Dogs Home

Concerning the operator statement, we would question some of the reasoning around the justification presented for the need for this development. It explicitly refers to the limited number of welfare/re-homing organisations operating in Cardiff. Based on the service provided by Cardiff Dogs Home and the data held it can be evidenced that the existing number are sufficient as well as there being additional organisations who work with Cardiff Dogs Home that we are aware of that have not been listed.

As an example, Cardiff Council Dogs Home successfully handled 891 dogs in 2016/17. Of these 103 were returned to owner without being kennelled, of the 788 kennelled 356 (45%) were reclaimed by the owner and 401 (51%) were

re-homed to new owners.

Incorrect Data provided about Dogs PTS (Put to Sleep) in Cardiff

It also refers to the number of unnecessary destructions in the region where we would vehemently argue that this is not the case and point that no evidence has been provided to support this case. Cardiff Dogs Home operates a clear policy that no health dog will be destroyed and will be cared for until a new home can be found. In dealing with 891 strays during 2016/17 only 27 were PTS (Put to Sleep) equating to 3%. This is exceptionally low and these were due to dogs being 'typed' so not legally being able to be re-homed, on veterinary advice due to extreme injury/ill health or very rarely due to aggression amounting to a significant risk to public or staff. The dogs trust may argue that they will never PTS any dog, which may be true however they do have the luxury of choosing which dogs they take to rehome, dealing with stray and abandoned dogs as part of a statutory service does not provide the same options.

Cardiff Dogs Home Not Operating at Capacity

Cardiff Dogs Home is not currently operating to capacity, and again it questions the need for an additional rehoming facility, which is made in the planning application by the Dogs Trust. Due to having additional capacity, the Dogs Home is able to take in 'signovers' (in the same way that the Dogs Trust receive dogs) as well as dealing with statutory strays. This helps members of the public that due to a change in personal circumstances mean that they are no longer able to look after their dogs and can place them with Cardiff Dogs Home where new owners can be found. We also work closely with other rescue organisations that may be having difficulties re-homing certain dogs and will again take in dogs, particularly those that have been with the rescue organisation for a long period in order to offer a better chance of it being rehomed.

Generalisations made round Issues from the UK not specific to Cardiff

The statements made at point 18 of the statement, from animal wardens across the UK are not indicative of issues in Cardiff and are a generalisation rather than being specific to the Cardiff area. They refer to things such as Pit – Bull type puppies being seized as well as issues around puppy breeding and sales. Although these are LA/Police functions, they are not necessarily those for the Dog Warden Service and kennels however there is also no indication or any evidence that this is a problem in the Cardiff area.

With regard to dog on dog attacks, there are very few incidents within Cardiff. All incidents are investigated and generally end up in Court cases where appropriate action is taken. There are no issues around the boarding of these dogs until the case take place. As for Councils being unable to pay for long term treatment until dogs are re-homed this is partially true but we have excellent working relations with a 'Friends' group as well as other rescues and charities to ensure that all dogs receive the required treatment.

Duplication of Services already provided by Cardiff Council

With regards to some of the points in section 21 where it references what the Dogs Trust can do to contribute to the Council it should be noted that these initiatives are already successfully being done by Cardiff Dogs Home and the

Local Authority.

Providing facilities and support resources for stray and abandoned dogs, responsible re-homing and neutering and micro-chipping campaigns are all undertaken routinely as part of our statutory service. We also go above and beyond what is required of a local authority stray dog facility by further promoting responsible dog ownership. These efforts have also been recognised since the introduction of the RSPCA Stray Dog Footprint Awards in 2008 with an award being gained every year with Gold standard the last 3 years. We have also received two innovator awards, one in 2008 and one in 2013.

Capacity and Proposed Occupancy

We also question the proposal of only 30 stray/reclaim kennels detailed in the planning submission and would point out that the likely occupancy could be 45. We feel that 30 is not a sufficient number given our data and what has clearly not been considered is the estimated population growth in future years in the Cardiff area. In addition to this the likely occupancy of 45 would not be permitted at this stage of intake. Stray dogs could not be 'doubled' up in kennels due to issues around biosecurity and behaviour and the strays would not become the property of the Dogs Trust until 7 days have passed.

Operational and Opening Hours

There is some confusion around the staffing and operational hours for the site which has been submitted. If the Dogs Trust were to deal with strays from this site then there would need to be 24-7 access to public, Police and Dog Wardens to drop off stray dogs at any time. The opening hours allowing for owners to collect their stray/lost dog could be subject to agreement but would need to be daily and not close for day's staff training as possibly suggested.

Conclusion

At this stage aside from the modern facilities, it would be difficult to see what benefits there would be to the Dogs Trust providing kennelling for the strays beyond what can be offered by Cardiff Council. Cardiff Dogs Home service are committed to continue to provide their service in house whilst looking at improving facilities and services offered.

Martin Birch,

6. EXTERNAL CONSULTEE RESPONSES

6.1 Natural Resources Wales

We received a statutory pre application consultation notice for this proposal under Article 2D of the Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2012. We provided a substantive response to that consultation on 12th July 2017. A copy of this response is contained in Appendix 8 of the pre-application consultation (PAC).

Having regard to the PAC report and updated Phase 2 Ground Investigation & Assessment Report July 2017 Ref: CS081394-GIA Rev. 6 by Capita. We

advise as follows.

We recommend that you should only grant planning permission if you attach the following conditions. These conditions would address significant concerns that we have identified and we would not object provided you attach them to the planning permission.

Conditions 1-6: Land Contamination

6.2 Land Contamination

We are satisfied that there are generic remedial options available to deal with the risks to controlled waters posed by contamination at this site. However, further details will be required in order to ensure that risks are appropriately addressed prior to development commencing. In line with the advice given in Planning Policy for Wales we understand that the Local Planning Authority must decide whether to obtain such information prior to determining the application or as a condition of the permission. Should the LPA decide to obtain the necessary information under condition we would request the following conditions. Without these conditions, the proposed development on this site poses an unacceptable risk to the environment and we would object to the application

6.2i Condition 1

Prior to the commencement of the development approved by this planning permission (or such other date or stage in the development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1. A preliminary risk assessment which has identified:
 - all previous uses;
 - potential contaminants associated with those uses;
 - a conceptual model of the site indicating sources, pathways and receptors;
 - potentially unacceptable risks arising from contamination at the site.
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
3. The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in

(3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

Reason : The site has been subject to previous industrial use including as a steel works, foundry, railway yards, etc. resulting in land contamination. Therefore there is the risk of pollution of controlled waters that occur beneath the site in the Secondary A/b aquifers. Solvent contamination in soils and groundwater has been detected in initial site investigations.

As regards controlled waters issues we have no objection to Point 1 of this Condition being discharged based on the reports that have been submitted.

6.2ii Condition 2

Prior to [commencement of development]/ [occupation of any part of the permitted development] (delete as appropriate), a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority.

The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the Local Planning Authority.

Reason : To demonstrate that the remediation criteria relating to controlled waters have been met, and (if necessary) to secure longer-term monitoring of groundwater quality. This will ensure that there are no longer remaining unacceptable risks to controlled waters following remediation of the site.

6.2iii Condition 3

Reports on monitoring, maintenance and any contingency action carried out in accordance with a long-term monitoring and maintenance plan shall be submitted to the local planning authority as set out in that plan. On completion of the monitoring programme a final report demonstrating that all long-term site remediation criteria have been met and documenting the decision to cease monitoring shall be submitted to and approved in writing by the local planning authority.

Reason : As further site investigation and risk assessment is to take place it is possible that long term site monitoring may be required depending on the outcomes from this further work.

6.2iv Condition 4

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted, and obtained written approval from the local planning authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved.

Reason : Site investigations are never able to fully characterise contamination at a site. Therefore unsuspected contamination may be discovered during development works.

6.2v Condition 5

No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason : Infiltration through contaminated soils may lead to the production of a contaminated leachate that may pollute groundwater at depth.

6.2vi Condition 6

Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason : Inappropriate piling solutions can cause contamination of groundwater beneath a site.

6.3 For your information we recommend that developers should:

i. Follow the risk management framework provided in CLR11, Model procedures for the management of land contamination, when dealing with land affected by contamination.

ii. Refer to the Natural Resources Wales guiding principles for land contamination for the type of information required in order to assess risks to controlled waters from the site. The local authority can advise on risk to other receptors, e.g. human health.

iii. Refer to our website at www.cyfoethnaturiolcymru.gov.uk for more information.

For your information we made detailed comments on the site investigation reports submitted at statutory pre-application stage. The applicant should take these into account when new reports are submitted to discharge the above conditions.

6.4 Foul Water

We note the proposed development is in a publicly sewered area. We understand that the proposed waste water will go the public sewer via a package treatment plant.

We advise you liaise with Dwr Cymru Welsh Water regarding this.

Please note we have requested an additional condition with regard to land contamination which was not included in our statutory pre-application response. However, we no longer require a condition relating to foul and surface water.

6.5 Other Comments

Our comments above only relate specifically to matters that are included on our checklist Natural Resources Wales and Planning Consultations (March 2015) which is published on our website at this link (<https://naturalresources.wales/planning-and-development/planningand-development/?lang=en>). We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests, including environmental interests of local importance. The applicant should be advised that, in addition to planning permission, it is their responsibility to ensure that they secure all other permits/consents relevant to their development.

6.6 **Welsh Water Dwr Cymru**

Raise no objections to the proposals subject to appropriate Conditions and Advisory Notes to ensure no detriment to existing residents or the environment and to Dwr Cymru Welsh Water's assets.

Welsh Water have also reaffirmed, at the Planning Officer's request, that they have no objection to the principle of managing site wastes via an on site package treatment facility before discharge to the sewerage network.

SEWERAGE

Conditions

- Domestic foul flows only shall connect to the public sewer network. Any non domestic waste produced on site shall be disposed appropriately

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

- 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.

Advisory Notes

The applicant may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water Industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of www.dwrcymru.com

The applicant is also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water on 0800 085 3968 to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

Our response is based on the information provided by your application. Should the proposal alter during the course of the application process we kindly request that we are re-consulted and reserve the right to make new representation.

6.7 **Wales and West Utilities (Gas Mains)**

Have provided an extract from their mains records together with a comprehensive list of General Conditions. These have been forwarded to the applicant.

Wales & West Utilities have no objections to the proposals, however they would wish it acknowledged that their apparatus / developer personnel may be at risk during construction works and should the planning application be approved then they would require the developer to contact them directly to discuss their detailed requirements.

6.8 South Wales Police

South Wales Police have no objection to the development but have requested that the developer consider accreditation under the 'Secured by Design' standard.

Specifically SWP would wish to ensure that the site has a secure perimeter of a minimum of 2.1m weld mesh fencing and gating; that buildings are monitored via a police policy compliant alarm system capable of detecting intrusion; implementation of lighting to cover parking and footpaths; the implementation of a CCTV system; that buildings are designed to prevent climbing onto roofs and avoid any footholds or step up points in design; and that that all ground floor windows and entrance doors should comply with PAS24 :2016 standards

6.9 Welsh Government [Highways]

Raise no objection to the proposals

7. REPRESENTATIONS

7.1 The proposals have been advertised in the Local Press

7.2 Owner/Occupiers within a distance of 250m of the site perimeter have been notified of the planning application proposals directly by letter.

7.3 The proposals have also been advertised by site notice at and around the site at a distance of around 300m from the site perimeter.

Mr Matthew Haines of Kennson Ltd objects to the Planning Application and has made representation directly and via Planning Consultants RPS.

Mr Haines confirms that Kennson Ltd is an adjoining land & building owner with property located approximately 9 metres from the proposed development site perimeter.

Mr Haines raises issue with the comprehensiveness and manner in which the statutory 'Pre Application Consultation' were undertaken...

"At no time were we made aware by either The Dogs Trust or Asbri Planning of the Pre-application Consultation, and have since discovered that we were not included in the Adjoining Land Owners/Occupiers list as shown in the Pre-Application Pack produced by Asbri Planning. This is despite objections to the previous Planning Application 15/03023/MJR, an application which was withdrawn December 2016, and despite meeting on site with Richard Cole of Cardiff Council's Planning Department during the previous application to view how close our building sits to the proposed development site.

Furthermore, we take reservation that the Site Notices advising of the Pre-Application Consultation were only attached to Lampposts in 4 locations along Nettlefold Road (a no through road), and as our building is only accessed

via East Moors Road, as such the notices have not have been observed. If these notices had been located on the major road of Ocean Way there may have been a chance that they could have been spotted".

Although the new proposals have been revised, Kennson still remains particularly concerned in respect of the potential impact of the proposals on the continuing operation of their Tenanted offices which are located in the building to the west of the proposed Main Building, and confirms that this building houses some 70 staff, and these offices are occupied Monday Saturday 7:00 19:00.

Kennson did not consider that the Acoustic Assessment submitted with the planning application had sufficiently addressed the impact of the revised proposal on their property, and asked the LPA to secure additional information to satisfy Kennson's concerns

An addendum to the Acoustic Report has been submitted as detailed further in this report.

These views were further augmented in a later letter from Kennson's planning consultants who also suggested that their client had been disadvantaged by the PAC exercise and that it was inappropriate for planning committee to determine the application at a previous meeting. This is also addressed within the report

Any further representations from Kennson will be reported at Planning Committee.

7.4 **Local Members** have been consulted.

Councillor Caro Wild has suggested that it would be beneficial if the applicant could accommodate a cycle path link within the development to connect east west between Ocean Park and the bay.

Cllr Stubbs has verbally welcomed the development.

8. **ANALYSIS**

8.1 **Environmental Impact Assessment**

The works do not exceed the threshold to be considered a Schedule 2 development for the purposes of assessment under the Environmental Impact Assessment Regulations either in terms of the area of the site [3.24 h] or quantum of development [6600m²]. The proposals have been considered also in terms of environmental context, uptake of resources and nature and quantum of outputs and were not considered to have more than local impact and not considered likely to produce such significant environmental effects as to warrant the submission of an Environmental Statement to allow the Local Planning Authority to determine the application.

A screening assessment to this effect was issued earlier this year, subject to

the submission of various technical reports to support the proposals at the time of any planning application. This has been undertaken

8.2 Land Use

The site is located within an area of existing business and industrial uses where the Local Development Plan Proposals Map identifies the site as being designated for B Class employment uses under policy EC1.1 'Ocean Park'.

8.3 The Dogs Trust rehoming centre is considered a '*Sui-Generis Use*' in land use terms, being a use considered to be outside of any specific use class in terms of its character of operation. However the use is accepted as one where the likely scale, impact and outputs from the operations and activities involved, and the employment opportunities generated by the use, would appear to share many characteristics with B Class (Office, Industrial and Distribution type uses), as albeit that the commodity being processed and distributed is somewhat unusual in being animals, the characteristic of staffing, transport, work activity, user interaction and business processing proposed would be very similar to other uses existing on the estate and not at odds with the business and distribution planning land use allocation of the site.

8.4 If considered an alternative use of the land, the proposal is subject to Policy EC3 of the LDP 'alternative use of employment land and premises' which states that Development of business, industrial and warehousing land and premises for other uses will only be permitted if:

i. The land is no longer well located for business, industrial and warehousing use;

Evidently this is not the case; however the use is characteristically very similar to a business and distribution employment type uses as indicated above.

ii. There is no realistic prospect of employment use on the site.

The use is considered an employment use. The proposal would generate the equivalent of 50 full time employee posts, though in practice many jobs would be part time, offering a greater number of employment opportunities to local people, and would also provide employment opportunities at a higher ratio than many warehouse operations in the locality. It is therefore considered that there is no policy conflict in this regard.

iii. There is no need to retain the land or premises for business, industrial or warehousing use, having regard to the demand for such land and premises and the requirement to provide for a range and choice of sites available for such use.

The site is not currently developed and has not been used for business, industrial or warehousing use for some time. It has been used, in part, for open storage dependant on the outputs of the Celsa plant. The proposed use is therefore not considered to deplete the amount of existing business or industrial and warehousing land; and is considered an acceptable employment use of the site.

and;

- iv. *There will be no unacceptable impact on the operating conditions of existing businesses.*

Issues of the impact of potential noise and activity from the proposed operation are considered in detail elsewhere in this report, although in summary it is considered that appropriate mitigation of noise from the facility can be achieved.

In terms of the existing use of parts of the site for open steel storage, the extent of the application site has been subject of detailed negotiation between the land owner, Dogs Trust and Celsa who are believed to have come to an agreement. This proposal will not adversely affect the availability of sufficient land for steel storage which will be allocated to land to the west of the application site and will continue to be accessed from East Moors Road.

8.5 Given the above there are no land use planning objections to the proposals.

8.6 **Access/ Transportation**

8.7 Access

A Transport statement has been submitted with the application. It confirms that the site is located on a well established business/industrial park with comprehensive links to the wider highway network.

The estate is designed to accommodate business, industrial and distribution type uses accessed from a purpose designed highway network. There are therefore no objections to the proposals from an access perspective.

8.8 Modes/Modal Hierarchy

8.9 Pedestrian Access

Pedestrian Ocean way and Nettleford road offer good pedestrian access from well lit, kerbed adopted footways.

8.10 Cycle Access

Ocean Way and Nettleford Road offer good opportunities for cycle access to work places on the estate. Vehicle speeds on Ocean Way are observed to often be higher than the statutory 30MPH limit, however the carriageway network is relatively open and visibility of slower moving vehicles such as bicycles and mopeds is good and surfaces reasonably level/adequate for those modes.

The comments of Cllr Wild in respect of the potential to achieve a cycle route through the site are noted; however the site is landlocked by heavy industrial uses and a railway track to the south, without any viable access to the surrounding highway network without achieving access over third party land.

Options for various potential connections have been considered by the planning officer, but ultimately considered both practically too difficult to

achieve and an unreasonable and unnecessary obligation to place on the applicant in respect of the development proposed.

The planning officer reminds members of committee that both legal obligations and planning conditions have to meet statutory tests of reasonableness and necessity to enable a proposal to be acceptable in planning terms and also have to be within the power of an applicant to provide, otherwise they will be deemed *ultra vires* and beyond planning powers to require.

26 cycle / motorcycle stands in line with the ratios contained within the adopted SPG can be required by planning condition.

8.11 Public Transport

Cardiff Bus operates services along Ocean Way to serve the estate from the City Centre. There are bus stops to the north within 375m and to the east within 700m walking distance.

Train access via Queen Street station is some 2km away by foot, Cardiff Central Train station would offer access on foot or by bus connection at a distance of 2.3km

8.12 Private Car

The transport statement predicts approximately 2000 non staff related visitor movements per month. Which would equate to an average of around 75 visitors per day, (but likely biased to weekends).

The site falls outside of the central area boundary as defined within the authority's Access, Circulation and Parking Standards SPG. The proposed development falls under *Sui Generis* use where the parking requirement for non-central locations is 1 car parking space per 50m² of floor space, with 5% of the resulting total car parking provision to be dedicated as disabled spaces.

8.13 The development floorspace totals some 6600m² and predicts 50 equivalent FT employees. This would equate to a requirement of 132 car parking spaces if calculated at a 1:50m² ratio.

The application form confirms the applicant's proposals for 184 car parking spaces; 7 Disabled spaces and 22 motorcycle spaces. However this number of car parking spaces is viewed by the planning officer as excessive, and an over provision of at least 50 spaces if considered against the Council's SPG and to do little to support sustainable travel planning.

The planning officer is accepting however that there is a 'destination' factor exhibited by other Dogs Trust facilities and also a 'regional pull' created by those living outside of the City limits who would wish to visit the facility/adopt a dog or puppy, the practical transportation needs of which are most easily met by private car .

8.14 By way of balance, it has been agreed with the applicant that it would be sensible to initially provide a capacity of 150 off street car parking spaces to

serve the facility, and to hard landscape an area but which could relatively easily be converted to additional car parking space if found operationally necessary. This arrangement is supported by the Transportation Officer and can be accommodated by condition, which if necessary can be applied to be varied in the future.

It is also noted that 2 No. spaces will be available for charging of electric vehicles (nominally 1x staff and 1x visitor space); and that a minimum of 7 No car parking spaces will be designated disabled spaces [plans suggest 7 at main building 1 at the new admissions block and 1 at the stray and reclaim building] 2 other spaces are shown as wide spaces on the submitted layout plan but not formally designated as mobility spaces.

8.15 The Transportation Officer concludes that the site is easily accessible by a variety of modes, does not generate concentrations of flows at peak hours to an extent that would compromise the efficiency of the local highway network and that a modest increase of car parking from the adopted parking guidelines is acceptable in this instance given the aforementioned regional pull and destination characteristics of the use and given the practicalities of transporting dogs for rehoming.

8.16 The Planning Officer concurs with this view and subject to the application of conditions, confirms the access and parking provisions are acceptable. The proposals are considered acceptable in respect of LDP Policies T1 and T6.

8.17 **Design**

The application is accompanied by a thorough design and access statement which details the evolution of the site layout and building forms as well as strategic landscaping.

8.18 **Layout**

The site access from Nettleford road leads immediately to the car parking facility for the site. This serves staffing and operational needs as well as visitor parking, Car parking is shown in 5 linear bays extending for approximately the first 100m of the site. The car park is bounded by structural landscaping incorporating managed V ditch swales planted with wetland meadow mix and supplementary woodland tree planting with existing viable trees retained to provide a visual and acoustic buffer between surrounding operators (some of which are noise generators and some of which are noise sensitive) and the rehoming centre.

The car park and landscape perimeter provides for a buffer between the most immediate office facilities adjacent to the site and the main buildings (Celsa [at a distance of 37m between buildings] and Regents Court [140m between buildings] and the Conference Centre [27m between buildings]) The layout also allows for passive security within the site and passive visitor orientation in terms of single site access and the directional pathway network.

Immediately south of the car park is the Main building and visitor reception, this building is in a position roughly opposite the adjacent conference centre (accessed from East Moors Road) but is positioned with some 27m between the buildings and has been orientated with external kennel elevations facing the opposite side of the site away from the conference centre. Further woodland planting and a detached maintenance building also offers further screening between the conference centre and the operational areas of the site.

Further to the south of the site are the 'booked' 'new admissions' and 'stray/reclaim' buildings together with secure exercise compounds which have no immediate noise sensitive neighbours being adjacent to the land reserved for open steel storage to the west, and adjacent site access roads and warehousing and industrial premises to the east.

8.19 In terms of uses and activities:

The Main Rehoming Building includes a reception space for the visiting public a Visitor café; Private interviewing and dog-to-family introduction area; administration/office space for kennel management personnel; and 20 Rehoming Kennels which are glass-fronted pens occupied by dogs ready to go to new homes. These also have screens located to the outside elevation of the kennel 'runs' which act as an acoustic barrier to neighbouring land.

The main building also has External exercise areas (primarily to the eastern side of the building) providing for play areas and socialisation areas for dogs, either individually or in small managed groups. These exercise areas are used through the day principally between the hours of 8.00am to 5.30pm.

The main building also includes for laundry facilities and storage; food preparation/food storage areas; grooming & dog washing facilities; a staff rest room; veterinary examination room and operating suite including a veterinary suite. This facility will cater for initial health checks of dogs arriving at the Centre. The suite will also be used to perform routine surgery on dogs, principally neutering operations - all Dogs Trust dogs are neutered and micro-chipped prior to rehoming.

The main building also provides for puppy and whelping accommodation; a bespoke facility for the whelping and post-delivery care of bitches and early-age litters. An internal training hall /play barn space linked to the public viewing area is also provided within the building; and a state of the art hydrotherapy and Physiotherapy suite.

8.20 New Admissions Kennels

This building houses 22 kennels to receive homeless / unwanted / abandoned dogs from various sources. This building is more discreetly sited further to the south of the site in order that dogs can undergo initial health/behavioural checks. This facility is entirely self-contained to minimise risk of cross-infection and has a dedicated exercise area and support services including food preparation, laundry, and grooming facilities independent of the main building.

8.21 'Booked' Building

These kennels are occupied by dogs booked to go to new homes which are held for a short period while final health checks and neutering take place. This building also accommodates a number of post surgery 'recovery kennels' Each kennel has a sleep and run side which dogs can use day and night. The open run side is also provided with an outer wall of movable screens which can be opened and closed for acoustic purposes at night.

8.22 Stray / Reclaim Building

The Dog's Trust Operational Statement suggests that the organisation are in ongoing discussions with Cardiff Council regarding the provision of Stray / Reclaim services. However the comments of the Operational Manager with responsibility for the Cardiff Dogs Home has indicated that no agreement or contract is in place for Dog's Trust to take on the statutory role of the Local Authority.

In design terms however, the proposed building could provide space to provide a holding facility for lost dogs to be reunited with their owners. The building is shown to include a reception area, administration space, kennelling and dog care support services. It could equally however allow for other rehoming services provided by Dog's Trust if Stray/Reclaim services were not progressed by the organisation.

Planning Committee Members are advised that any arrangement between the Council and Dogs Trust in respect of such services will be matters agreed outside of the Planning system, and are not material to the determination of this application, or the environmental or amenity considerations of the proposals on which any decision should be made.

8.23 Staff Facilities/Competent Care responsibilities

The facilities also contain staff accommodation to ensure for a 24 hr presence of competent staff members on site at all times

8.24 External facilities

The centre has both public access and secure exercise compounds with a range of surface finishes (grass, concrete, sand etc) within amenity landscaped areas with a variety of interesting and stimulating profiled planting areas including grassland and woodland planting for on-lead exercise/training.

8.25 Equalities

Section 149 Equality Act 2010 requires that due regard be given to any actual or potential differential impact of the development on the needs of those with protected characteristics.

The scheme includes for disabled parking close to the principal buildings and as new build premises open to the public, the buildings will be compliant with Part M of the Building Regulations.

On this basis it is concluded that the proposal results in no apparent abnormal differential impact.

8.26 Sustainability

The proposals adopt a “fabric first” approach, and aim to exceed Building Regulations Part L criteria in terms of standards of insulation and airtightness.

The design and access statement confirms that key spaces will be naturally lit, minimising reliance on electric lighting; and the buildings are generally designed to be naturally ventilated to minimise the need for comfort cooling. Building services design will incorporate natural ventilation; extensive heat recovery mechanical ventilation in winter, a centralised energy centre providing a biomass boiler and high efficiency condensing gas boilers as backup/top-up; use of LED luminaires and occupancy /daylight controlled lighting installations. The buildings will also accommodate including roof mounted photovoltaic panels and Rainwater harvesting.

8.27 Community Safety and Security

The comments of South Wales Police are noted.

It is confirmed that the site is/will be secured and gated. It currently has a tri topped palisade fence, and this will either be extended or supplemented/replaced to ensure for a secure enclosure.

Dogs Trust have been passed the SWP observations in respect of the specification of an intruder alert alarm system, but also confirm that the site/buildings are manned on a 24hr basis.

The scheme will be provided with an appropriate lighting scheme, the detail of which will be considered in respect of providing a balance of personal security and safety; assisting mobility and way finding; and management/accommodation of bats

The provision of CCTV at the site is considered reasonable and can be required by planning condition.

SWP commentary in respect of achieving an anti climb finish are noted, however the building finishes are predominantly facing brick and rain screen panel and should therefore not lend themselves to foot or handhold opportunities.

The kennels themselves are noted to be doubly secure in that there is an outer layer of sliding doors which also provide an acoustic screen, and then an inner corridor of secure pens, with doors at either end of the kennel corridors.

SWP observations have been passed to Dogs Trust to encourage application for Secured By Design accreditation.

8.28 Conclusion

The buildings are of a pleasing modern aesthetic, and of a high specification in terms of sustainability and quality of kennelling provision. The distribution and orientation of the buildings, layout of public areas and secure areas on the site are considered well conceived and to balance the practical operational needs of the various building uses with acknowledgement and sensitivity toward the preservation of neighbouring amenity needs well. The landscape design is again considered well conceived and also designed with practical drainage visual screening and acoustic buffering in mind.

The scheme is considered to represent a high quality design and to satisfy the requirements of LDP Policy KP5 and TAN 12.

8.29 Economy

The development will directly provide for the equivalent of 50 full time jobs; will establish Cardiff as a sub regional destination for those looking to acquire a dog from a recognised and accredited socially responsible supplier; will stimulate growth of related trades and local businesses both directly in respect of supply chains for foodstuffs, ancillaries and veterinary services; and indirectly through secondary business supply chains.

Statistics submitted with the application indicate that 23% of all households own at least one dog, and that 32% of those dogs will be 'rescue' dogs.

Cardiff has a current resident population of around 345,000 in approximately 143,000 households. The PDSA confirm that the cost of owning a dog, and thereby the contribution dog owners make to the local economy per pet per year is between £1600 and £3100 – depending on breed.

Conservatively, Dogs Trust suggest that the Cardiff Facility would rehome a minimum of 840 dogs per year. This would equate to a minimum spend by owners of between £ 1.3m and £ 2.6m directly into the Local Economy every year.

8.30 The credentials of the Dogs Trust charity, its national profile, and reputation of other Dogs Trust homing shelters as high quality institutions are considered positively in terms of the potential impact on the local economy and beneficial for the city in terms of establishing a regional facility.

The proposals are therefore considered an appropriate and acceptable use of employment land and beneficial to the City in respect of the aspirations of Policies EC1 and EC3 of the Local Development Plan and aims of TAN 23.

8.31 Pollution Control Noise Nuisance

Technical Advice Note (TAN) 11, sets out the National Assembly for Wales' policies on noise related planning issues and outlines the considerations to be taken into account when determining planning applications for both noise-sensitive developments and for those activities which will generate noise.

Consideration of potential noise nuisance, both to adjacent users and to noise sensitive receptors (residential or dormitory uses) further afield, has been undertaken and an acoustic survey submitted with the application.

- 8.32 TAN 11 provides that local planning authorities must ensure that noise generating development does not cause an unacceptable degree of disturbance...and that consideration should be given to the use of appropriate conditions where this might offer appropriate mitigation.

The allocation of the site for B1/B2/B8 business and employment use including industrial and warehousing/distribution type activities infers an understanding that sites within the estate will be appropriate for uses generating more noise and activity than would ordinarily be considered acceptable within a residential context. B1, B2 and B8 uses would ordinarily be expected to include industrial processing and fabrication uses, storage and distribution uses, and office accommodation, in a context whereby Commercial and HGV movements, industrial operations and employee movements would be anticipated. This said it is also accepted that the operation of any particular use should not unreasonably frustrate the use of any other existing use on the estate.

- 8.33 Given the above the applicant has commissioned acoustic background/ambient noise assessments from the nearest 'sensitive receptors' around the site. Unsurprisingly the source of background noise was primarily derived from road traffic movements.

Using data from the existing dogs trust site in Manchester where kennel accommodation is of very similar design to that proposed at Cardiff the worst case scenario of noise from dog barking was recorded and compared to background noise data from the Cardiff receptors.

The results suggest that in the worst case the level of dog barking noise was lower than the existing background noise in the majority of instances and that the resultant impact at the nearest residential and office receptors remained lower than recommended guidelines. The report therefore concluded that there would be no unacceptable noise impact associated with the proposed development at neighbouring residential and office locations during the day.

At night, there will be no significant noise from dog barking at the site (as dogs would be contained in insulated kennel facilities).

- 8.34 Given the concerns expressed by the Freeholder of the Conference Centre adjacent to the site regarding the absence of any direct reference to the impact of the development on the adjacent offices, The case Officer has clarified that the acoustic monitoring exercise undertaken included for noise receptors

positioned directly outside of the premises and that the assessment included for a prediction of the impact of the operations of the Dog's Trust facility on the offices with both windows closed, and when partially opened (as might be expected in summertime)

- 8.35 Notwithstanding the above, the Planning Officer is satisfied, on the basis of the revised plans which clearly indicate that the nearest kennel run exteriors to be a minimum of 50m away from the rear offices in the Conference Centre; orientated away from it, and shielded from it by buildings and landscaping, that there would be no significant impact on the working environment of occupiers of the Conference Centre if considered against any reasonable expectation of noise as might be generated from uses located in an area allocated for B1, B2 and B8 office, industrial and storage and distribution uses within the Development Plan, and also as considered in the context of the current use of the land for loading and unloading of steel products.
- 8.36 The planning officer is fully understanding of the freeholder's desire to protect their asset, however, in the context of the siting of their building in an industrial area, considers it is only reasonable to expect that any applicant for development of adjoining land show appropriate regard to, and address as far as they are able within their proposals, respect for the working environment of neighbouring users.

The Planning Officer therefore concludes that this has been satisfactorily demonstrated by the applicant in this instance in terms of the proposed layout, orientation and building designs proposed.

The Planning Officer notes that the Pollution Control Officer is accepting of these findings, both as originally submitted, and as supplemented by the acoustic report addendum.

- 8.37 The observations of the Pollution Control officer suggest that conditions should be applied which would require openable doors and windows running along the length of the kennel runs only to be open between the hours of 08:00hrs – 18:00hrs Monday to Saturday and 09:00hrs to 16:00hrs Sunday. With alternative mechanical ventilation sought if required to maintain suitable temperatures; that dogs should only be allowed in the external areas between the hours of 08.00hrs – 18:00hrs Monday to Saturday and 09:00 – 16:00hrs Sunday; and that plant noise should achieve a rating noise level of background -10dB at the nearest noise sensitive premises.
- 8.38 The planning officer considers the plant noise limitation reasonable to protect the working conditions in adjacent office premises, (a -10dBA increase in noise against background noise equating to a perceived increase in noise levels of circa 2dB in practical terms) and that such a restriction is unlikely to be onerous for the applicant to achieve.
- 8.39 The condition relating to the closure of kennel doors and windows to mitigate noise transference to neighbours outside of core hours is also considered reasonable, and is recommended at this point in time. Dogs Trust would have

the opportunity to revisit this once the use were operational and actual impacts able to be confirmed should they wish to extend these hours in the future.

8.40 The applicant has asked if they could be allowed an extension in respect of the use of the outside exercise areas, in that it would be beneficial to accommodate a small number of evening matching/training sessions with dogs and prospective adopters until 19.30. The planning officer has considered what practical difference these revisions would make in the given context, and considers that the direct impact on surrounding office and business operations would be negligible. The impact on residential occupiers at a distance of more than 300m is also not considered to be likely to cause any undue loss of amenity, other than potentially on Sundays when background noise might conceivably be lower. The planning officer therefore recommends that external areas be available to dogs until 19.30 during the week and 16.00 on Sundays. Again Dogs Trust would have the opportunity to revisit this in the future when actual impacts can be measured.

8.41 The planning officer considers the limitation of delivery times in an established industrial estate/business park environment unreasonable and unnecessary and does not recommend the imposition of this condition. Similarly the curtailment of visitor times to the site would seem unnecessary in the given context which has no immediate residential receptors, and where any potential noise nuisances can be adequately controlled by limitation of the use of external areas by dogs and closure of kennel doors and windows between appropriate hours as required by other conditions. This condition is therefore not supported as it is considered unnecessary and hours of public access considered best left to the operators of the site to manage.

8.42 **Flood Risk**

The submitted flood consequences assessment confirms that the main source of potential flood risk to the site is coastal flooding from the Cardiff Flats to the east. NRW confirm the site to be located in flood zone 'B'; a precautionary designation. As this is the Case, proposed site levels have been assessed against projected flood scenarios and risk. In summary the conclusions are that the development would not be liable to flooding for the next 25 years; and that only a very small area to the NW corner of the site, not occupied by buildings, would have a very small risk of flooding up until 2090.

The Planning Officer is satisfied that the risk of flooding is negligible for the design lifetime of the development (25 years).

8.43 **Pollution/Contamination**

Historic record shows that the site included a lime works, forge, and timber yard and various rail lines prior to and whilst being used as part of the Castle Works Steel Works. The last recorded demolitions on the land were in the late 1980s/early 1990s and preliminary investigations show that the land is now made ground between 2 and 10m deep.

The ground investigations conclude a moderate gas risk; moderate chemical and creosote contamination requiring further investigation and mitigation.

The submitted reports also identify the need to import clean topsoil / subsoil to support plant growth in new soft landscaped areas, as a consequence of phytotoxic made ground.

8.44 Pollution control officers have commented that it is appropriate to proceed on the basis of a modified suite of contamination conditions to ensure for appropriate measures to safeguard end users. These are indicated within the recommendation.

8.45 It is noted that Natural Resources Wales have requested a very similar suite of contamination conditions as requested by the Council's Pollution Control Officer, but in respect of ensuring for no migration of contamination to controlled waters as opposed to ensuring for human health. These are also contained within the report recommendation, and will need to be addressed by the applicant in respect of the nature of construction. However the conditions will essentially require the same details in discharge to be provided and are considered reasonable and necessary in addressing policy EN13 of the LDP and aims of PPG Wales in managing Environmental Risks and Pollution.

8.46 **Trees and Landscaping**

Initial comments from the Council's Tree officer recommend that standard tests relating to the quality and verification of any necessarily imported soils also extend to the assessment of their fitness for purpose for specific landscaping and planting purposes. This is also reflected in the conditions attached to the report recommendation, as the successful landscaping of the site is fundamental to the acceptability of the use in terms of screening, acoustic buffering and drainage of the site.

The planning officer considers the illustrative landscaping proposals very well designed and to provide an almost park like quality to the space as well as retaining and supplementing existing viable trees and scrub.

It is concluded that the landscaping response is appropriate and welcomed, and effectively responds to LDP Policy KP5

The Tree Officer's suggestions for variations to the planting schedule are noted and the conditions will allow for further liaison with the Applicant's landscape consultants to achieve the best scheme possible.

8.47 **Drainage**

8.48 **Surface Water**

The Drainage Strategy confirms that the development will increase the non permeable area of the site but will include Sustainable Urban Drainage Systems (SUDS) to mitigate this. These will comprise a mixture of V cut

channels, permeable paving, and conventional soakaway devices. This is considered appropriate in principle and acceptable given that the site is currently free draining.

The Drainage statement also confirms that the development will incorporate water harvesting features for use in suitable installations on site. This is welcomed and will in itself reduce both the quantity of plumbed water used at the premises and the quantity of surface water to be disposed of.

All unharvested surface water and land run off will be accommodated by SUDS and will not enter the public sewerage system. This is considered appropriate and compliant with the aims of LDP policies EN10, EN11 and TAN 15.

8.49 Domestic Foul Waste

Domestic foul waste (including all washing machine water) is proposed to discharge to the public sewer system under the category of normal domestic foul waste, i.e. this is not regulated under trade effluent control.

A public sewer connection chamber is located immediately to the north of the site within Nettlefold Road and it is intended that a direct connection can be made to that.

8.50 Canine Foul Waste (Trade Effluent)

Dwr Cymru Welsh Water (DCWW) have confirmed that dog waste and kennel wash-down (including harvested rain water) can be discharged to the public sewer under a separate authorisation subject to on site pre-treatment.

Dogs Trust will therefore install a dedicated sewage treatment plant on the site to enable treated trade effluent to be disposed of via the public foul sewer in line with any conditions DCWW may require under any discharge consent.

Given that no capacity issues have been raised by DCWW, and that the pre-treatment will eradicate any potentially harmful bacteria, this is considered acceptable in planning terms. Ultimately DCWW will have control via means of a separate discharge consent.

8.51 Ecology

The low ecological profile of the site as described in the submitted habitat survey is concurred with and the mitigation/protection measures requested by the Council's Ecologist in line with that submission can be accommodated by means of planning condition. The proposals are therefore considered to have paid appropriate regard to ecological issues and positively responded to the aims of LDP policies EN6 and EN7.

8.52 **Waste Management**

The applicant has specified Veolia Environmental Services Ltd for the collection of non hazardous commercial and household waste. This is an ongoing contractual arrangement at a number of other Dogs Trust sites and appears an acceptable arrangement. There are no objections to the use of a commercial waste contractor in this instance.

8.53 Healthcare Wastes/Clinical Wastes will be disposed of under contract with SRCL Ltd who offer appropriate services for sharps, offensive or hazardous wastes. Again there are no objections to the use of specialist waste services.

8.54 The Planning Officer concludes the arrangements acceptable and compliant with Waste Policy W2 and the Council's SPG relating to Waste Collection and Storage.

8.55 **Other Matters**

8.56 Relationship with Cardiff Dog Pound

The comments of the Operational Manager responsible for Cardiff Dogs Home are noted.

The service operated and run by Cardiff Council from Penarth Road is indeed very well respected, and wholly applauded as successfully meeting the Council's statutory obligations with regards to stray dog provision given the pressures placed on the Local Authority in terms of available resource.

The clarification of the relationship between the Cardiff Dog Pound and Friends of the Dogs Wales is acknowledged; as is clarification of the fact that there is currently No Agreement is in place for Dogs Trust to Deliver Stray Reclaim Services on behalf of the Council.

Planning Committee are advised however that as indicated in the Planning Officer's report above, that any contractual or partnering arrangement as may or may not be progressed between Dogs Trust and the Council (and which would be entirely at the Council's discretion) is not material to the determination of this application, the acceptability of which should be judged purely on its land use, environmental, and amenity implications.

The need for the facility, or duplication of any services provided by others, including the Council, are also not planning matters; nor the business model employed by the applicant, or their choice, or otherwise, to invest in a new multi million pound facility within the City.

8.57 Comprehensiveness of Pre Application (PAC) Consultation

The Planning Officer is firmly of a view that although it is now a statutory requirement for applicants to undertake a pre-application public consultation exercise ahead of the submission of any planning application; and to report on the outcome of that exercise and any modifications made to a proposal in response as part of the planning application registration process; that the principal role of the Local Planning Authority is to weigh the merits of the

scheme placed before it for determination, and not to assess the merits or otherwise of the PAC exercise provided that the minimum statutory requirements are met.

- 8.58 The requirements of the PAC exercise and reporting requirements to enable a planning application to be registered are as set out in the Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016.

Interpretation of the requirements of the order are therefore relatively new, and to the Planning Officer's knowledge, as yet untested. However the fundamental purpose of process, to allow local communalities early opportunity to be advised of development proposals and to highlight any concerns which might be able to be addressed by applicants ahead of a formal planning application submission are clear.

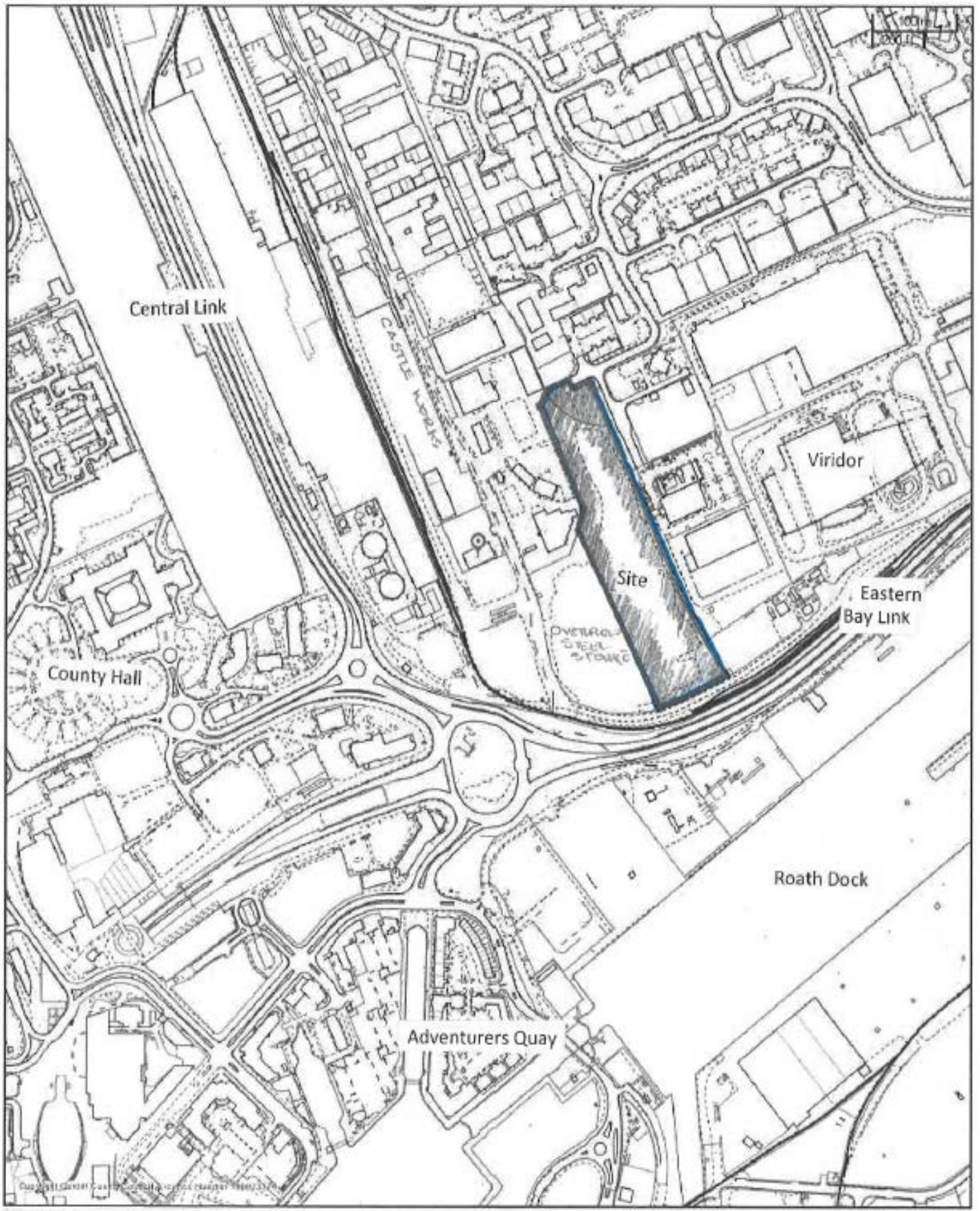
- 8.59 In this particular case it is clear to the Planning Officer that the Applicant's agent wrote to occupiers of the Conference Centre owned by Kennson as part of the PAC exercise, and that although it might have been a courtesy to write to the freeholder of the property directly, that there is no requirement to do this, and that copies of the letters sent out, confirm beyond any doubt as to who, when and where the letters were sent, and that the requirement to write to "*any owner or occupier of any land adjoining the land to which the proposed application relates*", as required by the Order, were complied with, and the parties most likely to be affected by the proposals, appropriately advised..
- 8.60 Similarly although it is accepted that PAC site notices could have been better placed to be seen by users of East Moors Road,; that the requirement of the Order to display a notice 'in at least one place', (Four were displayed) was sufficient to meet the statutory requirement.

On this basis, but also taking into account that this is the second time that the proposals have been placed before the Local Planning Authority, and that the submitted design has been adapted from original proposals to mitigate any potential adverse affect with the neighboring offices, the Planning Officer is satisfied that the PAC exercise undertaken was sufficient to meet statutory requirements and that the neighbour has not been disadvantaged by any perceived inadequacies in the exercise undertaken.

- 8.61 For the avoidance of doubt, the freeholder of the conference centre was consulted directly In respect of consultation on the Planning Application itself; Has made their position of objection clear; and this has been addressed within the above report.
- 8.62 The Planning Officer therefore concludes that no further information or assessment is required to allow a recommendation to be made to Planning Committee; or to allow Planning Committee to determine the application.

9. **CONCLUSION / RECOMMENDATION**

- 9.1 The planning officer is satisfied that the use of the land is acceptable from a planning policy perspective; and that the likely environmental impacts of the development can be appropriately managed.
- 9.2 Recommended to grant subject to conditions.





**CITY OF CARDIFF COUNCIL
CYNGOR DINAS CAERDYDD**

PLANNING COMMITTEE MEETING

TITLE: SECTION 119, HIGHWAYS ACT 1980, DIVERSION ORDER

REPORT OF DIRECTOR CITY OPERATIONS: Andrew Gregory

PORTFOLIO:

Reason for this Report

1. To request Legal Services progress a Diversion Order applicable under Section 119, Highways Act 1980 to alter the line of the existing right of way footpath within the new Development off Church Road, Pentyrch. The development is adjacent to Pantycaerau Nurseries.

Background

2. Creigiau Developments United is developing new houses with an upgraded road and footway through the site.

Issues

3. The footpath is proposed to be diverted onto the new footway through the site which will be an improvement from the existing path condition.

Local Member consultation (where appropriate)

4. Ward Members have been consulted and no objections received.

Reason for Recommendations

5. To ensure the public retain existing pedestrian rights within the new development.

Financial Implications

6. No

Legal Implications (including Equality Impact Assessment where appropriate)

7. No

HR Implications

8. No

RECOMMENDATIONS

None

NAME OF DIRECTOR: Andrew Gregory

Date: 31 August 2017

The following appendices are attached:

Section 119 Diversion Application
Proposed Diversion Site Plan

The following background papers have been taken into account

Applications decided by Delegated Powers between 01/09/2017 and 30/09/2017

Total Count of Applications: 189

ADAM

<u>Application Number</u>	<u>Registered</u>	<u>Applicant Name</u>	<u>Proposal</u>	<u>Location</u>	<u>Days taken to decision</u>	<u>8 Week target Achieved?</u>	<u>Decision</u>	<u>Decision Date</u>
A/17/00141/MNR	26/07/2017	Infinity Outdoor Limited	1 X FREE-STANDING 6M (WIDTH) X 9M (HEIGHT) X 0.8M (DEPTH) DIGITAL MEDIA SCREEN	BRUNEL HOUSE, 2 FITZALAN ROAD, ADAMSDOWN, CARDIFF, CF24 0EB	41	True	Planning Permission be refused	05/09/2017
17/01973/MNR	14/08/2017	Thomas	TO ESTABLISH USE OF HOUSE IN MULTIPLE OCCUPATION	36 ORBIT STREET, ADAMSDOWN, CARDIFF, CF24 0JX	25	True	Permission be granted	08/09/2017

BUTE

<u>Application Number</u>	<u>Registered</u>	<u>Applicant Name</u>	<u>Proposal</u>	<u>Location</u>	<u>Days taken to decision</u>	<u>8 Week target Achieved?</u>	<u>Decision</u>	<u>Decision Date</u>
17/02148/MNR	05/09/2017	Network Rail	ALTERATIONS TO THE BUILDINGS FACADES TO ALLOW FOR ADDITION OF HIGH LEVEL LOUVRES AS PART OF M & E RENOVATION WORKS TO THE EXISTING BUILDINGS 2ND 3RD & 4TH FLOOR PREVIOUSLY APPROVED UNDER 14/01521/DCI	ST PATRICKS HOUSE, 17 PENARTH ROAD, BUTETOWN, CARDIFF, CF10 5ZA	13	True	Permission be granted	18/09/2017

CAER

<u>Application Number</u>	<u>Registered</u>	<u>Applicant Name</u>	<u>Proposal</u>	<u>Location</u>	<u>Days taken to decision</u>	<u>8 Week target Achieved?</u>	<u>Decision</u>	<u>Decision Date</u>
17/01234/MNR	06/06/2017	Mogford	REMOVAL OF OUTHOUSE AND GARAGE AND CONSTRUCTION OF ATTACHED 3 BED RESIDENTIAL UNIT	120 BISHOPSTON ROAD, CAERAU, CARDIFF, CF5 5EA	87	False	Permission be granted	01/09/2017

CANT

<u>Application Number</u>	<u>Registered</u>	<u>Applicant Name</u>	<u>Proposal</u>	<u>Location</u>	<u>Days taken to decision</u>	<u>8 Week target Achieved?</u>	<u>Decision</u>	<u>Decision Date</u>
17/01840/DCH	01/08/2017	Tucker	SINGLE STOREY REAR EXTENSION WITH PITCHED ROOF	28 VERALLO DRIVE, CANTON, CARDIFF, CF11 8DT	41	True	Permission be granted	11/09/2017
17/01754/DCH	17/07/2017	Graham	DEMOLITION OF EXISTING REAR ANNEX, TWO STOREY REAR EXTENSION, GROUND FLOOR SIDE EXTENSION.	40 WESTBURY TERRACE, CANTON, CARDIFF, CF5 1FZ	60	False	Permission be granted	15/09/2017
17/01992/DCH	15/08/2017	Taylor	SINGLE STOREY SIDE EXTENSION.	25 PRESWYLFA STREET, CANTON, CARDIFF, CF5 1FS	31	True	Permission be granted	15/09/2017
17/02140/DCH	04/09/2017	Greene	REAR DORMER SET BCK 300MM FROM ORIGINAL MAIN HOUSE REAR WALL AND VELUX ROOF LIGHTS TO FRONT NOT EXCEEDING 150MM ABOVE ROOF PLANE.	497 COWBRIDGE ROAD EAST, CANTON, CARDIFF, CF5 1BB	24	True	Permission be granted	28/09/2017

<u>Application Number</u>	<u>Registered</u>	<u>Applicant Name</u>	<u>Proposal</u>	<u>Location</u>	<u>Days taken to decision</u>	<u>8 Week target Achieved?</u>	<u>Decision</u>	<u>Decision Date</u>
17/01859/MNR	31/07/2017	Hobday MBE	CONVERSION AND EXTENSION OF TWO FLATS INTO TWO HOUSES	15 CLIVE ROAD, CANTON CARDIFF	53	True	Permission be granted	22/09/2017
17/01810/MNR	28/07/2017	Northgate PLC	CHANGE OF USE OF LAND AND BUILDINGS TO VEHICLE SALES AND HIRE DEPOT (SUI GENERIS) INCLUDING PROVISION OF JET WASH BAY AND ASSOCIATED WORKS	FORMER H S S HIRE GROUP PLC, SLOPER ROAD, LECKWITH, CARDIFF, CF11 8AB	56	True	Permission be granted	22/09/2017

17/01688/MNR	11/07/2017	Fry	CHANGE OF USE OF GROUND AND FIRST FLOOR ACCOMMODATION FROM OFFICES (B1) TO RESIDENTIAL (C3) AND ALL ASSOCIATED WORKS	HAMILTON COURT, 373 COWBRIDGE ROAD EAST, CANTON, CARDIFF, CF5 1JF	76	False	Permission be granted	25/09/2017
A/17/00130/MNR	10/07/2017	The Ultimate Poster Company	REPLACEMENT OF EXISTING '48 SHEET' ADVERTISEMENT HOARDING WITH A 6M LONG X 3.6M HIGH COLOUR DIGITAL LED ADVERTISEMENT PANEL	TRADE RIGHT CARS (CARDIFF) LIMITED, 647 COWBRIDGE ROAD EAST, CANTON, CARDIFF, CF5 1BH	53	True	Planning Permission be refused	01/09/2017

CATH

<u>Application Number</u>	<u>Registered</u>	<u>Applicant Name</u>	<u>Proposal</u>	<u>Location</u>	<u>Days taken to decision</u>	<u>8 Week target Achieved?</u>	<u>Decision</u>	<u>Decision Date</u>
17/01904/DCH	08/08/2017	Piazza	PROPOSED VEHICULAR CROSSOVER AND CONSTRUCTION OF A GARAGE	69 CATHAYS TERRACE, CATHAYS, CARDIFF, CF24 4HT	37	True	Permission be granted	14/09/2017
17/01939/DCH	09/08/2017	Winter	LOFT CONVERSION AND REAR FLAT ROOF DORMER. WIDENING OF FIRST FLOOR EXTENSION AND INTERNAL ALTERATIONS TO EXISTING GROUND FLOOR EXTENSION	59 COBURN STREET, CATHAYS, CARDIFF, CF24 4BR	37	True	Permission be granted	15/09/2017
17/02044/DCH	22/08/2017	Patel	LOFT CONVERSION WITH REAR DORMER	22 MAY STREET, CATHAYS, CARDIFF, CF24 4EW	38	True	Permission be granted	29/09/2017
<u>Application Number</u>	<u>Registered</u>	<u>Applicant Name</u>	<u>Proposal</u>	<u>Location</u>	<u>Days taken to decision</u>	<u>8 Week target Achieved?</u>	<u>Decision</u>	<u>Decision Date</u>
17/01553/MNR	07/07/2017	St David's Partnership	CHANGE OF USE FROM AN AMUSEMENT CENTRE (SUI GENERIS) TO A COFFEE SHOP (CLASS A3)	4-5 FREDERICK STREET, CITY CENTRE, CARDIFF, CF10 2DB	70	False	Permission be granted	15/09/2017

17/01666/MNR	05/07/2017	Bancroft	CHANGE OF USE FROM 6 BED C4 HOUSE IN MULTIPLE OCCUPATION TO 7 BEDROOM SUI GENERIS HOUSE IN MULTIPLE OCCUPATION	8 MINISTER STREET, CATHAYS, CARDIFF, CF24 4HR	75	False	Permission be granted	18/09/2017
17/01883/MNR	02/08/2017	Infocus Public Networks Ltd	INSTALLATION OF AN ELECTRONIC COMMUNICATIONS APPARATUS	OUTSIDE 1-4 HIGH STREET, CITY CENTRE	49	True	Planning Permission be refused	20/09/2017
17/01884/MNR	02/08/2017	Infocus Public Networks Ltd	INSTALLATION OF AN ELECTRONIC COMMUNICATIONS APPARATUS	ADJACENT TO 78 QUEEN STREET, JUNCTION WITH CHARLES STREET, CITY CENTRE	49	True	Planning Permission be refused	20/09/2017
17/01885/MNR	02/08/2017	Infocus Public Networks Ltd	INSTALLATION OF AN ELECTRONIC COMMUNICATIONS APPARATUS	OUTSIDE 7 ST MARY STREET, CITY CENTRE	49	True	Planning Permission be refused	20/09/2017
17/01886/MNR	02/08/2017	Infocus Public Networks Ltd	INSTALLATION OF AN ELECTRONIC COMMUNICATIONS APPARATUS	OUTSIDE 72-76 QUEEN STREET, CITY CENTRE	49	True	Planning Permission be refused	20/09/2017
17/01887/MNR	02/08/2017	Infocus Public Networks Ltd	INSTALLATION OF AN ELECTRONIC COMMUNICATIONS APPARATUS	OUTSIDE THE SLUG AND LETTUCE, GREYFRIARS ROAD, CITY CENTRE	49	True	Planning Permission be refused	20/09/2017
17/01888/MNR	02/08/2017	Infocus Public Networks Ltd	INSTALLATION OF AN ELECTRONIC COMMUNICATIONS APPARATUS	OUTSIDE 14-15 THE HAYES, CITY CENTRE	49	True	Planning Permission be refused	20/09/2017
17/01889/MNR	02/08/2017	Infocus Public Networks Ltd	INSTALLATION OF AN ELECTRONIC COMMUNICATIONS APPARATUS	OUTSIDE 2A PARK PLACE, CITY CENTRE	49	True	Planning Permission be refused	20/09/2017
17/01890/MNR	02/08/2017	Infocus Public Networks Ltd	INSTALLATION OF AN ELECTRONIC COMMUNICATIONS APPARATUS	OUTSIDE 8 THE FRIARY, CITY CENTRE	49	True	Planning Permission be refused	20/09/2017
17/01891/MNR	02/08/2017	Infocus Public Networks Ltd	INSTALLATION OF AN ELECTRONIC COMMUNICATIONS APPARATUS	OUTSIDE 26-27 ST MARY STREET, CITY CENTRE	49	True	Planning Permission be refused	20/09/2017
17/01892/MNR	02/08/2017	Infocus Public Networks Ltd	INSTALLATION OF AN ELECTRONIC COMMUNICATIONS APPARATUS	OUTSIDE 50 ST MARY STREET, CITY CENTRE	49	True	Planning Permission be refused	20/09/2017
17/01893/MNR	02/08/2017	Infocus Public Networks Ltd	INSTALLATION OF AN ELECTRONIC COMMUNICATIONS APPARATUS	OUTSIDE 106 ST MARY STREET, CITY CENTRE	49	True	Planning Permission be refused	20/09/2017

17/01894/MNR	02/08/2017	Infocus Public Networks Ltd	INSTALLATION OF AN ELECTRONIC COMMUNICATIONS APPARATUS	OUTSIDE HODGE HOUSE, 116 ST MARY STREET, CITY CENTRE	49	True	Planning Permission be refused	20/09/2017
17/01895/MNR	02/08/2017	Infocus Public Networks Ltd	INSTALLATION OF AN ELECTRONIC COMMUNICATIONS APPARATUS	OUTSIDE 64 ST MARY STREET, CITY CENTRE	49	True	Planning Permission be refused	20/09/2017
17/01917/MNR	04/08/2017	Al Uaidi	GROUND FLOOR SUBDIVISION OF EXISTING A3 UNIT INTO TWO UNITS. FIRST FLOOR REAR EXTENSION WITH LOFT CONVERSION AND CREATION OF 3 NO. RESIDENTIAL APARTMENTS	49 SALISBURY ROAD, CATHAYS, CARDIFF, CF24 4AB	47	True	Permission be granted	20/09/2017
17/01541/MNR	30/06/2017	T & H Properties	GROUND FLOOR REAR EXTENSION, REAR DORMER AND CONVERSION FROM 6 BED HMO TO 8 BED SUI GENERIS HOUSE IN MULTIPLE OCCUPATION	119 RICHARDS STREET, CATHAYS, CARDIFF, CF24 4DD	66	False	Permission be granted	04/09/2017
17/01985/MNR	14/08/2017	Sapphire QAC Holdings SENC	INSTALLATION OF A PAIR OF FOLDING 'WROUGHT-IRON' STYLE SECURITY GATES.	QUEEN STREET CHAMBERS, 24-26 QUEEN STREET, CITY CENTRE	39	True	Permission be granted	22/09/2017
17/01986/MNR	14/08/2017	Sapphire QAC Holdings SENC	INSTALLATION OF A PAIR OF FOLDING 'WROUGHT-IRON' STYLE SECURITY GATES.	QUEEN STREET CHAMBERS, 24-26 QUEEN STREET, CITY CENTRE	39	True	Permission be granted	22/09/2017
17/01987/MNR	14/08/2017	Sapphire QAC Holdings SENC	RELOCATION OF EXISTING MEANS OF ESCAPE DOORS TO FACE OF BUILDING.	QUEENS ARCADE, CITY CENTRE	39	True	Permission be granted	22/09/2017
17/02048/MNR	29/08/2017	BT Payphones	RESITE OF EXISTING PUBLIC TELEPHONE KIOSK WITH KIOSK COMBINING PUBLIC TELEPHONE SERVICE AND ATM SERVICE IN LINE WITH DIVERSIONARY WORKS BEING CARRIED OUT AT CARDIFF UNIVERSITY	OUTSIDE CARDIFF UNIVERSITY, 49 PARK PLACE, CATHAYS PARK	24	True	Permission be granted	22/09/2017

17/02027/MNR	18/08/2017	Quin & Co Ltd	CHANGE OF USE FROM A FIVE PERSON HOUSE IN MULTIPLE OCCUPATION (C4) TO A SEVEN PERSON HOUSE IN MULTIPLE OCCUPATION (SUI GENERIS), HIP TO GABLE ROOF EXTENSION, REAR DORMER ROOF EXTENSION AND SINGLE STOREY REAR EXTENSION.	20 WYEVERNE ROAD, CATHAYS, CARDIFF, CF24 4BH	33	True	Permission be granted	20/09/2017
A/17/00149/MNR	17/08/2017	Letton	NEW SIGN	FORMER CARDIFF SONY CENTRE, GROUND FLOOR, NORTHGATE, KINGSWAY, CITY CENTRE, CARDIFF, CF10 3FD	25	True	Permission be granted	11/09/2017
A/17/00150/MNR	16/08/2017	Nathaniel Car Sales Ltd	SHOP FRONT FASCIA ADVERTISEMENT	15 CATHEDRAL WALK, CITY CENTRE, CARDIFF, CF10 2DS	26	True	Permission be granted	11/09/2017
17/02006/MNR	16/08/2017	Nathaniel Car Sales Ltd	INSTALL A ROLLER SHUTTER DOOR SPANNING THE WIDTH OF THE ENTRANCE	15 CATHEDRAL WALK, CITY CENTRE, CARDIFF, CF10 2DS	26	True	Permission be granted	11/09/2017
A/17/00155/MNR	23/08/2017	Superspace Ltd	RETENTION OF INSTALLATION OF 2NO LED SCREENS	MASONIC HALL, 4-8 GUILDFORD STREET, CITY CENTRE, CARDIFF, CF10 2HL	19	True	Permission be granted	11/09/2017
17/01953/MNR	10/08/2017	Calvin Stores B.V.	NEW SHOPFRONT (GLAZED SHOPFRONT WITH ROLLER SHUTTER)	23 GRAND ARCADE, ST DAVID'S DEWI SANT, CITY CENTRE, CARDIFF, CF10 2ER	26	True	Permission be granted	05/09/2017
A/17/00146/MNR	10/08/2017	Calvin Stores B.V.	NEW SIGNAGE	23 GRAND ARCADE, ST DAVID'S DEWI SANT, CITY CENTRE, CARDIFF, CF10 2ER	25	True	Permission be granted	04/09/2017
17/01798/MNR	31/07/2017	Jorman	DEMOLITION OF GARAGE AND ERECTION OF DETACHED HOUSE AS A C4 HOUSE IN MULTIPLE OCCUPATION	REAR OF 65 WOODVILLE ROAD, CATHAYS, CARDIFF, CF24 4FX	39	True	Planning Permission be refused	08/09/2017

CRE

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17/01998/DCH	16/08/2017	Jones	PROPOSED SINGLE STOREY SIDE & REAR EXTENSION.	87 PARC CASTELL-Y-MYNACH, CREIGIAU, CARDIFF, CF15 9NZ	30	True	Permission be granted	15/09/2017

<u>Application Number</u>	<u>Registered</u>	<u>Applicant Name</u>	<u>Proposal</u>	<u>Location</u>	<u>Days taken to decision</u>	<u>8 Week target Achieved?</u>	<u>Decision</u>	<u>Decision Date</u>
17/00092/MNR	18/01/2017	Bricknell	PROPOSED EXTENSION AND ALTERATIONS TO CONVERT EXISTING BARN STRUCTURE TO FORM A TWO BEDROOM DWELLING	LLANFAIR FACH FARM, HEOL ST Y NYLL, CAPEL LLANILLTERN, CARDIFF, CF5 6HF	226	False	Permission be granted	01/09/2017
17/01990/MNR	17/08/2017	thorpe	PROPOSED ALTERATION OF APPROVED DWELLING TO INCLUDE REAR CONSERVATORY EXTENSION	PLOT 56 MULBERRY GROVE, ST FAGANS, CARDIFF	43	True	Permission be granted	29/09/2017

CYNC

<u>Application Number</u>	<u>Registered</u>	<u>Applicant Name</u>	<u>Proposal</u>	<u>Location</u>	<u>Days taken to decision</u>	<u>8 Week target Achieved?</u>	<u>Decision</u>	<u>Decision Date</u>
17/01853/DCH		Jones	LOFT CONVERSION WITH REAR FLAT ROOF DORMER	340 CYNCOED ROAD, CYNCOED, CARDIFF, CF23 6RZ			Permission be granted	11/09/2017
17/01450/DCH	20/06/2017	Mehmood	PROPOSED TWO STOREY SIDE EXTENSIONS AND ROOF ALTERATIONS	34 CEFN COED ROAD, CYNCOED, CARDIFF, CF23 6AR	80	False	Permission be granted	08/09/2017

17/01466/DCH	26/06/2017	Ghattas	TWO STOREY SIDE AND SINGLE STOREY REAR EXTENSION INCLUDING NEW PROPOSED HIP TO GABLE LOFT CONVERSION WITH FRONT ROOFLIGHTS AND REAR BOX DORMER	43 BEATTY AVENUE, ROATH PARK, CARDIFF, CF23 5QR	74	False	Permission be granted	08/09/2017
17/01517/DCH	28/06/2017	Chapple	SINGLE STOREY REAR EXTENSION	9 CEFN COED ROAD, CYNCOED, CARDIFF, CF23 6AN	72	False	Permission be granted	08/09/2017
17/01665/DCH	05/07/2017	Riaz	2 STOREY SIDE EXTENSION	94 TORRENS DRIVE, LAKESIDE, CARDIFF, CF23 6DR	65	False	Permission be granted	08/09/2017
17/01567/DCH	04/07/2017	PATES	PROPOSED DEMOLITION OF EXISTING CONSERVATORY AND CONSTRUCT NEW TWO STOREY AND SINGLE STOREY REAR EXTENSION AND ALTERATIONS	37 GWERN RHUDDI ROAD, CYNCOED, CARDIFF, CF23 6PR	78	False	Permission be granted	20/09/2017
17/01867/DCH	31/07/2017	Evans	ALTERATION OF ROOF PROFILE FROM HIPPED END TO GABLE END	42 LAKE ROAD NORTH, ROATH PARK, CARDIFF, CF23 5QN	46	True	Permission be granted	15/09/2017
17/02017/DCH	18/08/2017	COURT	SINGLE STOREY REAR EXTENSION	28 BLACK OAK ROAD, CYNCOED, CARDIFF, CF23 6QT	28	True	Permission be granted	15/09/2017
17/01361/DCH	14/08/2017	Scoular-Tarr	EXTENSION AT THE BACK OF A GROUND FLOOR FLAT	2 MANITOBA CLOSE, LAKESIDE, CARDIFF, CF23 6HD	28	True	Permission be granted	11/09/2017
17/01876/DCH	11/08/2017	Abd Al-Hussein	PROPOSED SIDE EXTENSION	1 GWYNANT CRESCENT, LAKESIDE, CARDIFF, CF23 6LT	35	True	Permission be granted	15/09/2017

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14/00883/DCO	27/05/2014		RENEWAL OF PLANNING PERMISSION 06/01105/E FOR DEMOLITION OF EXISTING DWELLING AND CONSTRUCTION OF 3 STOREY BUILDING COMPRISING 6 NO. TWO BEDROOM FLATS WITH ASSOCIATED PARKING, LANDSCAPING AND ALTERED VEHICULAR ACCESS	169 CYNCOED ROAD, CYNCOED, CARDIFF, CF23 6AH	1220	False	Permission be granted	28/09/2017
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<u>Application Number</u>	<u>Registered</u>	<u>Applicant Name</u>	<u>Proposal</u>	<u>Location</u>	<u>Days taken to decision</u>	<u>8 Week target Achieved?</u>	<u>Decision</u>	<u>Decision Date</u>
17/01882/MNR	01/08/2017	Gomeskera	RENEWAL OF PLANNING PERMISSION 12/01291/DCO (CHANGE OF USE OF PART GROUND FLOOR FROM RETAIL TO A3 USE WITH TAKEAWAY INCLUDING SHOP FRONT ALTERATIONS)	58 CLEARWATER WAY, LAKESIDE, CARDIFF, CF23 6DJ	56	True	Permission be granted	26/09/2017
17/01087/MNR	12/05/2017	Jones	VARIATION OF CONDITION 4 OF 15/01459/MNR SO THAT A PASSING PLACE DOES NOT NEED TO BE PROVIDED	AYLWARD, PARK END LANE, CYNCOED, CARDIFF, CF23 6JW	112	False	Permission be granted	01/09/2017

ELY

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17/01185/MNR	23/05/2017	Webley	PROPOSED CONSTRUCTION OF A PAIR OF SEMI DETACHED HOUSES	PROPOSED DWELLING ON LAND AT 220, GRAND AVENUE, ELY	101	False	Planning Permission be refused	01/09/2017
17/01743/MNR	20/07/2017	City of Cardiff Council - Housing Development	CONSTRUCTION OF BIN STORE WITHIN COURTYARD	COMMUNAL AREA FOR SPINNEY CLOSE 1-6 SPINNEY CLOSE, ELY	56	True	Permission be granted	14/09/2017

FAIR

<u>Application Number</u>	<u>Registered</u>	<u>Applicant Name</u>	<u>Proposal</u>	<u>Location</u>	<u>Days taken to decision</u>	<u>8 Week target Achieved?</u>	<u>Decision</u>	<u>Decision Date</u>
17/01322/DCH	09/06/2017	Hardacre	TWO STOREY REAR EXTENSION AND ASSOCIATED WORKS, NEW SINGLE STOREY FRONT EXTENSION AND EXISTING DRIVEWAY TO BE WIDENED	15 MARIONVILLE GARDENS, FAIRWATER, CARDIFF, CF5 2LR	84	False	Permission be granted	01/09/2017
17/01545/DCH	05/07/2017	Hill	PROPOSED TWO STOREY REAR EXTENSION	27 LLANGYNIDR ROAD, FAIRWATER, CARDIFF, CF5 3BR	79	False	Permission be granted	22/09/2017
17/01949/DCH	10/08/2017	James	ALTERATIONS TO 13/01142/DCH - OMISSION OF THE TWO STOREY PART OF THE WORKS	12 AMETHYST ROAD, FAIRWATER, CARDIFF, CF5 3NU	28	True	Permission be granted	07/09/2017

GABA

<u>Application Number</u>	<u>Registered</u>	<u>Applicant Name</u>	<u>Proposal</u>	<u>Location</u>	<u>Days taken to decision</u>	<u>8 Week target Achieved?</u>	<u>Decision</u>	<u>Decision Date</u>
17/01772/MNR	18/07/2017	Lawrence	CHANGE OF USE FROM C3 TO C4	17 AUSTRALIA ROAD, GABALFA, CARDIFF, CF14 3BZ	48	True	Permission be granted	04/09/2017
A/17/00152/MNR	17/08/2017	Tesco Express	RE-BRANDING OF EXISTING SIGNAGE TO INCLUDE: RE-PAINTING OF EXISTING FASCIA SIGNAGE NEW WINDOW GRAPHICS NEW HANGING / "BUS STOP" SIGNAGE NEW ATM SURROUND	TESCO EXPRESS, PARKFIELD HOUSE, NORTH ROAD, MAINDY, CARDIFF, CF14 3AL	40	True	Permission be granted	26/09/2017

GRAN

<u>Application Number</u>	<u>Registered</u>	<u>Applicant Name</u>	<u>Proposal</u>	<u>Location</u>	<u>Days taken to decision</u>	<u>8 Week target Achieved?</u>	<u>Decision</u>	<u>Decision Date</u>
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17/01763/DCH	18/07/2017	Fidler	SINGLE STOREY REAR EXTENSIONS & FRONT & REAR ROOF LIGHTS TO MAIN ROOF.	132 HOLMESDALE STREET, GRANGETOWN, CARDIFF, CF11 7BW	45	True	Permission be granted	01/09/2017
17/01855/DCH	31/07/2017	Wills	SINGLE STOREY EXTENSION TO REAR. ATTIC CONVERSION WITH DORMER WINDOW THE REAR AND INSERTION OF ROOF LIGHT TO THE FRONT ELEVATION. DETACHED STORE IN REAR GARDEN	52 CHANNEL VIEW ROAD, GRANGETOWN, CARDIFF, CF11 7EN	56	True	Permission be granted	25/09/2017
<u>Application Number</u>	<u>Registered</u>	<u>Applicant Name</u>	<u>Proposal</u>	<u>Location</u>	<u>Days taken to decision</u>	<u>8 Week target Achieved?</u>	<u>Decision</u>	<u>Decision Date</u>
17/00971/MNR	12/06/2017	New Wave Installations Cardtronics UK Ltd	RETENTION OF AN INSTALLED ATM	VEGETARIAN FOOD STUDIO, 115-117 PENARTH ROAD, GRANGETOWN, CARDIFF, CF11 6JU	86	False	Permission be granted	06/09/2017
17/01488/MNR	10/07/2017	Miah	GROUND & FIRST FLOOR REAR EXTENSION & CONVERSION TO TWO FLATS	95 CORPORATION ROAD, GRANGETOWN, CARDIFF, CF11 7AQ	53	True	Permission be granted	01/09/2017
16/02974/MNR	15/12/2016	Yama	EXTENSION TO SINGLE STOREY ANCILLARY BUILDING TO REAR OF GRANGE LODGE TO CREATE MANAGERS OVERNIGHT ACCOMMODATION.	GRANGELODGE, REAR OF 61 CLIVE STREET, GRANGETOWN, CARDIFF, CF11 7HL	260	False	Permission be granted	01/09/2017
A/17/00140/MNR	24/07/2017	MacCormack	SIGNAGE	UNIT 2, DUNLEAVY DRIVE, GRANGETOWN	56	True	Permission be granted	18/09/2017
17/02107/MNR	30/08/2017	Peak Gen Power Ltd	TO CHANGE THE TECHNOLOGY OPTIONS IN RELATION TO THE SITE TO ALSO INCLUDE GAS RECIPROCATING ENGINES AND BATTERY GENERATION/ENERGY STORAGE CAPABILITIES PREVIOUSLY APPROVED UNDER 15/00475/MNR	BESTWAY CASH & CARRY, BRINDLEY ROAD, LECKWITH, CARDIFF, CF11 8TL	28	True	Permission be granted	27/09/2017

HEAT

<u>Application Number</u>	<u>Registered</u>	<u>Applicant Name</u>	<u>Proposal</u>	<u>Location</u>	<u>Days taken to decision</u>	<u>8 Week target Achieved?</u>	<u>Decision</u>	<u>Decision Date</u>
17/01493/DCH	27/06/2017	Raschid	GROUND AND FIRST FLOOR REAR EXTENSIONS AND ALTERATIONS TO SIDE WINDOWS AND FIRST FLOOR BALCONY PLUS DEMOLITION OF SIDE LEAN-TO	17 HEATH PARK AVENUE, HEATH, CARDIFF, CF14 3RF	84	False	Permission be granted	19/09/2017
17/01217/DCH	01/06/2017	Keenan	TWO STOREY REAR AND SINGLE STOREY SIDE EXTENSION WITH INTERNAL ALTERATIONS TO EXISTING HOUSE PLUS REMOVAL OF DETACHED GARAGE.	39 HEATH PARK AVENUE, HEATH, CARDIFF, CF14 3RF	111	False	Permission be granted	20/09/2017
17/01433/DCH	16/06/2017	Elliott	TWO STOREY SIDE EXTENSION A SINGLE STOREY REAR EXTENSION & A LOFT CONVERSION WITH A DORMER ROOF	120 HEATHWOOD ROAD, HEATH, CARDIFF, CF14 4BQ	84	False	Permission be granted	08/09/2017
17/02005/DCH	17/08/2017	O'Brien	SINGLE STOREY REAR AND PART WRAP AROUND EXTENSION.	4 HEATHWOOD GROVE, HEATH, CARDIFF, CF14 3RD	42	True	Permission be granted	28/09/2017

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17/01281/MNR	02/06/2017	Matthews	PROPOSED NEW DWELLING	LAND ADJACENT TO 50 HEATHWAY, HEATH, CARDIFF, CF14 4JU	118	False	Permission be granted	28/09/2017
17/01501/MNR	04/07/2017	Kassam	DEMOLITION OF EXISTING SINGLE STOREY REAR EXTENSION & GARDEN AREA, REPLACING WITH NEW SINGLE & DOUBLE STOREY EXTENSION WITH ASSOCIATED LANDSCAPE WORKS	165 PANTBACH ROAD, RHIWBINA, CARDIFF, CF14 1TZ	59	False	Permission be granted	01/09/2017

17/01562/MNR	01/08/2017	Kier Construction (Western & Wales) Ltd	DEMOLITION OF THE EXISTING TWO-STOREY MRI BUILDING IN AN EXISTING COURTYARD IN THE UNIVERSITY HOSPITAL OF WALES	University Hospital of Wales, Existing MRI Courtyard, CARDIFF, CF14 4XW	36	True	Prior Approval be granted	06/09/2017
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LISV

<u>Application Number</u>	<u>Registered</u>	<u>Applicant Name</u>	<u>Proposal</u>	<u>Location</u>	<u>Days taken to decision</u>	<u>8 Week target Achieved?</u>	<u>Decision</u>	<u>Decision Date</u>
17/01355/DCH	13/07/2017	Matthews	SIDE EXTENSION AND ALTERATIONS	21 HEOL CEFN ON, LISVANE, CARDIFF, CF14 0TP	55	True	Permission be granted	06/09/2017
16/01240/DCH	23/05/2016	Crane	SINGLE STOREY REAR EXTENSION, WITH NEW SIDE WINDOW TO DINING ROOM	3 CLOS LLYSFAEN, LISVANE, CARDIFF, CF14 0UP	485	False	Permission be granted	20/09/2017
17/01774/DCH	19/07/2017	Jamal	RETENTION OF BOUNDARY FENCE.	120 MILL ROAD, LISVANE, CARDIFF, CF14 0UG	56	True	Permission be granted	13/09/2017
17/01837/DCH	11/08/2017	DAVIES	EXTENSION OF THE SECOND FLOOR WITHIN THE EXISTING ROOF SPACE TOGETHER WITH THE INTRODUCTION OF TWO NEW ROOF DORMERS INCORPORATING PITCHED ROOFS IN LIEU OF ONE EXISTING FLAT ROOF DORMER	52 MILL ROAD, LISVANE, CARDIFF, CF14 0XS	35	True	Permission be granted	15/09/2017

LLAN

<u>Application Number</u>	<u>Registered</u>	<u>Applicant Name</u>	<u>Proposal</u>	<u>Location</u>	<u>Days taken to decision</u>	<u>8 Week target Achieved?</u>	<u>Decision</u>	<u>Decision Date</u>
17/01757/DCH	26/07/2017	SPIKE STUDIO & ASSOCIATES LTD	PROPOSE SINGLE STOREY REAR EXTENSION TO REPLACE THE EXISTING SINGLE STOREY STRUCTURE AND FORM A LOUNGE AND DINING AREA TO THE EXISTING FAMILY HOUSE.	154 TY GLAS ROAD, LLANISHEN, CARDIFF, CF14 5EH	51	True	Permission be granted	15/09/2017

17/01771/DCH	19/07/2017	Martin	SINGLE STOREY REAR EXTENSION	6 HILLARY CLOSE, LLANISHEN, CARDIFF, CF14 5AU	51	True	Permission be granted	08/09/2017
17/01831/DCH	31/07/2017	Lock	TWO STOREY SIDE EXTENSION TO PROVIDE NEW BEDROOM AND ENSUITE ABOVE NEW KITCHEN, UTILITY AND OFFICE	29 AVONRIDGE, THORNHILL, CARDIFF, CF14 9AU	60	False	Permission be granted	29/09/2017
17/01995/DCH	15/08/2017	Jones	LEAN TO KITCHEN EXTENSION SINGLE STOREY PITCHED SLATE ROOF ON REAR OF PROPERTY.	108 HEOL HIR, LLANISHEN, CARDIFF, CF14 5AD	31	True	Permission be granted	15/09/2017
17/01797/DCH	24/07/2017	LOYN	RETENTION OF DETACHED GARAGE	GILWERN, THORNHILL ROAD, LISVANE, CARDIFF, CF14 9UA	39	True	Permission be granted	01/09/2017
17/01868/DCH	07/08/2017	Openshaw	SINGLE STOREY REAR AND SIDE EXTENSION	58 STATION ROAD, LLANISHEN, CARDIFF, CF14 5LU	25	True	Permission be granted	01/09/2017

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17/01836/MJR	01/08/2017	Dwr Cymru Welsh Water	VARIATION OF CONDITION 2 (APPROVED PLANS AND DOCUMENTS) OF PERMISSION NO. 16/02426/MJR	LLANISHEN AND LISVANE RESERVOIRS, LISVANE ROAD, LISVANE, CARDIFF, CF14 0SA	41	True	Permission be granted	11/09/2017
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<u>Application Number</u>	<u>Registered</u>	<u>Applicant Name</u>	<u>Proposal</u>	<u>Location</u>	<u>Days taken to decision</u>	<u>8 Week target Achieved?</u>	<u>Decision</u>	<u>Decision Date</u>
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17/01544/MNR	12/07/2017	N. L. Holdings Ltd.	REPLACEMENT OF ALL EXTERNAL WINDOWS AT FIRST FLOOR LEVEL, AND EXTERNAL WINDOWS TO THE FRONT ELEVATION AT SECOND FLOOR LEVEL.	50 STATION ROAD, LLANISHEN, CARDIFF, CF14 5QP	51	True	Permission be granted	01/09/2017
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17/01026/MNR	09/05/2017	Reginald Moore Ltd	DEMOLISH EXISTING DWELLING CONSTRUCT ONE REPLACEMENT AND BUILD THREE NEW DWELLINGS	24 KIMBERLEY TERRACE, LLANISHEN, CARDIFF, CF14 5EA	142	False	Permission be granted	28/09/2017
17/01931/MNR	07/08/2017	Cardiff Council Housing & Neighborhood Renewal	GENERAL IMPROVEMENT TO INTERNAL COMMUNAL AREAS, SMALL COMMUNAL EXTENSIONS, COMMUNITY & RESIDENTIAL ENTRANCES RE-MODELLING, AND PROPOSED LANDSCAPE & ACCESS IMPROVEMENT WORKS.	BRENTWOOD COURT 1-35, NEWBOROUGH AVENUE, LLANISHEN	38	True	Permission be granted	14/09/2017

LLDF

<u>Application Number</u>	<u>Registered</u>	<u>Applicant Name</u>	<u>Proposal</u>	<u>Location</u>	<u>Days taken to decision</u>	<u>8 Week target Achieved?</u>	<u>Decision</u>	<u>Decision Date</u>
15/02100/MJR	19/08/2015	Churchills Hotel Development Ltd	DISCHARGE OF CONDITIONS 18 (PROTECTION OF THE TREES DURING CONSTRUCTION), 19 (NO SITE WORKS SHALL BE CARRIED OUT OR SERVICES LAID IN SUCH A WAY AS TO CAUSE DAMAGE OR INJURY TO THE TREES SHOWN FOR RETENTION) AND 20 (LANDSCAPING SCHEME) OF PLANNING APPLICATION 15/00328/MJR	CHURCHILLS HOTEL, 3 LLANDAFF PLACE, CARDIFF ROAD, LLANDAFF, CARDIFF, CF5 2AE	763	False	Full Discharge of Condition	20/09/2017
<u>Application Number</u>	<u>Registered</u>	<u>Applicant Name</u>	<u>Proposal</u>	<u>Location</u>	<u>Days taken to decision</u>	<u>8 Week target Achieved?</u>	<u>Decision</u>	<u>Decision Date</u>
17/01872/MNR	03/08/2017	Notemachine Uk Ltd	THE RETENTION OF AN ATM INSTALLED IN A NEW PURPOSE BUILT STEEL SECURE ROOM WITH STEEL FLOOR PLATE	WESTWARD HO GARAGE, LLANTRISANT ROAD, FAIRWATER, CARDIFF, CF5 2PY	54	True	Permission be granted	26/09/2017

A/17/00143/MNR	03/08/2017	Notemachine Uk Ltd	ATM FASCIA WITH BLACK BEZEL SURROUND AND WHITE ILLUMINATED LETTERING FREE CASH WITHDRAWALS OUT OF BLACK BACKGROUND. BLUE LED HALO ILLUMINATION TO THE ATM SURROUND (286.478CD/M) INTEGRAL ILLUMINATION AND SCREEN TO THE ATM FASCIA INTERNALLY ILLUMINATED FREE CASH WITHDRAWALS SIGN ABOVE THE ATM FASCIA BLUE LED HALO ILLUMINATION TO THE ATM SURROUND	WESTWARD HO GARAGE, LLANTRISANT ROAD, FAIRWATER, CARDIFF, CF5 2PY	54	True	Permission be granted	26/09/2017
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17/01958/MNR	10/08/2017	GDST	INSTEAD OF A CHAMFERED/SPLAYED CORNER, WALL CORNER TO BE AT RIGHT ANGLE (PLEASE SEE ATTACHED DRAWING). WALL TO BE COMPLETED IN TIMBER FENCING - PREVIOUSLY APPROVED UNDER 17/00545/MNR	HOWELLS SCHOOL, CARDIFF ROAD, LLANDAFF, CARDIFF, CF5 2YD	27	True	Permission be granted	06/09/2017
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<u>Application Number</u>	<u>Registered</u>	<u>Applicant Name</u>	<u>Proposal</u>	<u>Location</u>	<u>Days taken to decision</u>	<u>8 Week target Achieved?</u>	<u>Decision</u>	<u>Decision Date</u>
17/01851/DCH	28/07/2017	Patterson	ALTERATIONS & EXTENSIONS TO REAR OF PROPERTY.	11 POMMERGELLI ROAD, LLANDAFF NORTH, CARDIFF, CF14 2FS	38	True	Permission be granted	04/09/2017

16/02578/MNR	14/11/2016	Cartwright Construction	PROPOSED CONSTRUCTION OF 2 NO. SEMI-DETACHED DWELLINGS	LAND TO REAR OF 63 & 65 TY-MAWR ROAD, LLANDAFF NORTH, CARDIFF, CF14 2FP	291	False	Planning Permission be refused	01/09/2017
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<u>Application Number</u>	<u>Registered</u>	<u>Applicant Name</u>	<u>Proposal</u>	<u>Location</u>	<u>Days taken to decision</u>	<u>8 Week target Achieved?</u>	<u>Decision</u>	<u>Decision Date</u>
17/01441/DCH	20/06/2017	Antony	TWO STOREY SIDE EXTENSION AND EXTENSION TO FRONT OF THE PROPERTY	4 BRAUNTON AVENUE, LLANRUMNEY, CARDIFF, CF3 5HU	77	False	Permission be granted	05/09/2017
17/01818/DCH	25/07/2017	O'Driscoll	RETROSPECTIVE APPLICATION TO CONVERT GARAGE INTO PRIVATE GYM WITH EN-SUITE & ENCLOSURE TO REAR PATIO AREA	52 CRANLEIGH RISE, LLANRUMNEY, CARDIFF, CF3 4AP	45	True	Permission be granted	08/09/2017
17/01793/DCH	15/08/2017	HARRY	SINGLE STOREY SIDE EXTENSION & LOFT CONVERSION WITH REAR DORMER	35A PARRACOMBE CRESCENT, LLANRUMNEY, CARDIFF, CF3 5LS	31	True	Permission be granted	15/09/2017

<u>Application Number</u>	<u>Registered</u>	<u>Applicant Name</u>	<u>Proposal</u>	<u>Location</u>	<u>Days taken to decision</u>	<u>8 Week target Achieved?</u>	<u>Decision</u>	<u>Decision Date</u>
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17/01184/MJR	24/05/2017	Wates Residential	AMENDMENTS AS FOLLOWS 1. REMOVAL OF LOBBY TO PLOTS 1-2 AND 30-31 (UPDATE OF FLOOR PLANS AND ELEVATIONS); 2. MOVING PLOTS 8-12 AND 19-23 SLIGHTLY FURTHER TO THE WEST; 3. CHANGES TO THE LANDSCAPING ASSOCIATED WITH THE DRAINAGE STRATEGY (I.E. ABOVE GROUND ATTENUATION), INCLUDING REMOVAL OF 4NO. PROPOSED TREES AND PROVISION OF KNEE RAIL AROUND SWALES; 4. CHANGES TO THE BIN AND CYCLE STORAGE TO THE APARTMENTS; 5. CHANGES OF THE ROAD / COURTYARD FINISHES AS REQUIRED BY S38 REQUIREMENTS PREVIOUSLY APPROVED UNDER 16/01443/MJR	FORMER LLANRUMNEY HOUSING DEPOT, MOUNT PLEASANT LANE, LLANRUMNEY, CARDIFF	113	False	Permission be granted	14/09/2017
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<u>Application Number</u>	<u>Registered</u>	<u>Applicant Name</u>	<u>Proposal</u>	<u>Location</u>	<u>Days taken to decision</u>	<u>8 Week target Achieved?</u>	<u>Decision</u>	<u>Decision Date</u>
17/02063/DCH	30/08/2017	Chalinder	SINGLE AND TWO-STOREY EXTENSION TO THE REAR	83 HOLLYBUSH ROAD, PENTWYN, CARDIFF, CF23 6SZ	9	True	Permission be granted	08/09/2017

<u>Application Number</u>	<u>Registered</u>	<u>Applicant Name</u>	<u>Proposal</u>	<u>Location</u>	<u>Days taken to decision</u>	<u>8 Week target Achieved?</u>	<u>Decision</u>	<u>Decision Date</u>
17/01999/MNR	16/08/2017	Cardiff Council	DEMOLITION OF SCHOOL HOUSE (FORMERLY OF LLANEDEYRN HIGH SCHOOL)	SCHOOL HOUSE, ROUND WOOD, LLANEDEYRN, CARDIFF, CF23 9PJ	23	True	Prior Approval be granted	08/09/2017

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<u>Application Number</u>	<u>Registered</u>	<u>Applicant Name</u>	<u>Proposal</u>	<u>Location</u>	<u>Days taken to decision</u>	<u>8 Week target Achieved?</u>	<u>Decision</u>	<u>Decision Date</u>
17/01799/DCH	21/07/2017	Room	SINGLE STOREY REAR EXTENSION	20 MELROSE AVENUE, PENYLAN, CARDIFF, CF23 9AR	49	True	Permission be granted	08/09/2017
17/01067/DCH	12/05/2017	Sefal	CONVERSION OF GARAGE TO FORM ANNEX, INTERNAL ALTERATIONS & NEW DETACHED GARAGE.	THE DINGLE, 4 TY-GWYN AVENUE, PENYLAN, CARDIFF, CF23 5JJ	126	False	Permission be granted	15/09/2017
17/01776/DCH	20/07/2017	Zong	SINGLE STOREY REAR EXTENSION AND INTERNAL ALTERATIONS	91 BRANDRETH ROAD, PENYLAN, CARDIFF, CF23 5LE	53	True	Permission be granted	11/09/2017
17/01857/DCH	31/07/2017	Anderson	SINGLE STOREY REAR EXTENSION	17 WATERLOO GARDENS, PENYLAN, CARDIFF, CF23 5AA	42	True	Permission be granted	11/09/2017
17/01900/DCH	10/08/2017	Cutting	PROPOSED REAR SINGLE STORY EXTENSION, TWO STORY SIDE EXTENSION WITH CONVERSION OF EXISTING GARAGE AND INTERNAL ALTERATIONS	15 SINCLAIR DRIVE, PENYLAN, CARDIFF, CF23 9AH	39	True	Permission be granted	18/09/2017

<u>Application Number</u>	<u>Registered</u>	<u>Applicant Name</u>	<u>Proposal</u>	<u>Location</u>	<u>Days taken to decision</u>	<u>8 Week target Achieved?</u>	<u>Decision</u>	<u>Decision Date</u>
17/01508/MNR	24/07/2017	Malik	RETENTION OF ADDITIONAL FLAT CREATING 5 IN TOTAL AND GROUND FLOOR REAR EXTENSION	7 COLCHESTER AVENUE, PENYLAN	53	True	Permission be granted	15/09/2017

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<u>Application Number</u>	<u>Registered</u>	<u>Applicant Name</u>	<u>Proposal</u>	<u>Location</u>	<u>Days taken to decision</u>	<u>8 Week target Achieved?</u>	<u>Decision</u>	<u>Decision Date</u>
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17/01736/DCH	18/07/2017	Yu	GROUND AND FIRST FLOOR EXTENSION TO REAR OF TERRACE HOUSE	185 INVERNESS PLACE, ROATH, CARDIFF, CF24 4RY	45	True	Permission be granted	01/09/2017
17/01970/DCH	21/08/2017	Jackson	SINGLE STOREY REAR EXTENSION AND OFF STREET PARKING	12 MORLAIS STREET, ROATH, CARDIFF, CF23 5HQ	38	True	Permission be granted	28/09/2017
<u>Application Number</u>	<u>Registered</u>	<u>Applicant Name</u>	<u>Proposal</u>	<u>Location</u>	<u>Days taken to decision</u>	<u>8 Week target Achieved?</u>	<u>Decision</u>	<u>Decision Date</u>
16/01711/MJR	19/07/2016	Walters	DEMOLITION OF EXISTING WORKSHOP AND REDUNDANT BUILDING, AND CONSTRUCTION OF STUDENT ACCOMMODATION	LAND TO THE REAR OF 26-28 CASTLE LANE, ROATH, CARDIFF, CF24 3EP	426	False	Permission be granted	18/09/2017
<u>Application Number</u>	<u>Registered</u>	<u>Applicant Name</u>	<u>Proposal</u>	<u>Location</u>	<u>Days taken to decision</u>	<u>8 Week target Achieved?</u>	<u>Decision</u>	<u>Decision Date</u>
17/01267/MNR	07/06/2017	Phillips	FORM REAR FLAT ROOFED DORMER AND CONSTRUCT TWO BEDROOMS IN THE ATTIC SPACE. ALTERATIONS TO CONVERT FROM A FOUR BEDROOM RENTAL PROPERTY TO A SEVEN BEDROOM RENTAL PROPERTY.	22 STRATHNAIRN STREET, ROATH, CARDIFF, CF24 3JN	93	False	Permission be granted	08/09/2017
17/01933/MNR	07/08/2017	Jones	CHANGE THE USE OF THE BUILDING FROM A C3 TO A C4 DWELLING - HOUSE IN MULTIPLE OCCUPATION	25 TALWORTH STREET, ROATH, CARDIFF, CF24 3EJ	39	True	Permission be granted	15/09/2017
17/01921/MNR	04/08/2017	Shaw	VARIATION OF CONDITION 2 - APPROVED PLANS OF PLANNING PERMISSION 17/00120/MNR TO ALLOW FOR AN INCREASE IN THE SIZE OF THE DORMER	83 CONNAUGHT ROAD, ROATH, CARDIFF, CF24 3PX	33	True	Permission be granted	06/09/2017

17/01922/MNR	04/08/2017	Shaw	VARIATION OF CONDITION 2 - APPROVED PLANS OF PLANNING PERMISSION 17/00179/MNR TO ALLOW FOR AN INCREASE IN THE SIZE OF THE DORMER	85 CONNAUGHT ROAD, ROATH, CARDIFF, CF24 3PX	33	True	Permission be granted	06/09/2017
17/02031/MNR	22/08/2017	Notemachine Uk Ltd	THE RETENTION OF AN ATM INSTALLED THROUGH EXISTING GLAZING TO THE FAR RIGHT HAND SIDE OF THE SHOP FRONT. REPLACING PART OF THE EXISTING GLAZING WITH WHITE LAMINATE COMPOSITE SECURITY PANEL, INCORPORATING THE ATM FASCIA WITH A BLACK BEZEL SURROUND AND WHITE INTERNALLY ILLUMINATED LETTERING FREE CASH WITHDRAWALS OUT OF BLACK BACKGROUND. BLUE LED HALO ILLUMINATION TO THE ATM SURROUND (286.478CD/M)	88 CITY ROAD, ROATH, CARDIFF, CF24 3DD	30	True	Permission be granted	21/09/2017
A/17/00154/MNR	22/08/2017	Notemachine Uk Ltd	INTEGRAL ILLUMINATION AND SCREEN TO THE ATM FASCIA INTERNALLY ILLUMINATED FREE CASH WITHDRAWALS SIGN ABOVE THE ATM FASCIA BLUE LED HALO ILLUMINATION TO THE ATM SURROUND.	88 CITY ROAD, ROATH, CARDIFF, CF24 3DD	30	True	Permission be granted	21/09/2017

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<u>Application Number</u>	<u>Registered</u>	<u>Applicant Name</u>	<u>Proposal</u>	<u>Location</u>	<u>Days taken to decision</u>	<u>8 Week target Achieved?</u>	<u>Decision</u>	<u>Decision Date</u>
17/01871/DCH	01/08/2017	O'KEEFFE	PROPOSED ERECTION OF DETACHED GARAGE	DANUM, DRUIDSTONE ROAD, OLD ST MELLONS, CARDIFF, CF3 6XD	56	True	Permission be granted	26/09/2017
17/01852/DCH	28/07/2017	Hinchly	PROPOSED DEMOLITION OF GARAGE AND ADDITION OF TWO STOREY EXTENSION	PARKWALL LODGE, HEOL-Y-PARC, PONTPRENNAU, CARDIFF, CF14 0HY	49	True	Permission be granted	15/09/2017

17/01913/DCH	07/08/2017	ALDARMI	ROOF EXTENSIONS INCLUDING RAISING RIDGE HEIGHT AND REAR DORMERS	3 GREENACRE DRIVE, PONTPRENNAU, CARDIFF, CF23 8PA	44	True	Planning Permission be refused	20/09/2017
17/02058/DCH	23/08/2017	Littlechild	SINGLE STOREY REAR EXTENSION	3 HOLLINGTON DRIVE, PONTPRENNAU, CARDIFF, CF23 8PG	29	True	Permission be granted	21/09/2017
17/01943/DCH	14/08/2017	Palmer	FIRST FLOOR SIDE EXTENSION TO CREATE AN EXTRA BEDROOM AND OFFICE	18 CLOS CWM DU, PONTPRENNAU, CARDIFF, CF23 8LE	32	True	Permission be granted	15/09/2017

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17/01524/MNR	29/06/2017	Scimitar Homes Ltd	APPLICATION TO REMOVE CONDITION 6 (SOIL RESOURCE SURVEY) OF PLANNING PERMISSION 16/02210/MNR	BRIARWOOD, OLD NEWPORT ROAD, OLD ST MELLONS, CARDIFF, CF3 5FX	83	False	Permission be granted	20/09/2017
17/01841/MNR	01/08/2017	O'KEEFFE	AMENDMENT TO CONDITION 2 (APPROVED PLANS DRAWING LIST) TO AMEND LOWER GROUND SIDE WINDOWS AND REMOVAL OF EXTERNAL STAIRCASE PREVIOUSLY APPROVED UNDER 15/03150/MNR	DANUM, DRUIDSTONE ROAD, OLD ST MELLONS, CARDIFF, CF3 6XD	42	True	Permission be granted	12/09/2017

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17/02053/MNR	22/08/2017	CAERPHILLY BOROUGH COUNCIL	CHANGE THE USE FROM AGRICULTURAL TO A HEALTH AND WELLBEING CENTRE FOR PHYSICAL AND MENTAL IMPROVEMENT	BRIDGE FARM GWERN-Y-GOYTRE TO MICHAELSTON BRIDGE MICHAELSTON-Y-FEDW CARDIFF	37	True	Raise No Objection	28/09/2017

PYCH

<u>Application Number</u>	<u>Registered</u>	<u>Applicant Name</u>	<u>Proposal</u>	<u>Location</u>	<u>Days taken to decision</u>	<u>8 Week target Achieved?</u>	<u>Decision</u>	<u>Decision Date</u>
17/01807/DCH	24/07/2017	Gigg	PROPOSED WOOD CLADDING TO THE EXISTING ELEVATION TO REAR OF PROPERTY. THIS IS TO COVER DAMAGE TO THE WALL CAUSED BY THE REMOVAL OF A PORCH. THIS WILL TIE IN WITH WOOD CLADDING ON GARAGE CONVERSION TO THE SIDE OF THE PROPERTY	107 MAES-Y-SARN, PENTYRCH, CARDIFF, CF15 9QR	56	True	Permission be granted	18/09/2017
17/01790/DCH	28/07/2017	JONES	SINGLE STOREY REAR EXTENSION PROVIDING BALCONY AND DECKING AREA	GARNET HOUSE, PEN-Y-WAUN, PENTYRCH, CARDIFF, CF15 9SJ	42	True	Permission be granted	08/09/2017

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17/01734/MNR	12/07/2017	CTIL & Vodafone Ltd	THE PROPOSAL IS FOR A TELECOMMUNICATIONS BASE STATION CONSISTING OF A 17.5m MONOPOLE, SUPPORTING 3 No 300 DISHES TOGETHER WITH ASSOCIATED GROUND BASED EQUIPMENT CABINETS AND ANCILLARY DEVELOPMENT THERETO	LAND AT PENTYRCH SPORTS ASSOCIATION, PENUEL ROAD, PENTYRCH CF15 9LG	51	True	Permission be granted	01/09/2017

RADY

<u>Application Number</u>	<u>Registered</u>	<u>Applicant Name</u>	<u>Proposal</u>	<u>Location</u>	<u>Days taken to decision</u>	<u>8 Week target Achieved?</u>	<u>Decision</u>	<u>Decision Date</u>
17/01866/DCH	07/08/2017	Powell	LOFT CONVERSION, INCLUDING DORMER AND ROOFLIGHT INSTALLATION	58 WINDSOR AVENUE, RADYR, CARDIFF, CF15 8BY	45	True	Permission be granted	21/09/2017

17/01321/DCH	08/06/2017	Vipond	GARAGE CONVERSION, NEW GARAGE, CONSERVATORY UPGRADE AND PROVISION OF CHIMNEY STACK	7 BARNFIELD DRIVE, MORGANSTOWN, CARDIFF, CF15 8FP	113	False	Permission be granted	29/09/2017
17/01822/DCH	31/07/2017	CULL	TWO STOREY SIDE EXTENSION AND FRONT PORCH EXTENSION	4 BEECH TREE CLOSE, RADYR, CARDIFF, CF15 8RZ	53	True	Permission be granted	22/09/2017
17/01946/DCH	09/08/2017	Wilkes	PROPOSED TWO STOREY SIDE EXTENSION AND SINGLE STOREY REAR EXTENSION	7 CRAIG CASTELL, RADYR, CARDIFF, CF15 8RG	33	True	Permission be granted	11/09/2017
17/01477/DCH	17/08/2017	DOWNE	SINGLE STOREY REAR EXTENSION	34 WINDSOR AVENUE, RADYR, CARDIFF, CF15 8BY	36	True	Permission be granted	22/09/2017

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17/01312/MNR	06/06/2017	Francesco	AMEND CONDITION 3 OF 16/02600/MNR - TO ALLOW PERMANENT RESTRICTED OPENING OF FIRST FLOOR SIDE FACING WINDOWS AND GLAZED WITH OBSCURE GLASS INSTEAD OF THE REQUIREMENT TO BE NON-OPENING BELOW 1.8M FROM INTERNAL FLOOR LEVEL.	18 DAN-Y-BRYN AVENUE, RADYR, CARDIFF, CF15 8DD	87	False	Permission be granted	01/09/2017

RHIW

<u>Application Number</u>	<u>Registered</u>	<u>Applicant Name</u>	<u>Proposal</u>	<u>Location</u>	<u>Days taken to decision</u>	<u>8 Week target Achieved?</u>	<u>Decision</u>	<u>Decision Date</u>
17/01353/DCH	09/06/2017	Singh	DETACHED STORE- GAMES ROOM/SUMMER HOUSE	47 THORNHILL ROAD, RHIWBINA, CARDIFF, CF14 6PE	84	False	Permission be granted	01/09/2017

17/01865/DCH	31/07/2017	Payne	REAR SINGLE STOREY EXTENSION AND LOFT CONVERSION WITH DORMER TO REAR	39 HEOL-Y-BONT, RHIWBINA, CARDIFF, CF14 6AL	42	True	Permission be granted	11/09/2017
17/00495/DCH	14/03/2017	Griffiths	RETROSPECTIVE PLANNING SUBMISSION FOR EXTENSIONS AND ALTERATIONS TO BUNGALOW TO FORM A DORMER BUNGALOW INCLUDING CHANGE IN LEVELS ALTERATIONS TO ROOF INTERNAL ALTERATIONS CHANGES TO FENESTRATION AND SIDE EXTENSION REPLACING GARAGE	17 LLWYD COED, PANTMAWR, CARDIFF, CF14 7TT	198	False	Planning Permission be refused	28/09/2017
17/01740/DCH	26/07/2017	Chiplin	FOUR METRE GROUND FLOOR EXTENSION TO REAR OF EXISTING BUNGALOW WITH ALL MATERIALS TO MATCH EXISTING	4 TY-GWYN ROAD, RHIWBINA, CARDIFF, CF14 6NF	40	True	Permission be granted	04/09/2017
17/01863/DCH	04/08/2017	Hopkins	DEMOLITION OF THE EXISTING GARAGE AND ERECTION OF A REAR AND SIDE SINGLE STOREY EXTENSION. ALTERATIONS TO EXISTING PAVEMENT TO MINAFON TO ALLOW ADDITIONAL VEHICLE TO PARK IN FRONT OF HOUSE	4 MINAFON, RHIWBINA, CARDIFF, CF14 6SY	35	True	Permission be granted	08/09/2017
17/01873/DCH	04/08/2017	Jones	SINGLE STOREY REAR EXTENSION, HIP TO GABLE ROOF EXTENSION, REAR DORMER AND ROOF LIGHTS TO FRONT	4 CLOS TON MAWR, RHIWBINA, CARDIFF, CF14 6RH	35	True	Permission be granted	08/09/2017
17/01957/DCH	09/08/2017	Tyner	FULL REFURBISHMENT AND SINGLE STOREY EXTENSION WITH BI-FOLDING DOORS AND SKYPODS	7 LON TY'N-Y-CAE, RHIWBINA, CARDIFF, CF14 6DD	30	True	Permission be granted	08/09/2017
17/01323/DCH	02/08/2017	Brown	PROPOSED REAR AND SIDE SINGLE STOREY EXTENSION TO EXISTING DWELLING	14 WAUN-Y-GROES ROAD, RHIWBINA, CARDIFF, CF14 4SW	40	True	Permission be granted	11/09/2017

<u>Application Number</u>	<u>Registered</u>	<u>Applicant Name</u>	<u>Proposal</u>	<u>Location</u>	<u>Days taken to decision</u>	<u>8 Week target Achieved?</u>	<u>Decision</u>	<u>Decision Date</u>
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17/02019/MNR	17/08/2017	Tagweena Investments	CONSTRUCTION OF 4 BEDROOMED DETACHED PROPERTY WITH PARKING AND GARDENS. REVISED SUBMISSION FROM REFUSED APPLICATION NO. 17/01117/MNR.	PART OF LAND AT 14 CAE MAWR ROAD, RHIWBINA, CARDIFF, CF14 6NX	43	True	Permission be granted	29/09/2017
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<u>Application Number</u>	<u>Registered</u>	<u>Applicant Name</u>	<u>Proposal</u>	<u>Location</u>	<u>Days taken to decision</u>	<u>8 Week target Achieved?</u>	<u>Decision</u>	<u>Decision Date</u>
17/01486/DCH	31/07/2017	Dudfield	SINGLE STOREY EXTENSION TO REAR OF TERRACED PROPERTY	23 SEVERN GROVE, PONTCANNA, CARDIFF, CF11 9EN	60	False	Permission be granted	29/09/2017
17/01856/DCH	03/08/2017	Wood	SINGLE STOREY REAR EXTENSION	40 WYNDHAM CRESCENT, RIVERSIDE, CARDIFF, CF11 9EH	56	True	Permission be granted	28/09/2017
17/01359/DCH	14/06/2017	biss	SINGLE STOREY SIDE EXTENSION AND REMOVAL OF CHIMNEY	14 TEILO STREET, PONTCANNA, CARDIFF, CF11 9JN	86	False	Permission be granted	08/09/2017
17/01720/DCH	14/07/2017	gregory	REPLACE 7 X EXISTING TIMBER CASEMENT WINDOWS WITH WHITE UPVC VERTICAL SLIDING SASH WINDOWS	30 RYDER STREET, RIVERSIDE, CARDIFF, CF11 9BT	53	True	Permission be granted	05/09/2017
17/02062/DCH	23/08/2017	RAYSON	ALTERATIONS TO 17/00588/DCH - RETENTION OF DOUBLE DOORWAY TO GROUND FLOOR AND PROVISION OF BALUSTRADE AT FIRST FLOOR	16 GILESTON ROAD, PONTCANNA, CARDIFF	30	True	Permission be granted	22/09/2017
17/01926/DCH	09/08/2017	Kokelaar	A PROPOSED SINGLE STOREY SIDE EXTENSION TO THE REAR OF THE PROPERTY, WITH THE INSTALLATION OF A W/C AS AN INTERNAL ALTERATION	3 LLANFAIR ROAD, PONTCANNA, CARDIFF, CF11 9PZ	33	True	Permission be granted	11/09/2017
17/01875/DCH	01/08/2017	Roberts	TWO STOREY REAR EXTENSION	5 GLYNNE STREET, RIVERSIDE, CARDIFF, CF11 9NS	38	True	Permission be granted	08/09/2017

17/01914/DCH	15/08/2017	Wai Lam Mo	ALTERATIONS TO 15/03093/DCH - THE REDUCTION IN FOOTPRINT OF THE PROPOSED EXTENSION	34 CONWAY ROAD, PONTCANNA, CARDIFF, CF11 9NT	24	True	Permission be granted	08/09/2017
17/01126/DCH	04/08/2017	Murphy	REAR SINGLE STOREY EXTENSION AND ALTERATIONS	1 BEACON STREET, PONTCANNA, CARDIFF, CF11 9QD	28	True	Permission be granted	01/09/2017
<u>Application Number</u>	<u>Registered</u>	<u>Applicant Name</u>	<u>Proposal</u>	<u>Location</u>	<u>Days taken to decision</u>	<u>8 Week target Achieved?</u>	<u>Decision</u>	<u>Decision Date</u>
17/00591/MNR	06/04/2017	RAYSON	CHANGE OF USE OF EXISTING PROPERTY TO FORM 3 SELF CONTAINED FLATS WITH SINGLE STOREY REAR EXTENSION AND TWO STOREY SIDE EXTENSION	105 FAIRLEIGH ROAD, PONTCANNA, CARDIFF, CF11 9JW	148	False	Permission be granted	01/09/2017
17/00835/MNR	28/04/2017	Bunce	CONVERSION TO THREE FLATS WITH REAR DORMER LOFT CONVERSION	140 NINIAN PARK ROAD, RIVERSIDE, CARDIFF, CF11 6JE	133	False	Permission be granted	08/09/2017
A/17/00111/MNR	21/06/2017	Insite Poster Properties	REPLACEMENT OF AN EXISTING INTERNALLY ILLUMINATED 48-SHEET ADVERTISING DISPLAY WITH AN INTERNALLY ILLUMINATED 48-SHEET DIGITAL LED DISPLAY	39 LOWER CATHEDRAL ROAD, RIVERSIDE, CARDIFF, CF11 6LW	79	False	Permission be granted	08/09/2017
17/01522/MNR	20/07/2017	Dragon Supermarket Ltd	FOUR SHIPPING CONTAINERS	48-50 COWBRIDGE ROAD EAST, RIVERSIDE, CARDIFF, CF11 9DU	53	True	Planning Permission be refused	11/09/2017
17/01788/MNR	20/07/2017	Cardiff Council Regeneration	REPLACEMENT OF EXISTING INFILL BALUSTRADE PANELS TO BALCONIES WITH NEW OPAQUE GLASS INFILL PANELS; STRUCTURAL REPAIRS TO BALCONY STRUCTURES AS PER ENGINEERS RECOMMENDATIONS; RE-SURFACING TO UPPER BALCONY SURFACES AND CLADDING OF SOFFIT AND FASCIA OF BALCONY STRUCTURES WITH PROPRIETARY VENTILATED PPC ALUMINIUM FASCIA AND SOFFIT SYSTEM	EDINBURGH COURT, WYNDHAM PLACE, RIVERSIDE, CARDIFF, CF11 6ED	56	True	Permission be granted	14/09/2017

17/01756/MNR	25/07/2017	Enfys Hapus Nursery Ltd	CHANGE OF USE TO DAY CARE NURSERY	187 CATHEDRAL ROAD, RIVERSIDE, CARDIFF, CF11 9PN	56	True	Permission be granted	19/09/2017
17/01842/MNR	01/08/2017	WH Development Ltd	VARIATION OF CONDITION 2 (APPROVED DRAWINGS) TO ALLOW EXTERNAL CHANGES PREVIOUSLY APPROVED UNDER 08/00809/W	WELLINGTON HOUSE, 1-9 WELLINGTON STREET, RIVERSIDE, CARDIFF, CF11 9BE	56	True	Split decision (part app./part ref.)	26/09/2017
17/01843/MNR	01/08/2017	WH Development Ltd	VARIATION OF CONDITION 2 (APPROVED DRAWINGS) TO ALLOW EXTERNAL CHANGES PREVIOUSLY APPROVED UNDER 17/00040/MNR	WELLINGTON HOUSE, 1-9 WELLINGTON STREET, RIVERSIDE, CARDIFF, CF11 9BE	56	True	Split decision (part app./part ref.)	26/09/2017

RUMN

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17/01145/DCH	28/07/2017	Jones	SINGLE STOREY EXTENSION	78 TY-MAWR AVENUE, RUMNEY, CARDIFF, CF3 3AG	45	True	Permission be granted	11/09/2017
17/02020/DCH	17/08/2017	Singh	DEMOLISH REAR EXTENSIONS AND CONSTRUCT SINGLE STOREY REAR EXTENSION	7 DROS-Y-MORFA, RUMNEY, CARDIFF, CF3 3BL	39	True	Permission be granted	25/09/2017
<u>Application Number</u>	<u>Registered</u>	<u>Applicant Name</u>	<u>Proposal</u>	<u>Location</u>	<u>Days taken to decision</u>	<u>8 Week target Achieved?</u>	<u>Decision</u>	<u>Decision Date</u>
17/01474/MJR	21/06/2017	Atlantic Recycling	ENVIRONMENTAL PERMIT APPLICATION	Atlantic Ecopark Newton Road Rumney Cardiff CF3 2EJ	75	False	Raise No Objection	04/09/2017

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17/01335/MNR	26/07/2017	Dudley's Aluminium Ltd	PROPOSED SINGLE SKIN STORAGE BUILDING	DUDLEYS ARCHITECTURAL ALLUMINIUM, MARDY ROAD, WENTLOOG, CARDIFF, CF3 2EH	51	True	Permission be granted	15/09/2017

17/01707/MNR	31/07/2017	Cotter	CHANGE OF USE FROM A1 USE TO A3 USE	87 HARRIS AVENUE, RUMNEY, CARDIFF, CF3 1QB	37	True	Permission be granted	06/09/2017
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SPLO

<u>Application Number</u>	<u>Registered</u>	<u>Applicant Name</u>	<u>Proposal</u>	<u>Location</u>	<u>Days taken to decision</u>	<u>8 Week target Achieved?</u>	<u>Decision</u>	<u>Decision Date</u>
17/01880/MNR	03/08/2017	Barua	CHANGE OF USE TO A FOUR BED HOUSE IN MULTIPLE OCCUPATION	94 CARLISLE STREET, SPLOTT, CARDIFF, CF24 2PF	48	True	Permission be granted	20/09/2017
17/01760/MNR	25/07/2017	Every	PROPOSED CHANGE OF USE FROM SINGLE RESIDENTIAL PROPERTY TO TWO FLATS, WITH GROUND FLOOR EXTENSION	232 RAILWAY STREET, SPLOTT, CARDIFF, CF24 2NJ	43	True	Permission be granted	06/09/2017
17/01430/MNR	19/06/2017	Virgin Media Ltd	NEW ENCLOSED GENERATOR COMPOUND AND SUBSTATION AND ASSOCIATED EQUIPMENT	VIRGIN MEDIA UNIT 29, PORTMANMOOR ROAD INDUSTRIAL ESTATE, PORTMANMOOR ROAD, SPLOTT, CARDIFF, CF24 5HB	74	False	Permission be granted	01/09/2017

TROW

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17/01773/DCH	19/07/2017	Cheballah	TWO STOREY SIDE AND SINGLE STOREY REAR EXTENSIONS.	17 CARADOC CLOSE, ST MELLONS, CARDIFF, CF3 0LQ	51	True	Permission be granted	08/09/2017
17/01968/DCH	11/08/2017	Armstrong-Bryan	TWO STOREY EXTENSION TO SIDE OF PROPERTY WORKS ARE TO INCLUDE THE INCREASE OF THE FLOOR AREA BEHIND EXISTING GARAGE AND WORKS TO PROVIDE A BEDROOM/ENSUITE TO FIRST FLOOR ABOVE THE GARAGE	60 HARRISON DRIVE, ST MELLONS, CARDIFF, CF3 0PJ	35	True	Permission be granted	15/09/2017
17/02030/DCH	18/08/2017	Andrew	GROUND FLOOR FRONT EXTENSION WITH ROOF EXTENSION & FRONT DORMERS, INCLUDING RAISING ROOF RIDGE	USKLEY HOUSE, USKLEY COTTAGE AND USKLEY COURT, NEWPORT ROAD, ST MELLONS, CARDIFF, CF3 2WJ	28	True	Permission be granted	15/09/2017

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16/01806/MJR	29/07/2016	Neal Soils Ltd	EXTENSION TO EXISTING SOIL WASH FACILITY AND CONCRETE HARDSTANDING	TY TO MAEN FARM, NEWTON ROAD, WENTLOOG, CARDIFF, CF3 2EJ	412	False	Permission be granted	14/09/2017

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17/01870/DCH	31/07/2017	Williams	DEMOLITION OF EXISTING GARAGE AND CONSTRUCTION OF TWO STOREY SIDE EXTENSION	42 TY'N-Y-PWLL ROAD, WHITCHURCH, CARDIFF, CF14 1AS	42	True	Permission be granted	11/09/2017
17/01881/DCH	01/08/2017	Brown	SINGLE STOREY SIDE EXTENSION	13 TWYN-Y-FEDWEN, WHITCHURCH, CARDIFF, CF14 1HU	41	True	Permission be granted	11/09/2017

17/01746/DCH	24/07/2017	Williams	DEMOLISH EXISTING DETACHED GARAGE AND REBUILD NEW GARAGE WITH ADJOINING TOILET/WASHROOM	20 HEOL Y GORS, WHITCHURCH, CARDIFF, CF14 1HF	46	True	Permission be granted	08/09/2017
17/01758/DCH	21/07/2017	SPIKE STUDIO & ASSOCIATES	PROPOSED TWO STOREY SIDE EXTENSION, HIP TO GABLE AND REAR DORMER LOFT EXTENSION, SINGLE STOREY REAR EXTENSION TO REPLACE THE EXISTING SINGLE STOREY STRUCTURE AND PROVIDE NEW KITCHEN AND DINING AREAS.	22 ST MARGARET'S ROAD, WHITCHURCH, CARDIFF, CF14 7AB	42	True	Permission be granted	01/09/2017
17/01413/DCH	21/06/2017	Organ	SINGLE STOREY EXTENSION	MAPLE LODGE, HEOL DON, WHITCHURCH, CARDIFF, CF14 2AR	75	False	Permission be granted	04/09/2017
17/01729/DCH	20/07/2017	Castle	FIRST FLOOR EXTENSION BUILDING IN FOOTPRINT OF EXISTING KITCHEN EXTENSION	4 WELLINGTON STREET, TONGWYNLAIS, CARDIFF, CF15 7LP	47	True	Permission be granted	05/09/2017
17/01725/DCH	13/07/2017	Ford	PROPOSED TWO STOREY EXTENSION AND ALTERATION WORKS	8 CASTELL COCH VIEW, TONGWYNLAIS, CARDIFF, CF15 7LA	77	False	Planning Permission be refused	28/09/2017
17/01795/DCH	04/08/2017	Farnham	ERECT A DETACHED ANNEXE TO NO 2 HEOL BROOKER	2 HEOL BOOKER, WHITCHURCH, CARDIFF, CF14 2DG	56	True	Permission be granted	29/09/2017
17/01975/DCH	15/08/2017	Phipps	CONVERSION OF EXISTING GARAGE AND GROUND AND FIRST FLOOR EXTENSION	10 CASTELL COCH VIEW, TONGWYNLAIS, CARDIFF, CF15 7LA	31	True	Permission be granted	15/09/2017
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16/01530/MJR	24/06/2016	Cardiff and Vale University Health Board	Variation of conditions 1C and 1D of outline planning permission 10/02301/DCO to extend period of time for the application of approval of reserved matters and commencement of development. Removal of conditions 2, 3 & 4 relating to Code for Sustainable Homes.	WHITCHURCH HOSPITAL, PARK ROAD, WHITCHURCH, CARDIFF, CF14 7XB	441	False	Permission be granted	08/09/2017

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17/01805/MNR	27/07/2017	CHAMBERS ESTATE AGENTS	CREATE NEW TWO STOREY DWELLING TO END OF TERRACE	64 LON-Y-CELYN, WHITCHURCH, CARDIFF, CF14 7BJ	61	False	Permission be granted	26/09/2017
17/01966/MNR	11/08/2017	Starbucks Coffee Company	MINOR EXTERNAL ALTERATIONS TO DRIVE THRU COFFEE SHOP APPROVED UNDER 16/02186/MNR	STARBUCKS, LONGWOOD DRIVE, WHITCHURCH, CARDIFF, CF14 7EW	45	True	Permission be granted	25/09/2017